

**INTERNATIONAL SECURITY ASSISTANCE  
TO PEACE IMPLEMENTATION PROCESSES:  
THE CASES OF BOSNIA-HERZEGOVINA AND ANGOLA**

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## **Preface**

The present study began as part of a project on the implementation of peace agreements at the Norwegian Defence Research Establishment (FFI) which was carried out from October 1996 to December 1998. I am grateful to the institute for providing me with a liberal framework within which I was given the time and resources necessary to complete the present thesis. For helpful comments throughout the project, I would like to thank the members of the project advisory group for the “Implementing Peace”-project: Aslak Brun, Espen Barth Eide, Captain Jo Gade, Arne Grønningssæter, Jon Hanssen-Bauer, Ambassador Helga Hernes, Erik Løfquist, Per Fredrik Pharo, Lieutenant Commander Steinar Selmersen, Ragnvald H Solstrand, Lieutenant-Colonel Thor Daniel Steen, and Espen Stenersen.

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At FFI, I would like to single out two people for a special word of thanks: Fellow researcher Brynjar Lia who always had insightful comments, was ready to discuss tricky issues any time, anywhere, and helped lift the present study to another level by providing an essential, alternative perspective. Director of the Division for Systems Analysis Ragnvald H Solstrand supported me throughout the process of researching and writing the thesis by granting me time and flexibility within my other duties whenever necessary, and not the least by contributing valuable comments on the content of the research.

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As always, thanks to my parents for their unfailing words of encouragement.

... every journey has a first step...

# **INTRODUCTION**

“NOTHING EXCEPT A BATTLE LOST CAN BE HALF AS MELANCHOLY AS A BATTLE WON.”

THE DUKE OF WELLINGTON

## **INTRODUCTION**

In recent years, the international community has become increasingly involved in a variety of security-related tasks in war-torn societies. Due to political constraints during the Cold War, the involvement of the international community in security matters – with the UN as the primary actor – had largely been limited to monitoring cease-fires and conducting disarmament negotiations. With the end of the Cold War, the international community was spurred on by a greater willingness to intervene in the internal matters of another state and a new-found belief in the potential of such interventions. Since 1990, changes have also occurred in the pattern of conflicts: the number of conflicts has risen and conflicts are almost exclusively internal wars, subsequently drawing in the civilian population to a greater extent.<sup>1</sup> The fact that conflicts were becoming ever more civilian reinforced a growing consensus and feeling of moral obligation and the concomitant realisation that peacekeeping should address civilian security aspects, as well as military ones.<sup>2</sup>

Today, providing international security assistance is a common tool in international conflict management and might be considered the essence of ‘third-generation’ peacekeeping. In some ways, the international community was faced with an extensive peace and even state building role without developing a comprehensive understanding of the tasks it took on and the links between them. Having started down that track and having assumed a virtually binding moral and political stance, the international community will increasingly feel responsible for maintaining or reinstalling security, such as it is currently doing in several war-torn societies. In addition to a growing scope of activity, the number of actors involved has grown extensively, bringing with it huge demands for co-ordination. The present study of what I have termed “international security assistance” is thus a first attempt at presenting this new phenomenon in a systematic manner.

The aim of the current study is to introduce the concept of international security assistance, its components, its provision, and its role in war-torn societies. Thus, the present thesis chooses a functional approach, concentrating on the tasks

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<sup>1</sup> Peter Wallensteen and Margareta Sollenberg (1999) “Armed Conflict, 1989-98,” *Journal of Peace Research* 36(5), pp. 593-606.

<sup>2</sup> The growing feeling of moral obligation is a result of both media pressure and a redefinition of the concept of security as described below.

executed and their effect on the security situation in a war-torn society. Although the motivations and sabre rattling among contributors of international security assistance are a constant underlying factor in the assessment of the assistance provided, they are not the main point of focus in the context of this study. The general reluctance to use military or security instruments in the course of providing international security assistance is alleviated through the organisational context and the claim of representing the international community and a set of universal values.<sup>3</sup>

The provision of international security assistance is in line with a trend towards more emphasis on humanitarian values and a more normative and proactive stance.<sup>4</sup> This entails that a wide spectrum of tools, ranging from diplomatic pressure to military intervention, are becoming acceptable instruments for addressing human rights violations and similar grievances. Similarly, international security assistance draws on a fundamentally humanitarian rationale and involves a variety of tools along the continuum. Hopefully, the present study can contribute to an improved understanding of the tasks that the international community takes on and the means it employs to execute them in the course of enhancing security in a former conflict area.

#### *What Is International Security Assistance?*

Having reached a peace agreement, one all too often assumes that the melancholy of battle has indeed come to an end. Instead, the struggle between the former warring parties continues when the agreement is being put into practice, and the legacy of the preceding war lingers on. In an atmosphere of destruction and distrust, it seems obvious that support to peace processes would make a considerable difference between success and failure. Following the same train of thought, the international community has increasingly become involved in the implementation of peace agreements in the course of the last decade. The efforts in Angola, Bosnia-Herzegovina, Cambodia, East Timor, El Salvador, Guatemala, Haiti, Kosovo, Namibia, Mozambique, and the West Bank and Gaza are but a few examples.

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<sup>3</sup> *Section I: Analytical Framework and Conceptual Development* will define the term *international community* in greater detail by introducing a typology of actors.

<sup>4</sup> See for example Thomas G. Weiss (2000) "The Politics of Humanitarian Ideas," *Security Dialogue* 31 (1), pp. 11-23; Kofi A. Annan (1999b) "Two concepts of sovereignty," *The Economist*, 18 September 1999; Kofi A. Annan (1999a) "Walking the International Tightrope," *The New York Times*, 19 January 1999, Section A, p. 19; Janne Haaland Matlary (1999) "Myk makt, harde verdier?" *Dagbladet*, 21 December 1999.

At the same time, the end of the Cold War has been traumatic for the United Nations. Without the Cold War restrictions on decision-making and with more internal conflicts that called for an international response, the United Nations experienced a new lease on life. In an attempt to meet increased expectations, the UN obviously overextended itself, taking on a wide range of peacekeeping tasks that it was not prepared for institutionally or financially. As a result, the organisation was struggling to redefine its role in international conflict management and how to share responsibility with other organisations. Likewise, the process towards understanding which type of assistance to peace processes is indeed beneficial, has been cumbersome. The present study seeks to illustrate one area in which external actors can support the implementation of peace agreements, namely through the delivery of international security assistance. It is important to understand that the phenomenon of international security assistance was a product of changes at the level of the international system rather than a result of, for instance, a policy initiative in one of the member's capital.

The rationale for studying international security assistance to war-torn societies arises with the realisation that the real job of building lasting peace starts only after a peace agreement has been signed, i.e. in its implementation phase. The study analyses how the international community can contribute to enhancing security in a former conflict area in the wake of a peace agreement. The assumption is made that through such assistance the international community will support or even accelerate the transition from war to peace. Thus, although I am fully aware of the central importance of political development and economic reconstruction in a post-settlement society, the focus here is on the security dimension of peace implementation.<sup>5</sup> There are several reasons for focusing on international security assistance, apart from the fact that it is an understudied field. In this context, security is understood as a precondition for other peace building and reconstruction efforts.<sup>6</sup>

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<sup>5</sup> Throughout the analysis below, the study takes into account that interference in the security sector of a war-torn country is affected by and itself affects the political and economic interests of the parties involved.

<sup>6</sup> The delivery of international security assistance in post-conflict regeneration builds on an understanding of a state as more than merely an arena for social interaction. It has a specific role in the organisation of how society interacts and a responsibility towards its population. International security assistance primarily addresses the aspect of state-building that concerns the resurrection of the state's monopoly on violence, reflecting the liberal notion that a state is obligated to protect society and maintain law and order. At the same time, the concept of international security assistance underlines the need to place the state as a formal institutional framework within a context of legitimacy. In that

More generally, increased security lies at the heart of the confidence-building process which is the basis for building lasting peace. In a way, security is the key to a new “social contract” between the population and its government, in which the population is willing to surrender the responsibility for its physical safety into government hands. This is the natural state of individual to government relations in most peaceful societies where the citizens are not subject to extraordinary threats to their security. Thus, members of society must agree to abide by certain ground-rules of social behaviour and must trust the other members to do the same. The same links appear at the level of parties to the conflict. Parties to civil strife incur substantial risks when relying on a former opponent for the fulfilment of their security needs.<sup>7</sup>

Accordingly, building confidence and promoting legitimacy are principal challenges that face the implementation of various peace agreements. Confidence-building measures can only be successful if there is also a sense among the population that the system in which they are asked to confide is politically legitimate and is willing to fulfil their security needs. Political legitimacy is to a large extent a matter of expectations and performance, where the population’s perception of performance is conditioned by the degree to which security and stability are provided. As will become clear throughout, the organisation and activities of the security sector are critical in this context. In a post-settlement situation, the gap between expectations and performance, where security is not guaranteed, provides the opening for international involvement.

#### *Suppositions and Some Additional Definitions*

On the above basis, I have arrived at the following supposition:

*By providing financial, technical, and political support to processes of demilitarisation and military and civilian security sector reform, international security assistance can fill a vital gap and thereby facilitate the transition from war to peace.*

By financial support I mean aid money and materiel to promote physical reconstruction, equipment etc. Other examples range from cash to fund the

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way, the power of the state is limited by its subjugation to democratic norms and respect for human rights.

<sup>7</sup> Walters points out how this is in contrast to interstate conflict in which the states involved have a fallback position within their own territory in case the peace process should go awry. Barbara F.

destruction of excess military equipment, to furniture for court houses or training academies to food distributed in quartering areas. Technical support includes training of military and police forces and other security sector staff, as well as direct assistance in demilitarisation processes, such as patrolling a cease-fire line or monitoring demobilisation or restructuring a military organisation. Political support is a more diffuse concept and refers to the legitimisation of local actors and actions, in particular identifying and morally supporting those that further the peace process or act in compliance with the goals of the peace agreement. Moreover, political support has a normative element in that it involves developing certain values and rules for social interaction, such as respect for human rights.

This study looks at post-settlement situations that follow a civil war or predominantly internal conflict in which the final goal is the coexistence of the former opponents in a common state. In other words, the aim is that of one legitimate government and of power-sharing between former warring parties. As a state's monopoly on violence is a central function of a state, the responsibility for security will also be in the hands of one party. Given the fact that hostilities have only just ended, it will require considerable trust to convince the parties not to retain alternative security arrangements. The question is how the international community can contribute to engendering sufficient confidence to move forward and render the peace process self-sustaining. In the end, the goal of the present study is to improve the understanding of the opportunities and limitations of external attempts to enhance security in post-settlement societies and thereby to consolidate the peace process.

At this stage, I will clarify only a few terms, as more in-depth discussions of the concepts of peace implementation and international security assistance follow in *Section I: Analytical Framework and Conceptual Development*. The notion of “peace implementation” is linked directly to the peace agreement and is thus the starting-point and the dominant determinant of the international presence and involvement in the peace process. It is thus a more descriptive alternative for the range of peace support activities that follow in the wake of an agreement.

The concept of “international security assistance” as developed in my analysis must be distinguished from earlier applications. The traditional Cold War era term denoted various military and counter-insurgency train-and-equip programmes that

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Walters (1997) “The Critical Barrier to Civil War Settlement,” *International Organization* 51(3), p. 337.

aimed at shoring up pro-Western regimes throughout the world against Communism. Instead, “international security assistance” will be defined as all kinds of international assistance delivered by the international community in the aftermath of the conclusion of a peace agreement with a view to enhancing the security situation in the area of concern, and thereby contributing to the continuation of the peace implementation process. The definition underlines how the focus is directed towards tasks rather than actors throughout the analyses. By choosing a functional perspective, the project seeks to identify and study a wide range of actors and tasks, including non-traditional types of assistance as well as actors that one usually does not associate with security matters, but that nevertheless play an essential role in enhancing security in societies emerging from internal wars. This perspective enhances our understanding of the grey areas between traditional military and civilian tasks for the international community and gives new impetus to the search for international capacities to improve security in societies emerging from violent conflicts.

I have chosen to mainly use the term “post-settlement” rather than “post-conflict” for two reasons. First, the level of violence in the wake of a peace agreement is variable and there are a number of cases, if not most, in which violence did not cease immediately with the formal signing of the agreement. The degree to which that was the case in the two case studies included here will become clear in the discussions of the respective implementation processes in Bosnia-Herzegovina and Angola.<sup>8</sup> Second, aside from the cases studied in depth here, there are several peace processes, such as the one following the Oslo Accords in the West Bank and Gaza, that were not initiated after a full-scale war. If this study is to have relevance for peace processes more generally, it cannot exclude cases such as the implementation of the Oslo Accords by presupposing conflict. Despite these reservations, the term “post-conflict” does appear in this study as a generic term denoting the time period *following* rather than that *prior* to the agreement.

Possibly one of the most difficult questions is defining what I mean by “peace.” One can speak of negative and positive peace, where the former refers to the absence of open armed conflict and the latter to the consolidation of peace through reconciliation and reconstruction. In a more demanding definition, one might describe

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<sup>8</sup> The implementation processes in Bosnia-Herzegovina and Angola are discussed in Chapters 5 of *Section II: Implementing the Dayton Agreement* and *Section III: Implementing the Lusaka Protocol* respectively.

a situation as peaceful when the large majority of conflicts within a society are managed through non-violent mechanisms. At the risk of being accused of moral relativism, one can nonetheless claim that, in the end, peace is a very subjective concept, according to which there is peace when the majority of the population believes that there is.<sup>9</sup>

Throughout the study I will use the expressions “international community,” “third-party actors,” and “external actors” interchangeably to describe the host of interested actors involved in the peace process, including organisations and other international bodies, states, and individuals, but excluding the parties to the conflict. When speaking more specifically of actors present in the theatre of operation, I will also use the term “international presence.”<sup>10</sup>

The term “security” itself requires narrowing down. Although security has traditionally been related to a sovereign territorial state, the concept has been expanded both in scope and level. Thus, a definition of national security now often includes environmental or economic security along with military security against external threats. While it does address security needs at various levels, the present study limits its scope in that it focuses on the traditional ‘hard-core’ concept of security and neglects more tangential aspects.

With respect to the level of security, the question ‘whose security?’ is frequently asked in this context. The traditional notion that focused on military security at the level of the state has been expanded as a result of several interrelated developments. It has undergone a transformation in parallel with the concept of sovereignty. Deng’s view of “sovereignty as responsibility”<sup>11</sup> translates into security terms by placing more emphasis on the state’s responsibility for its citizens’ security.<sup>12</sup> As a result, a growing number of states are classified as ‘weak’ and unable to fulfil their obligations towards their citizens. The shift towards internal conflicts has contributed to directing attention towards the threats to the security of individuals.

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<sup>9</sup> A notable exception is when that group in the population that does not perceive the situation as peaceful coincides with an ethnic, religious or other minority.

<sup>10</sup> See also the typology of actors included in *Section I: Analytical Framework and Conceptual Development*. It contains a list of different types of actors and their roles in providing international security assistance.

<sup>11</sup> See Francis M. Deng et al (1996) *Sovereignty as Responsibility. Conflict Management in Africa* (The Brookings Institution: Washington D.C.); Francis M. Deng (1995) “Reconciling Sovereignty with Responsibility: A Basis for International Humanitarian Action,” in John W. Harbeson and Donald Rothchild (eds) *Africa in World Politics* (Westview Press: Boulder, Colorado), pp. 295-310.

<sup>12</sup> The concept of “human security” in part springs from this trend. See for example Astri Suhrke (1999) “Human Security and the Interests of States,” *Security Dialogue* 30(3), pp. 265-76.

A useful distinction can be made between national security, on the one hand, and law and order or personal security, on the other. The immediate aftermath of a peace agreement often reveals the extent to which the conflict has been a hybrid of an internal and an interstate confrontation. In the same way, security issues concern the relationship between the parties, as well as the general safety of the population. Both components of security will always be significant for the transition from war to peace, regardless of whether the emphasis is on the protection of the state or that of the individual citizen.

In accordance with the two ‘recipients,’ the study of security, then, includes two types of security namely military and civilian security.<sup>13</sup> One should keep in mind, however, that security is not an absolute and objective concept agreed upon by all parties. Many peace processes are burdened by parties with irreconcilable security demands or contradictory long-term and short-term security needs. The role of the international community lies not only in urging the parties diplomatically and otherwise, to accept a common security agenda for the peace process, but also in offering assistance and guidance in closing the security gaps, whether they are in the military or the civilian security realm.

The definition of a peace settlement used in this study is “any written mutually agreeable arrangements between parties that at least temporarily resolve or remove from contention one or more, but not necessarily all, of the issues underlying the dispute.”<sup>14</sup> It is a wide definition, which also includes open-ended agreements, such as declarations of principles for subsequent negotiations towards a final peace treaty. This definition is an attempt to avoid the obvious dilemma that “one could never be sure that the most recent settlement was the last.”<sup>15</sup> Moreover, describing the peace settlement as the end point of a civil war would require defining what constitutes a civil war. This definition is in line with an overall emphasis on a large degree of continuity of conflict and conflict elements from the pre-settlement into the post-settlement transition period.

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<sup>13</sup> See for a general discussion on the concept of security: David A. Baldwin (1997) “The Concept of Security,” *Review of International Studies* 23(1), pp. 5-26.

<sup>14</sup> William J. Dixon (1996) “Third Party Techniques for preventing conflict escalation and promoting peaceful settlement,” *International Organization*, p. 657.

<sup>15</sup> Dixon (1996), p. 657.

*Comparing Two Cases*

I have chosen a case study research design as the most suitable method to conceptualise international security assistance and analyse its role in war-torn societies. According to Yin, “the distinctive need for case studies arises out of the desire to understand complex social phenomena.”<sup>16</sup> Here, the case study approach was chosen, as it is instrumental in explaining the *how* and *why* of international security assistance. An advantage of using case studies is that they deliberately take account of the context of the phenomenon to be studied, as it might be difficult to distinguish between the two when studying real-life situations.<sup>17</sup>

Case study research is often criticised for its “lack of rigor.”<sup>18</sup> This is doubly true when comparing two cases. Therefore, developing a theoretical structure within which the case studies are to be conducted is an essential tool in case study research. Accordingly, I analyse the two case studies on the basis of a common analytical framework established in *Section I*. The framework not only provides the theoretical underpinnings, but also lends structure to the study to optimise the basis for comparison between the two case studies. Yin points out that conclusions drawn from case studies are “generalizable to theoretical propositions and not to populations or universes,” i.e. “analytical generalization.”<sup>19</sup> Similarly, the analysis of the cases in the present study will validate the concept of international security assistance as it is developed here rather than providing conclusions for all peace processes.

The two case studies are the delivery of international security assistance to, first, the implementation of the Dayton Agreement in Bosnia-Herzegovina in the period December 1995 to December 1998 and, second, the implementation of the Lusaka Protocol in Angola in the period November 1994 to November 1998. The two cases are alike enough to be comparable, but diverge enough to give fruitful and novel insights.

There are several reasons for selecting Bosnia-Herzegovina as a case study. First, it fulfils Yin’s conditions for a single case study choice in that it is both unique and critical.<sup>20</sup> Second, the operation is of particular relevance to Western observers, as it is taking place in the middle of Europe. Third, “the mission in Bosnia is without

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<sup>16</sup> Robert K. Yin (1994) *Case Study Research. Design and Methods* (Sage Publications: Thousand Oaks, California), p. 3.

<sup>17</sup> Yin (1994), p. 13.

<sup>18</sup> Yin (1994), p. 9.

<sup>19</sup> Yin (1994), p. 10.

doubt the largest international mobilisation of military, civilian and economic resources since the occupation of Germany in the immediate aftermath of the Second World War.”<sup>21</sup> Arguably, the level of commitment and the amount of assistance that are forthcoming are as good as it gets in peace operations. In the aftermath of the international assistance to the implementation of the Dayton Agreement, standards for levels of involvement and for success have been completely redefined. Studying Bosnia-Herzegovina not only enlightens us on current practice, but also foreshadows future patterns of involvement.

The question then becomes whether the theoretical framework holds true in a second more traditional case. Therefore, it is interesting to analyse a case that, while it enjoyed less attention than Bosnia-Herzegovina, was a typical United Nations operation, as we had known them until then. It is important to keep in mind that the prevailing mindset at the time of the United Nations Angola Verification Mission III's inception was fundamentally different from the Bosnian case. While attention paid to the Angolan conflict had fluctuated over the years, in 1994 UNAVEM III was a fairly typical United Nations peace mission and a large one in Africa at that. UNAVEM III in Angola is also comparable to other international operations in Southern Africa, such as the assistance provided to the peace process in Mozambique. Despite their differences, the two case studies are similar in that they represent extensive international efforts in two different parts of the world, in which international security assistance was provided.

Furthermore, the case studies are similar in that they both reflect an attempt by the international community to make up for prior failure. Both the United Nations Angola Verification Mission II (UNAVEM II) and the United Nations Protection Force (UNPROFOR) are less than bright chapters in the book of international efforts to maintain or bring about peace. Another parallel between the two cases is the role of the United States as one of the most dominating players in each peace process. At the same time, it reveals a major difference in the country's level of commitment in Bosnia-Herzegovina and Angola respectively. The cases also correspond with respect to the period of time studied. Thus, although the time period is not identical, the peace processes are to a large extent concurrent.

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<sup>20</sup> See Yin (1994), p. 38-40, 45f.

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The major difference between the case studies is the degree of international attention directed towards them. Accordingly, the implementation of the Dayton Agreement in Bosnia-Herzegovina brought with it much heavier baggage for the members of the international community involved than was true of the peace process in Angola. Should significant parallels emerge, the differences between the cases actually serve to strengthen the validity of the conclusions rather than undermining it. In addition, the cases diverge with regard to the regional organisational structures engaged in providing security assistance. Whereas there were a number of regional institutions with varying resource bases in the European theatre, the institutions relevant for Sub-Saharan Africa were overall too weak to play a major role. This is important for the comparison of the two cases, as the Angolan situation featured one predominant organisation, i.e. the United Nations, and the Bosnian setting featured a number of large and some powerful organisations, *in addition to* the United Nations. Actors and their motivations are of secondary concern in the present context, therefore it is all the more important to acknowledge some basic parameters at the outset.

### Sources

The choice and availability of sources for the present research has three-fold implications (1) for the validity of each case in itself, (2) for the comparability of the cases, and (3) for the validity of the conclusions. According to Yin, one of the advantages of case study research “is its ability to deal with a full variety of evidence – documents, artefacts, interviews, and observation.”<sup>22</sup> The use of a variety of sources strengthens the inferences drawn from the studies and alleviates the danger of internal invalidity.<sup>23</sup> I have used articles in newspapers and journals, public documents and statements, organisational assessments/reports, and interviews. Interview partners for both case studies are listed in the bibliographies. I have chosen to refrain from quoting them directly in the text, but build on their assessments and insights. Many of the written sources were retrieved from the internet, such as from official websites, electronic archives etc. As I have focused on international efforts rather than on the

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<sup>21</sup> International Crisis Group (1998c) *To Build a Peace: Recommendations for the Madrid Peace Implementation Council Meeting* (ICG Bosnia Project Report, 15 December 1998; <http://www.crisisgroup.org/bosnia/reports/bh43rep.htm>), p. 7.

<sup>22</sup> Yin (1994), p. 8.

<sup>23</sup> Yin (1994), p. 35.

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dynamics of the conflict itself, sources at international organisations have been central. Similarly, local newspapers and interviews have been less relevant. When using sources from international organisations, I have kept in mind that they of course have to be qualified with respect to their need to justify the actions of a given organisation and might not be sufficiently critical. This is especially true of, for example, United Nations or OSCE reports.

Sources for the two case studies differ in that there are far more evaluative articles and reports on the implementation of the Dayton Agreement than with respect to the Lusaka Protocol. Literature in the Angolan case tends to be descriptive rather than prescriptive. Therefore, I rely more on my own assessments, as well as those of practitioners and other experts on Angola.

For both cases, it is important to remember that the peace processes were ongoing. While the Lusaka process has finally collapsed in Angola, the Dayton process continues in Bosnia-Herzegovina. That means of course that most sources were written concurrently with the ongoing processes or with the time period studied. Naturally, I cannot deny knowledge of events subsequent to the end of the periods studied in both cases, such as the collapse of the Lusaka process and the renewed wavering of commitment in Bosnia-Herzegovina or the involvement of the international community in Kosovo, which will have grave implications for future international security assistance. Still, I have attempted to distinguish between those later events that reflect actions taken before the end of the period studied and those that fall entirely outside of the time brackets. Whereas the former are important for the assessment of international security assistance in the case studies, the latter should be largely disregarded.

### *Final Introductory Remarks*

The thesis consists of four main sections, plus a concluding section. *Section I* is an analytical framework in which the concept of international security assistance is developed. It also includes initial thoughts on peace implementation and deliberations on legitimacy and sovereignty, in order to map out the context for international security assistance. Moreover, it introduces different types of international security assistance in both the military and civilian security sphere, as well as issues in coordination. The analytical framework is intended to introduce research questions and structure the subsequent case study analysis.

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*Section II* and *Section III* are the two case studies. International efforts to support the implementation of the Dayton Agreement are analysed first, then attention moves to Southern Africa and the implementation of the Lusaka Protocol in Angola. Both studies follow the same pattern in that they build on a three-fold starting-point which consists of security gaps in post-settlement societies, the provisions and legitimacy of the peace agreement, and the international actors and their local counterparts. On this basis, the provision of international security assistance to the implementation process is studied by dividing the process into a demilitarisation process, a long-term military reform process, as well as a process of building civilian security. Both case studies conclude with a section that assesses the efforts of the international community.

*Section IV*, then, contains a comparison of the two cases that still follows the structures laid out in the analytical framework, but also points to common underlying challenges that international security assistance faces in post-settlement societies. Finally, I will draw up some more general *Conclusions* based on the in-depth case studies and their comparison, complemented by basic knowledge of other cases. The study conceptualises international security assistance by developing an understanding of its content and role. The conclusions identify the potential scope, but also the limitations of international security assistance in supporting and facilitating processes of demilitarisation and security sector reform, in support of peace processes in the wake of an agreement.

Instinctively, one is tempted to claim that war-torn societies are in need of and should receive all the support they can get. This study hopes to differentiate to a greater extent, in order to enable an assessment of what kind of international security assistance is useful, essential, or counterproductive and how the process of delivery can condition its utility and effectiveness. Finally – and perhaps most importantly – it aims at identifying what international security assistance cannot achieve, that is where the society in question must live up to its own share of the responsibility to consolidate peace.

## **SECTION I**

# **ANALYTICAL FRAMEWORK AND CONCEPTUAL DEVELOPMENT**

“ALL MEN DESIRE PEACE, BUT VERY FEW DESIRE THOSE THINGS THAT MAKE FOR  
PEACE.”

THOMAS A KEMPIS

## **SECTION I: ANALYTICAL FRAMEWORK AND CONCEPTUAL DEVELOPMENT**

### **1 Introduction**

The current section serves two purposes: it develops the theoretical concept of international security assistance, suggesting typologies of actors and most importantly tasks. As a first step, it outlines the context for international security assistance particularly the conditions in internal conflicts and relates the concept to the evolution of wider peacekeeping. The second purpose is a natural continuation of the first, in that the current section provides the analytical framework that will structure the case study analyses in *Sections II* and *III*. The study of international security assistance to peace implementation processes has five major components: (1) elements that typically introduce insecurity in an immediate post-settlement society; (2) traits of the peace agreement that form the starting-point for the peace implementation process; (3) third-party actors that provide international security assistance; (4) types of security assistance supplied; and finally (5) key issues in co-ordination and co-operation among and between third-party actors and the parties to the conflict.

### **2 Basic Thoughts on International Security Assistance**

Understanding the context of peace implementation is an important precondition for conceptualising international security assistance to peace processes. First, it involves insight into the changing nature and scope of peace support operations and how peace implementation fits into the existing terminology. On that basis, it will be possible to define international security assistance more clearly and discuss its function in peace processes. Most importantly, understanding the context entails recognising the changing concept of sovereignty and its implications for legitimate third-party intervention in seemingly intractable internal conflicts, as well as the specific challenges of legitimacy and consent.

## 2.1 Peace Support Operations and the Concept of Peace Implementation

A general strengthening of international peacekeeping and peace building is taking place, in part triggered by a changing geopolitical environment. In addition to a quantitative change in the number of operations after the Cold War, peacekeeping has evolved qualitatively into a concept referred to as *second generation peacekeeping*, *wider peacekeeping*, and most recently, *peace support operations*.

The change reflects the recognition that a political settlement that aims at ending the underlying conflict, not simply avoiding its aggravation, is the starting point for “the new peacekeeping.”<sup>24</sup> As Ratner observed, peace support operations “aim primarily at assisting a state or a group of states in executing an agreed political solution to a conflict.”<sup>25</sup> The political dimension is most prominent in the concept of *post-conflict peace building* defined by former UN Secretary General Boutros Boutros-Ghali as “action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict.”<sup>26</sup> This implies that the new peacekeeping is not limited to an exclusively military mandate, but can have a substantial non-military mandate and composition. The goal is no longer limited to preserving a cease-fire, but to consolidate state structures through social and political reorganisation, reflected in a web of military and non-military functions, such as monitoring elections, supervising local administration, promoting and protecting human rights, supervising law and order, deploying international police forces, conducting demobilisation and reintegration programmes for former

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<sup>24</sup> Steven Ratner (1995) *The New UN Peacekeeping: Building Peace in Lands of Conflict after the Cold War* (Macmillan: Basingstoke), p. 25. There are clear parallels between preventive deployment and peace implementation in that the former aims at preventing the eruption of conflict and the latter at preventing a recurrence of conflict.

<sup>25</sup> Ratner (1995); p. 22. Shashi Tharoor (1995) “Foreword,” in Donald C.F. Daniel and Bradd C. Hayes (eds) *Beyond Traditional Peacekeeping* (Macmillan: Basingstoke), p. xvi.

<sup>26</sup> Boutros Boutros-Ghali (1992) *An Agenda for Peace* (United Nations: New York, NY), p.10. It is important to distinguish between *peacekeeping*, *peace building*, and *peacemaking*. According to Boutros-Ghali *peacemaking* involved “actions to bring hostile parties to agreement,” while *peacekeeping* was defined as “the deployment of a UN presence in the field, hitherto with the consent of the parties [...] that expands the possibility for both the prevention of conflict and the making of peace.” Peacemaking already has a generally accepted and distinct meaning, namely *the diplomatic process* of bringing the sides in a conflict together toward a settlement, both before and after the signature of a potential peace agreement. As Ratner argued, the established definitions are hostage to older forms of peacekeeping which envisaged a two phase strategy of peacekeeping to “freeze” the conflict by peacekeeping missions supervising cease-fire agreements, until peacemaking efforts or diplomatic interventions and other instruments would eventually, if ever, provide a political solution to the conflict. Ratner argues that this dichotomous view proves anachronistic in light of modern peacekeeping operations which combine elements of *peacekeeping* and *peace building*, as well as preventive diplomacy to avoid the spread of conflict.

combatants, assisting in the establishment of civilian police forces, in economic rehabilitation or the repatriation of refugees, providing demining assistance, humanitarian relief, etc. With the increased list of tasks a wider range of actors emerged; a development that is sometimes termed the increased breadth and depth of non-traditional peacekeeping.<sup>27</sup> In addition to the traditional UN and local counterparts, actors now also include guerrilla movements, domestic political parties, regional and sub-regional organisations, non-governmental organisations, civilian components of the peacekeeping mission, international financial institutions, private foundations, foreign investors, academic institutions etc. Clearly, the need for co-ordination among actors has increased proportionately with the increase in numbers and will have significant consequences for the delivery of security assistance.

The term *peace implementation* has been proposed as a more descriptive alternative for the web of peacekeeping, peace making, and peace building efforts that follow in the wake of an agreement between the warring parties and look toward consolidating a fragile peace.<sup>28</sup> The present study uses this term in order to avoid confusion with peace building processes that take place outside the framework of a peace agreement.

Gradually, one has come to realise that the conclusion of a formal peace agreement is not the end all be all for a peace process. In part, the eventual success of a peace agreement depends on its ability to “anticipate and devise means to cope with the issues of the future.”<sup>29</sup> Inevitable changes in the interests and objectives of the parties to the agreement, as well as alterations in the balance of power among the parties, will lead to adjustments in the parties’ assessment of the agreement. A peace agreement will never address all the issues of contention and always be at least partially ambiguous. As a result, it is open to conflicting interpretations and to the disruptive acts by rejectionists or ‘spoilers’ of the peace process.<sup>30</sup> In many ways, the peace agreement reflects a compromise between resolving as many issues as possible and putting an end to bloodshed. The compromise will be hostage to the realisation that issues left for future negotiations can easily become a stumbling block for the implementation of the agreement. In the worst case scenario, these issues can cause a

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<sup>27</sup> Daniel and Hayes (1995), p. xx.

<sup>28</sup> Ratner (1995), p. 21.

<sup>29</sup> Kalevi Holsti (1991) *Peace and War: Armed Conflict and International Order* (Cambridge University Press: Cambridge), p. 353.

vicious circle of self-destruction when an escalating spiral of alleged violations and recriminations is coupled with poorly devised monitoring and enforcement mechanisms.<sup>31</sup>

## **2.2 Conceptualising International Security Assistance**

International security assistance refers to

*all kinds of assistance offered and/or delivered by the international community in the aftermath of the conclusion of a peace agreement with a view to enhancing the security situation in the area of concern, and thereby contributing to the continuation of the peace implementation process.*

I suggest that the concept of international security assistance is preferable to the established peacekeeping terminology in that it reaches across the civil-military divide, while maintaining its focus on security. In that way, it can provide a more comprehensive approach and one that illustrates the grey zone between traditional civilian and traditional military tasks in peace support. This allows for a complex analysis that takes account of different levels of security, both short- and long-term measures, and a variety of actors. With its emphasis on building lasting structures that are conducive to peaceful coexistence after civil wars, it also underlines the auxiliary, rather than executive function of the international community in peace processes. The result is a curious mixture of heavy international involvement and local responsibility.

Examples of international security assistance may include peacekeeping forces, peace enforcing forces, international military/police observers, civilian human rights observers, international assistance to establishing a local police force, an internal security force and/or an army. It also involves assistance to demobilising local combatants and other armed elements as well as assistance to effect the disarmament of informal militias and armed political groups. International security assistance can also serve to enhance security co-operation between the two parties, for example by integrating the two parties into common security arrangements such as sub-regional defence and security organisations.

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<sup>30</sup> Term suggested by Stephen J. Stedman (1997) "Spoiler Problems in the Peace Processes," *International Security* 22(2), pp. 5-53.

Whereas a peace implementation process takes the conclusion of a written peace agreement between the parties to the conflict as its starting-point, the end point of the implementation process is difficult to define, unless a resumption of hostilities triggers the collapse of the agreement. In an attempt to subdivide the implementation phase, Ball and Halevy have broadly defined a transitional and a consolidation phase that follow an agreement. In the transitional phase the establishment of a legitimate government, the introduction of reforms of political institutions and of the security sector, and economic and social recovery will be central tasks. The subsequent consolidation phase features a continuation and deepening of the reform and recovery process.<sup>32</sup> International security assistance will find its predominant application in the transitional phase and be of less relevance in the consolidation phase which focuses on long-term economic and social development. How long each phase lasts will vary in different conflicts. In addition, one may have reached the consolidation phase within one area of peace implementation while still contributing to the transitional phase in another.

The effectiveness of international security assistance is far from easy to evaluate and any assessment will be conditioned by the time frame in which the progress of peace implementation is reviewed.<sup>33</sup> Nonetheless, it is possible to single out five traits of successful security assistance. Thus, international security assistance has been effective in furthering the peace process, when it has

- (1) fulfilled specific provisions of the peace agreement;
- (2) increased security on the ground in the perception of the population;
- (3) executed a comprehensive reform of the security sector;
- (4) given rise to security co-operation between the parties to the conflict;
- (5) promoted the integration of the post-conflict state(s) into a regional security network.

As we move down the list and as the peace process progresses, the role of international security assistance will change dramatically, as will the reception of the intervening actors by the parties. Note that the function of the criteria in this study is

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<sup>31</sup> Fen Osler Hampson (1996) *Nurturing Peace: Why Settlements Succeed or Fail* (United States Institute for Peace: Washington D.C.), pp. 3-4.

<sup>32</sup> Nicole Ball with Tammy Halevy (1996) *Making Peace Work: The Role of the International Development Community* (Policy Essay No. 18, Overseas Development Council: Washington D.C.), p. 29.

more descriptive than prescriptive, in that they serve to highlight important issues rather than as a direct test of the case studies.

### **2.3 Sovereignty and the Challenge of Legitimate Intervention**

One of the international community's guiding principles since World War II has been the principle of non-intervention in the internal affairs of other states and the territorial integrity of sovereign governments. When the principle has been set aside to allow for intervention by an external force, it has either been with the consent of the sovereign government or warranted by a general threat to peace and stability, such as is stipulated in the UN Charter. In recent years, the concept of sovereignty has been challenged in two ways: first, there is the simple fact that the early 1990s witnessed a rising number of internal conflicts that spilled over into neighbouring countries. Second, the concept of sovereignty has increasingly been tied to the notion that a sovereign state has certain responsibilities towards its population. When it cannot fulfil these responsibilities, its sovereignty is challenged. Key factors in the assessment of the state are its ability to provide security for its territory and population and to maintain a monopoly on violence. The responsibility of the state is most specifically reflected in the call for respect for human rights. And yet, "[s]tate sovereignty and its corollary, the principle of non-intervention, are still among the most important building blocks of international society, despite the challenges posed by the principle of universal human rights."<sup>34</sup> Still, there are a number of weak states that either do not have the means or the legitimacy to exercise effective control over its territory.

A collapsed state might be the result when a weak state is unable to provide security for opposition groups and the general population. I. William Zartman was one of the first to conceptualise the notion of collapsed states comprehensively. He suggests that it is appropriate to speak of a collapsed state in a situation in which "the structure, authority (legitimate power), law, and political order have fallen apart and

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<sup>33</sup> See Diehl et al's excellent – and somewhat sobering – study on long-term effectiveness of UN operations. Paul F. Diehl et al (1996) "UN intervention and recurring conflict," *International Organization* 50 (4), pp. 683-700.

must be reconstituted in some form, old or new.”<sup>35</sup> Collapsed states differ fundamentally from post-settlement situations, in that post-settlement situations presuppose the existence of an authority that has invited in the international efforts. Still, there are some interesting similarities between the two. Zartman identifies three central functions of a state and the implications that the occurrence of collapse has for these. He argues that by failing to fulfil its central functions, the government loses its right to rule:

- (1) sovereign authority/source of identity and area of political control; collapse results in a loss of authority to confer meaning on people’s social action;
- (2) institution/organisation of decision-making; in a collapsed state decision-making structures will be paralysed and inoperative;
- (3) security guarantor/territory; the state in collapse proves incapable of providing security.<sup>36</sup>

Whereas the state as a framework for social activity and for effective government is crucial, it is the third function that is of the greatest concern in the current context. Particularly, the effective and reliable provision of law and order and civilian security for each individual is a major part of a government’s legitimacy.<sup>37</sup> The argument continues that when the state loses its sovereign power over its territory, it can no longer invoke the principle of inviolability of its borders and the non-interference in its internal affairs. Particularly in Africa, the validity of sovereignty as an inalienable right has been called into question. As a result, the threshold for intervention in Africa and elsewhere has been significantly lowered in recent years. Deng writes that “[s]overeignty as responsibility means that national governments are duty bound to ensure minimum standards of security and social welfare for their citizens.”<sup>38</sup> The international community enters the picture with security

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<sup>34</sup> Espen Barth Eide, Annika S. Hansen and Brynjar Lia (1999) *Security Sector Reform as a Development Issue* (Room Doc #7, OECD/DAC Task Force for International Peace and Development, Paris, 2-3 June 1999), p. 15.

<sup>35</sup> I. William Zartman (ed)(1995a) *Collapsed States The Disintegration and Restoration of Legitimate Authority* (Lynne Rienner Publishers: Boulder, Colorado), p.1. See also Jeffrey Herbst (1996) “Responding to State Failure in Africa,” *International Security* 21(3), pp. 120-44.

<sup>36</sup> Zartman (1995a), p. 5.

<sup>37</sup> Zartman (1995a), p. 6.

<sup>38</sup> Francis M. Deng et al (1996) *Sovereignty as Responsibility. Conflict Management in Africa* (The Brookings Institution: Washington D.C.), p. 211. For an in-depth discussion of the concept of sovereignty and the responsibility that it entails for a given state, see Deng et al (1996) or Francis M. Deng (1995) “Reconciling Sovereignty with Responsibility: A Basis for International Humanitarian Action,” in John W. Harbeson and Donald Rothchild (eds) *Africa in World Politics* (Westview Press:

assistance to support the local government's own efforts at building "a system of law and order that enjoys broad-based support and therefore legitimacy."<sup>39</sup>

Although it is usually not subject to total collapse, the post-settlement state in civil wars is challenged in several ways. It is weak with respect to the degree of effective control it exercises over its territory, its economy is usually dysfunctional, and it often has to incorporate competing ethnic claims to power. As a result of the war, the state's legitimacy has to be consolidated and it is as yet unwilling or unable to protect its population.

The security gap is especially significant in the wake of a civil war, when parties feel exposed and are hypersensitive to violations of the peace agreement. At the same time, fledgling government institutions have not yet proven capable of "effective protection" or "neutral enforcement."<sup>40</sup> Ironically, conflicts frequently erupt in transitional phases of economic and political reform, further destabilising the government at a time when it needs clear legitimacy to pull off far-reaching changes. Therefore, it is critical to keep in mind that today's conflicts occur against the backdrop of Africa's massive and sustained economic crisis, due in large part to mismanagement and corruption, and the legacy of the communist political and economic system in the Balkans and Eastern Europe more generally.<sup>41</sup> Therefore, a major task for the international community is to strengthen the state's security apparatus to the degree that it can trump alternative providers of security.<sup>42</sup> In the peace process, the international community will have to handle alternative power

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Boulder, Colorado), pp. 295-310; Boutros Boutros-Ghali (1992) "Empowering the United Nations," *Foreign Affairs* 71 (Winter 1992/3), p. 99.

<sup>39</sup> Deng et al (1996), p. 212.

<sup>40</sup> Barbara F. Walters (1997) "The Critical Barrier to Civil War Settlement," *International Organization* 51(3), p. 338f.; 340; Barbara F. Walters (1999) "Designing Transitions from Civil War. Demobilization, Democratization, and Commitments to Peace," *International Security* 24(1), p. 134. John W. Harbeson (1995) "Africa in World Politics: Amid Renewal, Deepening Crisis," in Harbeson and Rothchild (eds), pp. 14ff. This phenomenon can be witnessed far and wide in Africa in cases as different as The Comoros and Uganda.

<sup>41</sup> In some ways, this aspect resembles theories on state formation and the debate on the link between economic growth and democracy and the call for a strong state issued by development theorists, such as Huntington. For a short overview over the debate, see Hillel Frisch and Menachem Hofnung (1997) "State Formation and International Aid: The Emergence of the Palestinian Authority," *World Development* 25(8), pp. 1243-6. See also Paris on the limits of engineering and the dangers of liberalism in unstable societies. Roland Paris (1997) "Peacebuilding and the Limits of Liberal Internationalism," *International Security* 22(2), pp. 54-89.

<sup>42</sup> Naturally, this presupposes that the local authorities are considered legitimate and are building a system of governance that is in accordance with democratic principles. Alternative power centres are obviously an element of multiparty, democratic society, except when they are supported by separate security structures that undermine the state's monopoly on violence.

holders in the political, military, and economic sphere that aim at disrupting the process.<sup>43</sup>

More generally, Barbara Walters' study on critical barriers to civil war settlement strongly emphasises the decisive role of sustained international engagement in peace processes. In a climate of distrust which is the invariable consequence of a civil war, Walters points out that "[o]nly when an outside force steps in to guarantee the terms do commitments to disarm and share political power become believable."<sup>44</sup> In practical terms, third parties can facilitate conflict resolution by restructuring issues, proposing alternatives and "peace packages" as well as offering incentives like economic and military aid, security guarantees, and threatening penalties and sanctions. Third-party intervention will alter the overall equation to accommodate the parties' perceptions of costs, risks, and benefits associated with the implementation process versus a stalemate and/or resumption of hostilities.<sup>45</sup> Much evidence suggests that conflicts that "enjoy high levels of third party assistance and support during the entire course of the peacemaking and peace building process are arguably more likely to succeed than those that do not."<sup>46</sup> Walters goes on to define three conditions that international security assistance must fulfil to provide an effective guarantee: (1) the international community should have a "self-interest in upholding its promise;" (2) it should be willing and able to use the necessary force to ensure implementation; and (3) it should "be able to signal resolve."<sup>47</sup> Rothchild and Lake also point to the danger of irresolute engagement and lack of credibility and argue that "[e]xternal intervention that the warring parties fear will soon fade may be worse than no intervention at all."<sup>48</sup>

The implementation process may be particularly difficult in civil wars and internal conflicts that reflect a variety of conflicting and overlapping tensions which

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<sup>43</sup> This is especially difficult, when elites in the three spheres are intermeshed. See also under 'Local Counterparts' (Chapter 3.3 of *Section I*).

<sup>44</sup> Walters (1997), p. 336. In a comparison of different factors that contribute to a successful outcome, Walters' study concludes that "high costs [such as the effects of war, battle deaths etc.] were a necessary condition for negotiations to begin, but security guarantees (to a greater extent) and military stalemate (to a lesser extent) were then necessary for these talks to succeed." Walters (1997), p. 358.

<sup>45</sup> Walters (1997), p. 340.

<sup>46</sup> Hampson (1996), p. 13.

<sup>47</sup> Walters (1997), p. 340f. The authorising body and the legitimacy it carries also play an important role in this context.

<sup>48</sup> David A. Lake and Donald Rothchild (1996) "Containing Fear. The Origins and Management of Ethnic Conflict," *International Security* 21(2), p. 42.

are seldom settled by negotiations.<sup>49</sup> Despite the fact that most current wars are technically internal, they reach across borders and might instead be termed ‘trans-state’ conflicts. The situation is often aggravated by the fact that ethnic intrastate conflicts easily spill across borders and draw in outside actors intent on exploiting the internal situation for their own end.<sup>50</sup> Furthermore, there is evidence that the negotiation process functions best under conditions of equality and when each of the parties has some kind of mutual veto over the outcome. This gives way to a *non-zero-sum*-formula which both parties can present to their home constituencies as a victory rather than an ignominious defeat. Finally, internal conflicts appear extremely hard to resolve, since unlike the parties to inter-state conflicts, disputants in internal conflicts are not separated by international borders, but must find a formula for coexistence. In particular, they cannot “retain separate, independent armed forces” that would function as “important fall-back defenses at a time when no neutral police force and no legitimate government exist to help them enforce the peace.”<sup>51</sup>

In juxtaposing borders and peoples, the creation of minorities within a state is inevitable and the ensuing competition for scarce resources often plays an important part in triggering conflicts. This is particularly true when ethnic and economic disadvantages align and the state’s government has either not made allowances for the situation at all or has made allowances that are not credible.<sup>52</sup> Preventing ethnic conflict from erupting is similar to shoring up a peace process to avoid a relapse into conflict. Lake and Rothchild identify three strategic dilemmas, “information failures, problems of credible commitment, and incentive to use force preemptively,” that can trigger violence. International security assistance can alleviate these challenges by increasing transparency and providing a security guarantee.

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<sup>49</sup> A study by Roy Licklider shows that of 57 civil wars in the period 1945-1993, only 17 were settled through negotiations. Negotiated settlements of civil wars are more likely to collapse than “settlements” achieved in the wake of a military victory on the battlefield. See Roy Licklider (1995) “The Consequences of Negotiated Settlements in Civil Wars, 1945-1993,” *American Political Science Review* 89 (3), pp. 681-90; Walters (1997), p. 335.

<sup>50</sup> Hampson (1996), p. 4. Particularly in the African context in which the cross-border implications of conflicts are daunting, the term ‘transstate conflicts’ has been suggested as an alternative to purely inter-state and purely internal conflicts. The Central African region is a case in point, as the domino effect of instability running through Rwanda, Burundi, Congo/Zaire, Congo/Brazzaville, the Central African Republic, Uganda, and Angola clearly shows. Similarly, a positive development in Congo/Zaire will have positive spill-over effects on stability in the region. *The Economist*, 24 May 1997, p. 37f.

<sup>51</sup> Walters (1997), p. 337f.; Lake and Rothchild (1996), p. 71.

<sup>52</sup> Lake and Rothchild (1996), pp. 43, 45; Willie Breytenbach and Pál Dunay (1995) “Crisis Prevention and Conflict Management in Southern Africa in the Post-Cold War Era,” in Hans-Joachim Spanger and

## 2.4 The Relevance of Legitimacy and Consent for International Security Assistance

Legitimacy is a key issue that underlies the study. It is closely linked to the overall aim of assessing the effectiveness of international security assistance, as legitimacy and effectiveness are mutually enforcing. Accordingly, an effective operation is in most cases also regarded as a legitimate one and the more legitimacy an operation enjoys the more effective it tends to be. In a peace process effectiveness and legitimacy have a multi-faceted relationship in which the legitimacy of the intervention, of the peace agreement, of the parties to the agreement, and of the proposed final outcome are critical for lasting peace. Moreover, legitimacy is analysed in terms of central concepts of peacekeeping such as consent, impartiality, and credibility, and reflects the role external actors play in implementing the peace agreement.<sup>53</sup> It is also important to distinguish between legitimacy in the eyes of the conflict area's population at large and legitimacy in the eyes of the international community. Whereas lack of the former affects the effectiveness of the operation due to a lack of local support and a lack of willingness to carry the peace process further, the latter impacts the scope of the international presence, reflected in the selection of tasks and the manner in which external actors go about their peace implementation business.

Though it is important to be aware of the separate legitimacy of each, the *peace agreement*, the *parties to the agreement*, and the *outcome stipulated in the agreement*, the three correlate closely and the lack of legitimacy of one undermines that of the other aspects. Local support must be further differentiated into the general population, armed elements, and the local or national leaders.<sup>54</sup> Although the peace agreement is not viewed as distinct from the government as one of the signatories or from the desired final outcome in the population's perception, the leadership and actual parties to the agreement can have divergent views about the degree to which they support the outcome versus the agreement as a whole. In general, the greater the perceived legitimacy among both the population and its leadership, the greater the

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Peter Vale (eds) *Bridges to the Future. Prospects for Peace and Security in Southern Africa* (Westview Press: Boulder, Colorado), p. 91.

<sup>53</sup> Dobbie understands legitimacy, impartiality, and credibility as the building blocs of consent. Charles Dobbie (1994) "A Concept for Post-Cold War Peacekeeping," *Survival* 36 (3), p. 132.

<sup>54</sup> This distinction reflects one that Dobbie makes between tactical and operational consent.

chances for lasting peace and an autonomous peace process. In contrast, an agreement and its concomitant outcome which are regarded as imposed and are not in accordance with the views of the people has little chance of successful implementation.

Despite the fact that the distribution of authority may be unclear, with the implications that has for the leaders' sovereignty and legitimacy, if there is a peace agreement, there must also be signatories. In the same way, the perceived legitimacy is complicated by the fact that along with the general population and its defined leadership, most post-conflict situations feature a set of opposition movements and other less clearly defined actors whose support can be crucial to the success of the peace process. Furthermore, peace implementation is a dynamic process that changes over time and in which the perceived legitimacy can also grow or diminish as implementation proceeds. By providing international security assistance, third-party actors enhance the legitimacy of the peace process by displaying a commitment to the agreement, its provisions, and its aims, and by demonstrating their acceptance of the parties' leadership as legitimate partners in implementation. Moreover, international security assistance counteracts rejectionist movements' ability to derail the peace process by building up the government's capacity to deal effectively with these threats without violating basic human rights. A dilemma arises when the parties' leaders turn out to be the spoilers that continue to gain by sustained instability.<sup>55</sup> Both the legitimacy and the effectiveness of the third-party effort will suffer, if the external actors are unable to differentiate between spoilers and forces of peace in the process of implementation.

The step from legitimacy to *consent*<sup>56</sup> is a small one. Consent rests on the conceptual foundations of national sovereignty and the principle of non-intervention in the internal affairs of other states. In the context of peace support operations, consent is the line that divides peacekeeping and peace enforcement. Whereas peacekeeping operations presuppose the consent of the parties or countries on whose territory the operation is to take place, the presence of foreign troops in a peace enforcement mission is legitimated on humanitarian grounds as well as on the traditional grounds of "threats to international peace and security" but does not have

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<sup>55</sup> See Stedman's distinction between inside and outside spoilers. Stedman (1997), p. 8f.

prior approval of the host country.<sup>57</sup> As the world moves away from a strict adherence to the principle of non-intervention and peace support operations encompass an increasing range of tasks, rather than being a question of ‘have or have not,’ consent has become a matter of degrees. Not only does consent usually change over time, it also varies among actors within the parties to the conflict. Nonetheless, there is broad agreement that a basic distinction between peacekeeping and peace enforcement based on whether or not the parties to the conflict consent to the international presence is meaningful and necessary, as they entail different political and military risks, follow different sets of rules, and require different planning and different force levels.<sup>58</sup>

The issue of consent is particularly important in a discussion of international security assistance. When the international community gets involved in the highly sensitive issues of security reform, it goes to the heart of a state’s sovereignty by affecting its coercive means. Particularly, in countries that inherited a non-democratic system of governance, the security sector has been a crucial “support structure of oppression,”<sup>59</sup> and any external involvement will fundamentally change the balance of power. Therefore, the more intrusive international security assistance is, the more dependent third-party actors will be on nurturing and sustaining the consent of the parties.<sup>60</sup>

Dobbie distinguishes between *tactical* consent in the field and *operational* consent in the theatre. In peace implementation, operational consent is implied in the signing of the peace agreement as a general framework of consent and with provisions for international security assistance. Although tactical consent is less tangible and more changeable, it is invariably significant on the ground. In Dobbie’s definition,

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<sup>56</sup> For a thorough discussion of the concept of consent see Dobbie (1994), pp. 121-48. While introducing the main issue of consent in ‘wider’ peacekeeping, the analysis here concentrates on its relevance for *peace implementation* and the delivery of *international security assistance*.

<sup>57</sup> For a discussion of the humanitarian rationale for intervention see Thomas G. Weiss (2000) “The Politics of Humanitarian Ideas,” *Security Dialogue* 31(1), pp. 11-23; Thomas G. Weiss (1995) “On the Brink of a New Era? Humanitarian Interventions, 1991-4,” in Daniel and Hayes (1995), p. 3-19.

<sup>58</sup> Mats Berdal (1993) *Whither UN Peacekeeping?* (Adelphi Paper No. 281, International Institute for Strategic Studies, Oxford University Press: Oxford), p. 4; Dobbie (1994), p. 125, 131, 141; Robert Oakley and Michael Dziedzic (1996) *Policing the New World Disorder* (Strategic Forum No. 84, Institute for National Strategic Studies: Washington, D.C.), p. 2; Ratner (1995), p. 40; Shashi Tharoor (1996) “UN-Friedensbewahrung. Aussichten für die Bewältigung internationaler Konflikte,” *Internationale Politik* 51(12), p. 33.

<sup>59</sup> Robin Luckham (1995) “Dilemmas of Military Disengagement and Democratization in Africa,” *IDS Bulletin* 26(2), p. 52f.

consent resembles the description of legitimacy above, in that it “equates more realistically to a general public attitude that tolerates a peacekeeping presence and represents a quorum of co-operation.”<sup>61</sup> Given the comprehensive, ambitious, and long-term involvement considered in this study, a minimum of support from the host authorities is essential to success; particularly since the responsibility for pushing the peace process forward will be entirely in the parties’ hands, when international assistance has been scaled down.<sup>62</sup>

Consent simultaneously adds to and builds on the perceived impartial character of an operation. *Impartiality* is an important if elusive precondition for third-party intervention and greatly enhances the chances of a successful operation. It is not an absolute concept and in practice often takes the form of even-handedness.<sup>63</sup> Where each participating state is unable to refrain entirely from taking sides, impartiality must be the product of the presence of multiple states with a variety of allegiances and interests. In fact, there is a greater chance that the supporting participants are regarded as impartial the more actors participate and the more remote the operation becomes from any national government’s interests. In that way, the participation of a large number of actors and the blessing of an international organisation tend to increase legitimacy due to the symbolic effect of the community of states acting in accord. Dixon also underlines the importance of formal institutions as “conflict management agents” for the legitimacy of the implementation process and thus its effectiveness.<sup>64</sup>

*Credibility* is also a significant concept for the provision of security assistance and the assessment of its effectiveness. As the aim of the assistance generally is to enhance security in the conflict area, the credibility of the assistance and the international presence is almost measurable for the local population. Be it with regard

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<sup>60</sup> Eide, Hansen and Lia (1999), p. 17f.; Jinmi Adisa (1996) “Problems of Peacemaking and Peacebuilding for Africa’s Post-Conflict States” (Paper prepared for the *International Workshop on Disarming Ethnic Guerrillas Project*, Peace Research Institute Oslo: Oslo, 17-18 February 1996), p. 5.

<sup>61</sup> Dobbie (1994), p. 124. Ratner calls this varying “quality of consent.” Ratner (1995), p. 38f. Berdal also notes that in a pre-settlement stage, it is often unclear which actors or groups actually have control over the contested area of conflict and points out that “whether a UN operation should be conditional on the consent of all parties involved [...] can only be decided on a case-by-case basis and must rest on an assessment of the likely success and the cost to participating states.” Berdal (1993), p. 11.

<sup>62</sup> Eide, Hansen and Lia (1999), p. 8.

<sup>63</sup> Berdal (1993), p. 6; Dobbie (1994), p. 133f.; Stephen Stedman (1995) “UN Intervention in Civil Wars: Imperatives of Choice and Strategy,” in Donald C. F. Daniel and Bradd C. Hayes (eds) *Beyond Traditional Peacekeeping* (Macmillan: Basingstoke), p. 41; Tharoor (1996), p. 30.

to personal safety, “cultural safety,”<sup>65</sup> war crimes, or human rights, citizens have a clear perception of whether or not their security is in fact guaranteed. Credibility is the concept that most closely interacts with performance and effectiveness. The two can either mutually reinforce or undermine each other. Exaggerated expectations often accelerate the downward spiral.

Aside from effectiveness, credibility is linked to whether or not the supporting participants display a willingness to use political, economic or military force to back up a mandate and a willingness for sustained engagement. The involvement of great powers and their concomitant resources increase credibility.<sup>66</sup> In many ways, credibility is also a question of whether the mandate given to the intervening actors is matched with appropriate and sufficient means to fulfil it. Looking beyond a specific operation, the credibility of the international community in future missions is also at stake.<sup>67</sup>

Both impartiality and credibility affect the host country’s willingness to consent to the delivery of international security assistance, in that the more credible and the more impartial the external actors are perceived to be, the more likely it is that consent will be forthcoming. Whether internal or external, it is important for the analysis to identify the actors whose perception is key to successful peace implementation and how the factors introduced above adversely or favourably affect legitimacy and effectiveness.

Building a security apparatus is in essence a political issue and a question of governance, reflected in the need for civilian control over the security forces.<sup>68</sup> While security assistance primarily targets structural issues and behavioural issues that are directly linked to the security organisation, the political context is pivotal. Most frequently, efforts to influence the political context introduce power-sharing arrangements that distribute political power and control over territory. Devising arrangements that are acceptable to the parties, supportive of the peace process and

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<sup>64</sup> William J. Dixon (1996) “Third Party Techniques for preventing conflict escalation and promoting peaceful settlement,” *International Organization* 50(4), p. 676; Diehl et al. (1996), p. 688; Berdal (1993), p. 68.

<sup>65</sup> Term used by Lake and Rothchild (1996), p. 56.

<sup>66</sup> Diehl et al. (1996), p. 688; Lake and Rothchild (1996), p. 42, 68f. Ball and Halevy point to more practical concerns of half-hearted engagement when they call for sustained and clearly-defined outside assistance. Ball and Halevy (1996), p. 13f.

<sup>67</sup> Though Boutros-Ghali here speaks about the credibility of the UN, the same holds true for the international community more generally. Boutros-Ghali (1992), p. 25.

<sup>68</sup> Eide, Hansen and Lia (1999), p. 7f.

self-sustainable in the long run, is a major challenge that falls outside the scope of this study. Clearly given the highly political nature of external intervention in issues of security, the political context of implementation will be taken into account as the backdrop for international security assistance, among other things because it affects the cost-benefit-analysis of potential spoilers, but it will not be analysed systematically in the present study.<sup>69</sup>

In the following the concept of international security assistance is developed by discussing central aspects of the specific post-settlement context in which it is to be provided, namely the degree of insecurity in a given war-torn society, the provisions of the peace agreement, and the third-party actors involved. Then, the concept is further defined by devising a typology of tasks that make up international security assistance.

### **3 Components of the Study of International Security Assistance**

#### **3.1 Insecurity in a Post-Settlement Society**

The starting-point of our analysis is the post-settlement society in which a given peace agreement is to be implemented. Identifying elements that introduce insecurity and gaps that the authorities are unwilling or unable to fill, enables us to pin-point possible military and security-related tasks for third-party actors that arise in the peace implementation process. Gaps and tasks fall into two groups: military security and the provision of law and order. These, in turn, create the setting for other types of insecurity that, for example, arise with a large number of displaced.

A fundamental characteristic of a post-settlement society is the prevalence of a culture of violence. A culture of violence has an aggravating affect on most of the

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<sup>69</sup> Walters is emphatic in her conclusions that security assistance can be a temporary solution only and that political structures have to be developed to accommodate the parties' security concerns in the long-run. Walters (1999), p. 137. Studies of the nature and the pitfalls of power-sharing in post-conflict situations have been undertaken by, for example, Marina Ottaway and J. 'Bayo Adekanye. See Marina Ottaway (1995) "Democratization in Collapsed States," in Zartman (1995a), p. 248; J. 'Bayo Adekanye (1996) "The Two Faces (Phases) of Power-Sharing in Post-Conflict Society" (Paper prepared for the *International Workshop on Disarming Ethnic Guerrillas Project*, Peace Research Institute Oslo: Oslo, 17-18 February 1996), p. 2, 8, 15.

aspects described below and is particularly reflected in the absence of non-violent conflict management mechanisms both in individual and in national disputes. The culture of violence prevails as long as the population senses that its personal safety is threatened and as long as it does not trust the authorities to provide security effectively. Thus, threats to stability and security in the post-settlement phase emerge as direct results of a weakened state.

In the course of the armed conflict, security forces at various levels have also experienced a surge of power compared to the civilian population that they are unwilling to abandon now.<sup>70</sup> This power can be political, military or economic in nature and can place security forces in the group of spoilers. Similarly, an obvious trait of society that affects both national and personal security is the amount of open fighting and the level of violence, the presence of armed forces, and the existence of a formal cease-fire.

In the immediate post-settlement stage, society is also characterised by a high degree of proliferation of weapons, floating uncontrollably both within and across the borders of the conflict area, and by the existence of territorial disputes. In terms of military security, the proliferation of arms is reflected in what Ball and Halevy term a “bloated security establishment [...] that remains a major political force.”<sup>71</sup> This is true of guerrilla movements that create their own power structures, as well as of government forces. While the size and organisation of the military is often impenetrable for all but a few, the post-conflict government is taxed with the need to restructure the military in order to meet an altered but undiminished demand for national security. After all, in conflicts where the open confrontation has been halted by a peace agreement and where, as a result, there is no clear winner, the definition of national security and of the threats to national security are very much a product of the recent conflict. Recognising the hybrid state of an immediate post-civil war situation, where characteristics of both inter-state and internal conflict intermingle, and recognising all levels of security, ‘external-internal,’ military or civilian, is pivotal. As suggested above, the parties’ security perceptions are a critical factor in the implementation phase, as distrust is a prevalent feature of the relationship between the parties.

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<sup>70</sup> Ball and Halevy (1996), p. 23, 38.

<sup>71</sup> Ball and Halevy (1996), p. 23f.

National security works both outwardly and inwardly. States do not operate in a vacuum and international recognition is a critical factor for the level of security in a post-settlement society. Given that the peace agreement was supported or even brokered by outside actors, its immediate outcome and the resulting constellation of power are presumably accepted likewise, for example reflected in an offer of membership in international organisations to post-conflict states.

In turn, military security is influenced by the regional power and security constellations and the perceived security threats and demands of the various parties to the conflict. Perceived threats to national security tend to mirror a given society's points of vulnerability, which in an immediate post-conflict situation are especially sensitive to pressure and disruptions, both from external actors and from the conflicting parties. The degree to which the war affected neighbouring states' security perceptions, be it through arms or peoples flows, will also be critical to their degree of involvement in the implementation of a peace agreement.

Both individual and national security in a post-settlement society are further undermined by the large number of former combatants that usually accompany the large number of uncontrolled arms. The threat to personal safety is obvious, but regionally or nationally demobilised soldiers also affect security by forming or retaining paramilitary organisations or getting involved in Mafia activities, all of which contribute to insecurity in a society. Another alternative for demobilised soldiers is to join the regular police, which sadly often results in lack of impartiality and harassment, excess equipment, and inappropriate doctrines in the police force. These groups have not yet managed the transition from a conflict to a post-settlement society and pose a threat to security and stability. Other military remnants of an armed-conflict are an enormous number of landmines that both inhibit the freedom of movement and economic reconstruction and seriously impinge personal safety.

With respect to individual security, the culture of violence engenders heightened concern for personal security and just retribution among the civilian population. A police force under civilian control is either lacking in the first instance or is split siding with one of the warring factions and often under the rule of the armed forces and/or under strict political control. In fact, post-settlement societies are often characterised by a blurred distinction between various kinds of security forces,

between the military and the police.<sup>72</sup> In the wake of civil wars, there are several opposing military organisations, as well as other security forces, that all need to be reorganised and collected in one set of coercive tools for the state. Human rights are violated, be it by design or due to a lack of training, weakening the reliability and credibility of the police force that is crucial to the citizens' perception of their personal security. The continuation of executive security, i.e. law enforcement by the police, is judicial security with an independent and impartial judicial branch and prison system that both have to be in accordance with internationally recognised standards. The three components of civilian security, often described as the Triad, are closely interlinked and are all essential to the rule of law. If one element is dysfunctional, it discredits the entire legal system.

Aside from material destruction, the aftermath of ethnic conflicts is marked by increased tensions and conscious delineations between members of different ethnicities that linger on and are reinforced in a large community of displaced persons. Tensions also arise with the resettlement of displaced persons into areas or close to areas dominated by an ethnic group other than the one attempting the settling. It has been argued that ethnic conflict cannot be resolved, only contained or managed. As a result, the definition of power-sharing arrangements and distribution of territory in the peace agreement are of critical importance.<sup>73</sup>

### **3.2 The Peace Agreement**

As a peace agreement is the result of tough negotiations and its outcome reflects the balance of power between the parties, it will often contain numerous ambiguities and leave out core issues, in order to ensure the parties' signatures. Unfortunately, ambiguities in the peace agreement enable the parties to insist on their own interpretations of the agreement. Furthermore, there might be no implicit understanding by the parties as to the final security situation towards which the peace agreement is a first step. The conclusion of a peace agreement often "engenders enormous expectations" with respect to its scope and time frame, that are grossly

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<sup>72</sup> Ball and Halevy (1996), p. 24, 53.

misplaced. At best, the peace agreement provides a framework for ending hostilities and a guide to handling the immediate and most urgent issues of the post-settlement society. Dixon's definition<sup>74</sup> presented in the *Introduction* of this study focuses on the functional aspect of a peaceful settlement in the sense that the elimination of one or several disputed issues is the main criteria, but it remains unclear what the long-term perspective of an agreement may be. In most cases, further negotiations are needed to address the problems of implementing the agreement's provision and dealing with sensitive issues left untouched by the agreement.<sup>75</sup>

Time tables laid out in agreements never seem to be realistic; although there are no definite answers as to whether delays in the implementation of a peace agreement, as opposed to strict observation of a pre-determined time table, has in fact been detrimental to the peace process. Also, few peace agreements and "action plans" take into account that conditions on the ground will change in the course of implementation, rendering agreed policies or procedures unsuitable at later stages.

And yet, there is little doubt that the existence of a written peace agreement of some sort immensely enhances the prospects for achieving a peaceful solution to the conflict, compared to a situation in which a cease-fire is the only formal agreement between the parties. Kalevi Holsti suggests a number of criteria which an agreement must meet in order to be durable. These include:

- provisions for a system of governance that embodies certain norms of acceptable behaviour;
- legitimacy, in the sense that shared principles of justice are integrated into the peace agreement;
- an assimilation process that fosters the realisation that "the gains of living within the system [...] outweigh the potential advantage of seeking to destroy or dominate it;"
- a deterrent system powerful enough to prevent defections;
- conflict resolution procedures and institutions, and power-sharing arrangements;
- consensus on war, that is the recognition that war is a fundamental problem;

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<sup>73</sup> Lake and Rothchild (1996), p. 42, 56; John M. Richardson Jr. and Jianxin Wang (1993) "Peace Accords: Seeking Conflict Resolution in Deeply Divided Societies," in K.M. de Silva and S.W.R. de A. Samarasinghe (eds) *Peace Accords and Ethnic Conflict* (Pinter Publishers: London), p. 191.

<sup>74</sup> Dixon (1996), p. 657.

<sup>75</sup> Ball and Halevy (1996), pp.12-13

- procedures for peaceful change, including “methods and procedures for reviewing settlement terms [...] adjusting commitments and responsibilities;”
- anticipation of future issues that can develop into potential sources of conflict.<sup>76</sup>

Thus, the actual design of a peace agreement has a number of important consequences for the subsequent implementation phase. As Hampson has noted, some peace settlements may fail because they “are simply badly designed.”<sup>77</sup> In the present context, it is important to what extent the peace agreement defines a framework, or in some cases specific terms, for the involvement of third-party actors in the peace process and the delivery of international security assistance.

The peace settlement usually contains a heavy proportion of security arrangements and security related provisions, ranging from demobilisation, disarmament, the establishment of civilian police and internal security forces to the creation of buffer zones, safe passages, rules of security co-operation, joint patrols etc. While the parties have formally agreed to these provisions and arrangements, they nevertheless constitute a compromise formula for both parties and will in most cases face strong challenges from rejectionist groups as well as the parties’ own constituencies. In most internal conflicts, a multitude of militias and other armed factions still exists despite the conclusion of a peace agreement. Many of them have not been made an official party to the agreement, and may be difficult to identify.<sup>78</sup>

Whereas such opposition will have an ideological component, it is marked to a greater extent by the fundamentally conflicting security and threat perceptions among the disputant parties. Whether the peace process is perceived as a zero-sum-game is closely tied to how the security arrangements, covered by the agreement, fulfil the parties’ security needs and to what degree the arrangements run counter to the mainstream security perceptions among the two parties’ supporting constituencies. Thus, the task of disinterested third parties is to address the clash of security perceptions by offering security assistance in forms and through channels which allay

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<sup>76</sup> Holsti (1991) cited in Hampson (1996), p. 20. The inclusion of the criteria are meant as an introduction that helps to gauge some aspects of a given peace agreement. They will not be explicitly followed up and tested in the present study.

<sup>77</sup> Hampson (1996), p. 20. Hampson also raises the question whether success or failure in the implementation phase of the peace process is associated with a lack of “ripeness” of the conflict itself. Thus, the actions and contributions of an external third party to the peace building process “may have less to do with the reasons a settlement succeeds or fails than the structural characteristics of the conflict itself.” Hampson (1996), p.16. However, Stephen Stedman warns against using the concept of ‘ripeness’ to assess the chances of successful peace implementation arguing that ‘ripeness’ is a soft concept and unsuitable as a criterion. Stedman (1995), p. 56.

<sup>78</sup> Berdal uses the example of UNPROFOR as a case in point. Berdal (1993), p. 28.

fears, build confidence and eliminate the zero-sum-game perception of security among the parties.

While some forms of security assistance can be offered and delivered without the existence of a peace agreement, for example traditional peacekeeping missions and military observers monitoring a cease-fire agreement, most security assistance does specifically require the consent of the parties. While a few third-party actors may be willing to offer and deliver security assistance to consolidate a cease-fire, and promote negotiations towards a peace agreement, the international community is frequently hesitant to offer extensive assistance in the absence of a peace agreement. Thus, the peace agreement usually determines roles for external actors and can specify co-ordinating mechanisms where international bodies, donors, or organisations offering security assistance, are involved.

Aside from the agreement's formal provisions, there may be room for discretion and informal supplements in the field of security assistance. In that way, some international security assistance might be an implicit, but perhaps not always a formalised part of the peace deal, when it was signed. There can be a whole range of other informal agreements, understandings or mere expectations accompanying the signing of the peace agreement. It is thus necessary to identify not only the security assistance delivered as a part of the formal agreements, but also how the more informal elements of the peace agreement were dealt with and how perhaps the lack of fulfilment of these informal understandings affected the implementation of security provisions.

### **3.3 Third-Party Actors as Providers of International Security Assistance**

The concept of "international community" has been gaining ground in line with an overall trend towards emphasising global structures at the expense of national sovereignty. The progressing integration among states and the general acceptance of concepts, such as "collective security," bear witness to the strengthening of the international community as an actor in the international system. International security assistance can also be seen as a continuation of the development towards more proactive collective security. In order to make the notion of international community

more workable, this passage presents a typology of actors as providers of international security assistance.

Several analysts have urged donor countries and multilateral lending institutions involved in a peace process taking place after civil wars to devote more attention to the restructuring and monitoring of the activities of the security sector, in particular towards elements that traditionally seek to elude civilian-political control, such as various paramilitary forces and political-military intelligence. Similarly, international organisations, NGOs and donor countries have been strongly advised to channel more of their assistance towards the establishment of public order institutions, national police forces and the judiciary, in order to create long-term conditions for a stable security environment.<sup>79</sup> Although assistance to security sector reform is indispensable in the wake of a peace agreement, third-party actors committed to the peace process often display considerable reluctance to involve themselves in security sector reform beyond minuscule and negligible contributions in the form of offering human rights training for police and security forces. This reflects the widespread concern in the donor community that their assistance can easily be discredited by negative press coverage, if human rights abuses or terrorist acts are perpetrated by the recipients. Thus, the delivery of security assistance, as opposed to humanitarian and development assistance in the course of a peace process, is encumbered by numerous restrictions and impediments which profoundly influence its effectiveness.

There are nevertheless a number of potential third-party actors in a peace process which may commit themselves to the delivery of international security assistance. William Dixon has defined potential “third-party intermediaries” in a conflict resolution process as “nation-states or coalitions of states; transnational or sub-national organisations; ad-hoc commissions; individuals; or any actor with international standing.”<sup>80</sup> A number of these intermediaries will be committed to supporting the peace process after a conclusion of a peace agreement, especially if they were involved in the negotiations prior to the peace accord. The broader notion, “the international community” is frequently used to denote outside and supposedly disinterested third-party actors, representing international law and humanity.<sup>81</sup>

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<sup>79</sup> See for example Mats Berdal (1996) *Disarmament and Demobilisation after Civil Wars* (Adelphi Paper No. 303, International Institute for Strategic Studies, Oxford University Press: Oxford), p. 75.

<sup>80</sup> Dixon (1996).

<sup>81</sup> Ball and Halevy emphasise the NGO community to a greater extent in their definition. Thus, the international community consists of “bilateral government agencies such as ministries for foreign

However, in the field of international security assistance, a narrower and more operational definition is needed. The following typology describes the actors likely to be involved in the delivery of international security assistance:

- The UN Secretariate, including the Department of Peace-Keeping Operations (DPKO); Civilian Police Unit (UNCivPol), which trains and monitors the establishment of local police forces; and the Office for the Co-ordination of Humanitarian Affairs (OCHA, formerly DHA); as well as other UN agencies, such as UNDP, UNHCR, UNCHR etc;
- Regional and sub-regional organisations with security and defence components, such as NATO, the OAU, the OSCE, and SADC and to a lesser extent the EU;<sup>82</sup>
- Ad-hoc coalitions of states, that join forces to form a specific non-UN operation;
- “Friends of the peace process,” with a special interest in the settlement and whose personal and historical ties to the parties as well as international standing may give them influence and leverage that the UN and regional organisations lack;<sup>83</sup>
- Donor countries and individual states;
- NGOs, offering demining assistance and observers in the field of civilian security, particularly human rights;
- World Bank, financing demining programmes, employment schemes for former combatants, etc.<sup>84</sup>

### *International Organisations*

Whether they be sub-regional, regional or global, all international organisations share a set of constraints that fall into three broad categories: (1) decision-making; (2) co-ordination; and (3) funding. Ironically, it may be argued that the difficulty in decision-making indicates the organisation’s relevance and weight. For example, authorisation

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affairs, defence and justice, multilateral political institutions such as the UN, regional organisations such as OAU and NATO, members of the international development community (which includes bilateral and multilateral development agencies such as UNDP, USAID, as well as international financial institutions such as IMF and the World Bank, in addition to development oriented NGOs), international religious organisations, human rights organisations and international political parties.” Ball and Halevy (1996).

<sup>82</sup> The regional dimension has gained prominence and is also reflected in region-wide approaches, such as the Stability Pact for South Eastern Europe.

<sup>83</sup> Ratner (1995), p. 84.

<sup>84</sup> International financial institutions (IFIs) like the International Monetary Fund and the World Bank had long been unwilling to offer significant financial aid to tasks, such as the financing, equipping and training of police and internal security forces. However, a reassessment has taken place and IFIs are becoming increasingly involved in providing international security assistance. World Bank (1997) *A Framework for World Bank Involvement in Post-Conflict Reconstruction* (World Bank, May 1997).

of peace support operations is not taken lightly by any of the members of the UN Security Council, as they are very well aware of the significance of legitimisation by the UN. After all, the United Nations remain the only global conflict management organisation with a corresponding unique moral standing. Another aspect is the simple fact that these constraints are not unique to the UN. Far from it, any international organisation struggles to establish a consensus among its members. It is the price that has to be paid for co-operative action among democratic states.

Co-ordination between different agencies within the UN system has clearly improved, but given the number of agencies and the scope of their activity this will be a continuous challenge.<sup>85</sup> In recent years, the spotlight has increasingly been directed towards the challenge of civil-military co-operation and a common recognition has emerged that a comprehensive approach to peacekeeping is required. Arguably, it is one of the areas in which most progress has been made. Although co-operation remains sketchy and uneven, there is clearly a better understanding between military and civilian actors with respect to their respective philosophies or doctrines, organisational structures, and needs. Civil-military co-operation is especially important in the delivery of international security assistance, where military and civilian security issues are interdependent.

Financial constraints are among the most severe limitation of international security assistance.<sup>86</sup> More specifically, lack of financing can have two effects. First, it can place limitations on the activity of the international presence, forcing it to select certain tasks or concentrate on different regions rather than pursuing a comprehensive approach. This can trigger a vicious circle as progress in a peacekeeping operation becomes delayed and requires more funds than anticipated. Second, it can lead to the complete abandonment of an operation when sources of funding dry up. In practice, lack of funding is far less dramatic for UN-led peacekeeping operations which have traditionally run on, regardless of budget deficits. In contrast, the work of some of the UN specialised agencies, such as UNHCR, UNDP or the WFP, has been severely impaired when appeals have not been met by contributions. Similarly, regional and sub-regional organisations, such as the OAU and SADC, have been crippled in their

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<sup>85</sup> Anthony McDermott (1997) "The UN and NGOs: Humanitarian Intervention in Future Conflicts," in Anthony McDermott (ed) *Humanitarian Force* (PRIO-Report 4/1997, Peace Research Institute Oslo: Oslo), p. 72f.

<sup>86</sup> Financial constraints include funding for programmes that form part of the peace support effort, but also logistic shortcomings and lack of staff, qualified or otherwise.

attempts to initiate effective peacekeeping operations due to a lack of funds. Obviously, the more comprehensive and the more forceful the peace support operation is, the more cost-intensive it will be. At the same time, a muscular and larger peacekeeping force may well be more cost-effective in the long run than half-hearted peacekeeping efforts with lighter and smaller forces that are incapable of implementing their mandates effectively.

### ***Sub-national Organisations and Actors***

Sub-national organisations are primarily NGOs and are concentrated in the field of human rights and democratisation. In recent years, business interests have also gained a more prominent position among the group of sub-national actors. In the realm of security assistance, the trend towards privatised security and the flourishing arms trade are the most central aspects. Most importantly, the involvement of private interests in the field of security is a challenge for the international community, as these actors often rely on sustained tensions for their profit. As a result, they form a powerful group within the rejectionists or spoilers who will aim at derailing the peace process.<sup>87</sup>

Similar interests come to the fore among local counterparts. Luckham writes that “[m]any of these conflicts have seen the rise of warlords, or military entrepreneurs with a considerable stake in their accumulated investments (in combatants and materiel) and in continued conflict.” Therefore, it is critical that “rival military forces can be integrated and brought under some form of government control.”<sup>88</sup>

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<sup>87</sup> For the increasing role of economic interests involved in current conflicts, see Mats Berdal and David Keen (1997) “Violence and Economic Agendas in Civil Wars: Some Policy Implications,” *Millennium: Journal of International Studies* 26(3), pp. 1-24. For more lengthy discussions of the role of private security companies, see David Shearer (1998b) “Outsourcing War,” *Foreign Policy* (Fall 1998), pp. 68-80; David Shearer (1998a) *Private Armies and Military Intervention* (Adelphi Paper No. 316, International Institute for Strategic Studies: Oxford University Press: Oxford); Kevin A. O’Brien (1998) “Military-Advisory Groups and African Security: Privatized Peacekeeping?” *International Peacekeeping* 5(3), pp. 78-105; and Jakkie Cilliers and Peggy Mason (eds)(1999) *Peace, Profit or Plunder? The Privatisation of Security in War-torn African Societies* (Institute for Security Studies: Pretoria).

<sup>88</sup> Luckham (1995), p. 52.

### ***Individual States***

Individual states can play three different roles in a peace implementation process: (1) as neighbours; (2) as regional great powers; and (3) as friends of the peace process.<sup>89</sup> The roles are not mutually exclusive and states may play all three at the same time. Whereas neighbours are affected by virtue of their geographic location and proximity to the conflict, regional great powers engage in conflict management as part of a larger strategy of creating stability beyond their territorial borders. Friends of the peace process may be involved due to personal ties among the leaders, due to special trading relations or dependencies, or due to ethnic ties with one of the parties to the conflict.

The multitude of actors that in one or another way represents the international community illustrates the complexities of analysing the role and effectiveness of peace implementation assistance. A web of interests underlies each third-party actor's rationale for participating in the peace process or refraining from doing so. Costs and resources are an important concern for the delivery of security assistance and naturally play into states' interest in participating, particularly where the benefit may appear a less tangible advantage such as regional peace and stability. Some participants' interests may stem from a state's or organisation's desire to promote one's international prestige and credibility as an ally. Or it may mirror individual countries' allegiance to regional alliances and international obligations, in particular small countries' constant struggle to sustain a preferred status among the great powers. To a lesser degree than elsewhere third-party involvement in security assistance will be a result of media pressure or pressure from lobbying groups. Finally, certain actors' involvement may stem from historical ties, ethnic allegiances, or ideological affinities.

At the same time, these interests are not constant over time, and actors can have very different perception of the final goal of the peace process. In most cases, there is a marked difference between the interests of small countries and regional great powers with regards to involvement in security assistance. Small countries may more easily obtain the necessary legitimacy and consent from the parties, as compared to regional great powers with direct national interests tied to the outcome of the peace process. They nevertheless lack the resources of a great power to support the

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<sup>89</sup> The term "friends of the peace process" was suggested by Ratner. Ratner (1995), p. 84.

implementation process in the security field. Thus, an individual state's or organisation's commitment may also be heavily dependent on the behaviour and commitment of other actors, especially those of leading organisations and powerful states. Obviously, the delivery and co-ordination of international security assistance in a post-settlement peace process is hostage to overlapping and conflicting interests which not only makes co-ordination and co-operation extremely important, but which also underlines the impediments which co-ordination will have to overcome.

For all third-party actors, the autonomy of the peace process, that is a conflict management process sustained merely by diplomatic means is the shared objective. The gravest challenge lies in finding the balance between sustained outside engagement and self-sufficiency. With both challenges in mind, one might ask what military and security tasks are appropriate for the international community to take on, whether there are basic patterns of behaviour in post-settlement security assistance, and whether there are basic rules for or conditions under which different external actors are willing to participate.

### **3.4 Types of International Security Assistance**

The following typology displays the range of tasks that can compose international security assistance rendered in peace implementation. Whether or not certain tasks present themselves to the third-party actors, depends in part on the degree of disintegration of the society in question and on whether the agreement terminated a full-scale war or a conflict of lower intensity. Thus the necessity for all tasks sketched out here does not arise in all post-settlement situations. The crucial areas for external involvement correspond with areas of social breakdown and address the needs that arise with the failure of indigenous security structures. It is important to keep in mind that even purely military activities have political implications in an implementation process. This is especially true of military and civilian security sector reform which entails changing the conditions for and the content of the state's prime instrument of power. Some tasks may benefit from their ambiguous definition in the agreement, but their execution then largely depends on the personal characteristics of the implementers. Continuous negotiations and what Berdal refers to as "hearts and

minds' activities"<sup>90</sup> are inevitable in an implementation process, the quality and preparation of the staff involved can therefore be of pivotal importance.

In general, international security assistance is meant to contribute to an overall *demilitarisation* which in turn counteracts the culture of violence that marks a post-settlement society.<sup>91</sup> Objectives for military measures have been described as minimising instability in the region by limiting availability of weapons and by keeping soldiers busy short-term and freeing up scarce economic resources long-term.<sup>92</sup> Specific tasks range from establishing and monitoring a cease-fire, including the establishment of a buffer zone, the transfer of territory, the removal of foreign troops, demobilisation, disarmament, negotiations of arms limitations, and reform of the security sector, including both national security and police forces.

A *cease-fire* is either established before an agreement is signed or is activated with the signing and an important military task then becomes maintaining the cessation of hostilities in cases where the agreement ends full-scale war. As indicated in the discussion of impartiality, it is important to evenly punish use of sporadic force in violation of the cease-fire. Upholding a cease-fire often encompasses the *separation of forces*, i.e. that opposing force are quartered and withdrawn from contested territory, and the establishment of a buffer zone. In turn, establishing a buffer zone involves the removal of troops as well as a transfer of territories. Frequently, the scope and the clarity of military arrangements in the settlement depends on the influence of military contributors on the explicit instructions.

Regardless of the conflict's prior intensity, the *removal of foreign forces* is often an important element. Apart from monitoring, pulling out forces usually involves limited activity from external actors and is instead undertaken by the party to the conflict that has functioned as a type of occupying power. Outside of the limited group of actors that was involved in negotiating and signing the agreement, there can be foreign forces, private security forces or guerrilla groups that do not consider themselves represented in the agreement or not subject to it. These groups or actors

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<sup>90</sup> Berdal (1993), p. 24.

<sup>91</sup> Boutros-Ghali underlines how demilitarisation is central to "heightening the sense of security" in a post-conflict society. Boutros-Ghali (1992), p. 33.

<sup>92</sup> Mats Berdal has taken up the range of security related tasks in peacekeeping and peace enforcement missions in several of his publications. The list of tasks is equally valuable for peace implementation and the following section uses his thoughts as a starting-point for charting types of security assistance in post-conflict situations. Berdal (1993); Berdal (1996). See also Ball and Halevy (1996), p. 30-40, 53.

seriously endanger long-term stability, unless they are removed from contested territory or otherwise dealt with in the implementation process.

Be they regular or irregular forces, the *demobilisation* and *reintegration* of former combatants is crucial. Demobilisation is a task that has a military starting-point but develops into a civilian measure when armies are demobilised and returned to civilian life, and thus become the responsibility of those third-party and other external actors engaged in the repatriation of displaced persons, social integration, and in promoting economic development.<sup>93</sup> This points to the critical context for demobilisation and reintegration which is both a precondition for and itself affects progress in the peace process.<sup>94</sup>

Another issue arising with demobilisation that requires both security and civilian assistance is the return of Prisoners of War. Despite the clear guidelines of the Geneva conventions, the issue of prisoners of war manifests itself anew in every war or violent conflict. Psychologically, the return of POWs implies a willingness to 'let bygones be bygones' and enhances the confidence-building process.

External actors frequently take on the task of *disarmament* and *stock piling*, as the flow of arms is often difficult to control in the immediate post-conflict stage. Usually the initial disarmament stage is so extensive that it is placed in the hands of an external military force.<sup>95</sup> Disarmament and stock piling reflect an effort to exercise some control over the parties' military capability and thus their incentives to engage in renewed fighting. Easy availability may make it easier for one side to derail the process, if developments do not live up to expectations.<sup>96</sup> The caveat of disarmament is that the disarmament process cannot aim at complete disarmament, but must settle for disarming evenly, in order to maintain a factual balance between the parties, on the one hand, and retain the parties' co-operation, on the other. In order to accelerate the disarmament process, weapon buy back schemes have been attempted usually with limited success.<sup>97</sup> A tricky issue on the borderline between military and civilian tasks is demining. Though essentially a military activity, demining is crucial to

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<sup>93</sup> Ball and Halevy (1996), p. 42f.

<sup>94</sup> Berdal (1996), p. 21. See also Joanna Spear (1999) "The Disarmament and Demobilisation of Warring Factions in the Aftermath of Civil War: Key Implementation Issues," *Civil Wars* 2(2), pp. 1-22.

<sup>95</sup> Oakley and Dziedzic (1996), p. 1f.

<sup>96</sup> Christopher Smith (1996) "Light Weapons and the International Arms Trade," in Smith et al (1996) *Small Arms Management and Peacekeeping in Southern Africa* (UNIDIR Disarmament and Conflict Resolution Project, United Nations: New York/Geneva), p. 7.

<sup>97</sup> Ball and Halevy (1996), p. 37f.

progress on the civilian front of peace implementation and post-conflict reconstruction. Aside from the removal of mines, demining entails training, building local capacity, and awareness programmes which are the domain of civilian actors.<sup>98</sup>

Also, in the pursuit of long-term stability the *negotiation of arms limitations* is central. Although they may not be addressed in the agreement itself, arms limitations are an issue of prime importance, in that they determine the conditions for future military activity. Usually, arms limitations are at least covered by a call for future agreements and further negotiations - which is where third-party actors re-enter the picture. With regard to talks on arms limitations, international security assistance plays a facilitating role by providing fora and/or mediators to assist in the negotiations. Unfortunately, rather than reducing the arms in the conflict area, international security assistance has also taken the form of supplying weapons to one or more of the parties to the conflict and the international arms trade remains a powerful force during and after conflicts. In civil wars, arms limitations are only a reflection of an overarching need to find a manner in which former adversaries can coexist in security terms and to provide access to power-sharing or conflict management mechanisms in the political sphere.

This brings us to the reform of the security sector which aims at establishing or consolidating the rule of law and is a critical step towards long-term security. A study done for the OECD highlights that countries in which a conflict has been settled through a peace agreement

“often embark on a very difficult path of re-definition of the basic features of the state. This new ‘social contract’ has to be established amidst post-conflict stress, poverty, power competition and often very contrasting visions for the future. [...] Therefore, well-managed reform of the security sector is very much a key to successful peace settlements. Failure to address it may either lead to a relapse into fighting or to the institutionalisation of authoritarian practices, which in turn may be the foundation of new societal conflicts.”<sup>99</sup>

The rule of law entails that citizens consider the system legitimate and are willing to use it to obtain just and effective redress to their grievances. In turn, that implies that using the civilian security sector, including the police, courts, and prisons, is preferable to taking the law into one’s own hands and that it “can replace and

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<sup>98</sup> Ball and Halevy (1996), p. 46.

<sup>99</sup> Eide, Hansen and Lia (1999), p. 11. The study gives an in-depth analysis of the relevance and challenges of civilian security sector reform and offers recommendations to donors.

marginalise any alternative organisations of the same sort.”<sup>100</sup> The security sector encompasses both the national armed forces and the police and the distinction between the two is often unclear in post-settlement societies, where “the actual responsibilities of the police have been expanded into new, usually more sinister, areas.”<sup>101</sup> Accordingly, the reform undertakes to clearly separate external from internal security forces and to instil in both redefined doctrines and missions.<sup>102</sup> Furthermore, it is of paramount importance that forces are placed under civilian control and that an educational, training, and selection system is developed that reflects the altered doctrines and security perceptions and the enhanced democratic structures. In this context, international security assistance that increases public security is concerned with the professionalisation or establishment of a civilian police force. External support entails both monitoring the local police and providing assistance in training-related aspects and the development of rules and procedures.<sup>103</sup> With respect to selection, there is a link to the demobilisation process, in that integration into the police force frequently provides an employment option for former soldiers.<sup>104</sup>

The final product should be a police force, a judiciary, and a penal system that is credible, effective, impartial, and independent of political influences, yet under civilian and democratic control. All components of the triad need to act in accordance with fundamental human rights, which are especially exposed in the security sector, where members of security forces are often behind human rights violations. At the same time, the protection of human rights is imperative in the process of fostering a sense of security in the population and to provide a new moral basis and code of conduct for a society that is emerging from a violent conflict in which ‘anything goes.’ International organisations, NGOs and donor countries have been strongly advised to channelled more of their assistance towards the establishment of public order institutions, national police forces and the judiciary, in order to create long-term conditions for a stable security environment.<sup>105</sup>

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<sup>100</sup> Eide, Hansen and Lia (1999), p. 11, 13.

<sup>101</sup> Eide, Hansen and Lia (1999), p. 7.

<sup>102</sup> Robin Luckham discusses the particular challenges of dealing with the legacy of authoritarian regimes and reforming the military in Africa. Luckham (1995), pp. 49-61.

<sup>103</sup> Interestingly, the basic rules for the police force coincide with the basic preconditions for the deployment of peace-keeping forces: consent or trust, impartiality, and the use of force only in self-defence or in defence of the community.

<sup>104</sup> Oakley and Dziedzic (1996), p. 4.

<sup>105</sup> See for example Berdal (1996), p. 75.

### **3.5 Co-ordination and Co-operation**

At the same time as operations in post-settlement societies become more frequent and more extensive, incorporating a steadily growing range of tasks in the civilian and in the military domain, budgets are shrinking. As demands rise, the need for co-ordination between various actors and organisations involved in peace implementation becomes increasingly clear. Ball and Halevy point to the window of opportunity that exists in the fluid state of an immediate post-settlement situation and that opens for the possibility of effecting real change, if the actions and programmes of various agents can be co-ordinated.<sup>106</sup> Fundamentally, co-ordination aims at preventing overlap and gaps at the operational level and at enabling the international community to speak with one voice at the strategic level.

What then does co-ordination among third-party actors involve? It entails decision-making procedures and a certain chain-of-command, as well as potential incentives and disincentives inherent in the co-ordination structure. Decision-making takes place in two forms in the implementation process. First, when initial tasks and/or financial contributions are to be distributed among actors. That includes deciding who should do what and whether tasks should be undertaken jointly or should be divided up, giving each participant a more or less clearly defined area of authority. Second, on-going decisions have to be made throughout the operation and will require wholly different procedures than those used in the start-up phase. Particularly for the second form of decision-making it is essential that structures or mechanisms be put in place that promote effective and efficient co-ordination. Power and influence that individual actors can have on decision-making procedures can be both direct and indirect, formal and informal.

And yet, the widespread calls for co-operation belie the inherent difficulties of co-ordinating a diverse range of actors, particularly in international organisations that are, after all, made up of member states. Dorinda Dallmeyer notes that “[c]ollective intervention presumes the existence of consensus, or at least minimal ideological convergence” which in practice translates into the smallest common denominator.<sup>107</sup>

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<sup>106</sup> Ball and Halevy (1996), p. 94f.

<sup>107</sup> Dorinda G. Dallmeyer (1995) “National Perspectives on International Intervention: From the Outside Looking in,” in Daniel and Hayes (eds), p. 20-39. Stedman (1995), p. 53. In order to enhance

Co-operation among different actors that provide international security assistance struggles with practical concerns such as the “interoperability of equipment and communication systems,”<sup>108</sup> cultural and language differences, applying established chain-of-command structures, intelligence and information gathering, disciplinary mechanisms, and Rules of Engagement. In contrast to the purely civilian field, organisations engaged in providing international security assistance are usually fewer in number and have the benefit of military structures and a well-defined chain of command. Among the providers of international security assistance, there are significant differences between those involved in external security (military tasks) and those working in internal security (police-related tasks), not the least of which is the degree to which the actors interact with the civilian side of an operation.

The relationship between civilian and military agencies has always been troubled and Berdal suggested in the early 1990s that insufficient attention was being paid to cultivating civilian-military relations,<sup>109</sup> particularly where they need to work closely together in peace support operations. In fact, the co-ordination between civilian and military actors is implicit in the operation in that international security assistance aims at providing a secure environment in which civilian implementation can prosper. Many practitioners have voiced scepticism towards the involvement of a mushrooming number of international organisations and non-governmental organisations in general and military-civilian co-operation in particular, due to the widely differing logistical requirements, financing mechanisms, staffing, organisational philosophy, and chain-of-commands of different organisations. Both military and civilian actors fear compromising their work by co-operating with the other and display little respect for the other’s sphere of interest. On the security side, there is a particular apprehension on behalf of military actors who fear that their impartiality is at risk due to the perceived political character of civilian peace implementation. Despite the misgivings and practical difficulties, it is clear that the lack of co-ordination between civilian and military deployment can result in a threat to the operation’s credibility and effectiveness, when military and civilian actors are unwilling to support each other. This is particularly true with respect to tasks such as

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the effectiveness of co-ordination under UN auspices, the establishment of a reserve fund for international operations has been suggested by Boutros-Ghali (1992), p. 44.

<sup>108</sup> Berdal (1993), p. 8, 42.

<sup>109</sup> Berdal (1993), p. 48.

enhancing public security where there needs to be close co-ordination between the military and civilian police.<sup>110</sup>

For various reasons, it has been pointed out that a peace implementation mission should ideally build on the structures and personnel that already exists on the ground, i.e. those actors that were already in place during the armed conflict.<sup>111</sup> Employing the experienced personnel means enhanced understanding of cultural and other conditions on the ground and established links to significant local actors. The co-ordination with local actors is crucial in ensuring the appropriateness of peace implementation measures, the manner in which security assistance is rendered, and thereby the effectiveness of the assistance. Furthermore, the degree to which security assistance is receptive to local impulses impacts the perceived legitimacy of an operation, adding credibility and increasing the likelihood of consent on the ground. The overriding goal of peace implementation is the autonomy of the peace process, in other words that it is continued by the local population after the down-scaling and/or retreat of third-party actors. Co-ordination between local actors and the third-party presence is particularly important when the time comes to leave, to transfer responsibilities, and to terminate the operation.<sup>112</sup> Therefore, it is necessary to locate the leaders or the section of the population which is to ensure the continued implementation of and adherence to the agreement at local levels.

But the co-operation with local actors is critical from the very start of the operation and faces a number of challenges. Most importantly, the international community needs to identify the appropriate local actors with which to co-ordinate their activities. Often they meet corrupt government officials, excessive government control, and limited capabilities. In fact, the capacity to receive is often most limited where help is needed the most. Ball and Halevy remark that due to the perceived insufficient capacity and time pressure of an immediate post-conflict stage, third-party actors have had a tendency to bypass local actors in the name of effectiveness in the short-term and in that way have undermined the long-term process of building capacity to carry the reconstruction on local shoulders.<sup>113</sup>

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<sup>110</sup> Oakley and Dziedzic (1996), p. 1; Tharoor (1996), p. 30-2; Ball and Halevy (1996), p. 95.

<sup>111</sup> Ball and Halevy (1996), p. 97.

<sup>112</sup> Oakley and Dziedzic (1996), p. 2. Ball and Halevy refer to the co-ordination of retreat as “hand-off strategies” including handing over tasks from military to civilian agents. Ball and Halevy (1996), p. 100f.

## **4 The Concept of International Security Assistance**

In the present section, I have conceptualised international security assistance and created a tool for analysis that can serve to structure the approach to various case studies – beyond the two cases included in this study. The concept builds on a traditional understanding of security and covers a wide range of aspects of peace processes. Through the provision of international security assistance, security in the post-conflict area is to be strengthened and favourable conditions supplied under which peace implementation can proceed. While it is a theoretical contribution to the study of international politics, it reflects how international security assistance as a conflict management tool has become a core function of contemporary security arrangements, be they under UN, EU or NATO flag.

The war-torn society and the peace agreement itself form the joint starting-point for peace implementation by determining the preconditions for the peace process and particularly for external assistance. To a large extent, the degree of insecurity in the society and the specific provisions of the agreement govern the composition of international security assistance, with regard to participants and tasks. The other major determinant is of course the national interest of individual participants in the delivery of international security assistance. In addition to the more complex security picture, the implementation of a peace agreement has been marked by blurring distinctions between areas of responsibility of military and civilian third-party actors and has forced more - if reluctant - interaction between the two. Accordingly, co-ordination not only takes place among the security providers but between them and the actors involved in civilian peace implementation. Only when military and civilian actors co-ordinate the variety of programmes that they are conducting as part of the peace implementation operation, will all the pieces in the puzzle fall into place to form a complete and peaceful picture. A major challenge to international security assistance will be in the intersection between military and civilian tasks, namely security tasks that are essential to enhancing security in the post-conflict area such as demining and most importantly the civilian security sector reform.

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<sup>113</sup> Ball and Halevy (1996), p. 87; Spear (1999), p. 12.



## **SECTION II**

# **IMPLEMENTING THE DAYTON AGREEMENT**

“IF YOU CAN KEEP YOUR HEAD WHEN ALL ABOUT YOU  
ARE LOSING THEIRS AND BLAMING IT ON YOU.”

RUDYARD KIPLING

## **SECTION II: IMPLEMENTING THE DAYTON AGREEMENT**

“On paper, we have peace [...]. To make it work is our next and our greatest challenge.”

*Richard Holbrooke, US Assistant Secretary of State, December 1995*<sup>114</sup>

### **1 Introduction**

It has become clear that new tasks for peacekeepers have emerged in their deployment under more complex circumstances in recent years. Due to the increased number and scope of tasks and due to the increased number of actors involved in providing post-conflict assistance, the evaluation of these comprehensive efforts has moved to centre stage. In particular, the role of security assistance in consolidating a peace process has moved into the limelight. The situation in Bosnia-Herzegovina is a case in point, where the measures outlined in the Dayton Agreement were comprehensive and profound. It was a unique attempt to fuse the various third-party efforts into a meaningful whole.<sup>115</sup> They also involved large sums of money and the reputation of more than one international organisation was on the line. The agreement reflected that security was an elementary pre-condition for consolidating peace.<sup>116</sup> The issue is *how* the international community contributed to successful peace implementation by providing security assistance. The first case study analyses the assistance provided in the implementation of the Dayton Agreement from December 1995 to December 1998.

More specifically, the case study begins by describing the triple starting-point for the implementation of the Dayton Agreement. First, there is the security setting in Bosnia-Herzegovina. Chapter 2 of this section identifies points of breakdown at which the international community could intervene with assistance to enhance the security situation in the post-conflict area and thus allow the peace process to proceed. Second, the Dayton Agreement itself was a starting-point and is the subject of Chapter 3. The general structure of the agreement is discussed, as well as its legitimacy and

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<sup>114</sup> Quoted in James Schear (1996) “Bosnia’s Post-Dayton Traumas,” *Foreign Policy* 104/1996, p. 91.

<sup>115</sup> Marie-Janine Calic (ed)(1996b) *Friedenskonsolidierung im ehemaligen Jugoslawien: Sicherheitspolitische und zivile Aufgaben* (SWP-S413, Stiftung Wissenschaft und Politik: Ebenhausen), p. 19.

<sup>116</sup> Calic (1996b), p. 21.

the distribution of authority, specific tasks, and co-ordinating mechanisms. Third, Chapter 4 presents the constellation of third-party actors that emerged in the early stages of the peace implementation process. The main analysis of the implementation *process* takes place in Chapters 5 and 6. The progress that was achieved with or despite international security assistance by late 1998 is reviewed and the role of individual sub-categories of assistance is assessed for their respective contribution to the role of international security assistance as a whole. Chapter 6 singles out a few additional issues of co-ordination, which were not specifically addressed within the context of the implementation process. In conclusion, an attempt is made to evaluate the function of international security assistance in the implementation process and the international community's role in providing it, as well as to point out key areas of opportunities and limitations that affected the delivery and impact of international security assistance.

## **2 Insecurity in Post-Conflict Bosnia-Herzegovina**

The following chapter describes the security setting in the *immediate* aftermath of the war in which the implementation process began. Note that by late 1998 the situation had evolved reflecting progress and setbacks of the implementation process. The security situation in Bosnia-Herzegovina in the months that followed the signing of the Dayton Agreement was highly volatile. In order to assess the challenges, it is helpful to identify what could threaten security in Bosnia-Herzegovina. In the wake of the war, there were security functions that the Bosnian government was incapable of providing and that the international community had to take on temporarily or that required outside assistance to re-establish. A security threat arose from the fact that no change of leadership had taken place and that the same people that waged the war were waging the peace. Thus, the political leadership included a number of nationalists that would have a crucial hand in bringing about multi-ethnic coexistence. Throughout the peace process from 1995-8, the nationalist leaderships were the single greatest impediment to the fulfilment of Dayton's aims.

In accordance with the distinction between sets of tasks or remedies that reoccurs throughout the study, the threats to security in Bosnia-Herzegovina can be

categorised as (1) military threats, ranging from open fighting to disputed territorial issues to a large number of land mines; (2) threats to law and order, such as the inadequacy of local police forces, war criminals, and human rights; and (3) other threats to security, for example displacement of large groups of people, material destruction, and unstable political conditions. Similarly, security encompasses two levels, namely military and civilian or individual security.

## **2.1 Military Threats**

Since the cease-fire of October 5, 1995, the degree of open fighting was relatively low in post-conflict Bosnia-Herzegovina. There tended to be pockets where the level of violence was higher, however, such as around Mostar, Brcko, and Doboj. These pockets shared a location close to the Inter-Entity Boundary Line (IEBL), as was the case for Brcko and Doboj, or a location where the two federation 'partners' met, as in Mostar.<sup>117</sup>

Despite the fact that a number of Bosnia-Herzegovina's external security questions appeared to be solved through the definition and recognition of a uniform and sovereign territory, the hot spots reflected that in reality each of the entities, as well as the two ethnic groups merged in the Federation, had serious security concerns. Dayton acknowledged the absence of a common security perception and arranged for the continued existence of two external security forces, that is a Federation and a Bosnian Serb military force. Distrust and the fact that no clear winner emerged from the war, increased each side's desire to be in control of their own security and underlined each side's sensitivity to future security issues. At the same time, the perceived threats to national security were very much a product of the recent conflict.<sup>118</sup>

Similarly, issues for the security of Bosnia-Herzegovina as a whole were two-fold: on the one hand, Bosnia-Herzegovina's external security perception was very sensitive to developments in the neighbouring states of Croatia and rump-Yugoslavia.

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<sup>117</sup> In Dayton's second year, Brcko also emerged as the point of tension between competing Bosnian Serb factions under President Biljana Plavšić and Momcilo Krajišnik/Radovan Karadžić in their respective headquarters in Banja Luka and Pale. However, this was not clear in the immediate post-war situation.

On the other hand, it was susceptible to the influence of the international community. Accordingly, the recognition of the state on the basis of international law carried weight and was a significant positive factor for security and stability in the post-settlement state. This was particularly true of the Bosnian Muslims which did not have a powerful neighbour to back them up, but had to rely on a uniform Bosnia-Herzegovina as their sovereign state. In contrast, the Bosnian Croat and the Bosnian Serb leaders were arguably negatively influenced by their related neighbouring states with regard to the integration of the three ethnic groups into a multi-ethnic Bosnia-Herzegovina.<sup>119</sup> The influence strengthened secessionist tendencies that undermined the country's unity. Outside actors also influenced the legitimisation of the peace agreement and its subsequent implementation, which was demonstrated by the international community's willingness to enforce Dayton's provisions through external security assistance.

A destabilising factor in all three ethnic groups was their nationalist leadership. Whereas the Bosnian Croats and the Bosnian Serbs opposed integration in a unified Bosnia-Herzegovina and instead displayed separatist agendas, the Bosnian Muslims pursued greater centralisation and a strengthening of the state 'Bosnia and Herzegovina.'<sup>120</sup> In the aftermath of Dayton – inspired by recent gains on the battlefield and at the negotiating table, some elements among the Bosnian Muslims had not yet relinquished the idea of increasing their territory through a strike against the Republika Srpska. In contrast, the Bosnian Serbs and the Bosnian Croats were interested in maintaining the status quo which granted the former 49% of Bosnia-Herzegovina's territory for only 30% of the country's population and the latter the de facto independence of Herzegovina including control over major trading routes and extensive economic assistance from Croatia proper.<sup>121</sup>

The regional dynamic was also reflected in another military threat to security, namely the high degree of proliferation of weapons. Tito had built arsenals with large quantities of weapons in anticipation of a Soviet attack, and the Yugoslav People's

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<sup>118</sup> In mid-1997, the external or inter-entity security situation was complicated by the rising tensions within the Bosnian Serb leadership and the concomitant split in the Bosnian Serb military.

<sup>119</sup> It is important to keep in mind throughout that the leadership in neither of the three groups was a uniform actor, but consisted of rivalling groups and interests.

<sup>120</sup> Colin Woodard (1996) "Bosnia's Uneasy Peace: One-Year Report Card Shows Gains, Failures," *Christian Science Monitor*, 15 September 1997; International Crisis Group (1997c) *A Peace, or Just a Cease-Fire? The Military Equation in Post-Dayton Bosnia* (ICG Bosnia Project Report, 15 December 1997).

<sup>121</sup> International Crisis Group (1997c).

Army (JNA) was among the largest and best-equipped forces in Europe. The arsenals were spread out throughout the territory of Yugoslavia, likewise in pre-war Bosnia, and the weapons were made available to the Bosnian Serb Army (VRS) and various paramilitary groups during the war.<sup>122</sup> As a result, as in most societies emerging from an armed conflict, weapons of all shapes and sizes were in abundance within Bosnian territory but also beyond the borders of the conflict area. This was the result of a generally highly mobilised society and of 'regulated' and lucrative black market activity, both during and after the war. With respect to the general population, the degree of confidence in the peace process played a major role in whether they would be willing to surrender their arms. In the Balkans the situation was exacerbated by a history of carrying arms, as illustrated by recent clashes in Albania.

The large number of weapons was accompanied by the above-mentioned highly mobilised society in which the majority of men in the region joined the armed forces to fight for their side in the war. In fact, it was the numerical superiority of Bosnian Croats and Bosnian Muslims that gave them the edge in the final stages of the war. The Bosnian Muslim Army of Bosnia-Herzegovina (ARBiH) had been assembled in an ad hoc manner with little organisation, co-ordination, no centralised command structure and a limited general staff.<sup>123</sup> It consisted of a large assortment of irregular formations, often with Mafia origins and managed in a war lord style. Although the Bosnian Muslim side was certainly the most plagued by lack of co-ordination, similar groupings that conducted their operations fairly independently sprung up under all three banners. The lack of structure rendered the demobilisation and disarmament task particularly challenging for the international community with a large portion of the irregulars melting away into obscurity.

Another result of the involvement of all levels of society in the war effort was not only that the economy lost valuable manpower, but also that security forces were inflated in size and experienced a surge of power compared to the civilian population. Regardless of their occupational background, men at war enjoyed benefits derived from the power of the gun that they were unwilling to abandon when the open conflict

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<sup>122</sup> International Crisis Group (1997c).

<sup>123</sup> Bruno Lezzi (1996) "Die demokratische Kontrolle der Streitkräfte in Bosnien-Herzegovina," in Calic (1996b), p. 49.

ended.<sup>124</sup> A case in point was General Ratko Mladic, Commander of the Bosnian Serb Army from 1992, who – in co-operation with the Bosnian Serb leader Radovan Karadžić – transformed his military power into true popularity and political influence in the immediate aftermath of the Dayton Agreement. The same was true of a number of military officers at lower levels that gained real decision-making power through war. Many successfully moved into civilian positions of power and represented a critical element of insecurity in the fledgling political institutions. A further threat to military security arose from those that established significant power bases outside the institutional structures. Both groups of rejectionists, within and outside of institutional structures, were unlikely to be conciliatory, as their positions of power relied upon a continued atmosphere of hostility and instability in which strong-arm politics were more acceptable to a population that considered itself threatened.

Although the armed forces in the immediate post-war situation ultimately reflected the situation in the final stages of the war, Serb, Croat, and Muslim military forces in Bosnia-Herzegovina were undergoing a major change, in direct response to the provisions of the peace agreement and in response to the need for a peace time organisation. Due to their inflated numbers, the forces faced a reduction in size through extensive demobilisation and a reassessment of their structure, which in the immediate post-conflict situation comprised three armies within the territory of Bosnia-Herzegovina. Returning to the power surge in the military, in organisational restructuring change was typically perceived as a threat and further undermined military leaders willingness to abandon positions of power.

A hidden remnant of the war was the considerable number of land mines in Bosnia-Herzegovina.<sup>125</sup> In contrast to early estimates of 3.5 million mines, as of early 1998 estimates had been adjusted down to figures of 750,000 to 1 million mines in Bosnia-Herzegovina, spread out in 19,000 recorded minefields. Land mines inhibited, and continue to inhibit, freedom of movement, economic reconstruction, and a return to normality. Impatience or simply hunger regularly led to premature use of agricultural land and subsequent injuries. In addition, land mines had been placed more deliberately in deserted homes, in the hope that these “booby traps” might

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<sup>124</sup> Nicole Ball with Tammy Halevy (1996) *Making Peace Work: The Role of the International Development Community* (Policy Essay No. 18, Overseas Development Council: Washington D.C.), p. 23, 38.

<sup>125</sup> Although they predominantly affected civilian conditions and civilian security, land mines were a threat that derived from a military source.

prevent the return of rightful owners. Regardless of motive or precise location, land mines seriously impinged personal safety.

## **2.2 Threats to Law and Order**

Throughout Bosnia-Herzegovina, the greatest threat to law and order arose with the absence of an effective police force guided by democratic principles and a malfunctioning judicial system. Local police forces incorporated a large number of former combatants that had been idle since the cease-fire and now joined the police force, as the most natural form of employment. In Bosnia-Herzegovina, the police force initially swelled to 50,000 policemen compared with an estimated need of about 15-20,000. Apart from the excess size of the police force, a particular problem was that the attitudes of pre-war policemen returning to their former positions were coloured by wartime experiences and affinities. As a result, any attempts to address insecurity caused by the police force, faced the challenge of reforming attitudes and perceptions that were the product of both pre-war policing traditions and the recent impressions of war.

Attitudes coloured by war not only prevailed among security agents, but also predisposed the general population towards a heightened concern for personal security. Comprehensive confidence-measures were required to prevent outbreaks of violence, both among and between ethnic groups. Matters were not helped by the Bosnian police force being split into different sides that each pledged allegiance to one of the warring factions. As many of the former combatants had joined the police force, it was likely that some of the formal military hierarchy had been transferred to an informal power structure in the police forces. Some have described the conversion as exchanging one uniform for another - the mindset remained the same. Accordingly, although the police force was placed under civilian control with the Dayton Agreement, it was in reality heavily influenced by the previous and existing armed forces. Similar to other immediate post-settlement situations, the distinction between external and internal security forces, between the military and the police, was blurred throughout Bosnia-Herzegovina. Furthermore, as mentioned above, the authorities that exercised civilian control often profited from an atmosphere of fear and used the police force to that end.

Another severe element of insecurity was introduced by the formation of paramilitary groups or special police forces. These groups were most frequently

formed at a local or regional level, reflecting the decentralised power structure of pre-war Bosnia. Frequently, the paramilitary groups encompassed former soldiers that had not yet managed the transition from a conflict to a post-conflict society and, by virtue of their mindset, posed a threat to security and stability. Again, the threat was exacerbated by the role of the civilian authorities in using special forces to pursue political ends by stirring up ethnic hatred.

The inadequacy of the police became apparent in their inability to combat widespread abuses and the police forces' own frequent violations of human rights. In Bosnia-Herzegovina, violations took place by design, such as the systematic intimidation of journalists or ethnic minorities as well as due to a lack of doctrinal understanding of 'good' policing. Regardless of their cause, human rights violations weakened the reliability and credibility of all the police forces in the territory that led to the citizens' perception of the police as a threat rather than a guarantor of their personal security.

Similarly, the issue of war criminals was critical in the immediate post-conflict situation in Bosnia-Herzegovina. It had a dual impact on security in the wake of the Dayton Agreement. First, war criminals retained much of their power and took on demagogic roles in which they whipped up ethnic hatred and in that way increased insecurity. Second, the presence of war criminals in office impeded the development of a separate institutional identity. Instead, political institutions were perceived as identical with the personalities that headed them, thus undermining the legitimacy of the political system.

Finally, the lack of law and order also allowed more economic-minded former combatants to turn to Mafia and black market activities which in itself would only harm the reconstruction of the national economy were it not for the high degree of crime that is inevitable in connection with Mafia enterprises.

The continuation of executive security, i.e. law enforcement by the police, is judicial security and a just and effective penal system. Thus, the establishment of local police forces and the introduction of democratic principles of policing would have to be reflected in the other institutions of the so-called "triad." Bosnia-Herzegovina has old legal traditions, although they were weighed down by both the recent war and the prior communist experience. As the International Crisis Group points out, "[t]he rule of law and the due process of law were hardly compatible with the unquestionable power of only one political party, which had a grip on all walks of

life. Paradoxically, the judiciary was also very well organised, institutionally well structured and staffed, judges were professionally well trained, highly qualified and well paid.”<sup>126</sup> This had changed in the course of the war. In the immediate wake of the Dayton Agreement, the Bosnian judicial system suffered from a lack of qualified personnel, due to the brain drain during the war, and was closely tied to the political leadership, as well as to criminal networks. On top of that, significant material damage had been done during the war, ranging from the destruction of buildings to that of legal materials. As a result, the legal system was clearly in existence, but malfunctioning for a variety of structural and contextual reasons.

### **2.3 Other Threats to Security**

All of the above contributed to a generally unstable and insecure environment in Bosnia-Herzegovina. As Patrick Moore points out, “Bosnia has precious little tradition of multiparty democracy, free elections, or an independent media, and it is just emerging from nearly four years of savage warfare.”<sup>127</sup> In other words, Bosnians were emerging from a mindset in which ‘all is fair’ and had to readjust to a society in which peacetime levels of law and order prevail. With war memories still fresh, the threshold to violence as a means for conflict resolution was very low and the potential for confidence-building limited due to a high level of distrust. In addition, the absence of democratic traditions and an inadequate judicial system also implied the absence of non-violent conflict management mechanisms both in individual and national disputes.

At least formally, the sovereign Bosnian state that emerged from the Dayton Agreement was unitary and aimed at multi-ethnic coexistence in which power was to be shared through political mechanisms. Still, the Dayton Agreement also devolved considerable power to the Entity level, placing the fledging Bosnian state on an insecure footing. In addition, it was clear from the outset that the enormous number of displaced persons was a major destabilising factor in Bosnia-Herzegovina’s post-conflict society. Although the major border issues had been resolved with the

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<sup>126</sup> International Crisis Group (1999a) *Rule over Law: Obstacles to the Development of an Independent Judiciary in Bosnia and Herzegovina* (ICG Bosnia Project, 5 July 1999; <http://www.int...org/projects/bosnia/reports/bh49rep.htm>), II.13.

definition of the federal state's territory and the delineation of the two entities, some territorial or border disputes persisted, among them Brcko and the Posavina corridor. All the territorial disputes had features in common that related to the return of refugees specifically and to the population's ethnic composition more generally: (1) the mix had changed in the course of the war; (2) the future with regard to returning refugees was uncertain; and (3) there was a danger that repatriation would be used as a political tool to continue the war by other means. This tool took advantage of the increased tensions and conscious delineation between members of different ethnic groups that had resulted from the war. Despite the formal aims of Dayton, the real Bosnian state was divided into three ethnically relatively homogeneous areas. The less exposure one ethnic group had to another, the greater the possibility that groundless stereotypes would be built up and sustained by hearsay, thus further alienating one ethnic group from another.<sup>128</sup> Similarly, the effective distinction of three ethnic groups into three fairly separate and defined territories within Bosnia-Herzegovina contributed to the tension rather than diffusing it.<sup>129</sup>

Although not a direct threat to security in post-war Bosnia-Herzegovina, the large-scale material destruction provided the backdrop for efforts to resurrect a peaceful society. Mainly, this affected economic development, reconstruction of infrastructure, and freedom of movement. The fact that 60% of the housing stock was destroyed by the time the war came to an end, coupled with the large number of refugees awaiting return was a major debilitating factor for a normalisation process among the population and had an implicit but significant impact on the population's perception of security.

To a large extent, the leverage of international security assistance lay in identifying each of the three former warring parties centres of gravity or points of vulnerability, which in the immediate post-settlement situation were especially sensitive to pressure and disruptions. The centres of gravity were both an opportunity

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<sup>127</sup> Patrick Moore (1996b) "Potential Shortfalls of the Dayton Agreement," *Transition* 2(2), p. 38.

<sup>128</sup> David A. Lake and Donald Rothchild (1996) "Containing Fear. The Origins and Management of Ethnic Conflict," *International Security* 21(2), p. 63. More generally, Lake and Rothchild identify three "strategic dilemmas" that can cause an eruption of violence in ethnic conflicts and thus pose a threat to security. In a post-conflict situation in which it takes little to tip the scales, the danger of renewed open conflict is significantly heightened. The catalyst strategic dilemmas are "information failure, problems of credible commitment, and incentives to use force preemptively." Lake and Rothchild (1996), p. 44f.

<sup>129</sup> Radha Kumar makes the case against the division of ethnic communities into separate states. He argues that history has shown the limited success of attempted partitions and the implications for external involvement in securing such divisions. Radha Kumar (1997) "The Troubled History of Partition," *Foreign Affairs* 76(1), p. 22-34.

and a challenge, as they were the weak links in the chain of security. Aside from financial support to promote economic development and reconstruction, the major centre of gravity for all three ethnic groups was their military capabilities. Given the uncertain outcome of the war in which no clear victor had emerged, all the parties were anxious to at least establish a military balance, if not to gain a military upper hand in case the war resumed. In addition, control of Brcko was a crucial pawn in the power game between the Federation and the Republika Srpska, as the town and surrounding areas had critical strategic implications for the territorial balance between the two entities. For Bosnia-Herzegovina's unity, the major vulnerable point was the touch-and-go relationship between Bosnian Croats and Bosnian Muslims in the Federation. Schear points out that "[a]s the Serb threat eased, centrifugal forces in the Federation were harder to contain."<sup>130</sup> While contrasting security perceptions among the three ethnic groups might render an approach by the international community difficult, all parties were in the same boat with respect to the fact that they were under legal obligations to pursue certain principles which they had signed on to in the Dayton Agreement. All of these vulnerable points came to play a significant role in the choice of carrots and sticks used by the international community to ensure compliance with the Dayton Agreement.

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<sup>130</sup> Schear (1996), p. 99; Marie Janine Calic (1996a) *Das Abkommen von Dayton. Chancen und Risiken des Friedensprozesses im ehemaligen Jugoslawien* (SWP-AP2948, Stiftung Wissenschaft und Politik: Ebenhausen), p. 6; Norbert Mappes-Niedeck (1996) "Konfliktpotentiale in der bosnischen Föderation," in Calic (1996b), p. 115.

**Box 2.1: Summary of Threats to Security**

**(1) Military threats**

- Open fighting and territorial disputes in hot spots, e.g. Mostar, Brcko, Doboj;
- influence of Serbia and Croatia proper;
- high proliferation of weapons, high degree of mobilisation, widespread land mines;
- inflation of power and state of flux in the security establishment.

**(2) Threats to law and order:**

- Ineffective local police forces that do not abide by democratic principles of policing;
- malfunctioning justice system;
- frequent human rights violations;
- existence of paramilitary formations;
- black market and Mafia activity.

**(3) Other threats:**

- Large number of refugees and displaced persons;
- political instability and continued promotion of nationalist agendas;
- material destruction, especially destruction of infrastructure.

### **3 The Dayton Peace Agreement**

The main issue in this introductory chapter on the Dayton Agreement is the tone that the agreement set for the implementation phase that followed and to identify the security tasks placed in the hands of the international community. Accordingly, the chapter addresses questions of how clearly different subject areas were defined, how detailed various parts of the agreement were and how they related to one another, and how the relationships between the multitude of actors and newly created bodies were defined. The chapter consists of two sections: First, a general review covers the basic structure of the Dayton Agreement, the declared goals, the relationship between the military and the civilian sides of the agreement, and the legitimacy of the agreement as a whole, particularly in the light of the parties' self-interest. Second, a more detailed section on Dayton's security provisions follows, including the delineation of authority, the tasks, and the co-ordination mechanisms within the security field. It describes the preconditions the agreement laid for the implementation of military aspects and the reform of the civilian security sector, in particular the police forces.

### **3.1 General Review of the Agreement**

#### 3.1.1 Structure of the Agreement

The Dayton Peace Agreement (DPA) consisted of two major elements: the General Framework Agreement for Peace (GFAP), that itself built on earlier agreements reached in the pre-Dayton peace process, and a set of annexes that defined the particulars of various areas within the peace process.<sup>131</sup> In addition, the Dayton Agreement included a follow-up component for the negotiation of further agreements on long-term disarmament. Within a broader context, the Agreement was a constituent part of the complex mandate for external actors involved in promoting peace in Bosnia-Herzegovina, which was also provided by the North Atlantic Council (NAC) carrying the military responsibility, the Peace Implementation Council (PIC) covering civilian implementation, and finally, the UN Security Council authorising the UN bodies in Bosnia-Herzegovina and endorsing both the High Representative and IFOR.<sup>132</sup>

In the introductory Art. I of the GFAP the parties were asked to follow generally accepted principles of international interaction, such as the UN Charter, and to “fully respect sovereign equality of one another.” At the same time, no threats were to be made “against the territorial integrity or political independence” of Bosnia-Herzegovina. Towards the end of the GFAP in Art. X, it became clear that this call was especially directed towards the Federal Republic of Yugoslavia (FRY) and Bosnia-Herzegovina who would have to recognise each other as independent states within the determined borders. Croatia’s recognition of Bosnia-Herzegovina took place with the Washington Agreement that established the wartime alliance between the two countries in March 1994. In addition, as a signatory to the GFAP, Croatia was bound by the territorial delineation made in that document. In the articles following

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<sup>131</sup> To be exact there are “11 articles, 11 annexes, numerous appendixes, letters, and declarations, and more than 100 maps.” Moore (1996b), p. 37. The annexes covered military aspects (1A), regional stability (1B), the inter-entity boundary line (2), elections (3), a constitution for Bosnia and Herzegovina (4), arbitration (5), human rights (6), refugees and displaced persons (7), the preservation of national monuments (8), public corporations (9), the High Representative (10), and the IPTF (11).

<sup>132</sup> The Peace Implementation Council (PIC) replaced the International Conference on Former Yugoslavia (ICFY) and consisted of the organisations, agencies and governments that met in London in December 1995. A steering board made up of the EU presidency, the European Commission, the Organization of the Islamic Conference, and the Political Eight (the Group of Seven plus Russia) reported to the PIC.

Art. I of the GFAP, the structure of the full agreement and an overview over the content of each annex was presented, including the compulsory general promise of compliance by the signing parties.

All the annexes dealing with civilian aspects were structured similarly. They began by listing the signatories to that specific document which in most cases were the Republic of Bosnia and Herzegovina as a whole, the Federation and the Serb Republic. Generally, the range of signatories reflected the nature of the issue at stake. After presenting the general area of responsibility and application, as well as basic guidelines for that area, the annexes defined an executing body usually a commission that was to consist of local representatives of the two entities (in a 2:1 ratio in favour of the Federation) and a significant number of external representatives.

Unless otherwise decided before the end of the period, this distribution of power was to continue for five years, after which all offices were to be transferred to representatives of the central government of Bosnia-Herzegovina, assuming that the country would then be unified enough to put aside ethnically motivated appointments and that local authorities would be able to shoulder their responsibility after five years of outside coaxing. Until that point in time, however, external actors retained the upper hand with the final decision-making vote. Reflecting Bosnia-Herzegovina's formal sovereignty, the dissemination of information was placed in the hands of 'the Parties.' Particularly with regard to human rights and the repatriation of refugees, the parties' control over information was a potentially dangerous source of instability.

### 3.1.2 Dayton's Functional Split

The network of mandates and mandating bodies reflected the basic split into a military and a civilian component that complemented each other. Whereas the military pillar was covered in Annexes 1A, 1B and 2, the civilian provisions were laid out in Annexes 3 through 11. Although one may argue that the functional split was a result of the specific terms of the agreement, it appears more likely that Dayton was composed precisely as it was in order to bring about a clear separation between military and civilian peace implementation. The civilian side has been described as "riddled with flaws,"<sup>133</sup> and relied heavily on the main third-party actors' economic or

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<sup>133</sup> Patrick Moore (1996a) "The Challenge of Peace," *Transition* 2(1), p. 41; Moore (1996b), p. 37.

other self-interest in co-operating. Woodward attributes this deficiency to the fact that “the Dayton accord is not a political settlement.”<sup>134</sup> In contrast, the military section dealt with a more apolitical subject matter that enabled military experts to formulate an “extensive and detailed”<sup>135</sup> document that provided a clear mandate with teeth.

The recurrent discrepancy between the civilian and the military side of Dayton was also reflected in the timetables determined for each side. Whereas the military stipulations operated on a scale of thirty, sixty, or ninety days, the civilian aspects were much more vague and generally included no deadlines at all. Admittedly, it was much more difficult and in some cases certainly meaningless to set a deadline for political, social, and economic development which was affected by numerous intangible factors. Ironically, the elections – the one element of civilian implementation with a clearly defined deadline – were a case in point. Although they were held in accordance with the deadline, most argue that they should not have been because of the practical and psychological difficulties that emerged in the course of the first few months of the peace process and that rendered free and democratic elections impossible. Accordingly, instead of proving the civilian implementers’ ability to meet a deadline against all odds, the elections became the prime example of the need for a flexible timetable.

Despite the functional division of labour that formed the starting-point, the military actors came to realise that, in reality, they were insolubly tied to the fulfilment of civilian goals. After successfully carrying out those provisions with distinct timetables, they were faced with tasks that were much more similar in character to the civilian activities and required the same degree of flexibility. Much of the discussion about IFOR/SFOR’s role had its origin in the absence of specific goals – apart from increasing general security and stability – and timetables – apart from the proposed exit date – that followed the successful implementation of Dayton’s military provisions. In general, it had to be the implementers’ objective to put themselves out of work. When the military had done that, they found that they could not simply go home, but had to wait for the civilian actors to reach the same level. Until they did, the two sides of the peace process were too inextricably tied to engage in separate assessments of their performance.

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<sup>134</sup> Susan Woodward (1997) “Bosnia after Dayton: Year Two,” *Current History* 96(608), p. 101.

<sup>135</sup> Moore (1996b), p. 37.

### 3.1.3 Goals of the Agreement

The Dayton Agreement established “structures and processes [...] with the stated intent to establish a lasting peace in Bosnia and Herzegovina and to promote stability in the region of former Yugoslavia as a whole.”<sup>136</sup> Retaining a uniform Bosnian state was a further goal of the agreement. The means to do so reflected the functional split and took the shape of a two-pronged approach in which first military security was to be established and then a civilian peace was to be built.<sup>137</sup> The underlying moral and political concepts of the agreement were criticised with regard to the ethnic solutions that transformed a formally multi-ethnic society into one divided along ethnic lines and virtually confirmed the ethnic cleansing of the war. Naturally, the “forced population transfers really simplified implementation,” but the attempt to create a united Bosnian state was rendered superficial, as it sub-divided the country into two distinct and - it appeared - irreconcilable entities.<sup>138</sup> The territorial distribution of 51% to 49% was in favour of the Federation. In part, pursuing a united Bosnia-Herzegovina was a result of the unwillingness of the international community to shoulder both the costs and the political responsibility of dividing Bosnia-Herzegovina and of redrawing borders.<sup>139</sup> In reality, there were two diametrically opposed views of the agreement. Whereas some perceived it as a cover for effective partition, others regarded the Dayton Agreement as the starting-point for a workable integration of former enemies into a single state.<sup>140</sup>

The question of partition or integration concerned the relationship between entities, as well as within the Federation which was often described as the weak link in the chain.<sup>141</sup> Contentions are inevitable in any society or political system. The issue is rather whether the mechanisms for a peaceful settlement of differences are used or whether attempts to manage disagreements merely result in deadlock or even

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<sup>136</sup> Mark B. Taylor (1996) *International Institutions and Peace Implementation in Former Yugoslavia* (Thesis in Public International Law, University of Leiden, August 1996, unpublished), p. 1.

<sup>137</sup> Elizabeth Cousens and Michael Doyle (1995) “Dayton Accord’s Dangerous Dueling Missions,” *Christian Science Monitor*, 26 December 1995.

<sup>138</sup> Moore (1996b), p. 37, Michael Mihalka (1996) “Cauldron of the Emerging Security Order,” *Transition* 2(1), p. 44.

<sup>139</sup> Peter Schlotter (1997) *Ein Jahr Dayton-Friedensabkommen – Eine Bilanz der zivilen Implementierung* (HSFK-Report 1/1997, Hessische Stiftung Friedens- und Konfliktforschung: Frankfurt), p. 3

<sup>140</sup> Woodward (1997), p. 101; Jane M. O. Sharp (1997a) “Doing Better on Bosnia: Enforcing the Law, Protect Rights,” *The World Today* (February 1997), p. 37.

hostilities due to a lack of co-operation. Although the pre-war state of Bosnia, as part of Yugoslavia, was no multi-ethnic paradise, it was characterised by peaceful coexistence, until the latent divisions were extorted and politicised by nationalist leaders.<sup>142</sup>

In general, each party saw their goals partially but not wholly fulfilled in the Dayton Agreement and the constitution for Bosnia-Herzegovina and each was likely to co-operate only as long as the implementation process continued to serve those goals.<sup>143</sup> Kumar and Holbrooke warned of giving in to the nationalist agendas, as Holbrooke argued that “partition would leave the region in a perpetuated state of unresolved tension, keep the international community involved longer and at greater cost, and risk igniting other boundary disputes in the region.”<sup>144</sup>

A fundamental strategic dilemma was the de facto recognition of ethnic cleansing or division as the agreement’s starting-point, while simultaneously advocating and pursuing a peace characterised by multi-ethnic coexistence and the unity of the Bosnian state. Schlotter describes this as an attempt to merge ‘Realpolitik’ with basic principles.<sup>145</sup> Daalder argues that “Dayton was possible precisely because it remained ambiguous on the core issue of Bosnia’s identity.”<sup>146</sup> Furthermore, Susan Woodward has identified four inherently contradictory strategies that underlay the Dayton Agreement. (1) The virtually unconditional support for Bosnian Muslim leader Alija Izetbegovic contradicted the professed military impartiality. (2) In continuation of the first contradiction, the international community’s attitude towards the Federation and the vivid promotion of its unity was also at odds with the demonisation of the Republika Srpska. Thus, while there were real attempts at community-building through a variety of assistance programmes in the Federation, the United States’ view that the war was in part caused by a prevailing military imbalance in favour of the Bosnian Serbs and that the Bosnian Serbs would therefore have to be kept at bay as they were the dangerous element in the equation of the peace process. (3) Similarly, the trade and co-operation that was essential to inter-

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<sup>141</sup> Gabriel Topor (1996) “Obstacles to Implementing the Peace,” *Transition* 2(1), p. 46; Woodward (1997), p. 102, Schlotter (1997), p. 4.

<sup>142</sup> Bassam Tibi (1997) “Der bosnische Islam,” *Internationale Politik* 52(7), p. 22.

<sup>143</sup> Woodward (1997), p. 102.

<sup>144</sup> Richard Holbrooke (1997) “Letters to the Editor: On Bosnia,” *Foreign Affairs* 76(2), p. 170; Kumar (1997), pp. 22-34.

<sup>145</sup> Schlotter (1997), p. 3-4.

<sup>146</sup> Ivo Daalder (1997b) “Bosnia After SFOR: Options for Continued US Engagement,” *Survival* 39(4), p. 6f.

entity reconciliation was undermined by the international community's military balance thinking. (4) Finally, there was also a misfit between the timeline inherent in peace building tasks, such as security sector reform and building political institutions, and the pre-set exit strategy.<sup>147</sup> These contradictory strategies were clearly weak points of the agreement and in the constellation of actors that would impact the success of implementation.

**Box 3.1: The Basics on the Dayton Agreement**

The Dayton Peace Agreement (DPA) consisted of two major elements the General Framework Agreement for Peace (GFAP), that itself built on earlier agreements reached in the pre-Dayton peace process, and a set of annexes that defined the particulars of various areas within the peace process.

The network of mandates and mandating bodies reflected the basic split into a military and a civilian component that complemented each other. The Agreement aimed at establishing a lasting peace in Bosnia-Herzegovina, at promoting stability in the region of former Yugoslavia as a whole, and at retaining a uniform Bosnian state.

A fundamental strategic dilemma was the de facto recognition of ethnic cleansing or division as the agreement's starting-point, while simultaneously advocating and pursuing a peace characterised by multi-ethnic coexistence and the unity of the Bosnian state.

#### 3.1.4 Legitimacy and Self-Interest

The perceived legitimacy of the peace agreement and particularly the issues of consent of the parties, impartiality of the international community, and credibility of both, were major factors for the success of the peace process. Whereas credibility was to emerge over time in the behaviour of the parties and of the international community in the implementation process, consent and impartiality were addressed in the formal structures of the Dayton Agreement. In Woodward's words, "[i]ts virtue is to legitimize an international military intervention force and civilian administration [...] with consent, leaving intact international norms of sovereignty."<sup>148</sup>

<sup>147</sup> Woodward (1997), pp. 99-102.

<sup>148</sup> Woodward (1997), p. 98. The right to compromise another state's sovereignty in a military intervention that has been consented to, also brings with it obligations that are laid out in the Fourth Protocol of the Geneva Conventions. It describes the responsibilities of an 'occupying' power to which the comprehensive international presence in Bosnia-Herzegovina may be compared.

## *Section II Implementing the Dayton Agreement*

The consent necessary to increase the legitimacy of the Dayton Agreement was given in a fundamental sense in that the Agreement was signed by the three reigning Presidents. It reflected the existence of a balance of power at the time of signing. As a balance is a precarious condition by nature and the parties, in Schlotter's words "felt exhausted but not defeated,"<sup>149</sup> more profound consent would emerge with credibility in the course of the implementation process. The Dayton Agreement also ended the fighting before any of the parties had achieved their political goals.<sup>150</sup> Their credibility was now conditioned by the degree to which they could either abandon their former goals or transform them into goals that were not threatening to the other parties and were consistent with the peace process. The defeat of one of the parties in a conflict usually leads to that party changing its political leadership. As none of the parties were defeated, all political leaders continued in their war-time positions.<sup>151</sup>

A peace agreement is always a compromise between getting the parties to sign and stop open warfare and trying to find a comprehensive and detailed solution to potential future snares. Dayton was no exception to this general evaluation. It represented the smallest common denominator that could be agreed upon militarily and thanks to the military contributors to the agreement, the provisions in this field were clear and well-defined. In contrast, compromises were made with regard to the civilian aspects and the trickiest territorial questions were left for a later date. Thus, the signature of the contesting parties was ensured, but the basis from which to build civilian implementation was miserable. As a result, the fundamental consent intended to endorse the agreement and enhance its legitimacy was erratic and unreliable.

Observers tended to agree that the Dayton Agreement played into the hands of the nationalist leaders and their goals and that this seriously threatened the peace process. As Schear puts it, the "nationalist leaderships remain fundamentally at odds over the terms and conditions of multi-ethnic coexistence."<sup>152</sup> The threat that the nationalist leaders posed to long-term peace lay in their aims of ethnic division and the implicit legitimisation of these aims through the international community's condonation of the negotiating partners. The reconciliation that took place between the international negotiators and the nationalist signatories and former aggressors also went against the widely held belief that "there can be no lasting solution without

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<sup>149</sup> Schlotter (1997), p. 1.

<sup>150</sup> Woodward (1997), p. 101.

<sup>151</sup> Schlotter (1997), p. 4.

addressing the root causes of the war.”<sup>153</sup> The fact that the international community merely looked on while the nationalist leaders continued to pursue partition undermined the credibility and impartiality of external actors and thus decreased their legitimacy.<sup>154</sup>

One should also keep in mind who signed the agreement on behalf of the parties to the conflict. As both the Bosnian Croat and the Bosnian Serb delegations refused to sign the Dayton Agreement, their military and political backers in the neighbouring capitals of Zagreb and Belgrade did the honours. In fact, the indictment of Bosnian Serb leader Radovan Karadžić was an ingenious move that robbed his political power by barring him from going abroad for fear of being arrested. In that way, authority was transferred to Slobodan Milošević, President of Serbia, who signed an agreement that the Bosnian Serbs would not have ceded to.<sup>155</sup> Thus, it was Croatian President Franjo Tuđman that signed on behalf of the Bosnian Croats, and President Milošević that signed for the Bosnian Serbs, as well as in their own rights as presidents of the neighbouring countries that were to respect the sovereignty and territorial integrity of Bosnia-Herzegovina. Only the Bosnian Muslims were in fact represented by their home-grown leader, Alija Izetbegović. Obviously, the degree to which these individuals truly represented the population varied. In fact, Schlotter maintains that at times the aims of the Bosnian parties and their representatives in neighbouring Croatia and Serbia were contradictory.<sup>156</sup> According to Daalder, “each of the parties feels that the final agreement was to some extent imposed upon them.”<sup>157</sup> It is interesting that the agreement was in effect an international agreement, signed by heads of independent states to end an internal conflict. More generally, the signatories and the parties that they represented should never be viewed as uniform actors and the role of factors that opposed the peace process was a critical and an illusive one. The factional split in the Republika Srpska at the political level and the

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<sup>152</sup> Schear (1996), p. 87.

<sup>153</sup> Steiner in Jan Urban and Yvonne Badal (1997) “‘Don’t Fool Around with Principles’ Interview with Michael Steiner,” *Transitions* 4(3), p. 34; Woodward (1997), p. 101.

<sup>154</sup> Rolf Paasch (1997) “Die halbherzige Intervention,” *Internationale Politik* 52(7), p. 17, 19.

<sup>155</sup> Espen Barth Eide and Per Erik Solli (1996) *Implementing Peace: Some reflections on the early days of the Dayton Year* (Preliminary version, Norwegian Institute of International Affairs (NUPI): Oslo), p. 10; Schear (1996), p. 91. In some ways, it is irrelevant who signed on behalf of whom. Support of the agreement fluctuated at a whim and at different levels, regardless of its content. From a legal perspective, the opening passage of the Dayton Agreement referred to the agreement of August 1995 that transferred authority to Milošević and thus emphasised the legal basis of its signatories.

<sup>156</sup> Schlotter (1997), p. 5.

<sup>157</sup> Daalder (1997b), p. 7.

close ties between different centres of power in society, such as between political, military, and gang leaders, were clear examples of the complex make-up of each party.

And yet, the Agreement was aware of the existence of the Parties' security needs and took them into account where appropriate, such as in Art. I of the Agreement on Regional Stabilization that ensured that any measures taken under this agreement would be "consistent with the Parties' respective security."<sup>158</sup> Naturally, this was balanced by other demands of the peace process, but the validity of the Parties' security interests was recognised. Many of the details on military balance and military security were also left to the arms control negotiations, so that specific decisions in that realm remained to be agreed upon. In that way the security concerns of all parties were at least included in the peace agreement.

From a legal perspective, consent was explicitly addressed in the agreement in referral to both the peace process and the presence of international third-party actors. Beyond the fundamental inherent consent that was given through the signing of the agreement, the parties were obligated through the Dayton Agreement to actively support the implementation and to pursue peace. While Dayton was quite clear on the obligations it imposed on the parties, it did not include provisions that allowed them to withdraw that consent.<sup>159</sup>

The authors of the Dayton Agreement also sought to alleviate problems that might arise with respect to the third-parties' impartiality by tying the presence of the implementation force to the agreement and not to the parties. Further, there was a tendency to use the agreement to legitimise actions and as proof of complete impartiality. Similarly, parties officially paid lip service to the agreement, while interpreting it in accordance with their own goals.<sup>160</sup> However, the attempts to confirm the impartiality through provisions of the Agreement were counteracted by

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<sup>158</sup> Annex 1B *Agreement on Regional Stabilization*, Art. 1.

<sup>159</sup> Taylor (1996), p. 16.

<sup>160</sup> Schlotter (1997), p. 5f. The focus on the untouchable character of the agreement rather than on the potential guilt of the parties continued during SFOR's mandate. Schulte (1997b). Interestingly, the sanctity of the written word was extended to declarations of the Peace Implementation Council, such as the Bonn Declaration that significantly enhanced the powers of the High Representative. In contrast to the Dayton Agreement, the Bonn Declaration did not enjoy the legal consent of the parties and rested on an entirely different footing, but was still considered equally binding as the Dayton Agreement. It may be interpreted to be a document along the lines of future UN Security Council Resolutions or decisions of the International Criminal Tribunal for Yugoslavia (ICTY) that are explicitly cited as binding documents in the Dayton Agreement. But as a document that was declared to be legally binding for the parties also this justification is, to my mind, shaky.

the clear “moral indictment and political judgement on war guilt”<sup>161</sup> that emerged between the lines of the document. Although a thorough treatment of guilt and innocence was essential to a new start after the war, the allocation of collective guilt on a people has been unsuccessful throughout history. As Brigadier General Gregsen pointed out, when moving into a former or current conflict area, you must “be careful whom you empower and careful whom you call your enemy.”<sup>162</sup>

**Box 3.2: Legitimacy of the Agreement**

The consent necessary to increase the legitimacy of the Dayton Agreement was given in a fundamental sense in that the Agreement was signed by the three reigning Presidents. Still, each of the parties felt that the final agreement was to some extent imposed upon them.

Observers tended to agree that the Dayton Agreement played into the hands of the nationalist leaders and their goals and that this seriously threatened the peace process. The credibility of the leadership was conditioned by the degree to which they could either abandon their former wartime goals or transform them into goals that were not threatening to the peace process.

The Dayton Agreement also tried to avoid concerns about the third parties' impartiality by tying the presence of the implementation force to the Agreement and not to the parties.

## 3.2 Security and Security-Related Arrangements

This section draws up the legal framework and the fundamental rules for the implementation of the Dayton Agreement's security arrangements. It includes a discussion of the mandate and authority the third-party actors were bestowed with in the execution of their tasks, as well as a description of those tasks and the co-ordination mechanisms determined by the agreement.

### 3.2.1 Authority over Security Implementation

Military tasks and obligations of the Parties were laid out in Annex 1 in the “Agreement on the Military Aspects of Air Peace Settlement.” In Art. 1, the annex

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<sup>161</sup> Woodward (1997), p. 100.

<sup>162</sup> BrigGeneral W.C. Gregsen, USMC, speaking at a conference on *Policing the New World Disorder* at the National Defence University, Washington, D.C., 15-16 September 1997.

determined the length of the Implementation Force (IFOR) operation as approximately one year. IFOR was defined as “a force to assist in implementation of the territorial and other militarily related provisions of the agreement.” Its task was also to “help ensure compliance” in the course of which IFOR could “use the necessary force” as was stressed on several occasions in Annex 1. In addition, IFOR was to operate under NATO’s Rules of Engagement that allowed for the use of force where “necessary to accomplish its mission and to protect itself.”<sup>163</sup> Furthermore, IFOR had full control over air and surface movements.<sup>164</sup> In addition to the NATO presence, Art. 1 opened for the participation of other countries’ forces that “may assist in implementing military aspects of this Annex.” This was of course the arrangement that allowed for the participation of the Partnership for Peace countries. Although IFOR was formally limited in its privileges and immunities by the Constitution of Bosnia-Herzegovina that remained the sovereign body of law, the NATO commander’s powers were likened to those of a governor rather than a peacekeeper.<sup>165</sup> Preisinger considered this the great opportunity of the Dayton Agreement, arguing that only by employing the full range of powers granted to the international community would peace be implemented.<sup>166</sup> However, one might also argue that extensive international involvement and pressure disempowered the parties and restrained them from interacting, confronting each other, resolving issues, and reaching lasting solutions.

For the military tasks the clearly defined starting-point of the timeline was the moment when authority was transferred from the UN forces to IFOR. Thereafter, the NATO-led force had sole operational and – in the form of North Atlantic Council (NAC) – political authority over its force and the implementation clock began ticking.

There was a clear separation of authority between the military and the civilian implementation bodies. Accordingly, “IFOR’s enforcement capacities were detached from the charge of compliance with civilian aspects of the agreement. Similarly, the

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<sup>163</sup> Dick A. Leurlijk (1996) *The United Nations and NATO in Former Yugoslavia, 1991-1996. Limits to Diplomacy and Force* (Netherlands Atlantic Commission: Den Haag), p. 104.

<sup>164</sup> Annex 1 *Agreement on the Military Aspects of Air Peace Settlement*, Art VI, 9.

<sup>165</sup> Annex 1A, 3; Mihalka (1996), p. 44. The agreement was also compared to the Marshall Plan that triggered European reconstruction and integration after World War II. Whereas some consider the comparison justified, others have pointed to the vast differences, in particular to the fact that no clear victors emerged in the Balkan war. Tim Cullen is quite forceful in underlining the marked distinctions between the Dayton Agreement and the Marshall Plan. Tim Cullen (1996) “Bosnia’s ‘Marshall Plan’,” *Transition* 2(26), pp. 52-6.

<sup>166</sup> Johannes Preisinger (1997) “Silberstreif – Gewitterwolken. Ausblick auf den Friedensprozeß in Bosnien-Herzegowina,” *Internationale Politik* 52(7), p. 31f.

military component was not subject to civilian authority in any significant manner.”<sup>167</sup> Although the OHR could not interfere in military implementation, he was in theory able to use civilian measures, such as sanctions authorised by the OHR, to force military compliance.<sup>168</sup>

The authority that the implementation bodies had over the peace process also extended to the parties themselves. By signing the Dayton Agreement, the parties obligated themselves to endorse the peace process and to co-operate with the implementing bodies. Whether or not a violation of these obligations had taken place, was determined by the commander of IFOR who would then also decide on the force’s action to bring about compliance.<sup>169</sup> In the early days of Dayton, there was a fear that the extensive powers of the NATO commander could bring him into conflict with local authorities,<sup>170</sup> but it appeared that Bosnians of whatever faith picked their battles with each other rather than with the international community.

In the hierarchical structure of the peace implementation network in Bosnia-Herzegovina, the United Nations International Police Task Force (IPTF) fell under the authority of the OHR and was to report both to him and to the Commander of IFOR (COMIFOR) periodically. In addition, the Commissioner of IPTF had the option to inform IFOR in cases of non-compliance by the parties. Moreover, the IPTF Commissioner or one of his representatives participated in the Joint Civilian Commissions (JCCs) and the Joint Military Commissions (JMCs). In relation to their local counterparts, both IFOR and the IPTF faced the parties’ political authorities that were under the obligation to “cooperate fully” and to grant unimpeded freedom of movement and of inspection. Allocating the responsibility for police reform to the political authorities assumed civilian control over security forces. To what degree that control was in fact effective, would emerge in the implementation process. In the same way, civilian authorities were left with the obligation “to disarm and disband all armed civilian groups within 30 days,”<sup>171</sup> but what the relationship between political

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<sup>167</sup> Mark B. Taylor (1997) “Coordination and International Institutions in Post-Conflict Situations,” *Leiden Journal of International Law* 10/1997, p. 260f.

<sup>168</sup> Even though it is unlikely to be employed due to the far greater power of military ‘arguments,’ the option exists nonetheless. Taylor (1996).

<sup>169</sup> Taylor (1997), p. 260.

<sup>170</sup> Mihalka (1996), p. 44.

<sup>171</sup> Annex I, Art. II (3).

leaders of the parties and the warlords would be in reality, remained unclear at the time of signing.<sup>172</sup>

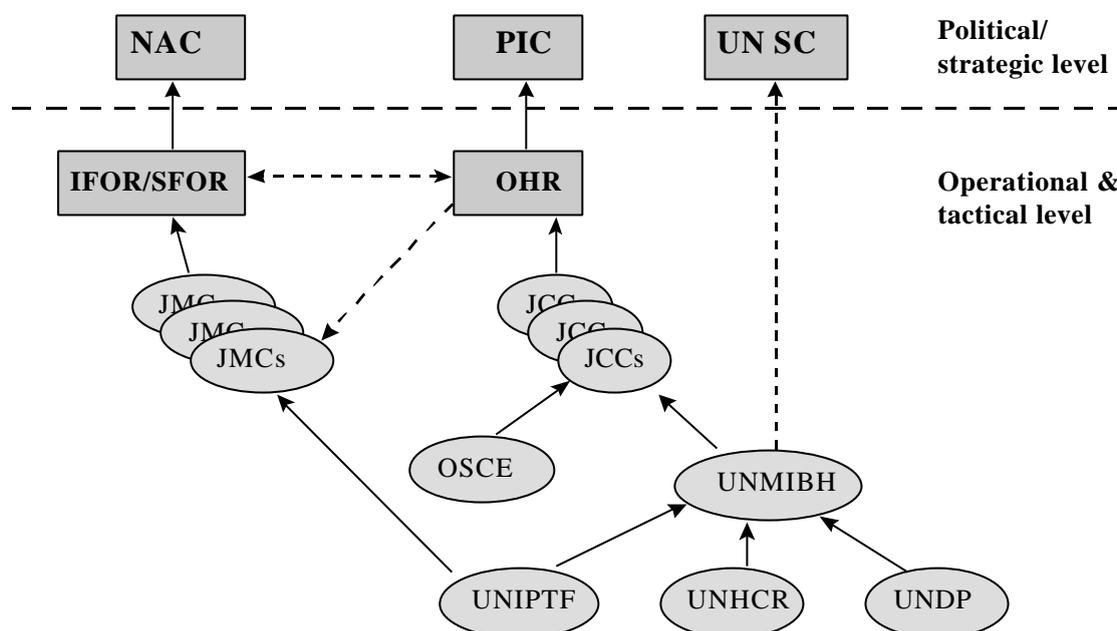


Figure 3.1 Simplified Overview over the Authority and Co-ordination Structures

The human rights system established in the Dayton Agreement also had extensive powers. A Human Rights Commission was to be established that consisted of an Ombudsman and a Human Rights Chamber. Both elements were authorised to investigate any matter brought before them and were to be granted full access to all documents in the course of their investigation. Whereas the Ombudsman merely offered his conclusions as an issued statement, the Chamber had the power to make final and binding decisions to be implemented by the parties.

### 3.2.2 Tasks Set Out by Dayton

The major security tasks can be summarised in the role that IFOR and IPTF were to play in creating a situation that fostered trust and confidence. In addition to the typical military tasks, IFOR was asked to assist IPTF in monitoring until indigenous bodies were functioning.<sup>173</sup> In accordance with the Dayton Agreement, IFOR's main tasks

<sup>172</sup> Moore (1996b), p. 39.

<sup>173</sup> Woodward (1997), p. 99.

were to “monitor and help ensure compliance by all Parties with this Annex [...] including, in particular, withdrawal and re-deployment of Forces [...] and the establishment of Zones of Separation” and “to establish liaison arrangements with local civilian and military authorities and other international organisations.” The Agreement also defined supporting tasks for IFOR and called on the force “to help secure conditions for the conduct by others of other tasks associated with the peace settlement.” These tasks included enhancing the conditions of freedom of movement and thereby “assist[ing UNHCR and other international] organisations in the accomplishment of humanitarian missions,” as well as civilian populations on the move. A key supporting task in connection with freedom of movement was IFOR’s charge “to monitor the clearing of minefields and obstacles.”<sup>174</sup> In addition to the tasks laid out in the Dayton Agreement, NAC had the option to introduce additional provisions at a later stage.<sup>175</sup>

Underlining IFOR’s ‘assistance’ rather than execution character, Annex 1 attributed a number of tasks to the parties, the compliance with which was up to IFOR to decide and actively promote or punish in the case of non-compliance. Observing the cessation of hostilities barred the former warring parties from firing weapons and other explosive devices, from placing more mines, and from patrolling. More generally they too were to contribute to a safe and secure environment, by abstaining from the above activities and from own retaliation for non-compliance, and by “maintaining civilian law enforcement agencies” that were to follow Western policing and human rights standards. Furthermore, armed civilian groups were to be disarmed and disbanded within 30 days. While the role of IFOR almost appeared a soft one, the force was given the authority to use all necessary means, including the use of force, which was instrumental in persuading the parties to live up to their commitments. IFOR represented a credible security guarantee, at the same time as it had sufficient capacity and will to enforce compliance.

Further, the articles covered cessation of hostilities, withdrawal of foreign forces, re-deployment of forces, notifications, deployment of the implementation force, withdrawal of UNPROFOR, the Joint Military Commission, prisoner exchanges, and co-operation. There were no provisions in the Dayton Agreement that

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<sup>174</sup> Annex 1 *Agreement on the Military Aspects of Air Peace Settlement*, Art VI, 2-3.

<sup>175</sup> Annex 1 *Agreement on the Military Aspects of Air Peace Settlement*, Art VI, 4.

explicitly addressed military reform or IFOR's role in bringing it about, apart from IFOR's responsibility to supervise withdrawal and re-deployment.

In this context the issue of war criminals is an interesting one. NAC "agreed that IFOR personnel should detain any PIFWC with whom they came into contact in the execution of their assigned tasks."<sup>176</sup> However, the formulation was sufficiently vague to relieve IFOR from having to actively pursue war criminals. When an attempt was finally made to arrest two war criminals in July 1997, SFOR was able to claim that the force had come upon the indictees in the execution of its duties and that there had been no change in policy.<sup>177</sup> War Criminals reappeared throughout the text of the Dayton Agreement; they were banned from all co-ordination fora and not accepted as partners in the implementation process.<sup>178</sup>

The drawing of the Inter-Entity Boundary Line (IEBL) and the subsequent removal of foreign forces was one of IFOR's earliest scheduled tasks laid out in Annex 2. Reflecting another stalling manoeuvre that enabled the Presidents to sign the Dayton Agreement, the Annex also deferred binding arbitration on Brcko, but established a commission in which both entities were represented equally. Although a deadline was set for the decision to be made within a year, final arbitration had not occurred in the first three years following the agreement was signed, that is by late 1998.<sup>179</sup> Annex 2 stated quite clearly that the IEBL could only be altered by a COMIFOR decision and with the agreement of both parties. The danger of moving populations into border areas and thus achieving a de facto adjustment of the border was not recognised.

The return of refugees and displaced persons was directly addressed in Annex 7. Although not directly involved, the providers of international security assistance were called upon to assist with issues that related to physical security and to the living conditions of the returnees. Despite the assurance of the Parties in Art. I, 2, problems with the return of refugees were anticipated from the outset. The Dayton Agreement called for a warm welcome and active support by the parties, including the prosecution of violations and violators. Art. I, 3(e) was particularly important for

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<sup>176</sup> Taylor (1996), p. 18f.

<sup>177</sup> See for example Statement by Javier Solana, Press Release (97)85, 10 July 1997.

<sup>178</sup> See for example the exclusion of indicted war criminals as potential members of the Joint Military Commission in Annex 1, Art. VIII, 4.

<sup>179</sup> The Final Arbitral Award was announced on 5 March 1999, when the International Arbitrator Roberts Owen decided that Brcko should remain under multi-ethnic administration. This was a blow to the Bosnian Serbs that did not gain sole control over the area that split their Entity in two.

external security assistance, as it specifically referred to violators among military, paramilitary, or police forces. Art. II, 1 demanded that the “Parties undertake to create in their territories the political, economic, and social conditions conducive to the voluntary return and harmonious reintegration of refugees and displaced persons.” Obviously, this was far easier said than done even where there was the political will to receive. Art. II, 2 aimed at facilitating demobilisation and military restructuring by encouraging the release of soldiers that wished to return home.

**Box 3.3: Security Tasks Outlined in the Agreement I. - IFOR (Annex 1A)**

IFOR was defined as “a force to assist in implementation of the territorial and other military related provisions of the agreement.” Its task was also to “help ensure compliance” in the course of which IFOR could “use the necessary force.”

IFOR’s main tasks were to “monitor and help ensure compliance by all Parties with this Annex [...] including, in particular, withdrawal and re-deployment of Forces [...] and the establishment of Zones of Separation” and “to establish liaison arrangements with local civilian and military authorities and other international organisations.” The Agreement also defined supporting tasks for IFOR which called on the force “to help secure conditions for the conduct by others of other tasks associated with the peace settlement.”

Another area in which international security forces, i.e. IPTF and IFOR/SFOR, had a tangential but nonetheless important role to play was with respect to human rights.<sup>180</sup> The provisions in the Agreement that referred to the protection of human rights, focused on the creation of a Human Rights Commission and on its structure and mandate. The desire for long-term self-sufficiency was reflected in the stipulations on the transfer of authority into purely Bosnian hands and the reliance on lower level courts and other instances, typical of international human rights law. Still, the first ombudsman was to be appointed by OSCE and would not be a citizen of Bosnia-Herzegovina or of neighbouring states in the first five-year-term.<sup>181</sup> Security also relied on the population seeking peaceful remedies for their grievances and

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<sup>180</sup> Immediately following the basic delineation and definitions in Art. I, Art. II laid out the standards and detailed rights that were to be followed by all governing bodies in Bosnia-Herzegovina. Interestingly, the European Convention on Human Rights was chosen as the standard. Ratified by the 21 member states of the Council of Europe in the early 1950s, it is the oldest and the most advanced and effective human rights mechanism currently in existence. Thomas Buergenthal (1988) *International Human Rights in a Nutshell* (West Nutshell Series, West Publishing: St. Paul, Minnesota, p. 84.

<sup>181</sup> Annex 6, Art. IV (2).

moving away from lynch justice. Unfortunately, much of the dissemination of information was placed in the hands of the signatories and there were warranted fears that the information passed on to the general population would be distorted and that redressing violations through the Human Rights Commission would be discouraged.

The presence of the International Police Task Force (IPTF), laid out in Annex 11, was closely tied to the protection of human rights. The demand that the Parties ensure a secure environment was reiterated and linked to the need to maintain “civilian law enforcement agencies operating in accordance with internationally recognised standards and with respect for internationally recognized human rights and fundamental freedoms.”<sup>182</sup> The role of IPTF, then, was defined as assisting the Parties in meeting their obligations. Although IPTF was autonomous and had an extensive mandate that allowed near unlimited access, the Dayton Agreement emphasised the need to respect “the laws and customs of the host country.”<sup>183</sup> To what degree the customs were even identifiable and not used as an excuse for abuses of power, remained to be seen.

The IPTF Assistance Program, as outlined in Art. III, addressed the internal security deficit at three levels: (1) the police level with active duty and training; (2) the court level at which police activity was followed-up; and (3) the political authorities that would provide the context for the maintenance of law and order. The contextual conditions indicate the importance of the complete triad of police, judicial, and penal institutions. Thus, the objectives of IPTF were to ensure that internationally-accepted standards of policing and of human rights were followed by the local police, as well as in the criminal justice system. In addition, IPTF was to assist in enhancing freedom of movement for the civilian population and in staging free elections. IPTF planned to achieve its objectives by (1) monitoring, observing and inspecting law enforcement facilities, (2) advising and training law enforcement personnel, (3) facilitating the parties’ law enforcement activities, (4) assessing threats to public order and advising on possible responses, (5) advising the government on the organisation of a law enforcement system, and (6) accompanying local police.<sup>184</sup> More specifically, Annex 11, Art. VII offered a definition of “law enforcement

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<sup>182</sup> Annex 11 *Agreement on International Police Task Force*, Art. I, 1,2.

<sup>183</sup> Annex 11 *Agreement on International Police Task Force*, Art. II, 1,5.

<sup>184</sup> In describing the police component in Annex 11 on the IPTF, the Dayton Agreement defined “law enforcement agencies” as “those with a mandate including law enforcement, criminal investigations,

agencies” that included bodies undertaking “detention or judicial activities.” Thus, supervising a judicial reform and a reform of the penal system was implicit, but not a recognised part of IPTF’s initial tasks.

Creating a secure environment was anticipated to be a particular challenge during the elections. Although political development otherwise formed the backdrop rather than the subject of security assistance, Annex 3, Art. I, demanded secure conditions on the ground. According to the Agreement, no IFOR presence was called for unless the parties could not live up to their side of the bargain and did not provide free access to media, freedom from persecution and intimidation etc.

In order to ensure the availability of non-violent conflict management mechanisms in the future, Annex 5 called for the establishment of a body for arbitration. The system was to encompass Bosnia-Herzegovina, FRY, and Croatia, but the provisions were otherwise very vague as to its constitution and manner of operation.

**Box 3.4 Security Tasks Outlined in the Agreement II. – IPTF (Annex 11)**

Parties were required to ensure a secure environment by maintaining “civilian law enforcement agencies operating in accordance with internationally recognised standards and with respect for internationally recognised human rights and fundamental freedoms.” The role of the IPTF was to assist the Parties in meeting these obligations.

The IPTF Assistance Program (Art. III) addressed the internal security deficit at three levels:

- (1) the police level with active duty and training;
- (2) the court level at which police activity was followed-up; and
- (3) the political authorities that would provide the context for police activity.

The deficits were to be overcome by

- (1) monitoring, observing and inspecting law enforcement facilities;
- (2) advising and training law enforcement personnel;
- (3) facilitating the parties’ law enforcement activities;
- (4) assessing threats to public order and advising on possible responses;
- (5) advising the government on the organisation of a law enforcement system; and
- (6) accompanying local police.

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public and state security, or detention or judicial activities.” Annex 11 *Agreement on International Police Task Force* Art. VII.

Naturally, the Agreement on Regional Stabilization (Annex 1B) drew a wider circle of affected parties, including the FRY and Croatia in addition to Bosnia-Herzegovina and its constituent entities.<sup>185</sup> The provisions for regional stability were as yet vague as they would be subject to further negotiations in which specific obligations would be determined. Accordingly, regional Confidence and Security Building Measures (CSBMs) were to be negotiated under Art. II and limits on arms imports under Art. III. Under Art. IV longer-term negotiations of arms reductions and armament levels were to take place at a sub-regional level. Finally, Art. V aimed at the integration of a wide range of countries into a regional security network. Although an explicit definition of the two levels was absent, it was understood that sub-regional in the context of Art. IV referred to Croatia, FRY, and Bosnia-Herzegovina. The group of regional actors was purposely undefined in order to open for widespread participation. The arms control provisions of the Dayton Agreement were another example of how “[t]he substance of the GFAP, and the institutions it created and mobilised to implement this programme, attest to the intent to create mutually supporting stabilisation processes in Bosnia-Herzegovina, Croatia, the FRY and the Balkans as a whole.”<sup>186</sup>

The gauge for arms control negotiations took “population size, current military armament holdings, defense needs, and relative force levels in the region” into account.<sup>187</sup> McCausland stresses the novelty of including arms control measures in a peace agreement. He points to the sometimes overlooked difference between arms control and disarmament and to how that distinction becomes particularly blurred in the case of Bosnia-Herzegovina where efforts aimed at regional stability were moved forward through both harmony of interest, the mark of arms control, and the external pressures typical of disarmament.<sup>188</sup> Whereas the pressure exercised by the international community on the parties was obvious, the ‘harmony of interest’ was less so. However, in a situation where outright hostilities had ceased and a tentative development towards peace was underway, the parties had something to gain from

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<sup>185</sup> Aside from the Annex on Regional Stabilization, only the Annex on the High Representative and the General Framework Agreement for Peace (GFAP) itself were signed by the FRY and Croatia in addition to Bosnia-Herzegovina and its constituting entities.

<sup>186</sup> Taylor (1996), p. 44.

<sup>187</sup> Moore (1996), p. 42; Dayton Agreement, Annex 1B, Article IV (2).

<sup>188</sup> Jeffrey D. McCausland (1997) “Arms Control and the Dayton Accords,” *European Security* 6(2), p. 18f., 24.

insight into each other's military capability, from being subject to equal constraints, and from having a say in the determination of those constraints.

The Dayton Agreement also allowed the entities to enter into special relations and agreements with neighbouring states and organisations, as long as they did not threaten the territorial integrity of Bosnia-Herzegovina in any way and were consistent with the Bosnian constitution.

**Box 3.5: Security Tasks Outlined in the Agreement III. – Arms Control (Annex 1B)**

Art. II CSBMs among Bosnian Serbs, Bosnian Croats, and Bosnian Muslims.

Art. III Limitations on arms imports.

Art. IV Arms limitations among Croatia, FRY, and Bosnia-Herzegovina.

Art. V Regional security network which covers the entire Balkans.

### 3.2.3 Co-ordination Mechanisms

Just as the tasks outlined in the Dayton Agreement reflected the theoretical blue print for action, the mechanisms for co-ordination and the depiction of actors in the following chapter reflect co-ordination in *theory*. Co-ordination took place at several levels. The highest level at which strategic decisions on the initial distribution of tasks among international organisations, governments, and NGOs were made is described in the following chapter on third-party actors. At a tactical level, a structure was created that reflected the assessment of necessary competency and mandates in the field. The tactical level is presented in the current chapter in which Dayton's provisions on co-ordination mechanisms are described. At an operational level, co-operation patterns emerged in the course of implementation. These are discussed in Chapters 5 and 6 on implementation and co-ordination respectively.

Although the agreement set up a number of co-ordinating bodies and joint commissions, mirroring the need for equal representation, the final say remained with the IFOR commander (see also Figure 3.1). All "military complaints, questions, or problems" were to be submitted to the Joint Military Commission (JMC) which "serve[d] as the central body for all the Parties to this Annex." Chaired by the IFOR Commander, the body also included military and civilian representatives of each Party as well as the High Representative and was intended to "function as a consultative

body.” Although the IFOR Commander welcomed and heard advice from any member of the Commission and mutual agreement was the aim of decision-making, the final say still rested with the Force Commander.<sup>189</sup>

With regard to the relationship between the civilian and the military authorities, Annex 10 on the role and authority of the High Representative stated plainly that despite his/her otherwise extensive competence the “High Representative has no authority over the IFOR and shall not in any way interfere in the conduct of military operations or the IFOR chain of command.” On the one hand, the clause expressed the needs of military effectiveness. On the other hand, it underlined the clear dividing line between civilian and military enforcement powers.<sup>190</sup>

Similarly, the enforcement powers of the High Representative in the civilian field were determined in Art. V which granted the “High Representative [...] the final authority in theater regarding interpretation of this Agreement on the civilian implementation of the peace settlement.” Accordingly, the High Representative was placed in a pivotal position in the implementation process. His position was strengthened by the absence of a time limit on his mandate. Through Joint Civilian Commissions (JCCs) that he established at local levels throughout Bosnia-Herzegovina, he was the major point of contact for local demands. The office was defined in a way that left much room for an able person to effectively tie the external assistance to local developments. At the same time, the lack of authority in relation to other external bodies safeguarded the implementation process against an incapable office holder. Generally the High Representative faced stiff demands as he had to create his organisation from scratch, had no prior structures to fall back on, and had no affiliation to a specific international organisation that could have backed him up.<sup>191</sup> The High Representative was also called on to give guidance to the Commissioner of the IPTF. Similarly, the police commissioner could notify both the High Representative and the COMIFOR in cases where parties refused to co-operate.<sup>192</sup> In that way, the IPTF – otherwise a ‘mere’ monitoring and training body – was significantly strengthened by access to both the highest military and civilian authority.

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<sup>189</sup> Annex 1 *Agreement on the Military Aspects of Air Peace Settlement*, Art VIII, 1-9.

<sup>190</sup> It is important to distinguish between their respective authorities and the implementation jurisdiction of the High Representative and of IFOR. Thus, despite their lack of formal enforcement powers in this area, IFOR was not legally barred from participating in civilian implementation. Clearly, being barred would have made the force’s supportive mandate in the civilian field entirely nonsensical. Taylor (1996).

<sup>191</sup> Mihalka (1996), p. 45.

Another important co-ordinating mechanism described in the Agreement was the Commission for Displaced Persons and Refugees which treated and decided property claims. This body was also to be constituted of mixed representation with an external upper hand during a transitional period after which the government of Bosnia-Herzegovina was to take over. The commission called for widespread assistance either in the form of expertise from international agencies and NGOs or through financial contributions to a fund that would cover compensation for property claims that could not be met by the Bosnian government. Here, as elsewhere in the Dayton Agreement, the attempt was made to weave in the Constitution of Bosnia-Herzegovina as a legal framework that could fill the gap in between specific provisions, such as in the Annex on Refugees and Displaced Persons. Referring to a more or less indigenous legal framework, was intended to foster local support and acceptance for the decisions reached through the framework and to enhance the autonomy and responsibility of the Bosnian legal system in the long run.

### **3.3 Conclusions on the Dayton Agreement**

- Already upon the first reading of the Dayton Agreement, it was apparent that the military provisions would be easier to implement than the civilian ones. The much criticised disparity in timelines for the two components was inevitable, given the difference in nature of military and civilian peace implementation tasks. Although the issue of civil-military co-operation was more or less ignored, the need for military support in the civilian sector was recognised, leaving a back door open for increased co-ordination at a later stage.
- Whereas the military side relied on NATO's command structure into which non-NATO participants could be integrated, the civilian side established a set of co-ordination mechanisms so complex that they were in danger of being debilitating rather than facilitating.
- Further uncertainties lay in the widely diverging implicit and explicit interpretation of the Agreement's aims, among both the parties and among members of the international community.

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<sup>192</sup> Annex 11 *Agreement on International Police Task Force*, Art. V, 2.

- In the Agreement two types of security emerged that required two types of security forces: IFOR to address military security and IPTF to assist in establishing somewhat more extensive civilian security. The division between the two was and remained porous throughout the implementation process. In addition to the arms control provisions, these were the primary security tasks that emerged from the Dayton Agreement.

#### **4 Third-Party Actors Providing International Security Assistance in Bosnia-Herzegovina**

In recent years more emphasis has been placed on international security assistance in peace implementation and the actors that provide it. The international assistance programme in Bosnia-Herzegovina was one of the largest ever initiated with regard to the number and types of actors involved. Accordingly, Bosnia-Herzegovina was witnessing the engagement of virtually all of the major European regional organisations: NATO, EU/WEU, the Council of Europe, and OSCE, in addition to the UN. Practitioners welcomed the range of participants and underlined the necessity of a joint effort as a major lesson from the Dayton process in Bosnia-Herzegovina.<sup>193</sup> There were also a large number of NGOs on the ground, which played a role where military and civilian tasks crossed paths, such as in elections or in repatriation, and where security was auxiliary rather than an aim in itself. They were particularly involved in the promotion of human rights. Bosnia-Herzegovina was also a prime example of a peace support operation that built on both a military and a police component provided by two separate actors in the security field.

In many ways the constellation of actors was a product of pre-agreement involvement. Thus, the United States opposed any carrying role for the UN in military security and used the leverage gained through their central role in the conclusion of the Dayton Agreement to limit UN involvement.<sup>194</sup> Arguably, the moment of

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<sup>193</sup> Carl Bildt (1997a) "Hat Europa aus Bosnien gelernt?" *Internationale Politik* 52(7), p. 5; Steiner in Urban (1997), p. 39.

<sup>194</sup> Schear (1996), p. 94. Ironically, many of the UNPROFOR soldiers stayed on and simply switched uniforms to become part of IFOR. Still, this did not diminish the pivotal role of the US in determining the set up for military peace implementation.

settlement was 'ripe' anyhow, but the strong US pressure and promise of post-conflict presence certainly pushed the parties to agree. The United States with the support of the Contact Group and the EU virtually imposed the agreement on the parties, exercising massive pressure and offering economic incentives.<sup>195</sup> As a result of the long list of failed negotiations during the war which were due to divergent perspectives and opinions among major players, the international community was in the process of learning that cohesion and will were indispensable to the implementation of the agreement.<sup>196</sup>

Similarly, the future of the peace process and the perception that peace was indeed possible depended to a large extent on the presence of the United States as part of the implementation force.<sup>197</sup> The US were intent on avoiding anything that could prompt 'mission creep' and clearly drew a dividing line between the military and the civilian activities.<sup>198</sup> Whereas the US position on military implementation was made very clear and was put into practice in IFOR, the rest of the post-conflict peace building and peace implementation tasks were up for grabs in the international community. The result was an at times overlapping web of authorisation and capacity on the civilian side with a High Representative to oversee all civilian implementation.

On the surface, all external actors pursued the same goals, namely the lasting peace and a uniform Bosnian state, prescribed by the Dayton Agreement. After Dayton's 'Year One' there was a rush of critical reviews that struck at the very heart of the agreement and triggered a re-evaluation of its provisions and its aims. This critical period lasted until the Spring of 1997, when the international community reiterated its firm commitment to the agreement. Whereas alternative outcomes, such as the partition of Bosnia-Herzegovina, were floated during the first year and particularly in the critical review period, such back-up plans all but vanished from the agenda of the international community – if not from the agenda of the parties.

Although every participating country surely had its domestic dynamic, the contributors in Bosnia-Herzegovina were marked by surprisingly few of such motivations. Instead, three major motivations led the international community on (1)

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<sup>195</sup> Schlotter (1997), p. 1.

<sup>196</sup> James Gow (1997) *The Triumph of the Lack of Will* (Hurst & Company: London), p. 9f.

<sup>197</sup> Bildt (1997a), p. 6; Ivo Daalder (1997a) "Anführer auf dem Rückzug?" *Internationale Politik* 52(7), p. 11.

<sup>198</sup> Eide and Solli (1996), p. 12.

containment of the conflict; (2) provision of humanitarian support; and (3) good offices in future negotiations.<sup>199</sup>

Tying their presence and impartiality to the agreement rather than the parties, decreased the significance of great power presence for strict neutrality. Still, while the international security assistance delivered to Bosnia-Herzegovina was completely dependent on the heavy presence of US forces with respect to pure number, image, and military equipment,<sup>200</sup> it was always important to secure widespread support, particularly from Russia.

In addition to the greater neutrality derived from a coalition, individual states also sought to mitigate the ethical concerns inherent in aiding security forces in cash or kind by operating through large international organisations, such as NATO and the EU. Due to the fact that the aims of individual participants were less discernible this way, the edge was taken off what could be perceived as delivering arms or rebuilding a military force. There are a few exceptions to this pattern, notably with regard to the traditional concept of security assistance, where a government might want to publicly state its support for one of the parties, or in the case of arms trade conducted by private companies. The attitude of the international community has changed somewhat in this respect. In the course of the peace process, a greater recognition of the need to bring the state's security apparatus in order emerged, although a certain stigma remained attached to international security assistance.

The involvement of third-party actors in international security assistance in the form of troop contributions to a peacekeeping force has become more and more dependent upon a clearly defined timetable for withdrawal. Few governments are willing to commit troops for an indefinite period and will require a tentative estimation of the length of deployment up front. Similarly, in Bosnia-Herzegovina the US and the West were accused of being more interested in an "end date" rather than an "end state."<sup>201</sup> In Bosnia-Herzegovina, there were two prevalent views on deadlines for withdrawal that were, among other places, reflected in the US administration's view of their involvement. On the one hand, the argument went that only by setting a clear deadline after which aid would no longer be forthcoming, a

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<sup>199</sup> Eide and Solli (1996), p. 8.

<sup>200</sup> Kjell Grandhagen (1997) "Med IFOR til Bosnia-Herzegovina. Erfaringer fra den Nordisk-Polske brigade," *Norsk Militær Tidsskrift* 2/1997, p. 17.

<sup>201</sup> Espen Barth Eide (1997) *Filling the Public Security Gap* (Paper for CPN-Briefing, October 1997), p. 2.

sincere and rapid push for peace would take place. The Pentagon, for one, supported rapid withdrawal.<sup>202</sup> On the other hand, it was argued that, by setting a clear deadline, the international community would merely freeze the conflict, encouraging the parties to revert to violence again after the departure of the international presence. Within the United States, the necessity of sustained external engagement was supported by the State Department which regarded the operation in a larger European context. Aside from risking that the good achieved was undone, failure in Bosnia-Herzegovina would imply a tremendous loss of prestige for the United States, as well as for a number of other actors involved. The local parties most hurt by a hasty withdrawal of NATO and US forces would be the local forces of peace.<sup>203</sup>

There was widespread concern that the maintenance of peace could become dependent on the permanent presence of outside actors, that acted as security guarantees and the gravest challenge lay in finding the balance between sustained outside engagement and self-sufficiency. In 1997, Deputy High Representative Steiner expressed the view that a balance had not yet been attained in Bosnia-Herzegovina and continued engagement remained the only option.<sup>204</sup> Another dimension was the type and more particularly the forcefulness of the implementation efforts. While strengthening the hand of external actors might engender greater dependency, it has also been argued that assertiveness was a critical precondition for fulfilling the provisions of the Dayton Agreement.<sup>205</sup> The irony was that a more careful and less assertive approach could prolong the international presence. In that way, two central concerns on the international agenda, namely the fear of casualties and of long-term deployment, were at odds with one another.

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<sup>202</sup> Daalder (1997a), p. 12f.

<sup>203</sup> Daalder (1997a), p. 9, 12, 13f..

<sup>204</sup> Steiner in Urban (1997), p. 40.

<sup>205</sup> International Crisis Group (1999b) *Is Dayton Failing? Bosnia Four Years After the Peace Agreement* (ICG Bosnia Project Report, 28 October 1999; <http://www.int...rg/projects/bosnia/reports/bh51repa.htm>).

**Box 4.1: Third-Party Actors: The Setting**

The United States had a prominent position among the group of third-party actors. Through their engagement in the negotiation and formulation of the Dayton Agreement, they determined IFOR/SFOR's role. At the same time, the execution of the military mandate was entirely dependent on the US contribution.

A driving factor behind IFOR/SFOR's mandate was the US anxiety about 'mission creep.' As a result, both the United States and the West were accused of being more interested in the 'end date' than the 'end state.'

More generally, the international community's motivations were the containment of the conflict and the provision of humanitarian support. Individual states' reluctance to be associated with financing a certain security measure led them to seek anonymity in the collective measures of international organisations.

## 4.1 External Actors

### 4.1.1 NATO and PfP Countries

IFOR's mandate was described in United Nations Security Council Resolution (SCRes) 1031 which authorised NATO to implement the military aspects of the Dayton Agreement as described in Annex 1A. SFOR then succeeded IFOR with the main task of providing the stability necessary to consolidate the peace. Both IFOR and SFOR operated under the UN Charter, Chapter VII. It is important to distinguish between IFOR and SFOR; the forces, their tasks, and their mandate. As their respective names suggest, "[t]he role of IFOR (Operation Joint Endeavour) was to implement the peace[, while t]he role of SFOR (Operation Joint Guard) is to stabilise the peace."<sup>206</sup>

To the extent that one can discuss NATO as a uniform actor with uniform interests, NATO's rationale for participating was the search for a post-Cold War *raison d'être*. At the same time, and perhaps more importantly, the organisation was putting meat on the bones of the Partnership for Peace (PfP). Although, according to their founding documents, both the UN and NATO pursue international peace and security, they performed different functions and a more explicit division of labour

appeared to be emerging. Thus, NATO arrived on the scene after the apparent failure of the UN whose presence as the major implementation force in the immediate wake of UNPROFOR would have been ineffective and incredible.

Looking forward at the beginning of NATO's mission in Bosnia-Herzegovina in March 1996, Solana summed up the challenges, expectations, and implications NATO faced in the following manner:

“The NATO-led Implementation Force for Bosnia marks a major step towards a lasting and durable peace in the region. It will also have a profound effect on the future course of European security and on NATO's role within it. In putting together a unique 60,000-strong multinational force, drawn from over 30 countries, the Alliance has provided a model for future operations and demonstrated the practical value of PfP. Moreover, the Implementation Force (IFOR) experience will facilitate intensified bilateral dialogue on enlargement which NATO will conduct with interested Partners throughout 1996. It will also inject new momentum into NATO-Russia relations. Concrete co-operation in Operation Joint Endeavour will show Russian decision-makers and the wider public that the Alliance is sincere in its efforts to forge a close relationship with their country.”<sup>207</sup>

In addition to seeing “the first full-scale test of the PfP agreements” and non-Art. 5 operations, it was clear that the success or failure of NATO in Bosnia-Herzegovina would have grave implications for the assessment of Europe's independent security role.<sup>208</sup> In this way, PfP-co-operation was a political as well as a military exercise and the failure of IFOR/SFOR to firmly establish peace in the Balkans would have consequences for NATO more generally and for NATO enlargement and the PfP-relationship more specifically. Accordingly, though individual security concerns in Bosnia-Herzegovina played a role for the shape of the force and for the willingness of different states to participate, there were much larger issues at stake.

Despite the promising establishment of the Combined Joint Task Force (CJTF) whose chief aim was to improve NATO's ability to conduct peace support operations, in 1996 Solana issued a word of warning due to NATO's lack of experience in the area of peacekeeping and their rationale as a defence organisation.<sup>209</sup> This was

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<sup>206</sup> *NATO Basic Fact Sheet No. 11* ([www.nato.int/docu/facts/sfor.htm](http://www.nato.int/docu/facts/sfor.htm)), p. 3.

<sup>207</sup> Javier Solana (1996) “NATO's Role in Bosnia: charting a new course for the Alliance,” *NATO Review* (March 1996), p. 3.

<sup>208</sup> Eide and Solli (1996), p. 3.

<sup>209</sup> Solana (1996), p. 4.

especially true with respect to practical issues such as in logistics where no working NATO-concept was in place and in practice a patchwork of national and multinational solutions was used.<sup>210</sup> Still, in contrast to UNPROFOR, the peacekeeping force saddled with an extensive mandate, coupled with limited means and resources and incoherent international backing, the NATO-led implementation force enjoyed the benefit of a clear mandate and chain of command and established military apparatus that enabled it to take tough and decisive action where necessary. As Hunter puts it, “the robust professional image that NATO’s troops projected in the area [was fitting for the] Balkan attitude that ‘might is right’.”<sup>211</sup> In addition to operational advantages in the course of the mission, the single command was essential to the rapid deployment of the IFOR.<sup>212</sup> Both the mandate and the capabilities greatly enhanced the force’s credibility in the eyes of the parties. From the first it was essential that IFOR demonstrated their willingness to carry out their mandate with whatever means necessary, while at the same time making clear that they expected the parties themselves to actively pursue peace.

Another advantage of NATO over the UN emerged with respect to costs and resources. Establishing and deploying IFOR and SFOR were enormously extensive undertakings that would have been difficult to finance in any structure looser than that of NATO. Member states had primary funding responsibility, but NATO covered common costs through its Military Budget and the NATO Security Investment Programme. Each nation paid for its own troops, but not for common expenses. By introducing a functional division, the UN was relieved of shouldering the entire financial burden alone; a condition which had often stifled UN efforts in the past.

The NATO-led IFOR had an approximate strength of 60,000 - of which 19,000 were US troops - and was made up of a wide range of participating countries.<sup>213</sup> The composition of IFOR reflected NATO’s political and military

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<sup>210</sup> Grandhagen (1997), p. 18.

<sup>211</sup> Greg Hunter (1997) “Bosnian Serbs left isolated as Dayton continues to drift,” *Jane’s Intelligence Review* (September 1997), p. 399.

<sup>212</sup> Moore (1996b), p. 37; Solana (1996), p. 5. In part the deployment of IFOR could take place so quickly because large parts of UNPROFOR simply exchanged the blue berets for green ones. Still, the additional forces and the more stringent organisation were products of NATO’s command structure. In a comparison with UNPROFOR, one should also keep in mind that UNPROFOR was deployed during a war, whereas IFOR/SFOR enjoyed the enormous benefit of beginning their operation after open fighting had ceased and were therefore never faced with the same challenges that UNPROFOR was.

<sup>213</sup> IFOR began shrinking in the course of 1996 and eventually decreased its force strength to 43,000 during the transition to SFOR. Solana (1996), p. 3. IFOR was divided into three Multi-National Divisions (MNDs) under French, British, and American command.

structural transformations that allowed 18 non-NATO countries to be integrated. IFOR consisted of contingents from 34 countries. In addition to the 16 NATO-member states, there were 14 participants from PfP-countries – Albania, Austria, Bulgaria, Czech Republic, Estonia, Finland, Hungary, Latvia, Lithuania, Poland, Romania, Russia, Sweden, and Ukraine – and Egypt, Jordan, Morocco, and Malaysia, the final four participants. Slovenia and Ireland joined the multinational force in SFOR, raising the number of non-NATO participants to 20 countries. Maybe not surprisingly the majority of forces in SFOR were provided by member states, with 29,000 from NATO countries – of which 8,000 were US troops – and only 6,000 from others. In February 1998, SFOR's mandate was made more flexible with regard to the length of the force's deployment. SFOR was to continue its current mission at its current strength at least until after the elections in September of 1998. Following the elections, SFOR remained in place, but conducted semi-annual assessments of force levels and mission. At the end of the period studied in December 1998, SFOR had been reduced to approximately 32,000.

As a result of a mid-term assessment, the Multinational Specialized Unit (MSU) was established within SFOR in the Spring of 1998. The creation of the MSU was a result of US pressure and it was intended as a 'third force' that could address the tasks that appeared to fall between the military and the civilian security chairs. The MSU was "to support local authorities in responding to civil disorder"<sup>214</sup> and its mandate essentially coincided with SFOR's, with respect to support for civilian implementation and promoting freedom of movement. It consisted of about 350 troops typically from national police forces, such as the French Gendarmerie or the Spanish Guardia Civil, and became operational in August 1998. There was some disagreement about what exactly the force's mission should be. As it merely executed the same tasks that SFOR had implemented before, the MSU did not represent any particular strengthening of SFOR as a whole.<sup>215</sup> It also proved impossible to fulfil the role of a 'third force,' as there was no political backing for a mandate to maintain law and order, which had been the implicit hope at its inception.

The PfP-countries' rationale for participating was fairly obvious. Besides practical concerns of increasing interoperability and proving their worth to their

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<sup>214</sup> *OHR Bulletin*, 1 June 1998.

prospective alliance partners, they were also hoping that “close co-operation with the West [would] create *faits accomplis* and accelerate accession to NATO.”<sup>216</sup> They were integrated into IFOR as any other national contingent, with the exception of Russia.<sup>217</sup>

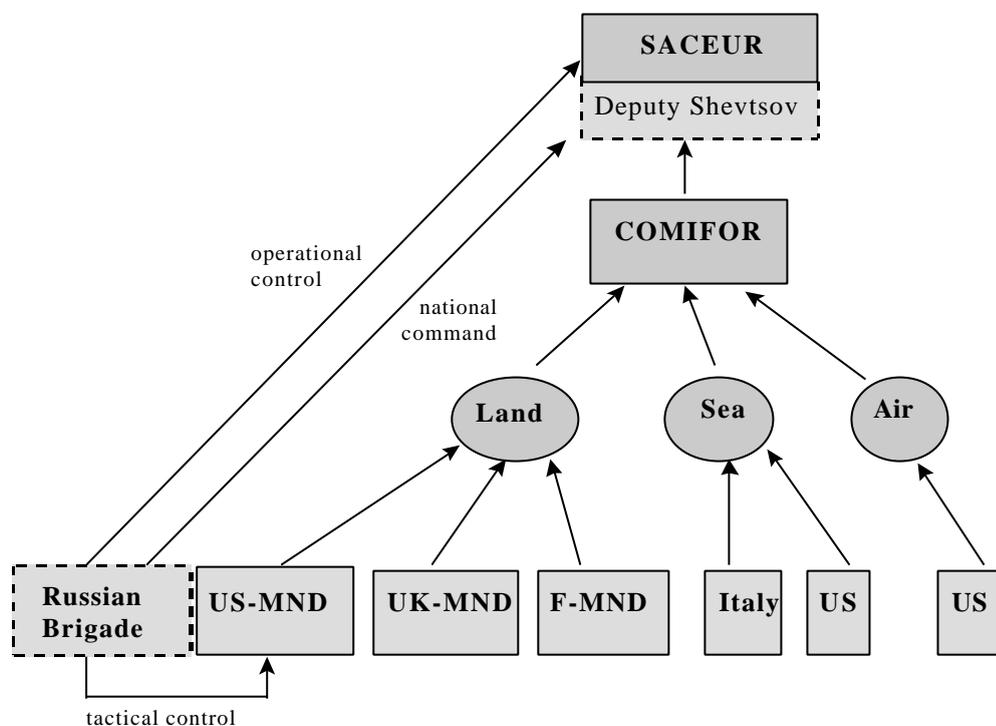


Figure 4.1 Russian Integration into NATO Command Structure in IFOR/SFOR

Due to the political sensitivity of Russia’s relations with NATO, a special solution was found for the integration of the Russian contribution in IFOR. Russia was directly subordinate to Col. General Leontiy Shevtsov, who was also the Supreme Allied Commander Europe’s (SACEUR) deputy in the Supreme Headquarters Allied Powers Europe (SHAPE), and under the operational control of the SACEUR. At the tactical level, the Russian brigade was part of the US-led Multinational Division (North). In this way, Russia nominally retained national command, while in practice

<sup>215</sup> The MSU was used to remove a roadblock and control crowds in connection with some minority returns in October 1998; a task that was clearly no different than those executed by IFOR/SFOR in the previous three years.

<sup>216</sup> Hans-Joachim Hoppe (1997) “Moscow and the Conflicts in Former Yugoslavia,” *Aussenpolitik* 11/1997, p. 277, Jeffrey Simon (1997) *The IFOR/SFOR Experience: Lessons Learned by PfP Partners* (Strategic Forum No. 120, National Defence University: Washington D.C.), p. 4.

<sup>217</sup> Leurdijk (1996), p. 105.

being a partner in IFOR and SFOR that was equivalent to all the other non-NATO countries.<sup>218</sup>

France's high profile in IFOR/SFOR was also a continuation of her leading role during UNPROFOR. Despite French hopes that the WEU might rise to the occasion during the war, they had to realise that NATO was still the only security option in Europe and that it was therefore necessary to forge closer ties and become more integrated into NATO's structure.<sup>219</sup> At the same time, France's participation could serve to reconcile a European security identity with NATO reform.<sup>220</sup> What politics had not been able to do for the improvement of NATO-French relations, practical co-operation in IFOR/SFOR could achieve.

As mentioned above, the United States were the most heavily involved in determining the format for the military force, as well as being the country with the highest profile. With regard to the format, the United States insisted on a NATO-led force that could include PFP-countries and other states. Within IFOR and SFOR, the United States of course had the dominant position which was due to its late but significant political or strategic leadership in the immediate post-conflict situation and was both cause and effect of the allocation of resources, personnel, and heavy duty equipment to this cause. In the words of Steiner, "[f]or the people in Bosnia, ['international community'] means America." Another reason for the strong position of the US was a result of the lack of a power centre in Europe and the withdrawal of Russia.<sup>221</sup> Accordingly, there was widespread agreement that a continued military presence under US leadership was essential to consolidate the peace.<sup>222</sup>

Despite the fact that the high degree of US involvement displayed the continued validity of transatlantic ties,<sup>223</sup> the perspectives of the EU and the United States on the peace process and its desired outcome diverged substantially. The US scaled down its goals to the prevention of renewed fighting, leaving the long-term political solution to the parties' themselves. In contrast, the emphasis of the European Union lay on regional stability which, in turn, required a certain political outcome.<sup>224</sup> This was of course not surprising in light of the geographical proximity of the EU to

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<sup>218</sup> Hoppe (1997), p. 272; NATO Basic Fact Sheet No. 11 ([www.nato.int/docu/facts/sfor.htm](http://www.nato.int/docu/facts/sfor.htm)), p. 4; Leurdijk (1996), p. 106.

<sup>219</sup> Mihalka (1996), p. 43.

<sup>220</sup> Calic (1996b), p. 35

<sup>221</sup> Steiner in Urban (1997), p. 37.

<sup>222</sup> Daalder (1997a), p. 14.

<sup>223</sup> Solana (1996), p. 5f.

the area of conflict. Given the disparity of aims between the European Union and the United States, transatlantic relations became a central issue in the peace implementation process. Quite likely, an element of competition was also involved, particular from the European point of view, in which Europe was intent on proving its ability to develop a coherent common foreign policy and to conduct crisis management self-sufficiently.<sup>225</sup>

In short, the participating countries had great expectations to IFOR from the outset which, in turn, increased the Bosnian population's expectations of the force's ability and enhanced IFOR's leverage and credibility in implementing the tasks assigned to them in the Dayton Agreement. Again, Solana reflected the euphoria about NATO's venturing into a new role, when he claimed that "[w]ithout the Alliance, there would be no IFOR and no hope for ending the conflict."<sup>226</sup> Precisely because of the high expectations, fluctuations in NATO-commitment had the potential to be extremely damaging to the peace process.

**Box 4.2: NATO and PfP**

NATO's rationale for participating:

- to set the tone for future European security;
- to provide a model for future operations, especially with respect to the practical value of PfP-cooperation; and
- to facilitate the dialogue on enlargement and improve relations with Russia.

The NATO-led force benefited from having a single and more stringent command, as well as from having a clearly defined mandate and the appropriate capabilities. High expectations were tied to the force's performance and credibility from the outset, due to its capabilities and its professed willingness to use them.

IFOR: 60,000 of which 19,000 from the US;  
34 participating countries.

SFOR: 35,000 of which 8,000 from the US and 6,000 from non-NATO members;  
36 participating countries.

Contrasting goals among the US and the EU became clear early on. Whereas the US aimed at preventing renewed fighting, leaving the long-term political solution to the parties themselves, the EU emphasised regional stability, which, in turn, required a certain political outcome.

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<sup>224</sup> Woodward (1997), p. 98; International Crisis Group (1997c).

<sup>225</sup> Schear (1996), p. 94.

<sup>226</sup> Solana (1996), p. 6.

#### 4.1.2 The United Nations and Their Agencies

The UN were kept out of the military operation and might even have been glad to do so, given the criticism the organisation faced in the wake of UNPROFOR. Taylor states that “[t]he effect of Dayton on the UN presence in the former Yugoslavia was profound. Not only was the UN involvement drastically scaled back, but it was fragmented both geographically and functionally.”<sup>227</sup> Aside from the activities of its fairly independent major agencies UNHCR and UNDP, the UN was left with the responsibility for IPTF. Riddled with problems of finding a sufficient number of adequate staff and facing the monumental task of overseeing the re-establishment of law and order, the UN’s means were in no proportion to its charge. At the same time, the functional division of labour that emerged in the extensive peace support operation in Bosnia-Herzegovina heralded a new approach to so-called ‘wider peacekeeping’ in which the role of the UN in particular was adjusted to the presence of other actors and their willingness to take on certain tasks.

In surrounding areas the UN had a military presence in the traditional peacekeeping missions UNTAES, UNPREDEP, and UNMOP in Croatia and Macedonia. But the UN Mission in Bosnia-Herzegovina (UNMIBH) was purely civilian comprising the International Police Task Force (IPTF) and a civilian overseer, the Special Representative of the Secretary General (SRSG) that co-ordinated all efforts of the UN, including the UNHCR and UNDP, and provided political facilitation for the work of the IPTF.

The IPTF reflected a continuation UNCivPol’s policy and their experience from previous civilian police operations, which bestowed the international observer force with a limited mandate. The decision was based on a realistic assessment of their resources, their staff, and their legitimate capacity. Although they were often accused of inactivity in the face of crime and human rights violations, training and monitoring a police force without own active duties was a slow but in the long-run more sustainable process. However, the IPTF also struggled with the misplaced popular perception that they were the knight in shining armour come to manifest law and order and with the subsequent inevitable disappointment in their performance.

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<sup>227</sup> Taylor (1996), p. 42.

The UNHCR was the lead humanitarian agency during the war and was involved in the delivery of international security assistance in the sense that it co-operated with SFOR, and formerly with IFOR, on repatriation issues, especially with regard to the security implications of planned returns and the safety of actual returnees.<sup>228</sup> The Department of Humanitarian Affairs (DHA)<sup>229</sup> at UN headquarters in New York was also involved in security as a result of its responsibility for humanitarian demining and long-term demining efforts. In that capacity, DHA co-ordinated and recorded all demining efforts including those of IFOR and SFOR.

**Box 4.3: UN Agencies**

The functional division of labour that emerged in the extensive peace support operation in Bosnia-Herzegovina heralded a new approach to 'wider peacekeeping' in which the role of the UN in particular was adjusted to the presence of other actors and their willingness to take on certain tasks.

UNCivPol/IPTF: Monitoring the establishment of local police forces and the introduction of democratic principles of policing.

UNHCR: Repatriation of refugees and internally displaced persons.

DHA: Co-ordinating all demining efforts.

#### 4.1.3 The EU/WEU, the Contact Group, and the OSCE

In 1995, the European Union and the Western European Union were not credible alternatives for an independent peacekeeping force in Bosnia-Herzegovina.<sup>230</sup> Although the WEU provided support for police forces and was part of the operation enforcing the weapons embargo at sea until October 1996, the EU was assigned the major responsibility for reconstruction and was therefore chiefly involved with respect to financing; playing a political and economic role rather than a military one. There were also some three hundred members of the European Commission Monitoring Mission (ECMM) that had remained in the country following their wartime engagement. Still, no particular attempt was made to identify areas and tasks

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<sup>228</sup> For a thorough evaluation of UNHCR's role during the war and the lead agency concept more generally, see Michael Pugh and Alex Cunliffe (1997) "The Lead Agency Concept in Humanitarian Assistance. The Case of UNHCR," *Security Dialogue* 28(1), pp. 17-30.

<sup>229</sup> In connection with the ongoing reform process at UN Headquarters, the DHA has been revamped and is now the Office for the Co-ordination of Humanitarian Assistance (OCHA).

not taken on by other actors and that the EU might contribute with, which resulted in a limited and auxiliary EU presence, rather than a proactive one.<sup>231</sup> The limited role of the EU was also due to the shaky foundations of its common security policy, or as Mihalka puts it, “Europe has too many chiefs.”<sup>232</sup> As the basis of a common policy consisted of both the institutional structures and the political will of the member states, any initiatives in the field of security policy would be futile, unless backed by all members or if the balance was upset by external actors.<sup>233</sup> Moreover, they would be unsuccessful until the EU established a mechanism to effectively execute decisions taken through co-ordination.<sup>234</sup>

The interest of European countries was that which came closest to a genuine interest in regional peace and stability. Although it was unlikely that a renewed war would spread, Europe was heavily affected by refugee flows and the burden of misery in their midst by virtue of their proximity. Despite the fact that it was seldom expressed openly, Europe was also aware of the implications for the positioning of Islam in European societies. In this context, Bosnia-Herzegovina represented a grand failure to develop a strategy to deal with the specific ethnic issues.<sup>235</sup> In a similar vein, the EU’s experiences in former Yugoslavia had been almost traumatic for an organisation that prided itself on being an integrated community of many nations and ethnicities and that had to find out that it was incapable of handling breaches to its basic philosophy.<sup>236</sup>

Obviously, European participation in the NATO-led force was a continuation of UNPROFOR involvement and participation in the Contact Group,<sup>237</sup> consisting of France, Germany, Italy, the Russian Federation, the United Kingdom, and the United States, and in the International Conference on Former Yugoslavia (ICFY). At the same time, NATO-members were quite simply subject to membership obligations that could hardly be refused at NATO’s first actual use. Following the failure of their own

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<sup>230</sup> Daalder (1997a), p. 13.

<sup>231</sup> Bildt (1997a), p. 6. Arguably, most members of EU are either NATO or PfP countries and are therefore involved in the implementation of the security related tasks through that forum.

<sup>232</sup> Mihalka (1996), p. 43.

<sup>233</sup> Bildt (1997a), p. 4.

<sup>234</sup> Bildt (1997a), p. 6f.; Steiner in Urban (1997), p. 39.

<sup>235</sup> Tibi (1997), p. 24.

<sup>236</sup> Dragan Veselinov (1997) “Bosnia: The Test of Europe,” *Transitions* 4(1), p. 99.

<sup>237</sup> According to Gow, “[t]he Contact Group was established because of the differences which had been revealed in the international community and which the parties to the conflict in the former Yugoslavia had attempted to exploit.” At the time of its inception, it aimed at co-ordinating policy between the

efforts, there was a convenience for European NATO-members in being part of a US-led NATO force rather than having to go it alone, having recognised the limitations of their powers in the negotiation process. Standing together under the NATO-banner also undermined any national allegiances individual states might have found hard to suppress, such as the much discussed German-Croat relations. Ironically, the participation of Russia in IFOR/SFOR had a confidence-building effect on the Serbs, mitigating the Serb perception of potential hostility in the international community through the presence of a traditional ally.

The “resource-starved” Organisation for Security and Co-operation in Europe (OSCE) was handed a comprehensive list of tasks including elections, arms control, and human rights - the latter in co-operation with the Council of Europe.<sup>238</sup> As Hotelet commented, “[t]he OSCE has never had such a broad mandate. How well it performs may determine its role in the future.”<sup>239</sup> As it turned out the OSCE was firmly established as a ‘regular’ among the international organisations contributing to peacekeeping operations, as a result of its comprehensive engagement in Bosnia-Herzegovina and despite its obvious organisational problems in the execution of its mandate. The OSCE was given the responsibility for staging elections, where the back-up by both security forces, i.e. IPTF and IFOR/SFOR was critical. From the outset it was clear that the freedom from intimidation guaranteed in the Dayton Agreement would prove impossible without co-operation between OSCE personnel and international security assistance. Even with co-operation it was a task unlikely to succeed fully.<sup>240</sup> In this and other tasks, the OSCE was dependent upon co-ordination with other actors and organisations, as the organisation itself had “no power to impose political or economic sanctions.”<sup>241</sup>

The management of the sub-regional arms control and stabilisation negotiations, gave the OSCE a direct hand in providing a secure environment. Their heavy involvement in this area reflected the European interest in the bigger picture of

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major actors in the negotiation of an agreement and in that way strengthening their position. Gow (1997), p. 157.

<sup>238</sup> Mihalka (1996), p. 45. The OSCE Mission to Bosnia and Herzegovina is divided into six departments: Elections, Implementation, Democratization, Human Rights, Media Affairs, and Regional Stabilization.

<sup>239</sup> Richard C. Hotelet (1996) “Beyond Dayton: Reconstructing Bosnian Society,” *Christian Science Monitor*, 13 February 1996.

<sup>240</sup> For the elections, OSCE created a temporary commission responsible for staging the elections. During the first federal elections in September 1996, the OSCE employed 1300 election monitors. Schlotter (1997), p. 10, 15.

<sup>241</sup> Hotelet (1996).

regional stability. The required application of the Conventional Forces in Europe (CFE) principles of transparency, co-operation, and stable force levels indicated the desire to incorporate the Balkans into a wider European security structure.<sup>242</sup>

In addition to the larger international organisations, such as the EU and the OSCE, a considerable number of NGOs were active in the implementation of the Dayton Peace Agreement. The predominant areas in which NGOs played a role and that were tied to the provision of security were human rights monitoring, demining, and towards the end of the period studied also judicial reform.

**Box 4.4: EU and OSCE**

The role of the **EU** in the security field was mostly limited to their participation in the Contact Group. In part, the limited role was a product of the organisation's difficulties in developing a common security policy and in establishing a mechanism to effectively execute it. Still, the interest of European countries came the closest to a genuine interest in regional peace and stability due to its proximity to the conflict area.

The "resource-starved" **OSCE** was responsible for a number of tasks including staging, elections, leading arms control negotiations, and promoting human rights – the latter in co-operation with the Council of Europe.

#### 4.1.4 Friends of the Peace Process

It is a truth universally acknowledged that organisations are no more than the sum of their member states. Similarly, whereas the costs and benefits for international institutions are more intangible, individual participants often have their own agenda for participation that involves very specific benefits. As the organised international community, be it in the form of IFOR/SFOR or the UN or OSCE, encompassed such a wide variety of participating countries, the list of Friends of the Peace Process (FPPs) is expectedly short. Nonetheless, one might single out fellow Muslim countries, in particular Iran and Saudi Arabia, as well as Russia and the United States as FPPs. Both of the latter actors became involved in the conflict at a very late stage and only when it "had become embedded as a critical test of international

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<sup>242</sup> Woodward (1997), p. 100.

diplomacy.”<sup>243</sup> Other external actors that significantly affected the implementation process were of course Croatia and the FRY which maintained close ties with their respective ethnic brothers throughout the period studied. Their influence is discussed in the context of implementation in Chapter 5.

Russia had a series of critical concerns that contributed to its attitude towards peace implementation in Bosnia-Herzegovina. In its involvement, Russia walked a thin line between, on the one hand, international assertion and great power ambitions that – given Russia’s military weakness at the time – could only be realised through co-operation with the West, and traditional hostility towards the West, on the other. First, from the early days of the war Russia’s attitude towards the dissolution of Yugoslavia was conditioned by its own domestic struggles. Because of the many parallels, Russia was forced to tread carefully and to pursue a “balanced and objective policy.”<sup>244</sup> Second, Russia claimed historic ties to Serbia. Although there were clear antagonisms and traditional fears of Russian domination of Eastern Europe on the side of the Serbs, there was certainly an affinity between the two in the face of the West, an affinity that was viewed by Russia as part of her “search for strategic partners.”<sup>245</sup> Third, for Russia the participation in IFOR and SFOR was a “major step towards evolving NATO-Russia co-operative relationship.”<sup>246</sup> Still, participation took place entirely on US terms and “Russia [...] accepted the role as a junior partner to the United States in European security.”<sup>247</sup> In practice, the Russian contribution consisted of an engineering brigade in the US sector with 1,500 troops. In addition, Russia provided 100 police monitors to IPTF.

Although the country had limited influence in reality, Europe and the United States realised the political importance of supporting Russia in her great power role. Hoppe observed that “Russia’s policy in the region is regarded as an indicator of its willingness to co-operate with the West.”<sup>248</sup> Even more so, the West promoted Russian involvement among other things as “a test case of strategic partnership with NATO.”<sup>249</sup> At the same time, the West was eager not to antagonise Russia and thus

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<sup>243</sup> Gow (1997), p. 157.

<sup>244</sup> Gow (1997), p. 189.

<sup>245</sup> Hoppe (1997), p. 268, 275.

<sup>246</sup> *NATO Basic Fact Sheet No. 11* ([www.nato.int/docu/facts/sfor.htm](http://www.nato.int/docu/facts/sfor.htm)), p. 4.

<sup>247</sup> Mihalka (1996), p. 42.

<sup>248</sup> Hoppe (1997), p. 267. For a more detailed description of the development of Russian foreign policy during the war and the negotiations towards Dayton, see Gow (1997), pp. 185-202.

<sup>249</sup> Hoppe (1997), p. 272.

jeopardise future co-operation with her.<sup>250</sup> The United States in particular were relieved not to have shouldered the burden of being a great power single-handedly and it was argued that they gained leverage from a close relationship with Russia.<sup>251</sup> Russia's engagement in IFOR/SFOR took place against the backdrop of co-operation in the Contact Group. Although she had voiced reservations early on, there was no delay in co-operation when Russia's involvement began in the wake of failed European efforts. Still, even Russia with historical ties to the Serbs and the legacy of a superpower gradually lost influence similar to the way the Europeans did.<sup>252</sup>

In part due to the scepticism displayed towards Muslim countries, the West led by the US strongly opposed Iran getting too heavily involved in Bosnia-Herzegovina. In the final throes of the war, news papers frequently argued that the increasing international engagement was brought on by the fear of the spread of "Islamic fundamentalism" in Bosnia-Herzegovina and that Bosnia might function as a springboard for terrorist influences in Europe. Despite some differentiated accounts in Western media, the fear of fundamentalism clearly displayed the West's difficulties in distinguishing between fundamentalism and the largely secular Muslim communities of Bosnia-Herzegovina. Furthermore, as Susan Woodward points out any radicalisation of the general population and an increase in tension was more likely to be triggered by other factors, than the presence and financial support of a fellow-Muslim country. She argues that "Western concerns about Iranian ambitions, or a West Bank/Gaza hothouse, could be self-fulfilling in the social conditions of cities overwhelmed by displaced peasants and an urban underclass."<sup>253</sup> And yet, fundamentalism in other countries, such as Egypt, Jordan, or in North Africa, has been more likely to spread in the educated lower middle-classes rather than among peasants. In fact, there were few tendencies towards fundamentalism in Bosnia-Herzegovina aside from those that might spring out of an association based on a perceived common fate. And yet, American fears of radicalisation in a Muslim state sandwiched between Greater Croatia and Greater Serbia were a deciding factor in the

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<sup>250</sup> Sir David Hannay (1996) "The UN's Role in Bosnia Assessed," *The Oxford International Review* (Spring 1996), p. 11.

<sup>251</sup> Steiner in Urban (1997), p. 37.

<sup>252</sup> Steiner in Urban (1997), p. 36f.

<sup>253</sup> Woodward (1997), p. 103.

US insistence on a united Bosnian state including the Bosnian Croats and the Bosnian Serbs.<sup>254</sup>

The support that was forthcoming mainly arrived from Iran and other Arab Afghan countries. High-ranking officials in the Bosnian Muslim leadership fostered these ties, in part due to religious affinity – mostly in the eyes of the donors, but in part also due to the fact that fellow Muslim countries had been the only source of financial and military support during the war. As sources diversified, so did affiliations. The vast amount of assistance that entered the country from Western agencies and governments certainly contributed to decreasing the Muslim influence in Bosnia-Herzegovina.

Opinions of the United States as a separate FPP outside of its role in NATO might differ. Still, they were heavily involved diplomatically, both in the negotiations towards the Dayton Agreement and in the subsequent implementation phase. In the pursuit of peace, the United States sent Special Representatives and high level officials to the region to exercise pressure on the parties and force compliance with the agreement.<sup>255</sup> The dominant role of the US was a clear example of the need for strategic leadership in the execution and co-ordination of comprehensive post-settlement peace support operations, in addition to the fact that the position of the United States had been a co-determinant of international policy throughout the war. The signing of the Dayton Agreement and the deployment of military forces to implement it, were entirely dependent on the United States' political commitment to see the peace process through and their willingness to participate in IFOR and later in SFOR with a substantial number of troops.<sup>256</sup> Hannay underlines that “Bosnia was one of those crises which needed continued and co-ordinated effort from both sides of the Atlantic.”<sup>257</sup> Similarly, the implementation process faltered in late 1996 and early 1997 and did not manage to regain momentum until “the US Administration concluded [in April 1997] that only a more aggressive effort could lead to successful implementation of the DPA.”<sup>258</sup> In part this was due to President Clinton's reluctance to draw the Bosnia-issue into the 1996 American presidential elections. As a result,

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<sup>254</sup> Schlotter (1997), p. 3.

<sup>255</sup> Daalder (1997), p. 11.

<sup>256</sup> Gow (1997), p. 9.

<sup>257</sup> Hannay (1996), p. 11.

<sup>258</sup> International Crisis Group (1997c).

major decisions, such as the possibility of an IFOR follow-on force, were put off.<sup>259</sup> Thus, it took a confirmation of the US' commitment to the Dayton Agreement and to their presence in Bosnia-Herzegovina and an escalation of their diplomatic activity to bring the peace process back on track in early 1997. Despite the "psychological boost" that the peace process gained in 1998 from the US endorsement of a continued role for SFOR,<sup>260</sup> the danger of losing momentum appeared to be looming once again at the end of 1998. In part, this was due to the situation unfolding in Kosovo, which was clearly stealing international attention – if not yet resources – from Bosnia-Herzegovina. The implications of fluctuating international – and especially US – commitment were grave, as the parties' who gradually identified the vulnerable points of the international presence would undoubtedly try to take advantage of even a momentary lapse in assertiveness. Thus, weakened strategic leadership has the power to undo the hard-earned stability in Bosnia-Herzegovina.

Aside from the extensive diplomatic initiatives, the United States played a part as a Friend of the Peace Process through its Train and Equip programme which began in September 1996 and provided both equipment and training to the Federation armed force. The programme was not part of the Dayton Agreement or of NATO's tasks, but was a US-sponsored effort by a private US company called Military Professional Resources Inc. (MPRI), with more or less covert links into the US administration. Since the Washington Agreement of 1994, the United States, in co-operation with Germany, had been actively building the Federation, recognising the need to strengthen the Croat-Muslim link, which was described as the single greatest threat to peace.<sup>261</sup> The Train and Equip programme was regarded as a "firm promise to the Bosnian government as well as a condition of deploying US troops with the NATO-led Implementation Force (IFOR)."<sup>262</sup> The official aim was to establish a military balance by strengthening the Federation, but Sharp argues that "[t]he US rationale for Train and Equip is two-fold: that the best way to deter war is to build up the Federation armies within the June 1996 limits, and that it is better for the US to do so

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<sup>259</sup> Leurdijk (1996), p. 141f.

<sup>260</sup> International Crisis Group (1998c) *To Build a Peace: Recommendations for the Madrid Peace Implementation Council Meeting* (ICG Bosnia Project Report, 15 December 1998; <http://www.cris...org/bosnia/reports/bh43rep.htm>).

<sup>261</sup> Daniel Serwer (1996) *Bosnia: Peace by Piece* (Strategic Forum No. 81, National Defence University: Washington D.C.), p. 4.

<sup>262</sup> Sharp (1997a), p. 37.

than Iran.”<sup>263</sup> At first sight it was almost ironic that despite American attempts to exclude Muslim influences emanating from Iran through Train and Equip, the US received the most extensive support for the programme from a number of Muslim countries, such as the UAE and Egypt. In addition, some Bosnian Muslim soldiers began training in Turkey.<sup>264</sup> However, a closer look reveals a continuation of American policy prior to the Dayton Agreement, when the United States chose to overlook Iranian and Saudi financing of illegal arms trade to the Bosnian Muslims in order to circumvent breaking the sanctions imposed on the area. In contrast, the Train and Equip programme was not welcomed by the Europeans – that “questioned the wisdom of any military build-up so soon after the war”<sup>265</sup> – or the Russians who decided to provide arms to Serbia as a countermeasure.<sup>266</sup> The Train and Equip programme and rival arms deliveries also fell under the OSCE’s arms negotiations and the organisation managed to retain control of arms imports under the organisation’s mandate for negotiating arms control regulations and verifying compliance.

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<sup>263</sup> Sharp (1997a), p. 39. Woodard points out how satisfied US officials were with severed ties to Iran. Colin Woodard (1997) “US Arms Weaker Side for Bosnia after NATO,” *Christian Science Monitor*, 15 September 1997.

<sup>264</sup> McCausland (1997), p. 23.

<sup>265</sup> International Crisis Group (1997c).

<sup>266</sup> Hoppe (1997), p. 272, 275; International Crisis Group (1997c).

**Box 4.5: Friends of the Peace Process**

In its involvement, **Russia** walked a thin line between, on the one hand, international assertion and great power ambitions that could only be realised through co-operation with the West and traditional hostility towards the West, on the other. The West, in turn, was eager not to antagonise Russia and thus jeopardise future co-operation with Russia.

The West led by the United States was strongly opposed to **Iran** getting too heavily involved in Bosnia-Herzegovina. The support that was forthcoming mainly arrived from Iran and other Arab Afghan countries. High-ranking officials in the Bosnia Muslim leadership fostered these ties, mainly because fellow Muslim countries had been the only source of financial and military support during the war.

The dominant role of the **United States** was a clear example of the need for strategic leadership in the execution and co-ordination of comprehensive post-settlement peace support operations. Thus, the US was a driving force behind the signing of the Dayton Agreement and also behind the renewed momentum that invigorated the peace process in 1997/8. In the same way, potential diminishing attention in the future can seriously weaken stability. Moreover, the US played a part as a FPP through its Train and Equip programme which provided both equipment and training to the Federation armed force. From the US' perspective the aim was to "level the battle field" between the Federation and the Republika Srpska. In contrast, the Europeans "questioned the wisdom of any military build-up so soon after the war."

## **4.2 Local Counterparts**

At this stage, it becomes important to distinguish between the various actors that made up the international community's counterparts. Narrowly defined, the Parties to the Agreement were the signatories, i.e. Slobodan Milošević, Alija Izetbegovic, and Franjo Tudjman. Drawing the circle a little wider, the signatories represented the Federal Republic of Yugoslavia (FRY), Bosnia-Herzegovina, and Croatia. With respect to the peace implementation process in the fledging state of Bosnia-Herzegovina, only one of the signatories was directly involved. Despite the role they played in practice, both Milošević and Tudjman defined their roles as 'bystanders' by signing the Dayton Agreement that drew clear dividing lines between their territories and that of Bosnia-Herzegovina. However, as they were signatories to the agreement their impact on the level of security in the post-conflict society must be taken into account. Who else, then, did 'the Parties to the Agreement' consist of?

At the highest political level in Bosnia-Herzegovina, the newly created Presidency and its three members that headed the federal government were designated as one of the central actors. With the establishment of the Presidency, the parties accepted central elements of a sovereign state in the Dayton Agreement that were significant regardless of the institution's political efficiency. While being a political necessity, the quota system formed the main limitation of the Presidency, as in other political bodies at lower levels. It assigned the members of the Presidency a role as a representative of their respective ethnic groups, leaving little room for allegiance to Bosnia-Herzegovina as a whole. On top of that, it has been argued that the political leaders regarded the Dayton Agreement as little more than a piece of paper and interpreted it as it suited their respective parties.<sup>267</sup> For the rejectionists among the three warring parties, the agreement was only a truce while they continued to pursue their wartime goals by other means.<sup>268</sup> While the rejectionists among the Bosnian Serbs pursued an independent ethnic Serb entity, the hard-liners in the Bosnian Croat ranks aimed at maintaining the para-state of Herceg-Bosna. Both groups also saw the distant possibility of joining their neighbouring 'big brothers.' The Muslim goal of coexistence among other things rested on their inherent advantage in the 51:49 formula in Inter-Entity territorial relations.

In terms of support and international recognition, the Bosnian Muslims appeared to have come closest to the fulfilment of their goals. Not only was Bosnian Muslim leader Izetbegovic the only local signatory to the peace agreement, but the Bosnian Muslims were also widely judged to be the predominant victims of the war. As a result, the Muslim party SDA had no intention of giving up its "internationally recognised position as the legitimate government."<sup>269</sup> Instead, they pursued a democratic structure that allowed for majority decisions rather than quota systems, as quotas would merely impair the political control that the Muslim section of the population would otherwise have by virtue of its numbers.<sup>270</sup> It is what John Stuart Mill would call "tyranny of the majority." In fact, Mappes-Niedeck argues that the proportional distribution of population size was the secret behind the ideological positions of the parties. The Bosnian Muslims pursued 'multiculturalism' due to their numerical superiority; the Bosnian Croats and the Bosnian Serbs now fighting for

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<sup>267</sup> Schlotter (1997), p. 5.

<sup>268</sup> Woodward (1997), p. 98; Schear (1996), p. 88.

<sup>269</sup> Woodward (1997), p. 102.

ethnic purity would have pursued the same course, had the relations been different.<sup>271</sup> Naturally, there was no viable alternative strategy for the Bosnian Muslims, as they unlike the other ethnic groups had no neighbouring brother with whom to join forces.

Feeling greatly empowered by the outcome of the Dayton Agreement and the moral high ground attributed them by the international community, the Bosniacs were also said to be waiting for the international community to withdraw so that fighting could pick up where the battle was left off. Until the day of a withdrawal, they remained under the US thumb due to the federation-wide Train and Equip programme. Then the question would be whether they could “resist the temptation to try out their new toys?”<sup>272</sup>

The Republika Srpska was marked by an internal split and power struggle between the hard-liners under Karadžić and the more co-operative Biljana Plavšić. Although Plavšić was no less nationalistic, she was more prepared to comply with the implementation of the Dayton Agreement in order to alleviate the dismal economic conditions in the Republika Srpska.

At a lower political level were influential local leaders, such as mayors, true to Bosnia’s traditions of local power centres.<sup>273</sup> If they put their mind to opposing the peace process, these were potentially the most damaging players in the game. With a direct connection to the general local population and quite often a monopoly over local sources of information, propaganda was very effective. IFOR/SFOR faced the challenge of monitoring such non-military activity that had a significant negative effect on the security situation. Unfortunately, local political leaders found an easy target for their propaganda in much of the local population that tended towards civil apathy. And yet, the decentralised history of power in Bosnia-Herzegovina was also an opportunity in that local forces of peace, be it the political leaderships or the local force commanders in SFOR/IFOR that could influence developments by forging ties with the local power holders, had much shorter inroads to the people.

In the security sector, there were the three military leaders of each of the armed forces, two of which were to be fused into one federation force in accordance with the Dayton Agreement. In the implementation of the security provisions of the

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<sup>270</sup> Woodward (1997), p. 101.

<sup>271</sup> Mappes-Niedeck (1996), p. 199f.

<sup>272</sup> *The Economist*, March 1997.

<sup>273</sup> Moore (1996a), p. 41.

Dayton Agreement, it was the military leadership that worked most closely with IFOR/SFOR.

Less manageable were former military leaders and lower level officers in their old or new occupations, i.e. in the police or paramilitary formations. For many pre-war police officers, the war meant changing into another, military uniform. Similarly, the Dayton Agreement simply meant switching back. As they actively participated in the war, it was difficult for them to lay aside ethnic hatred. Unfortunately, many took off uniforms and participated in lynch mobs and raids. The result was a situation in which the distinction between combatants and non-combatants was blurred<sup>274</sup> and the ones responsible for law and order were the ones pivotal in undermining it and thus long-term peace. General Ratko Mladic, commander of the Bosnian Serb army, was a prominent example of a former military leader that was not successfully reintegrated and instead longed for former glory. Despite widespread accusation, it was still unclear to what degree former military heroes continued to pull the political strings behind the scenes. However, it was certain that most former military leaders were unwilling to relinquish their position of power and unwilling to return to civilian life which meant coming face to face with the horrors committed as acts of war.

Finally, the general population obviously made up a large part of the local counterparts. Their co-operation would be decisive for the success of international security assistance. It is increasingly recognised that winning ‘hearts and minds’ is central in any theatre of operation. On the one hand, it meant that, as Eide points out, the “majority of the inhabitants of Bosnia [must] believe in peace - that is, they must believe that there will be peace in Bosnia in the long run and that they adapt their individual dispositions accordingly.”<sup>275</sup> It would be a critical implicit task for the third-party actors to demonstrate to the general population that peace was indeed in the process of being consolidated. On the other hand, it entailed convincing the general population that the course pursued by the international community was indeed the most promising path to peace.

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<sup>274</sup> Eide (1997), p. 10.

<sup>275</sup> Eide (1997), p. 1. For the links between confidence-building and peace see also Annika S. Hansen (1997b) “Political Legitimacy, Confidence-Building, and the Dayton Peace Agreement,” *International Peacekeeping* 4(2), pp. 74-90.

**Box 4.6: Local Counterparts**

The Parties to the Agreement were the signatories, i.e. Slobodan Milošević, Alija Izetbegović, and Franjo Tuđman. Within Bosnia-Herzegovina, the head of the Federal government, the three-member Presidency, was designated as the central actor. Among the ethnic groups, Bosnian Muslims appeared to have come closest to fulfilling their goals, having achieved a unified Bosnia-Herzegovina and claiming the moral high ground. The Republika Srpska was subject to a power struggle between hard-liners and more co-operative forces and the Bosnian Croats did not receive their own territorial unit along the lines of the Republika Srpska.

Lower level nationalist politicians could potentially be the most damaging due to the fact that they were more removed from international pressure and had more direct influence on their communities. Getting military staff of each of the local armed forces on board would be critical for progress in the security sector reform.

### **4.3 Conclusions on Third-Party Actors**

- A division of labour was attempted that spread the responsibility for security assistance and for tasks that required security support, among several major international organisations. That obviously involved a co-ordination challenge that will be addressed in Chapters 5 and 6.
- The security assistance programme in Bosnia-Herzegovina was an example of a peace support operation that built on a military and a police component provided by two separate actors. Despite the ambition to clearly define IFOR/SFOR's and IPTF's tasks distinct from one another, it soon became apparent that their spheres of activity could not be completely separate and that co-ordination between the two would become inevitable and desirable.
- The UN took on specialised tasks, rather than the superordinate co-ordination and execution responsibility. Given the organisation's frequent funding and resource difficulties, the new type of engagement appeared to be a fruitful alternative. The OSCE was facing the challenge of a whole range of comprehensive tasks and how the organisation performed would impact its future role in peace support operations.

## 5 Implementing the Agreement and Delivering Security Assistance

The typology developed in the Analytical Framework lists the following activities: monitoring a cease-fire, supervising the removal of foreign forces, demilitarisation - including demobilisation, disarmament and stock piling, negotiating arms limitations, and reform of the security sector. Further, one must ask who takes on the tasks, how they are executed, and what needs to be added to the typology to meet Bosnia-Herzegovina's security concerns. The tasks that were placed on the international community's agenda in the Dayton Agreement arose with the threats to military and civilian security presented in Chapter 2. Thus, indigenous authorities were incapable of providing security with respect to military threats, threats to law and order, and other areas, such as repatriation, elections, etc. in the immediate wake of the agreement. In the same way, the tasks that made up international security assistance were intended to counter threats in the three areas.

Not surprisingly, the Peace Implementation Council described IFOR and SFOR as "the greatest single contributor to sub-regional security since the signing of the Peace Agreement and [they] will continue to be [just that] in the short and medium term."<sup>276</sup> Part of NATO's success in comparison to UNPROFOR is due to the fact that the semi-civilian tasks that broke UNPROFOR's back, were kept out of NATO's mandate and instead passed on to civilian organisations.<sup>277</sup> IFOR was fortunate enough to receive a list of specific tasks that needed to be executed. Following the principle of "firm, fair, friendly," the military force managed to build trust among the local population in the execution of these tasks.

A full-scale war, such as the one that had raged in Bosnia-Herzegovina implied the existence of several opposing organised armed forces that needed to be transferred into a peace-time state by a range of demilitarisation activities. The situation in which IFOR was to execute the tasks was characterised by a large number of arms and land mines, illusive warlords, and a general absence of law and order.<sup>278</sup> Despite early evaluations in which the force was described as "eerily reminiscent of

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<sup>276</sup> Peace Implementation Council (1997b) *Declaration of the Peace Implementation Conference, 8-9 December 1997* (Office of the High Representative, Bonn), p. 5.

<sup>277</sup> Eide and Solli (1996), p. 12.

<sup>278</sup> Writing only a month after IFOR was deployed these were the challenges that Moore anticipated IFOR facing. Moore (1996b), p. 37.

the failed United Nations peace-keeping mission,”<sup>279</sup> the International Crisis Group reports that after six months IFOR had completed 80% of its mandate, leaving twenty exceedingly difficult percent.<sup>280</sup> A major remaining task was that of creating a situation in which trust and confidence among the former warring parties could grow. That included typical military tasks as well as supporting the civilian police monitors until indigenous political structures were in place.<sup>281</sup> In fact, confidence and demilitarisation are mutually dependent, in that two major activities demobilisation and disarmament are reliant upon an element of voluntariness while trust is simultaneously fostered through progress. As Schlotter points out, ending the fighting was a necessary but not sufficient precondition for consolidating peace.<sup>282</sup>

Although the purely military tasks could be regarded as impartial, one must keep in mind that even these activities had political implications. This is particularly true when those affected do not have access to the big picture that puts an individual act committed against them into perspective. Both when IFOR pursued security in the former conflict area and supported other agencies in their implementation of civilian provisions, the force executed a large degree of discretion. Discretion increased as time goes by and as the more clearly defined tasks were completed. The “hearts and minds activities,”<sup>283</sup> as Berdal refers to them, thus became more important in the course of the implementation process, as the military commanders’ role transformed into one of a good will ambassador and mediator.

## **5.1 Demilitarisation and Military Reform**

Demilitarisation had to be the first step in the implementation process, as it added to a “heightened sense of security”<sup>284</sup> and prepared the ground for long-term measures to preserve the peace. Once the initial disassembly of the war machine was concluded, the structures would have to be consolidated through military reform.

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<sup>279</sup> David Rohde (1996) “NATO’s Limits on Its Role in Bosnia Become a Target,” *Christian Science Monitor*, 16 February 1996.

<sup>280</sup> International Crisis Group (1996a) *Six Month Review* (ICG Bosnia Project Report, 13 June 1996).

<sup>281</sup> Woodward (1997), p. 99.

<sup>282</sup> Schlotter (1997), p. 2.

<sup>283</sup> Mats Berdal (1993) *Whither UN Peacekeeping?* (Adelphi Paper No. 281, International Institute for Strategic Studies, Oxford University Press: Oxford), p. 24.

### 5.1.1 Disarmament, Demobilisation, Reintegration

The immediate first step that in the case of Bosnia-Herzegovina was taken already before the signing of the agreement was the *establishment of a cease-fire*. Arguably, a number of cease-fire agreements were reached in the course of the war. This one may have survived because a more comprehensive settlement was reached shortly afterwards and because there was a momentary balance of power that arose from recent Bosnian Muslim successes and from the successful Croatian Krajina campaign. Once the peace agreement had been signed and as the implementation process progressed, 'supervising the cease-fire' translated into a more general mandate to suppress random violence throughout the country not just along the borderlines. At the same time, the transfer of territory and separation of forces served to consolidate the lines drawn in the cease-fire - which was by definition temporary - into permanent structures. The international recognition of these geographical boundaries was part of the Dayton Agreement in which any attack on the described borders was rendered a breach of international law. In this way, the agreement imposed a legal framework that enhanced the impression of impartiality and legitimacy by presupposing that since the Dayton Agreement had been accepted through signature, the borders established between the formerly warring parties had to be accepted likewise.

Both the *transfer of territory* and the *separation of forces* took place according to schedule and proceeded without any major incidents. Aside from the events that took place on the outskirts of Sarajevo, the separation of forces was completed by mid-January 1996, the transfer of territory by mid-March, and the transition of forces and weapons to approved sites by the end of June.<sup>285</sup> Despite the clear initial military success, SFOR continued to patrol the Zone of Separation (ZOS) - two years after the initial separation of forces. In addition, improving freedom of movement both within and between entities was a long-standing task for SFOR that in large part consisted of removing hundreds of checkpoints and roadblocks and of reconstructing and repairing roads and bridges.<sup>286</sup> As implementation progressed, ensuring freedom of movement steadily moved into the realm of the IPTF, as human rights violations and intimidation

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<sup>284</sup> Boutros Boutros-Ghali (1992) *An Agenda for Peace* (United Nations: New York, NY), p. 33.

<sup>285</sup> The major exception was of course the transfer of the Sarajevo suburbs into Federation hands in December of 1995 and the mass exodus of Serbs that was accompanied by looting, burning, and destruction, unmitigated by IFOR or IPTF presence. See for example, Schlotter (1997), p. 18.

<sup>286</sup> Steiner in Urban (1997), p. 40; Woodward (1997), p. 97.

– among others by the local police forces – formed the main obstacle to full freedom of movement. With respect to the practical problems of inter-entity traffic, the lack of freedom of movement was a serious problem in Bosnia-Herzegovina as it reinforced the separating tendencies that were implicit in the Dayton Agreement.<sup>287</sup>

The rapid separation of forces and IFOR and SFOR's complete success in preventing outbreaks of violence was a crucial achievement in the course of the implementation process. The force's accomplishments were sometimes discounted, but none of the later achievements in the military and the civilian components could have been obtained without the early military progress. In the same way, the fact that freedom of movement was largely guaranteed at the end of the period studied was a tangible achievement for the general population in the transition from war to peace.

The unresolved status of Brcko and the Posavina-corridor which both have great strategic value to both entities was an open sore in the complete success of territorial transfer.<sup>288</sup> Interestingly, the PIC later tied the outcome of the arbitration to the degree of compliance of the parties. There were however clear international legal concerns with respect to the ethical implications of such a move.<sup>289</sup> Brcko appeared to be a test case for an even more comprehensive engagement of the international community, in an attempt to establish the protectorship that was politically unacceptable to establish over Bosnia-Herzegovina as a whole. In Brcko a new media centre was opened, multi-ethnic institutions were established – such as the multi-ethnic police force, freedom of movement was pursued with more vigour, and SFOR took on the protection of returning refugees. Although criticism was directed at the authors of the Dayton Agreement that left the tricky territorial questions aside, developments seem to indicate that even hot spots, such as Brcko could be pacified with an iron international hand. And yet, the opposite was also true. The delicate balance of local self-sufficiency and sustained outside engagement was in danger of tipping in the 'wrong' direction, where tensions were merely being suppressed until the international community retreated.

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<sup>287</sup> Schlotter (1997), p. 20.

<sup>288</sup> Brcko is a traffic hub with the largest inland port and is the connection between the industrial regions around Tuzla and Croatia. Schlotter (1997), p. 18.

<sup>289</sup> In the same way, in most democracies confessions obtained by the police through the threat of violence or promise of benefits are considered invalid and are inadmissible in a court of law.

**Box 5.1: Brcko**

Brcko appeared to be a test case for an even more comprehensive engagement of the international community, in an attempt to establish the protectorship that was impossible to establish over Bosnia-Herzegovina as a whole. More than anywhere else in Bosnia-Herzegovina the international community exercised pressure to achieve true multi-ethnic integration in various institutions. It almost appeared as if the international community wished to spite those that declared that the unresolved issue of Brcko would break the back of the peace process.

When the Dayton Agreement called for all foreign troops to be withdrawn, the demand covered all those forces that were on the scene in support of the armies of the three Bosnian factions, such as “advisors, freedom fighters, trainers, volunteers and personnel from neighbouring and other states.”<sup>290</sup> As the official Serb perspective on the war had been the need for the army of the Federal Republic of Yugoslavia to assist the Bosnian Serbs in the struggle against their oppressors and to prevent the secession of Bosnia-Herzegovina, a significant number of Serbs proper were present in Bosnia-Herzegovina. Further, Croatia openly supported the Bosnian Croats. In addition, the Bosnian Muslims were supported by a few thousand Mujahideen that had arrived from Arab countries, Afghanistan, and Iran.<sup>291</sup> In part, this was because the sanctions barred any delivery of arms to the warring parties. Therefore, countries desirous to assist the Bosnian Muslims circumvented the sanctions by sending reinforcements that arrived in Bosnia with a few weapons in their personal possession. All foreign forces were officially withdrawn by the deadline of January 31, 1996, although NATO admitted to some unorganised individuals that remained.<sup>292</sup>

There was disagreement about how many of the Mujahideen married locally, became Bosnian citizens and stayed, and how many left shortly after the end of the war, but a likely figure is about 150-200.<sup>293</sup> Those that did stay tried to gain support for a more fundamentalist brand of Islam. Their efforts fell on fertile ground due to the general disappointment with the scepticism displayed by the West and were silently condoned by the Muslim authorities which sought to solidify their basis of

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<sup>290</sup> Leurdijk (1996), p. 111.

<sup>291</sup> The reported number of Mujahideen differs widely in different sources. Tibi suggests approximately four thousand. Tibi (1997), p. 26.

<sup>292</sup> Leurdijk (1996), p. 111.

<sup>293</sup> Tibi for one claims that very few have left. Tibi (1997), p. 27.

power by strengthening the sense of ethnic community.<sup>294</sup> Still, there was a tendency to exaggerate the Mujahideen-factor in the war and in the subsequent reconstruction phase. This was due to a lack of familiarity with Muslim cultural background among large parts of both IFOR and SFOR. It is unlikely that the more fundamentalist Muslims were particularly well-received in the mostly secular Bosnia, aside from the general religious radicalisation that marked all three factions in the wake of the war.

Similarly, it was unclear if all Serbian and Croatian supporters left or some were assimilated into local political positions of power. The International Crisis Group argues that armed units that were wholly financed by Croatia and the FRY persisted and that they should be classified as foreign forces. Close military co-operation between the neighbouring states and their ethnic brothers and sisters within Bosnia-Herzegovina also begged the question of how independent the armed forces in Bosnia were.

Withdrawal and demobilisation were particularly important with regard to legitimacy and confidence, as the peace process was likely to be considered more legitimate when there were fewer disturbing influences from 'outside' and the process was regarded to a greater degree as home-grown. This may have been less applicable to the Bosnian Croats and the Bosnian Serbs, where there was a greater identification with the supporting external powers, i.e. Serbia and Croatia proper. For the largely secular Bosnian Muslims – for lack of a better term, the brothers-in-arms came from further afield and were considered more of a foreign element.

To a large extent, *disarmament* proceeded as planned, although – similar to other early military successes – monitoring compliance through site inspections and confiscation of weapons continued. In spite of a controversy about numbers which delayed the withdrawal of heavy weapons from the zone of separation, the withdrawal of forces from the zone and from transferred territories was completed on time.<sup>295</sup> Another issue of contention was that the location of stock piles which were placed in a way that they were inaccessible as targets for any IFOR destruction attempts, but easily accessible in case of renewed fighting. Similarly many private individuals chose to bury weapons in their own backyards rather than surrender them to the authorities.

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<sup>294</sup> Tibi (1997), p. 27.

<sup>295</sup> International Crisis Group (1996a).

And yet, joint actions undertaken by SFOR and the IPTF, such as at the police station at Banja Luka, demonstrate their ability to be tough when necessary and – without violence – confiscate illegal weapons.<sup>296</sup> Aside from the practical necessity of disarmament, the reduction and control of the number and types of weapons was a crucial confidence-building measure. Not only did one curb specific attempts to abuse human rights, but disarmament simply resulted in an enhanced sense of security among the general population. The occupation of the police station in Banja Luka in August 1997 is a case in point for the need for impartiality. Also with regard to disarmament, it was essential that the weakening of the opposing sides took place evenly and that the force of SFOR was available to and would respond to concerns from all sides, including requests from Bosnian Serbs, such as from both President Biljana Plavšić and member of the Presidency Momcilo Krajišnik.

Following an Entity initiative supported by SFOR, an amnesty for the collection of illegal weapons in private hands, covering mines, ordinance, and warlike material, was declared by the Standing Committee on Military Matters in February 1998. The execution of the amnesty is in the hands of the Entity armed and police forces and will be monitored by SFOR.<sup>297</sup> The disarmament process was difficult to assess, as the number of hidden small arms was unclear. The amnesty both took advantage of the increase in confidence and was a confidence-building measure in itself. The degree to which the population was indeed willing to relinquish their weapons and trust the local police with their personal security was an indicator of the extent to which the people believed in the viability of the peace process.<sup>298</sup>

*Reintegration* was the greatest challenge in the process from disarmament to demobilisation and reintegration, as it was the least controllable and to a large degree depended on non-security factors, such as the reconstruction of the economy. Woodward warned of a vicious circle in that reintegration presupposed a working economy and a working economy was contingent upon reintegration.<sup>299</sup> One year into the implementation of the Dayton Agreement, it was estimated that there were approximately 250,000 demobilised soldiers with no money, no clothes other than the

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<sup>296</sup> The NATO spokesman was keen to emphasise the non-use of force in that particular action. *BBC News Hour*, BBC World Service, 17 August 1997.

<sup>297</sup> Peace Implementation Council (1997b), p. 25; *OHR Bulletin*, 23 February 1998.

<sup>298</sup> The Amnesty brought almost instant results with mines, ammunition, and explosives being handed in already within the first six weeks of the amnesty being declared.

<sup>299</sup> Woodward (1996), p. 36, 38.

uniform they were wearing, and no social or economic net to break their fall.<sup>300</sup> Unless checked, the danger that arose from demobilisation without a concomitant reintegration process would increase in the course of the peace process. Former combatants were likely to regard the initial post-conflict stage as transitional and have expectations as to their future reintegration into society and the work force. With limited economic progress and high unemployment rates three years after the Dayton Agreement, peace appeared less of an opportunity and more of disappointment and frustration. The subsequent restlessness among demobilised soldiers should not be underestimated as a destabilising factor. Coupled with both the occupation and the income that criminal activity could provide, there was a significant danger of tensions becoming self-sustaining.

Demobilisation revealed a discrepancy between internal and external views of former combatants. Whereas they were considered war heroes among much of the local population, the same men were branded war criminals in the eyes of the international community – until proven innocent. Confidence-building was very much a question of convincing people that there was a future and a future in which non-violent means could bring about desired results. Simultaneously, for onlookers the demobilisation of former combatants symbolised the end of open hostilities, the referral to non-violent means of conflict management, and the transformation of the war machine into a reduced peace time organisation. Where reintegration was connected to repatriation, it was part of UNHCR's mandate which was difficult to fulfil throughout due to a lack of co-operation from the parties. Despite difficulties of reintegration, demobilisation was significant in that it was the first step towards military reform and symbolised that the war was indeed over.

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<sup>300</sup> Lezzi (1996), p. 53, Calic (1996a), p. 9.

**Box 5.2: Demilitarisation**

The situation in which IFOR was to execute the tasks was characterised by a large number of arms and land mines, illusive warlords, and a general absence of law and order.

The rapid separation of forces and IFOR/SFOR's complete success in preventing outbreaks of violence was a crucial achievement in the course of the implementation process. The force's accomplishments were sometimes discounted, but none of the later achievements in the military and the civilian components could have been obtained without the early military progress.

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### 5.1.2 Military Reform

The security reform necessary for military forces was primarily a matter of transforming the war machine into a peace time organisation. Military reform in Bosnia-Herzegovina incorporated the following inter-linked processes: (1) a reorganisation process, i.e. general force reduction and integration into a joint Federation force; (2) a vetting process in which the military force was purged of unwanted elements; (3) a re-education process that aimed at promoting multi-ethnic coexistence; and (4) the process of placing the military under civilian control. As the training component of the Train and Equip programme contributed to several of the military reform processes, its role will be discussed at the end of the current section.

(1) *Reorganisation* : The aim of reorganising the three armies was to transfer them from a highly mobilised and high readiness state to a viable peace-time organisation. Such a reform of military structure and staffing was absolutely necessary for a transition to lasting peace and was demanded in the Dayton Agreement. In addition, the agreement placed limitations on where forces could be

stationed and could move to via the CSBMs negotiated in the Vienna Agreement (see Section 5.1.3).<sup>301</sup> In the Federation, the separate Bosnian Croat and Bosnian Muslim armies were to be merged into a joint military force with a Federation Defence Ministry, Joint Command, and Joint Staff.<sup>302</sup> Although the climate among military officers of both ethnic groups was much improved in late 1997, actual integration was virtually non-existent and the Federation remained incapable of conducting joint operations. Instead, “Bosnia still effectively has three military forces representing the three recent wartime protagonists.”<sup>303</sup>

As part of the demobilisation and force reduction process, the separation of military and police forces took place in the early days of the implementation process. In this effort, the military force was reduced by in effect transferring a number of former combatants into the police force. This was almost inevitable in a society emerging from war where the majority of the male population was part of the military forces, but merely transposed the reduction problem into the sphere of civilian security and the establishment of local police forces. Final reduction numbers for the military forces within Bosnia-Herzegovina, as well as the Croatian and Serb military forces were agreed upon by the parties within the framework of the arms control negotiations and were complied with by the October 1997 deadline.<sup>304</sup> Despite some progress in this area, military spending remained high, diverting funds from other peace implementation efforts, such as reconstruction.<sup>305</sup> In late 1998, it was clear that the maintenance of a force as large as that in the Federation would not be sustainable in the long run and further reductions would have to take place.

(2) *Vetting*: Monitoring human rights in the armed forces was a clear gap in accountability, which IFOR was later called upon to fill by putting their doctrines and guidelines into practice and taking on a monitoring function. In this context, it was suggested that IFOR receive powers of investigation similar to those of the IPTF

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<sup>301</sup> Lezzi (1996), p. 50.

<sup>302</sup> Serwer (1996), p. 3. The difficulties in merging the two forces was exemplified by the fact that until the official dissolution of Herceg-Bosna on 31 August 1996, the Bosnian Croats insisted on retaining their own Minister of Defence. Lezzi (1996), p. 53.

<sup>303</sup> International Crisis Group (1998b) *Whither Bosnia?* (ICG Bosnia Project Report, 9 September 1998; <http://www.crisisweb.org/projects/bosnia/reports/bh39rep.htm>), p. 1.

<sup>304</sup> In “politically binding pledges” the FRY agreed to a force level of 125,000 which was a significant decrease from its size in late 1995. Croatia would reduce from 80,000 to 65,000, the Republika Srpska from 80,000 to 56,000, and the Bosnian Federation from 150,000 to 50,000. McCausland (1997), p. 22; International Crisis Group (1997c).

through agreements with the Bosnian military forces.<sup>306</sup> The Dayton Agreement clearly demanded that indicted war criminals be removed from office. In practice, however, the list of *indicted* war criminals was relatively short, in comparison to the group of officers and others that may have been guilty of minor war crimes and should therefore be a target for vetting. With extensive demobilisation the force would automatically be rid of a number of undesirables, but the process would not be systematic. A more structured vetting of the officer corps therefore had to involve long-term investigation and examination processes.

(3) *Re-education*: In late 1998, SFOR was engaged in monitoring training and movement activities by the two entity armies. The Dayton Agreement set strict guidelines for the development of new doctrines that covered a wide range of issues, with particular emphasis on multi-ethnic coexistence and non-violent conflict management mechanisms. Both within the Federation and between the Entities relations among officers were improving. Military staff from both entities was invited to international security courses conducted by NATO for Bosnian military and civilian defence officials, including staff from the Standing Committee on Military Matters (SCMM).<sup>307</sup> A limited number of officers participated in these courses in Germany beginning in the Summer of 1997 which covered issues such as European security structures and international organisations and were supplemented by NATO's regularly scheduled "European Security Co-operation Course."<sup>308</sup> They revealed the professional approach characteristic of military officers of all ethnic groups. As a Bosnian Muslim officer remarked, "[w]hen our leaders tell us fight, we fight. When they tell us to work together, we work together."<sup>309</sup> Generally, the officers of different ethnic groups had little exposure to one another, even in the Federation, where the force structure was not ethnically integrated below the battalion level.

(4) *Civilian Control*: Various declarations of loyalty or, in contrast, lack of allegiance to the political leadership bore witness to the difficulties in placing the military under civilian control. In a war situation where military commanders made

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<sup>305</sup> Peace Implementation Council (1997a) *Political Declaration from the Ministerial Meeting of the Steering Board of the Peace Implementation Council* (Office of the High Representative: Sintra, 30 May 1997), para. 15.

<sup>306</sup> International Crisis Group (1996a).

<sup>307</sup> Gregory L. Schulte (1997b) "Securing the Peace in Bosnia and Herzegovina" (Presentation at the Seminar on *Co-operation Among International Organizations and Institutions: Experiences in Bosnia and Herzegovina*, 29-30 September 1997).

<sup>308</sup> NATO Press Release (97)46, 28 April 1997.

<sup>309</sup> Quoted in Woodard (1997).

decisions on life and death, they would be hard pressed to simply submit to political leaders that had agreed to an outcome in the peace agreement that might not be militarily not acceptable. At the same time, military leaders rightfully have a disproportionately larger say in political affairs in an immediate post-conflict situation due to the instability of the surroundings.<sup>310</sup> A sharpened sense of the security needs lead political power-holders to maintain the military's inflated position until they can be sure that their security needs are met. In Bosnia-Herzegovina, the struggle for establishing and maintaining civilian control was also undermined by the widespread transfer of former military officers into civilian positions of power. Still, the Defence Law of the Federation included the political neutrality of the force as one of its commitments.<sup>311</sup>

A major step towards the establishment of civilian control was taken with the activation of the Standing Committee on Military Matters (SCMM) which had its first full meeting in September of 1997. In order to improve co-ordination among local authorities, in May of 1997 the Peace Implementation Council (PIC) urged that the Standing Committee on Military Matters designed in the Dayton Agreement be activated as the central body for co-operation, emphasising that it could serve as a channel of communication with the international community and ensure that Bosnia-Herzegovina find its place within the European security structure.<sup>312</sup> The SCMM was the constitutional mechanism through which the Presidency co-ordinated military activities and institutionalised the Presidency members' civilian command authority over the armed forces. By late 1998, both Bosnian political and military leaders from all ethnic groups were present at the meetings, as well as representatives from SFOR and the OSCE. It provided a way to encourage transparency between the entity armies, build mutual confidence and create a basis for future co-operation. The SCMM was also intended to be the major focal point in future arms control negotiations, in particular those negotiations in which the interests of Bosnia-Herzegovina as a whole were to be represented.<sup>313</sup>

A fundamental problem with civilian control over the military forces was the dysfunctional political superstructure established in the Dayton Agreement. Separating defence and foreign policy and placing the former into entity and the latter

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<sup>310</sup> Lezzi (1996), p. 53.

<sup>311</sup> Lezzi (1996), p. 51.

<sup>312</sup> Peace Implementation Council (1997a), para. 11.

into federal hands was bound to entail substantial discontinuity and friction. Moreover, the Bosnian-Croat armed forces (HVO) and the Bosnian Serb army (VRS) were heavily influenced by neighbouring capitals. All in all, neither structure nor content pointed to a fruitful starting-point for co-operation.<sup>314</sup>

The Federation force was paid particular attention through the US-sponsored Train and Equip programme that officially aimed at establishing a military balance and at promoting the merger of the Bosnian Croat and Bosnian Muslim armed forces by restructuring and re-equipping the newly-formed Federation force.<sup>315</sup> The programme underwent some change since its inception in 1994, having been conceived of as a way to circumvent the arms embargo. The Train and Equip programme then officially began in September 1996 with a 13-month contract to MPRI. In 1998, the focus increasingly shifted away from the equipment element to the long-term benefits of training.

The downside of the programme was that it served the military build-up of the Federation in the face of the Bosnian Serb military and at times severely undermined the confidence-building and rapprochement process between the two entities. Furthermore, commentators frequently claimed that Train and Equip was a badly disguised preparation for renewed war after the departure of the international community's military presence. In a more positive light, the programme aimed at assisting the establishment of new educational, training, and selection procedures that reflected altered doctrines and security perceptions. In particular, it hoped to accelerate the integration of Bosniac and Bosnian Croat forces to a joint force. The depiction of the programme as an incitement and preparation for renewed conflict was not the whole truth. In fact, the training component actually aimed at "creat[ing] a coherent military establishment that has a monopoly on, and effective civilian control over, the use of military force."<sup>316</sup> The aim was to consolidate joint institutions and promote co-operation between the two ethnic groups. This was clearly no easy task, given the overall record of Croat-Muslim relations in the Federation, but co-operation

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<sup>313</sup> Peace Implementation Council (1997b), p. 24.

<sup>314</sup> Lezzi (1996), p. 52f.

<sup>315</sup> As of late 1997, the programme had cost US\$400 million and MPRI's contract was extended until September 1998.

<sup>316</sup> International Crisis Group (1997c). The ICG quotes official news releases which describe the aim of the Train and Equip programme's training component as assisting the Federation Army to become "a self-sufficient and fully operable force capable of providing security for the Federation and stability for the region by attaining minimum levels of combat effectiveness and readiness."

among officers initially appeared to be growing.<sup>317</sup> In the end however, the programme was wholly unsuccessful in integrating the two forces and its most redeeming qualities must therefore be regarded as somewhat irrelevant. In 1997, it was suggested that the Train and Equip programme be extended to the Republika Srpska, in an effort to increase confidence and transparency. The Republika Srpska responded by acquiescing to arms deliveries, but claimed not to require the training component of the programme.<sup>318</sup>

Three years after the Dayton Agreement it did not appear to be the military establishment that was the major obstacle in the peace process. Despite the fact that practical co-operation in the shape of joint exercises was modest, a clear shift in attitude towards co-operation with the other ethnic groups had taken place. The fact that the military officers were perhaps more co-operative than expected did not diminish the relevance of the military reform process in the course of implementation. Military reform was a long-term process whose outcome was uncertain. Thus, while restructuring was completed and force reductions decided upon, the reconciliation process was ongoing and depended on the success of confidence-building and stability. What is clear is that the international community, or more specifically the doctrinal and training assistance provided by IFOR/SFOR, played a critical role as a catalyst and bridge-builder, by providing a neutral setting for rapprochement and impartial 'observers' to the reform process. The presence of an external military force, i.e. SFOR, was a moderating factor that diffused minor tensions and prevented them from escalating and thus enabled continued improvement of relations among the three ethnic groups and their respective military forces.

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<sup>317</sup> Woodard (1997).

<sup>318</sup> International Crisis Group (1997c).

**Box 5.3: Military Reform**

**Reorganisation:** The aim of reorganising the three armies was to transfer them from a highly mobilised and high readiness state to a viable peacetime organisation. In the effort to merge the forces within the Federation, the climate among military officers of both ethnic groups improved, but actual integration was virtually non-existent and the Federation remained incapable of conducting joint operations. Despite some progress in the area of force reduction and reorganisation, military spending remained high and funds continued to be diverted from other peace implementation efforts, such as reconstruction.

**Vetting:** With extensive demobilisation the force would automatically be rid of a number of war criminals and other unqualified staff, but the process was not systematic. A more structured vetting of the officer corps involved long-term investigation and examination processes.

**Reeducation:** Although contact among officers of different ethnic groups was limited, military officers displayed a professional attitude and openness towards multi-ethnic co-operation.

**Civilian Control:** The SCMM was activated in September 1997, as the constitutional mechanism through which the Presidency controls the armed forces. It was effective in promoting transparency and confidence and served as a forum for co-operation across entity borders. Still, it remained subordinate to the political climate more generally. As a result, progress in decision-making was limited.

The aim of the training component of the **Train and Equip** programme of creating a “coherent military establishment” in the Federation was not fulfilled. Still the programme contributed to increased transparency between Bosnian Muslims and Bosnian Croats.

### 5.1.3 Arms Limitations Negotiations and Regional Security

A major step towards fulfilling the parties’ security needs lay in reaching an agreement on long-term regional security structure and co-operation.<sup>319</sup> The goal of the arms negotiations was to establish a long-term security framework which in turn had to be designed to “prevent perception of security vacuum [...]; promote confidence and cooperation [...]; integrate Bosnia in [the] Euro-Atlantic community, including its arms control and security structures.” The arms control regime was therefore to be part of a broader regional strategy that aimed at drawing Bosnia-Herzegovina closer into European structures and giving them a stake in peace and

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<sup>319</sup> Annex IB *Agreement on Regional Stabilization*, Article I.

stability.<sup>320</sup> This was reflected by the three levels of arms control in the Dayton Agreement between entities; between Bosnia-Herzegovina, Croatia, and FRY; and in a wider regional context including states such as Slovenia, Bulgaria, Austria, and Turkey.<sup>321</sup> Preisinger suggests that the wider regional agreement would also serve to secure agreement within the Contact Group.<sup>322</sup> In a similar vein, the Peace Implementation Council pointed to the benefits of a comprehensive approach and stressed that the more participants there were, the better the outcome for regional stability and security would be.<sup>323</sup> The approach of the international community resembled traditional thinking on European integration: concentric circles that had relations between Bosnia-Herzegovina, Croatia, and FRY as a centre, then had the cloak of European security around the centre, and finally, membership in the global community, i.e. the UN, as the outermost circle. Although co-operation in the Balkans could only be generated from within the countries in the region, the spill-over effects in the wider region, including Turkey, Greece, and Bulgaria that responded to the call for greater transparency and co-operation, were undeniable.<sup>324</sup>

The task of negotiating arms limitations to enhance regional security increased in importance with the gradual reduction of the international military presence.<sup>325</sup> Regional co-operation and integration were desired outcomes as long as they did not go too far and threaten the sovereignty and territorial integrity of Bosnia-Herzegovina.<sup>326</sup> In the same way, too close ties or 'security co-operation' with neighbouring Serbia and Croatia was discouraged and made subject to political control in the Dayton Agreement. The International Committee underlined the mutual dependence in the region and the necessity to promote democratic processes in Croatia and Serbia in order to shore up under the fragile stability in Bosnia-Herzegovina.<sup>327</sup> Although Dayton allowed for agreements on special relations with Bosnia's neighbouring states, the agreements reached early on were not consistent with the constitution of Bosnia-Herzegovina.

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<sup>320</sup> Schulte (1997b).

<sup>321</sup> McCausland (1997), p. 18. This is also the starting-point for the Stability Pact for South Eastern Europe, launched in June 1999 under the auspices of the European Union.

<sup>322</sup> Preisinger (1997), p. 32.

<sup>323</sup> Peace Implementation Council (1997b), p. 23.

<sup>324</sup> International Commission on the Balkans (1997) *Declaration of the International Commission on the Balkans* (6 August 1997, The Aspen Institute: Aspen, Colorado), p. 5-6.

<sup>325</sup> Peace Implementation Council (1997a), para. 9.

<sup>326</sup> Peace Implementation Council (1997a), para. 17-19.

<sup>327</sup> International Commission (1997), p. 4.

An agreement on confidence and security building measures (CSBMs) under Art. II was reached early on in January of 1996. Its main objective was transparency as a precondition for successful confidence-building. At the time of signing, the so-called Vienna Agreement comprised fifteen measures, including among others exchange of military information, deployment restrictions and exercises in certain geographic areas, notification of the disbandment of special operations forces, and a programme of military contacts and co-operation. Compliance was smooth and the agreement was added to throughout the arms control negotiations. It was the first major step towards military stability in Bosnia-Herzegovina and it is impressive that there was sufficient confidence to reach the agreement only a few weeks after the Dayton Agreement.<sup>328</sup>

In contrast to the Art. II agreement, negotiations on Art. IV limitations were much harder and proceeded more slowly.<sup>329</sup> As is usually the case with negotiations among parties that do not trust each other, the regional security negotiations under the auspices of the OSCE were often tedious and characterised by the parties holding back information, misinforming, or presenting half-truths. As accurate information was a key to assessing military power relationships and balances, the lack of co-operation by the parties in that respect severely hampered progress. The agreement that was reached in June 1996 was very similar to the CFE framework. As the parties were unable to agree on new force levels, one had to resort to the default ratios of 5:2:2 set by the Dayton Agreement.<sup>330</sup> The Florence Agreement covered tanks, artillery larger than 75mm, armoured combat vehicles, as well as combat air-crafts and helicopters.

The Dayton Agreement did not specify goals for a future sustainable security level, but simply called for negotiations to regulate the arms flow and level. This is an example of an issue that was consciously left out of the primary negotiations towards Dayton, as it was a typical problem that had to evolve with the confidence-building process in the post-conflict period. Similarly, McCausland underlines that arms control negotiations are an intensely political process in which all gains and

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<sup>328</sup> Heinz Vetschera (1996) "Vertrauens- und Sicherheitsbildende Maßnahmen im Rahmen der OSZE," in Calic (1996b), p. 72.

<sup>329</sup> McCausland (1997), p. 20.

<sup>330</sup> McCausland (1997), p. 21. The ratio awards a share of two each to FRY and to Croatia and a share of five to Bosnia-Herzegovina which is again sub-divided into three for the Federation and two for the Republika Srpska.

concessions have implications for foreign policy.<sup>331</sup> In spite of two stabilisation agreements that were concluded under the auspices of the OSCE and were being implemented, reductions of heavy weapons were insufficient and needed to be accelerated. According to the Bonn Declaration of the Peace Implementation Council, implementation was proceeding well, but the need for a continued development towards transparency and stability remained.<sup>332</sup> A complicating factor was of course that foreign and defence policy were conducted at two different levels. Whereas foreign policy was conducted by the Bosnian Presidency, defence issues were the prerogative of the Entities.

By January of 1997, both the FRY and Croatia had met their reduction requirements, while the Republika Srpska and the Federation had not. Whereas the Republika Srpska had at least produced a plan for reduction though it had not yet been implemented, the Federation had not even set up a plan for reduction at that time. The difficulties in the Republika Srpska were largely due to technical issues and their insistence that part of their “destruction liability” should be excluded. In part, the Bosnian Serb attempt to minimise actual reductions was due to their dissatisfaction with the assistance forthcoming to the Federation through the Train and Equip programme. In the Federation the problems were due to discord in Croat-Muslim relations and disagreement on who among the Federation partners owned which equipment.<sup>333</sup> As became apparent in the Section 5.1.2, any future progress would be conditioned by the level of co-operation between the two groups and their military staff.<sup>334</sup> All four parties, that is FRY, Croatia, Republika Srpska and the Federation, had met their reduction liabilities by the October 31, 1997 deadline. In fact, the total reductions went beyond those required by the agreement with the former three arriving at or close to their ceilings and the Federation, that due to its lower starting-point had very few reductions to make, substantially below its limit.

Despite the progress in implementation a major limitation of success was the fact that the agreements excluded many of those weapons that played a major role in the war. An early assessment of the agreement’s potential weaknesses pointed to the absence of provisions for an enforcement mechanism to ensure compliance within the set fourteen month period. In simply adopting the CFE framework, one had neglected

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<sup>331</sup> McCausland (1997), p. 19.

<sup>332</sup> Peace Implementation Council (1997b), p. 23.

<sup>333</sup> International Crisis Group (1997c).

the fact that the arms control agreements of the end of the Cold War came about in a climate of co-operation and that the parties in Bosnia-Herzegovina might not be equally prepared to comply. Furthermore, the CFE signatories were allowed two years for ratification and three years for implementation, in contrast to the joint implementation period of 16 months set for FRY, Croatia, and Bosnia-Herzegovina. Throughout the reduction process funding was a major concern. The parties claimed that they were unable to pay for the required reductions. The international community – with the exception of the United States which made significant funds available – was long trapped by their reluctance to finance direct security measures.<sup>335</sup> In mid-1997, however, the European Union made a contribution to the Republika Srpska that reactivated the destruction process. The financial aspect also meant that the high levels of military expenditure in the Federation and the Republika Srpska would continue to tie up large funds that thus could not be directed towards economic recovery and reconstruction.<sup>336</sup>

SFOR actively supported the OSCE in the execution of their tasks by providing information and data on holdings and logistical support to the removal of weapons to reduction sites. The exchange of information was not always straightforward due to the fact that SFOR's and the OSCE's counts were not necessarily comparable. In addition, the parties themselves often did not have sufficient insight into the types and numbers of weapons in their holdings and were thus unable to provide accurate information. SFOR was further used to force compliance by threatening bans on access to equipment in cantonment sites and on training exercises. Throughout the force retained control over training and troop movements and assisted the OSCE with weapon counts. Throughout 1998, inspections took place on a weekly basis and the OSCE trained inspections teams "from all countries."<sup>337</sup>

In late 1998, the fear of a dangerous strengthening of the Federation appeared to be unfounded. Even though the weapons provided through Train and Equip were "superior in quality and condition to most of the Bosnia Serb arsenal," the Bosnian Serbs continued to outgun the Federation by a long shot. The International Crisis Group described the Federation Army as having "no air force, very little air defence,

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<sup>334</sup> Peace Implementation Council (1997a), para. 12-15; McCausland (1997), p. 23f.

<sup>335</sup> McCausland (1997), p. 24f.

<sup>336</sup> Peace Implementation Council (1997b), p. 24.

limited mobility and insufficient logistical capability to sustain an operation beyond two or three days.” Moreover, the arms now in the Federation’s possession were still well below the limits set by the Florence Agreement and all new deliveries were reported to IFOR/SFOR who monitored the location and deployment of the equipment.<sup>338</sup>

In late 1998, tensions in the region rose significantly with the gradually worsening situation in Kosovo. Although the situation was understandably not conducive to reaching an agreement on regional stability, it clearly underscored the necessity of such an agreement.

All in all, the arms control process was successful in establishing an arms control regime in the region and in enforcing it. Although both the OSCE and SFOR admitted that the existence of undeclared weapons was very likely, these arms were not estimated to be in good working order. Further, one came to realise that the material component was but one of many factors that play into a country’s war readiness and fighting capability. Other factors, such as morale, economic resources, and politics, would be more decisive in starting a war than mere military capability.<sup>339</sup> Similarly, in addition to the tangible reductions in weapons and manpower, the agreements and the negotiation process led to increased transparency and, as a result, to relieved tensions and greater understanding among the parties. As in military reform the success of the arms control regime could only be ascertained in the long run, when parties would decide not to increase their holdings and mobilise in a moment of crisis, but instead enter into negotiations. And yet, it became clear throughout the negotiations that talks without the mediating and moderating influence of the OSCE and the international community would have been unfeasible and that compliance without international pressure would not have occurred. It is therefore far from certain that the parties in that moment of crisis would indeed resort to talks or to the easier option of a military response.

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<sup>337</sup> McCausland (1997), p. 20.

<sup>338</sup> Woodard (1997); International Crisis Group (1997c); Leurdijk (1996), p. 115.

<sup>339</sup> International Crisis Group (1997c).

**Box 5.4: Arms Control and Regional Stability**

**CSBMs:** Vienna Agreement reached in January 1996, compliance ongoing.

**Arms reductions:** Florence Agreement reached in June 1996, full compliance by deadline (31 October 1997).

**Regional integration:** Negotiations were ongoing in late 1998. Although an agreement seemed distant at the time, the dialogue in itself was beneficial to the peace process.

The need to establish self-sustaining security co-operation within Bosnia-Herzegovina and in the wider region would become more important with the gradual withdrawal of the third-party military presence. Thus, the ongoing CSBMs served transparency and increased confidence among the parties; the arms and personnel reductions established clearly defined and visible force levels; and placed all parties under equal constraints.

Given the fact that arms control was never built into a peace agreement before and that prior international arms control regimes came about in an atmosphere of compromise rather than in the immediate aftermath of a war, the agreements and the full compliance – even in excess of the reductions agreed upon – were impressive.

The international community facilitated the dialogue and acted as an independent arbitrator in contentions. There are factors other than military capabilities that will be of at least equal importance with respect to triggering a return to fighting, but open talks on armament levels were essential to building confidence and consolidating the peace process. Without international security assistance in this area, progress would not have come about.

## 5.2 Law and Order

The inclusion of law and order as a substantial component of international security assistance reflects the changing nature of security and security threats.<sup>340</sup> Typical of post-civil war societies, the initial threat of open war in Bosnia-Herzegovina soon passed and transformed into a threat to individual security through human rights violations, crime, and disagreements on property.<sup>341</sup> The importance of trustworthy local police forces cannot be overestimated. At its meeting in November 1996, the Peace Implementation Council stressed that building an independent judiciary and

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<sup>340</sup> Eide and Solli (1996), p. 17.

democratic police had to be a major focus and one of the key tasks in peace implementation.<sup>342</sup> It reinforced its conviction in December 1997, when the PIC suggested that more emphasis be placed on IPTF's capacity "to train Bosnian police to address more effectively key public security issues, such as refugee returns, organised crime, drugs, corruption, and terrorism." By late 1998, focus had shifted to include judicial reform and the PIC identified the consolidation of the rule of law as a key priority in its Madrid Declaration.<sup>343</sup>

### 5.2.1 IPTF: Composition and Mandate

IPTF initially aimed at a force strength of approximately fifteen hundred, but gradually increased its staff to 2,027 monitors from 33 countries as of March 1998, 120 of which were specifically charged with monitoring human rights violations by the UN Security Council.<sup>344</sup> On different occasions, such as during elections or in the forefront of the arbitration decision in Brcko, IPTF was temporarily expanded to meet the potential heightened security challenges. Unfortunately, there was a widely diverging level of quality of staff among the seconded police officers, many of whom failed basic testing of language and driving skills. As the credibility of IPTF derived from the quality of its staff members, selection procedures were crucial. Despite the fact that multi-nationality was certainly a strength of the force and should continue to be emphasised, the disparate capabilities weakened IPTF. After initial problems, however, many of these bumps were evened out and more strict selection criteria applied. Further, IPTF attempted to exploit the strengths of certain national contingents and to weaken the impact of low standards of other police officers. As UNCivPol regularly points out, in contrast to the availability of military forces, few countries have excess police officers waiting to be deployed. And even though international evaluation groups underlined that the operational effectiveness was impaired, due to the fact that full equipment arrived long after the UN police force

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<sup>341</sup> Calic (1996a), p. 20.

<sup>342</sup> Schlotter (1997), p. 33.

<sup>343</sup> Peace Implementation Council (1998b) *Declaration of the Peace Implementation Council Madrid, 16 December 1998* (Office of the High Representative: Madrid), 12.1.

<sup>344</sup> Number of international police in Bosnia and Herzegovina as of September 1997 obtained from UNCivPol. Security Council authorisation cited in Peace Implementation Council (1997a), para. 54.

did,<sup>345</sup> the problem for IPTF was not one of financing or resources and equipment, but simply of finding sufficient numbers of high quality staff.<sup>346</sup>

A peace implementation operation consists of walking a thin line between effective monitoring and continued local co-operation. This was true of IFOR/SFOR but much more so of IPTF with no enforcement mandate or capability. Their reliance on the local police forces' willingness to co-operate must be kept in mind when assessing proposals for an extended range of tasks for IPTF. Given IPTF's supervisory mandate, NATO had the effective monopoly on internal use of force.<sup>347</sup> IPTF's mandate reflected a basic policy decision at UN headquarters that an actual policing function by an international police force would merely relieve parties of their responsibility and run into practical problems in the actual prosecution and sentencing of the arrested criminals. Legitimacy and credibility were also always tied to the time commitment of the outside involvement and the civilian police monitors would not be served by an excessive mandate.

The key to IPTF's effectiveness was the co-ordination with IFOR and particularly with SFOR. Ironically, while promoting the clear distinction between local civilian and military security forces in Bosnia-Herzegovina, the international community relied on the co-operation between the two and on military support in grey zones of police activity to achieve the goals set for its security assistance. The fear that calling in military support might escalate rather than defuse a tense situation,<sup>348</sup> appeared to have been unfounded. In practice, SFOR provided IPTF with technical assistance on checkpoints and with information, surveillance and physical protection. Thus, the police and the military force could not be viewed in isolation from each other as they worked hand in hand to improve the overall security environment. Naturally, this also implied that IPTF's credibility could be considerably undermined, should SFOR at any point in the future decide to provide less backing in a security situation where the need to apply pressure was still prevalent. Although the challenge of developing a close working relationship with IFOR at senior levels was met early on, among other implementation agencies, IPTF was placed below IFOR, UNHCR,

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<sup>345</sup> International Crisis Group (1996b) *The International Police Task Force (IPTF)* (ICG Bosnia Project Report, 19 March 1996).

<sup>346</sup> Bureau of Public Affairs (1996) *Implementing the Dayton Peace Agreement: International Police Task Force* (21 June 1996); International Crisis Group (1996b).

<sup>347</sup> Schlotter (1997), p. 24, 37.

<sup>348</sup> Schlotter (1997), p. 24.

OHR in the hierarchy, in terms of mandate, size, and influence and experienced some difficulty in being heard.<sup>349</sup>

In the course of SFOR's support to IPTF, the two conducted an increasing number of joint inspections of police stations "to ensure that local police only maintain the equipment necessary for policing in their areas."<sup>350</sup> In the course of the inspections, an extensive scope and number of illegal weapons was confiscated. In this context, another key area of co-operation between SFOR and IPTF became dismantling Special Police Forces. SFOR in co-operation with the OHR and IPTF announced a new policy for the control and restructuring of specialist police.<sup>351</sup> This was indicative of how some tasks that were initially within the military realm, such as disbanding paramilitary groups or monitoring checkpoints, took on a civilian character in the course of implementation.

**Box 5.5: Law and Order – IPTF's Mandate**

IPTF's mandate followed the pattern established in prior UNCivPol operations in that it had a pure monitoring function rather than executive capabilities. Despite criticism of ineffectiveness, IPTF's strength lay in their clearly defined mandate and their advisory rather than enforcement approach.

Without violating their mandate, the IPTF was reinforced by IFOR and especially by SFOR. Typically, IPTF and SFOR co-operated on inspections of police stations, dismantling of para-military formations, and monitoring checkpoints, where SFOR provided a strong arm for the moral authority of the IPTF.

### 5.2.2 Reform of the Civilian Security Sector

In the Dayton Agreement, civilian security sector reform emphasised the establishment of local police forces and to a lesser extent reform of the judicial system. Whereas all attention was centred around the police during the first two years of the Dayton process, judicial reform, as a critical element of the rule of law, increasingly came into focus in the course of 1998.

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<sup>349</sup> Bureau of Public Affairs (1996); International Crisis Group (1996b); Human Rights Watch (1996) *No Justice No Peace. The United Nations International Police Task Force's Role in Screening Local Law Enforcement* (Human Rights Watch Publications 8(15)D, September 1996).

<sup>350</sup> S/1998/227 (Report of the Secretary General on the United Nations Mission in Bosnia and Herzegovina, March 1998). SFOR and IPTF conducted 125 joint inspections in the period from August 24 to September 10, 1997.

<sup>351</sup> Schulte (1997b).

The reform of the police was to go through two major phases. In early 1998, the first phase of establishing and inaugurating police forces was about to be concluded. In this phase, IPTF's tasks were largely two-fold, in that the international police force supervised a structural and a behavioural reform process.<sup>352</sup> Whereas the former was a question of reducing and reorganising the police forces in Bosnia-Herzegovina by restructuring and vetting, the latter involved introducing new doctrines, as well as training and monitoring the protection of human rights. The subsequent phase built on the efforts of phase one and aimed at consolidating the forces through extensive monitoring of police activity, increasing minority representation, and developing specialist police.

(1) *Structural Reform*: The Dayton Agreement established two separate police forces for each entity.<sup>353</sup> As of March 1996, in the wake of demobilisation, the Bosnian police force was inflated and totalled 54,000 police officers. The target size for the Republika Srpska was 8,500 and for the Federation 11,500, i.e. a reduction to a total of 20,000 police officers.<sup>354</sup> In addition to the inflated official police force, there were Special Police Forces, hidden reserves, and party militias that had to be disbanded.<sup>355</sup> A significant number were excluded by vetting the police force of violators of human rights and war criminals by IPTF. In the second half of year one human rights violations actually increased and there continued to be a need for more transparency and publicity. It was suggested, for example, that IPTF publish restructuring plans and processes<sup>356</sup> Although IPTF was accused of making too little headway with respect to reductions and the expulsion of unwanted elements, particularly in the initial stages of implementation,<sup>357</sup> the international police monitors viewed vetting as a steadily progressing long-term process in which, eventually, all police officers would be certified by IPTF.<sup>358</sup> Only by taking a long-term perspective could a truly credible and reliable police force be created that followed democratic

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<sup>352</sup> The Commissioner's Guidance For Democratic Policing in the Federation of Bosnia-Herzegovina described "affirmative police activities, adopting the Standards for Policing in a Democratic State and demobilisation and re-vetting" as the "basis of a new democratic police force." Peter Fitzgerald (1996) *Commissioner's Guidance For Democratic Policing in the Federation of Bosnia-Herzegovina* (UNMIBH: Sarajevo), p. 6.

<sup>353</sup> Tomas Miglierina (1996) "Political Perspectives on the Serb Republic," in Calic (1996b), p. 122.

<sup>354</sup> International Crisis Group (1996b).

<sup>355</sup> Lezzi (1996), p. 53.

<sup>356</sup> International Crisis Group (1996a).

<sup>357</sup> International Crisis Group (1996a).

<sup>358</sup> Certification involves submitting names and passing a written exam and an internationally recognised psychological test. *OHR Bulletin*, 1 October 1997.

principles and respects human rights. IPTF's role was to enhance accountability through increased patrolling and reporting and by exercising pressure in the selection and evaluation of police officers. Decertification was later used as a means to exercise pressure, but even though it was a powerful tool, IPTF had no enforcement mechanisms to ensure the application of its decisions.

The generally uneven pace of reconstruction and normalisation between the two entities of Bosnia-Herzegovina was also reflected in the establishment and restructuring of civilian police forces. Whereas much effort and aid money went into the Federation and the reform of that entity's civilian police force, restructuring was only just being initiated among Bosnian Serb police following an agreement in September 1997, almost two years after the Dayton Agreement.<sup>359</sup> In part this was due to a lack of funding, as the salary structure only allowed for low wages which in turn encouraged police officers to acquire additional income through criminal activity. Reform in the Republika Srpska was hampered by unco-operative leaders and the split in both military and police security forces with regard to the support for the two main political factions that emerged. It would be too easy to blame the lack of progress on the political split alone, but as the definition of a uniform police force under civilian control depended on their perception of themselves as part of one common force, competing allegiances were clearly extremely damaging. The split obviously delayed the restructuring process in Republika Srpska which lagged behind that taking place in the Federation and which appeared to have no effective overseer.<sup>360</sup> Due to a loophole in the Dayton Agreement, the Bosnian Serb police also included paramilitary elements for state security and anti-terrorism that were clearly tied to political power structures.<sup>361</sup> In contrast, the international community lauded the Republika Srpska police for its "professional work" leading up to and during the November 1997 elections.<sup>362</sup>

By early 1998, police forces in eight out of ten cantons had been established in the Federation and local police were showing increasing willingness to work with IPTF, expressed among other things in co-location plans for IPTF and local police

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<sup>359</sup> *OHR Bulletin*, 1 October 1997.

<sup>360</sup> Peace Implementation Council (1997a), para. 51. As a result of the uneven economic development that clearly favoured the Federation, police officers in the Republika Srpska were being paid significantly lower salaries. Obviously, this neither promoted inter-entity exchange and co-operation, nor did it help to insulate the Bosnian Serb police from the temptations of crime and corruption.

<sup>361</sup> Hunter (1997), p. 397.

<sup>362</sup> *OHR Bulletin*, 25 November 1997.

forces.<sup>363</sup> The rationale behind co-location was to avoid parallel local and IPTF organisations and to promote as close a co-operation as possible.<sup>364</sup> Still, the multi-ethnic composition of the Federation police left much to be desired. Delays in carrying out the outstanding restructuring in the Federation were mainly due to the lack of co-operation from the Bosnian Croats who delayed processes of minority integration and power-sharing. All too often, police forces were marked by an unofficial chain of command that ran separately along ethnic dividing lines.<sup>365</sup>

(2) *Behavioural Reform*: Aside from a clear understanding of who they served and why, the local police force were in need of new doctrines and training. Naturally, the political context played an important part in progress. Changes at the political level were essential as an ideological fall back for the restructured police force, and greatly facilitated the work of the IPTF. In contrast, it was the political authorities' condonation of abuses that undermined behavioural reform.<sup>366</sup> The acceptance and active promotion of international standards relied upon a political decision to change basic concepts of policing.<sup>367</sup> Plans for reforming the ideological basis of the police force were being developed by the local authorities under the guidance of IPTF.<sup>368</sup> The introduction of international standards of policing was a key undertaking and the standards had to be reflected in police training.<sup>369</sup> IPTF conducted courses on the role of a police officer in society and on basic policing skills, which the majority of inaugurated police officers in both entities completed. Moreover, it assisted in developing or rehabilitating police academies and in preparing curricula.<sup>370</sup>

Aside from the general need for an effective and reliable police force to combat crime in a society, it was the protection of human rights and the issue of war criminals that were the pervasive elements in all aspects of civilian security reform in Bosnia-Herzegovina. The threat to law and order and personal security was the major impediment to the development of civil society and economic recovery.<sup>371</sup> In addition

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<sup>363</sup> Schulte (1997b); *OHR Bulletin*, 22 October 1997.

<sup>364</sup> Robert Wasserman, Former Deputy Commissioner, speaking at a conference on *Policing the New World Disorder* at the National Defence University, Washington D.C., 15-16 September 1997.

<sup>365</sup> S/1998/227, p. 1f., 15.

<sup>366</sup> High Representative (1997) *Report of the High Representative for Implementation of the Bosnian Peace Agreement to the Secretary General of the United Nations* (Office of the High Representative: Sarajevo, 14 April 1997; <http://www.ohr.int/reports/r970416a.htm>), p. 17.

<sup>367</sup> International Crisis Group (1996b).

<sup>368</sup> Peace Implementation Council (1997a), para. 50.

<sup>369</sup> International Crisis Group (1996b).

<sup>370</sup> S/1998/227, p. 3f.

<sup>371</sup> Schlotter (1997), p. 23; Serwer (1996), p. 3.

to the complacency that authorities displayed in dealing with human rights abuses, they condoned violence on ethnic and political grounds and were frequently responsible for violations themselves.<sup>372</sup> Realising that a police force in an immediate post-conflict situation was likely to require assistance, the reasoning behind the deployment of the IPTF was the need to “enhance the security environment and develop effective local law enforcement capabilities and respect for human rights.”<sup>373</sup> For instance, with its contribution to IPTF, Germany considered itself co-responsible for the “promotion and consolidation of a peaceful development,” recognising that “only through the creation of safe living conditions will the people gain confidence in a peaceful development, will reconstruction and reconciliation be possible.”<sup>374</sup> In order to contribute to the acceleration of minority returns, a designated priority area for 1998, IPTF increased its co-operation with UNHCR and the local police.<sup>375</sup>

With respect to effectiveness then, the ultimate recourse for IPTF was reporting non-compliance and consulting with appropriate bodies on future responses. This was described as an insufficient substitute for the actual power to sanction and to provide a deterrence to crime.<sup>376</sup> Human Rights Watch recommended the course frequently chosen in the human rights field in the absence of effective enforcement mechanisms namely publicity, involving the media in condemning abuses.<sup>377</sup> Human Rights Watch also suggested that IPTF develop a closer working relationship or formalised agreement with the War Crimes Tribunal in The Hague, but given the limited mandate of the international police force, IPTF had limited means and perhaps willingness to enforce any of the suggestions. It must be kept in mind that the IPTF rightfully had no law enforcement mandate of its own and instead was merely charged with overseeing local police activity. Thus, IPTF encouraged and monitored investigations by the local police, but “undert[ook] independent investigations only as a last resort.”<sup>378</sup> Any suggestions for a more proactive IPTF role did not take into account their lack of legal right to make arrests and the absence of international follow-up institutions, i.e. courts and prisons. In part the strength of IPTF and the

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<sup>372</sup> Peace Implementation Council (1997a), para. 55, High Representative (1997).

<sup>373</sup> Bureau of Public Affairs (1996).

<sup>374</sup> Permanent Mission of Germany to the United Nations (1996) *Press Release No. 23/96* (17 April 1996).

<sup>375</sup> S/1998/227, p. 5f.

<sup>376</sup> Schlotter (1997), p. 24; International Crisis Group (1996b).

<sup>377</sup> Human Rights Watch (1996).

<sup>378</sup> S/1998/227, p. 6.

respect paid it by the parties and the local police forces lay in their clearly defined mandate and their advisory rather than enforcement approach.

In spite of the progress that was achieved, with regard to the decrease in the number of illegal checkpoints and of harassment incidents, the local police forces remained the dominant violators of human rights and made ethnically motivated arrests. Police behaviour was conditioned by a number of factors, such as a general level of tension and specific local conditions, and did not change overnight. In assessing the mission, it would be wrong to expect more rapid progress than has taken place in the restructuring and establishment of local police forces in Bosnia-Herzegovina. IPTF's assistance was a task that could provide direction and incentives, but was most dependent on an indigenous structural development that had to run its course and could only be influenced to a very limited degree. IPTF could contribute to the protection of human rights through supervision and monitoring, but could only accelerate the installation of a democratic police force. Similarly, it was dependent on local co-operation from the political authorities. In April 1997, the Republika Srpska authorities had not submitted a list of officers to be vetted, over one year after the police forces' installation and the issuance of the Commissioner's Guidance.<sup>379</sup> From the start, IPTF recognised its limitations and the need for a long-term approach. It seemed unfazed by international criticism of lack of progress and determination and invited SFOR support where it was necessary for the immediate fulfilment of its mandate, but bid its time with respect to the completion of the reform process of the local police. And yet, although the indigenous evolution and the internalisation of values could not be forced, the international community might have done more to prevent local authorities from actively undermining the reform process.

Just as several other activities in the security field, the reform of local police was plagued by funding difficulties.<sup>380</sup> This affected staffing and equipment of the IPTF and of local police forces and the maintenance of training facilities and police schools. The Peace Implementation Council called on the international community to provide more personnel, funds and equipment to the Police Development Programme.<sup>381</sup> The impact achieved by late 1998 would only be sustained through the

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<sup>379</sup> High Representative (1997), p. 17; Fitzgerald (1996).

<sup>380</sup> With respect to financing, the US planned to provide \$50 million in direct support of police training and monitors in 1996 (\$30 for the US contingent of police officers and \$20 in transitional training for local police personnel). Bureau of Public Affairs (1996).

<sup>381</sup> Peace Implementation Council (1997b), p. 16.

consolidation of long-term institutional structures that communicated the shift in attitude towards co-operation, multi-ethnic coexistence, and democratic policing principles to future generations of police officers.

Following the initial stage of structural and behavioural reform of the police forces, the emphasis shifted to the *reform of the judicial system*. In December 1998, the Peace Implementation Council described the establishment of the rule of law as “a prerequisite for a lasting peace, and for a self-sustaining economy capable of attracting and retaining international domestic investors.”<sup>382</sup> Aside from consolidating the rule of law more generally, specific goals were the establishment of an independent and impartial judiciary, respect for human rights and legal security. The effort was urgently needed, as Bosnia-Herzegovina did not have a functioning legal system, but was late in coming. Major tasks included addressing the rampant crime situation and the backlog of cases that had accumulated during the war, with minimal resources. The political context in which judicial reform was to take place was marked by a lack of democratic traditions and considerable political pressure. Courts were weak and highly politicised and the judicial system was in practice subordinate to the police.<sup>383</sup> The political backdrop also translated into structural features in that two separate legal systems existed in Bosnia-Herzegovina. Thus, the state’s prerogative of providing the legal framework for its citizens was devolved to lower levels, such as the Entities and Cantons that operated fairly autonomously. In fact, the International Crisis Group commented that “law enforcement institutions protect local power structures rather than the rule of law.”<sup>384</sup>

The reform of the judicial system was under the direction of the High Representative in co-operation with the United Nations’ bodies IPTF and Judicial System Assessment Programme (JSAP), the Council of Europe, the OSCE, and non-governmental organisations, such as the International Crisis Group (ICG) and International Criminal Investigative Training Assistance Program (ICITAP). Similar to police reform, the reform of the judicial system encompassed a restructuring and a training component. In addition to meeting almost banal demands, such as housing, furniture and materials, scheduled structural changes included a reorganisation of

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<sup>382</sup> Peace Implementation Council (1998b), para. 12.1.

<sup>383</sup> Mark Ellis, Executive Director Central and Eastern European Law Initiative, American Bar Association, speaking at a conference on *Policing the New World Disorder* at the National Defence University, Washington D.C., 15-16 September 1997.

courts and the establishment of effective enforcement mechanisms, as well as standard procedures for the selection of judges and prosecutors.

With respect to behavioural reform progress was hampered by the fact that a large share of the pre-war legal staff had left during the war, not to return. As a result, much of the remaining staff was inexperienced and easily influenced by political pressure, or prioritised ethnic loyalties rather than impartiality of their own accord. The international community's efforts focused on training legal staff and arranging for access to legal materials, and monitoring court activity. The latter task fell into the IPTF's domain.<sup>385</sup> Unfortunately, the third-party efforts at security sector reform of the judicial system were dwarfed in comparison to the influence of the political framework that to a large extent determined day-to-day judicial activity. As a result, none of the external actors had been able to effectively combat the intimidation of staff and plaintiffs by late 1998.<sup>386</sup>

**Box 5.6: Law and Order – The Reform Process**

**Structural reform of the police:** In the wake of the war, the police force had swelled to 54,000 which then had to be reduced to 20,000. In part, the force was reduced through a systematic vetting process which stretched over the entire period studied, but would be all the more stable. Progress was a little slower in the Republika Srpska, in part due to funding difficulties and the political split, but cantonal police forces were being established throughout Bosnia-Herzegovina.

**Behavioural reform of the police:** Instilling respect for and protection of human rights in the local police forces was a crucial task for the international community, as the population's confidence in its security was an important factor for the consolidation of peace and the development of civil society. IPTF advanced the behavioural reform through monitoring police performance, developing police standards, and advising on the establishment of educational institutions for police training with limited success so far.

**Reform of the judicial system:** Following the initial stage of police reform, the emphasis shifted to the reform of the judicial system. The judiciary suffered from excessive political control, lack of qualified staff and a severe shortage of resources. The international attempts to assist in establishing the rule of law met with stiff resistance in the political context, coloured by ethnic discrimination and corruption. Much depended on recruiting additional qualified staff and on funding.

<sup>384</sup> International Crisis Group (1999a), p. I.14. The quoted report by ICG is an in-depth assessment of conditions for and international efforts in judicial reform in Bosnia-Herzegovina until mid-1999.

<sup>385</sup> The international pressure that was exercised on courts in Mostar following the inadequate trial of a number of Croat suspects and that led to the case being reopened, is only one example of the effort to conform the entire law enforcement triad with international standards.

<sup>386</sup> International Crisis Group (1999a), p. II.6f.

### **5.3 Supporting Tasks**

As mentioned in the presentation of the tasks stipulated in the Dayton Agreement, IFOR was charged with a number of so-called ‘supporting tasks’ that aimed at facilitating the civilian implementation. In the course of the implementation process, demining, repatriation and reconstruction, elections assistance, and arresting war criminals emerged as the chief supporting tasks. In general, the supporting tasks assigned to IFOR and later SFOR addressed the chief sources of instability at this stage of the implementation process. They were widespread land mines, a large number of displaced persons, and war criminals. Elections and reconstruction were, in turn, supportive of the ‘supporting tasks.’

#### **5.3.1 Demining**

Demining in Bosnia-Herzegovina was crucial to normalisation and reconstruction.<sup>387</sup> Naturally, demining activities were saddled with the same problems as demining anywhere, particularly the fact that the pace of clearance was in no relation to the need for cleared area, such as for agricultural needs and for freedom of movement.

A distinction was made between military and humanitarian demining where the former described the mine lifting that was necessary for the protection or advance of a military force and the latter referred to the clearing of mines to render an area safe for civilian use. Although demining was thus long regarded as an essentially military activity, a number of NGOs, such as the Norwegian People’s Aid (NPA), joined the group of deminers. Similarly, the UN defined demining needs in a long-term and a short-term perspective that sometimes overlapped. Whereas the Department of Peace-Keeping Operations (DPKO) took care of the short-term military demining as necessary for the operation of peace-keeping forces, the Department of Humanitarian Affairs (DHA) was responsible for co-ordinating long-term humanitarian and emergency relief demining. The division of labour in Bosnia resembled this pattern.

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<sup>387</sup> Early estimates of over 3.5 million mines in Bosnia-Herzegovina were later revised. In mid-1997, there were an estimated 750,000 to 1 million mines spread out in 19,000 registered mine fields. Approximately 1% of the mines had been cleared in the summer of 1997.

IFOR/SFOR had a very limited approach to demining that merely aimed at ‘clearing their own path’ and lifting mines to the extent necessary for the protection of the force. The areas in which IFOR/SFOR sporadically demined, could therefore not be regarded as safe for civilian use. Furthermore, IFOR/SFOR identified and mapped mine fields, based on military records obtained from the Parties, as well as on eye witness accounts. Accurate information proved illusive, due to the fact that in the heat of battle and with a frequently shifting front line, records were fragmentary at best, and false at worst. IFOR/SFOR were reluctant at times to release this information on the grounds that it was not sufficiently reliable. The Dayton Agreement had declared that the removal of mines was the responsibility of the Parties and that the process was to be monitored by SFOR. Accordingly, SFOR supervised local military staff that was not necessarily motivated to remove mines thoroughly. As a result, the UN did not like to depend on SFOR for demining: “In any case they should be under no illusion that SFOR [...] contributed meaningfully to date to the demining of Bosnia.”<sup>388</sup>

Aside from mine clearance, dealing with mines required both training and awareness programmes conducted by the UN, individual governments, NGOs and private companies and by SFOR who carried out army training on condition of compliance with demining obligations. The ambition was to “create a sustainable national capacity” for detecting and clearing mines. As of the summer 1997, the number of locals trained fell significantly short of the demand with only about 700 of the targeted 2,000 local staff trained.

In May 1996 the United Nations Mine Action Centre (MAC), the co-ordinating body for all demining activity in Bosnia-Herzegovina, opened in Sarajevo and later established four regional centres throughout Bosnia. The MAC was conceived as a mere advisory body, but it soon became clear that the political leadership was obstructive and unco-operative and that the UN would have to assume a more pro-active role. Given the limitations of IFOR/SFOR’s mine lifting, the UN carried the main responsibility for the co-ordination and execution of humanitarian mine clearance. As a result of the initial confusion that was brought about by the lack of political co-operation from the Bosnian government, demining efforts were severely delayed and systematic mine clearance and training of local staff did not

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<sup>388</sup> International Crisis Group (1997a) *Ridding Bosnia of Landmines: The Urgent Need for a Sustainable Policy* (ICG Bosnia Project Report, 18 July 1997).

begin until the formal take-over by the UN in September 1996. A National Demining Commission (NDC) was finally established in February 1997 that appeared willing and able to eventually take on the responsibility for demining on behalf of the local government. In late 1997, the MAC was transferred to authorities of Bosnia-Herzegovina which then co-ordinated the distribution of tasks and funds between entities and to central authorities. The transfer included the extensive UN infrastructure for co-ordination, as well as all the equipment that had been assembled and had finally been in place in the Summer of 1997. Although a Board of Donors, consisting of external representatives from major contributors, continued to advise the Bosnian authorities, implementation of demining programmes was in local hands from then on. As a final legal step in this process, an agreement on co-operation was signed between the entity governments in December 1997.<sup>389</sup> Local MACs were to be established by 31 March 1998.

A dual approach developed in mine clearance in Bosnia-Herzegovina: on the one hand, the co-ordination structure was set up by the UN, and on the other hand, the capacity to execute demining programmes was developed at a local level. Although the Council of Ministers declared their commitment to the implementation of the Ottawa Treaty, in its Bonn Declaration of December 1997 the PIC deplored the fact that production and export of mines continued.<sup>390</sup>

Unfortunately, Bosnia-Herzegovina fit the world-wide pattern of underfunding with regard to demining and its Demining Commission lacked both material and financial support.<sup>391</sup> The majority of funding came from the World Bank, the EU, and individual government contributions. However, the funds made up only about 20% of the target amount proposed by the UN for the full and sustainable execution of the demining programmes.

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<sup>389</sup> S/1998/227, p. 7.

<sup>390</sup> Peace Implementation Council (1997b), p. 25; *OHR Bulletin*, 25 November 1997.

<sup>391</sup> Peace Implementation Council (1997a), para. 16.

**Box 5.7: Supporting Tasks – Demining**

IFOR/SFOR had the responsibility for military demining, i.e. the mine lifting necessary for its protection and advance, and the UN had the responsibility for humanitarian demining, that is clearing mines to render an area safe for civilian use and refugee returns. The parties' own military demining which IFOR/SFOR supervised was sporadic and no significant pressure was brought to bear on the parties to extend their activity.

Humanitarian demining was also intended to lie in local hands to a greater degree. However, due to non-compliance on the part of the authorities which significantly delayed the demining operations, the UN's DHA took on the responsibility for co-ordinating all demining. In late 1997, local efforts appeared to finally be moving forward with the transfer of the UN's Mine Action Centre, including co-ordination infrastructure and demining equipment, to the responsibility of the Bosnian National Demining Commission (NDC). Demining was characterised by a dual approach in which the co-ordination structures were developed by external actors and the capacity to demine was trained at a local level.

A major problem was the lack of funding. In late 1997, a mere 20% of the UN's targeted amount was forthcoming.

### 5.3.2 Repatriation and Reconstruction

The role in repatriation was a difficult one for IFOR. While it was reluctant to get too heavily involved, the force was subject to significant pressure. One of IFOR's and later SFOR's earliest roles in repatriation was providing intelligence support and assessments of the direction and the size of the flow of returning refugees. It soon became clear that none of the parties would allow wide-scale return to their territories. Instead, ethnic cleansing was further pursued, especially in the Republika Srpska, where remaining Bosniac and Bosnian Croat minorities were forced to leave their homes and the entity, but likewise in the Federation where both Bosnian Muslims and Bosnian Croats aimed at reaching ethnic homogeneity. Within the Federation allowing refugee returns was also used as leverage in forcing returns elsewhere. Despite the fact that 400,000 of the 2 million displaced persons and refugees returned in the first two years of the Dayton process, only 10,000 had turned back to ethnic communities other than their own by July 1997.<sup>392</sup> In fact, in late 1997 there were

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<sup>392</sup> Schlotter (1997), p. 21f.; International Commission (1997), p. 3; Peace Implementation Council (1997b), p. 13.

50,000 fewer people living in areas dominated by another ethnic group and 80,000 had been forced from their homes since the end of the war.<sup>393</sup> In part, this was a result of a deliberate strategy of “majoratisation” by all ethnic groups that aimed at grouping their own communities geographically to the extent possible.<sup>394</sup> The International Commission belaboured the lack of returns, claiming that it “testifies to the continuing ethnic tension and the lack of effort by all parties to recreate the multi-ethnic Bosnia spelled out in the Dayton Accords.”<sup>395</sup> In December 1997, there were still 600,000 refugees abroad and 800,000 internally displaced peoples and conditions for return had not improved significantly.<sup>396</sup> Several towns were also plagued by practical obstacles to returns, such as the fact that they were crowded with refugees from other parts of the country. Some progress was made in 1998 with a total of approximately 41,000 minority returns. Still, the figure paled in comparison with the total number of displaced and the fact that the process had after all been ongoing for three years.

Obviously, displaced persons and refugees were recognised as a major destabilising factor. As none of the Parties fulfilled their obligations with respect to the return of refugees, increased pressure to comply appeared to be necessary. The NATO-led force was the only third-party actor in Bosnia-Herzegovina that was explicitly authorised to “use whatever means necessary” and that had the capabilities to exercise that power. Pressure increased after the transition to SFOR, when the majority of purely military tasks that dominated the immediate post-Dayton period had been taken care of. Disregarding SFOR’s reduced size, civilian agencies called on SFOR to use its ‘excess’ capacity to assist the civilian implementation in catching up. SFOR only responded to this request in part and managed to limit itself to the military and security-related aspects of repatriation, such as enhancing freedom of movement by removing illegal checkpoints, monitoring movements and moods in the areas scheduled for receiving returnees, and indirectly through reconstruction and mine lifting. In that way, SFOR fulfilled its mandate of enhancing the security in the operating environment for other international agencies, in particular UNHCR, however unsatisfactory the return process was as a whole.

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<sup>393</sup> Robert A. Pape (1997) “Partition: An Exit Strategy for Bosnia,” *Survival* 39(4), p. 25f.; International Crisis Group (1997b) *A Review of the Dayton Peace Agreement’s Implementation* (ICG Bosnia Project Report, 31 October 1997), p. 4.

<sup>394</sup> Schear (1996), p. 88, 95.

<sup>395</sup> International Commission (1997), p. 1.

For UNHCR the repatriation programme in Bosnia-Herzegovina was one of the largest and most complex programmes ever undertaken and the organisation realised that its success depended upon reconstruction and rehabilitation, security conditions, the removal of land mines, and the implementation of human rights provisions of Dayton, and that these conditions were in part contingent upon SFOR's involvement and support.

Particularly with respect to the removal of illegal checkpoints, the IPTF, the High Representative, and SFOR all reiterated their plans to enforce compliance, following lack of co-operation in the Republika Srpska and to a lesser extent in the Federation. Whereas IFOR was initially accused of providing inadequate support against interference,<sup>397</sup> SFOR appeared willing to become more proactive in this context.<sup>398</sup> More and more border crossings were being opened and harassment was being clamped down on by issuing a threat of reduced funding to responsible municipalities.<sup>399</sup>

In order to accelerate the rate of repatriation and to separate the good apples from the bad, UNHCR initiated and co-ordinated the Open Cities programme by which it was hoped that one would be able to identify and financially assist co-operative municipalities in the two entities. A key element in the Open Cities Programme was that money was not just handed to returnees, but was spread throughout the entire municipality, giving each community member an incentive to welcome the returnees.<sup>400</sup> Similarly, funding to unco-operative towns would be cut. The execution of the programme was in the hands of UNHCR and SFOR. Results were mixed. The number of municipalities that had obtained or were seeking Open Cities status increased relatively quickly to over 30; the majority of these were in the Federation.<sup>401</sup> However, the programme experienced only limited success due to a lack of financial resources and follow through on the part of the international community that had no funds at pay-up time for those communities that had indeed co-operated and accepted refugees into their midst.<sup>402</sup> In another effort to promote refugee return, UNHCR worked with SFOR in identifying twenty-two priority areas

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<sup>396</sup> Peace Implementation Council (1997b), p. 13f.

<sup>397</sup> International Crisis Group (1996a).

<sup>398</sup> Peace Implementation Council (1997a), para. 59, 73f., 79.

<sup>399</sup> Peace Implementation Council (1997b), p. 9f.

<sup>400</sup> International Crisis Group (1997b), p. 4; Christopher Bennett (1997) "No Flying Colors for Dayton – Yet," *Transitions* 4(7), p. 38.

<sup>401</sup> Bennett (1997), p. 38.

where reconstruction was accelerated and to which refugees were primarily returned. SFOR's role was also to assist in setting up cross-entity bus routes and visits. Although these efforts were often obstructed, they continued.

Reconstruction aid delivered by IFOR/SFOR mostly took the form of rebuilding bridges and main roads, as well as assisting in the reconstruction of other infrastructure. By mid-1997, IFOR/SFOR had repaired 64 bridges and 2,500 km road. In accordance with the Dayton Agreement, construction and maintenance of infrastructure built for SFOR's own purposes and operational needs and financed through NATO's Security Investment Programme could be deconstructed at the military force's discretion at departure.<sup>403</sup> The International Committee suggested more selective reconstruction assistance to co-operative communities, similar to the approach by municipality that was used in refugee returns.<sup>404</sup> However, given the financing problems that arose in the 'refugee-swap-scheme' and that resulted in too many unfulfilled promises from the international community, the credibility of an 'infrastructure-swap-scheme' would be relatively low.

In the link between reconstruction and repatriation, assistance that enhanced both for quite some time lacked a basis in Bosnian property laws that could provide the legal foundation for the return of displaced persons.<sup>405</sup> Thus, a major issue for repatriation was the distribution of property. The Steering Board called for the amendment of property laws as a high priority issue and the PIC confirmed that they considered property laws a major hindrance to the return of refugees.<sup>406</sup> Accordingly, the Return and Reconstruction Task Force (RRTF) created in the Fall of 1997, chaired by the High Representative, was tasked with "creat[ing] a mechanism to address potential effects of proposed laws, and [...] formulat[ing] recommendations for alternatives for persons affected by the return of pre-war occupants." Initially, the capacity in the field was rather weak and the entity and federal authorities were asked to second personnel to OHR regional office in order to address this weakness.<sup>407</sup> Coupled with the property laws passed in April 1998, the context for returns improved considerably. In the course of 1998, the creation of the RRTF then brought with it

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<sup>402</sup> Peace Implementation Council (1997a), para. 46.

<sup>403</sup> The theoretical possibility exists, but this was unlikely to happen. It indicates that NATO's presence was initially believed to be of much shorter duration than it turned out to be in practice.

<sup>404</sup> International Commission (1997), p. 2.

<sup>405</sup> Peace Implementation Council (1997a), para. 48-9.

<sup>406</sup> *OHR Bulletin*, 25 November 1997; PIC (1997b), p. 6.

<sup>407</sup> Peace Implementation Council (1997b), p. 15; *OHR Bulletin*, 25 November 1997.

more “efficient structures” and the Task Force pursued “an aggressive political approach.”<sup>408</sup>

But the most important obstacle to return, remained the hostile climate in the recipient communities and the returnees concomitant concern for their personal safety. In order to encourage return, the international presence, especially SFOR and the IPTF, would have to provide a much more credible security guarantee and be more assertive and effective in protecting returnees. SFOR as the most likely candidate for protecting minority returnees was not willing to get involved in what it considered a policing task, and as a result, harassment and intimidation continued. In its December 1998 Madrid Declaration, the PIC cited three key terms of RRTF’s action plan for the coming year - space, security, sustainability. The terms indicate the recognition that providing security could only be a temporary measure and that the political climate would have to improve in order for resettlement to become self-sustaining. Until that time, support from SFOR continued to be a necessary ingredient in the promotion of repatriation, but it remained to be seen whether the international community could muster the political will to actively protect returnees.

**Box 5.8: Supporting Tasks – Repatriation**

**Intelligence:** IFOR/SFOR provided UNHCR with intelligence support and assessments of the direction and the size of the refugee flow.

**Freedom of movement:** IFOR/SFOR’s widespread removal of illegal checkpoints greatly enhanced freedom of movement throughout Bosnia.

**Reconstruction:** Road and bridge building efforts also increased freedom of movement, as well as improved living conditions and infrastructure for returnees.

**Protection:** Physical safety was the greatest concern for returning refugees and their protection was a task not sufficiently taken on by SFOR, as the only component of the international presence with the capacity to credibly ensure the safety of returnees.

Similarly, repatriation was delayed due to the lack of local political co-operation, where none of the parties fulfilled their obligations under the Dayton Agreement. The co-ordination of conditionality between UNHCR and SFOR was an attempt to combine incentives and pressure to force compliance and accelerate the repatriation process, but met with limited success.

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<sup>408</sup> International Crisis Group (1998c), p. 6.

### 5.3.3 Elections

Writing about the initial federal elections, Susan Woodward points to the central dilemma of the elections: although they “took place on schedule [...] with minimal violence,” “elections gave a democratic stamp of approval to the three nationalist parties that had waged the war.”<sup>409</sup> Elections were also plagued by widely exaggerated expectations, such as “ousting suspected war criminals from power; defeating the nationalist parties; and laying the groundwork for an independent media, personal freedoms, and other requisites of civil society.”<sup>410</sup> It was not surprising that the actual performance fell short of this comprehensive list. Instead, all political leaders attempted to manipulate voter registration in their favour, a fact well-known to the OSCE, but difficult to control given that the organisation expected 3 million voters, fifty percent of which were not where they had been registered in 1991.<sup>411</sup> Voices calling for the elections of 1996 to be postponed grew louder, but the United States, guided by President Clinton’s desires to demonstrate success in the peace process in the run-up to the US Presidential elections, eventually persuaded the international community to carry them out as planned.<sup>412</sup> In addition to the nationalist influences that had been strengthened by war animosities, the pre-war strategy of total party control, a communist legacy, continued.<sup>413</sup> Some writers belaboured the low voter turn-out of sixty percent,<sup>414</sup> but the fact that so many decided to cast their ballot, despite the difficult security conditions, despite the absence of democratic traditions, and despite the massive attempts at voter manipulation, represented a major step in the democratisation process.

IFOR and SFOR assisted in preparing and conducting federal elections in September 1996, local elections in September 1997, National Assembly elections in the Republika Srpska in November 1997, and general elections in September 1998. The forces were particularly called on to enhance the public perception of security in order to actually make registering and voting safer, on the one hand, and to increase the confidence of potential voters in their personal security, on the other. For elections in September 1997, SFOR temporarily swelled its force by 4,000 and seconded some

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<sup>409</sup> Woodward (1997), p. 97; Steiner in Urban (1997), p. 36.

<sup>410</sup> Schear (1996), p. 96.

<sup>411</sup> Schlotter (1997), p. 11f.

<sup>412</sup> Schlotter (1997), p. 12.

<sup>413</sup> Woodward (1997), p. 97f.

twenty people to OSCE's election office. In addition to the provision of security, IPTF's role in election support also comprised an investigative function that looked into complaints in the pre-election period.<sup>415</sup>

The problem of manipulation and 'long-distance' or 'absentee' voting reoccurred in the September 1997 local elections and presented a dilemma for the security forces under SFOR and the IPTF. Bosnian Muslims were voted into power in communities such as Srebrenica, where most Muslims had been driven out during the war. The problem turned into one of ensuring the implementation of results; a responsibility that lay with SFOR to enforce. SFOR also assisted in implementing the municipal election results by providing security for elected officials, such as escorting them to their places of work.<sup>416</sup> In this connection, IPTF assisted by developing security plans with the local police force. The enforcement of results eventually proved unfeasible, in that SFOR and IPTF could not be omnipresent and the local police forces were usually unwilling to protect elected officials from an ethnic minority. Clearly, the electoral process did not stop at the ballot box.<sup>417</sup>

International security assistance had a limited impact on the value and legitimacy of elections, aside from the central task of increasing security. While harassment and intimidation were too widespread to be prevented completely, IFOR/SFOR successfully increased the population's perception of security reflected in the steadily rising voter turn-out. In addition to enhancing the security situation IFOR/SFOR provided valuable practical support, such as bussing. Still, other factors, such as the political climate, the range of alternatives, free and independent media, were far more important than IFOR/SFOR patrols in determining the people's assessment of the political situation. The military force could contribute, but long-term democratisation processes had to take root. These could be advanced by civilian implementers, but were largely independent of security assistance.

Schear argues that "war-torn countries are never fertile ground for elections," due to hardened front lines and a repressive political climate. The same was true in Bosnia-Herzegovina where the 'failure' of the elections arose with the international

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<sup>414</sup> Schlotter (1997), p. 15.

<sup>415</sup> International Crisis Group (1996a).

<sup>416</sup> Schulte (1997b).

<sup>417</sup> In part, ethnic divisions were reinforced through the electoral system that did not require candidates to seek support from other ethnic groups. A detailed discussion of the electoral laws and the political system more generally fall outside of the limits of the current study. Another interesting aspect was the

community's inability to counteract the negative conditions.<sup>418</sup> Similarly, although the wisdom of legitimising nationalist leaders through elections was rightly questioned, staging elections should also be regarded as part of the democratising learning experience. Moreover, the emergence of less nationalist forces in politics was obviously a longer term process that would not necessarily have been accelerated under international protectorship, as an alternative to elections. And yet, the question arises whether one dysfunctional element of democracy invalidates other components in its wake. In particular, linking the election results with the demand for civilian control over the security sector, a critical element of a democratic state, was far from reassuring. In a similar vein, Leurdijk claims that "[t]he elections [...] were the wrong elections at the wrong time."<sup>419</sup>

**Box 5.9: Supporting Tasks – Elections**

IFOR/SFOR assistance to staging elections consisted of enhancing public security to make registering and voting safer and to increasing potential voters' confidence in their personal security. In this connection, IFOR/SFOR's actions resembled active policing; a task the force had tried to avoid from the start.

Further, the force provided intelligence and logistical support to the OSCE. Following the elections of September 1997, the task of assisting in the implementation of election results by protecting elected officials in potentially hostile environments was added to SFOR's list of responsibilities.

#### 5.3.4 War Criminals and the Media

Another threat to security and long-term stability was that of war criminals.<sup>420</sup> Apart from undermining confidence in and security itself, the issue of war criminals was closely linked to both military and civilian police reform and demobilisation, and had to be addressed before a process of democratisation could begin.<sup>421</sup> In contrast to war crimes tribunals of the past, the Hague Tribunal was not a case of the victors judging

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gradual perception of the OSCE as partial towards opposition parties. There was obviously a fine line between promoting 'forces of peace' and appearing to sabotage the election process.

<sup>418</sup> Schear (1996), p. 97.

<sup>419</sup> Leurdijk (1996), p. 134.

<sup>420</sup> Of the 78 named indictees, 50 Serbs and 3 Croats remained at large in October 1997. International Crisis Group (1997b).

<sup>421</sup> Steiner in Urban (1997), p. 40; Preisinger (1997), p. 35.

the losers, but a demonstration of the international community's will to prosecute human rights abuses and crimes against humanity.<sup>422</sup> Though commendable in theory, the international community ran a risk of failure when attempting to implement their noble ideas and thus risked making "a mockery" of the victims' war memories.<sup>423</sup>

Throughout assessments of the implementation process at different times and by different agents the call remained the same that "without justice there can be no process of reconciliation" and that "only through just retribution can the cycle of revenge be broken."<sup>424</sup> Most importantly, individual prosecution was the only alternative to assigning collective guilt. Despite the acknowledged truth of these statements, the parties initially did nothing to comply with the provisions on war criminals laid out in the Dayton Agreement.<sup>425</sup> Even as of May 1997 progress was slow and co-operation limited. In its final document from the meeting in Sintra in May 1997, the PIC suggested a few options through which pressure might be exercised on the parties, such as issuing travel restrictions for 'partners in crime' through the office of the High Representative, withholding economic aid to certain municipalities, or a general decline in international relations.<sup>426</sup> Most proposals had a limited effect on the non-co-operative parties, as the international community's lack of resolve in the early days of the implementation process seriously damaged their credibility and decreased their leverage later on.<sup>427</sup> The Bosnian Serb reluctance to comply was due to their impression of being stuck with all the blame. The international community was successful in exercising significant pressure on Croatia by blocking access to international financial institutions. As of early 1998, all Croat indictees had given themselves up and even the Serbs were beginning to turn themselves in. The two most well-known indictees, Bosnian Serb leader Radovan Karadžić and General Ratko Mladic, that were subject to frequent calls for arrest, were in reality powerless. Their eventual arrest was probable, but the international military force was likely to wait until tension was further reduced and the general security situation had become more stable.<sup>428</sup>

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<sup>422</sup> Schlotter (1997), p. 26.

<sup>423</sup> Stevan M. Weine (1997) "Too Much History to Bear," *Transitions* 4(2), p. 23.

<sup>424</sup> International Crisis Group (1996a); Woodward (1997), p. 100.

<sup>425</sup> International Crisis Group (1996a); Peace Implementation Council (1997a), para. 32.

<sup>426</sup> Peace Implementation Council (1997a), para. 35-37.

<sup>427</sup> Paasch (1997), p. 17; Bennett (1997), p. 36f.

<sup>428</sup> Similarly, the arrest of Momcilo Krajišnik, former member of the Bosnian Presidency, in April 2000 created but few waves.

IFOR/SFOR was often accused of inactivity on the issue of arresting war criminals. As the ICTY Deputy Prosecutor Graham Blewitt pointed out in mid-1996, “NATO forces in Bosnia have both the mandate and the capability to act, which they have not used to date.”<sup>429</sup> Based on a warranted fear of upsetting the fragile security balance, IFOR/SFOR was reluctant to get involved and pointed to other assistance rendered the ICTY, such as logistic support for investigation teams and surveillance, as its contribution. In late 1997 then, NATO claimed a strategy of neutralising war criminals by other means. Rather than attacking known war criminals directly, the approach aimed at destroying their base of power which consisted of three pillars: money, media, and the police. It was a continuation of the policy that became visible in the management of Karadžić and Mladić who were in fact isolated and removed from the political scene early on without being subject to direct physical attacks by the NATO-led force.<sup>430</sup> Moreover, according to sources at NATO, the decision not to actively pursue war criminals was made prior to the deployment of IFOR and was reflected in the force’s structure and make-up.

NATO’s strategy was becoming increasingly apparent in Bosnia-Herzegovina. While continuing its monitoring of the general security situation, SFOR became more involved in the restructuring, training, and reform of local police forces. They backed up the IPTF more actively, with tasks ranging from confiscating illegal weapons to assisting in the development of training materials and doctrines. In the second half of 1997, SFOR increasingly seized media outlets that were tightly in the grasp of both war criminals and other ‘spoilers.’<sup>431</sup> SFOR’s more active stance followed a request by the High Representative, whose office was also placing increasing emphasis on media reform, and found a positive response at NAC that engaged SFOR in suspending or curtailing the broadcasting of anti-Dayton or anti-SFOR propaganda.<sup>432</sup> The suppression of non-co-operative and fear-mongering media was relatively successful with the largest television station, SRT, accepting internationally recognised standards of broadcasting and journalism that included the removal of

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<sup>429</sup> Quoted in Leurdijk (1996), p. 130.

<sup>430</sup> Schlotter (1997), p. 27f. Schlotter cites the transition of all international representation offices from Pale to Banja Luka as an example of the successful marginalisation of Karadžić and Mladić. Schlotter (1997), p. 29; Leurdijk (1996), p. 130f.

<sup>431</sup> Term developed by Stedman (1997).

<sup>432</sup> Schulte (1997b). In the run-up to the elections, Karadžić was explicitly banned from all media and public appearances. The ban was strongly enforced by the OSCE striking SDS candidates from the party lists in case of non-compliance. *OHR Bulletin*, 25 November 1997.

direct political control over the media.<sup>433</sup> It remained to be seen whether the political leadership in the Republika Srpska would indeed be willing to relinquish one of its major tools of power. On second thought, there would be no need for the leadership to abandon the media outlet, as long as the international community was successful in building up alternative sources of information, including broadcasting and print media. The continued existence of fear-mongering media slowed the pace of repatriation, while catering to the large number of displaced that provided a ready audience for nationalist propaganda.

Cutting off the financial lifeline proved a more difficult task for a military force to take on, but as there was more and more collaboration within the international community and, to the extent that it did take place, co-ordination with international financial institutions, such as the World Bank, arguably also improved. Despite the fact that a report from the CAFAO found no evidence of corruption related to donor's funds, the Peace Implementation Council (PIC) continued to stress the importance of clamping down on corruption more generally in Bosnia-Herzegovina and to call for more transparency.<sup>434</sup> To a large extent, it was tax revenue that was diverted and that shored up both war criminals and nationalist political leaders. In part, the lack of transparency was also a legacy of "socialist self-management," in which politicians were often closely tied to economic interests.<sup>435</sup> Transparency and better financial control were to be achieved through the introduction of a common currency and the establishment and consolidation of financial institutions and procedures. Although the common currency was successfully introduced, the Deutschmark continued as a parallel currency, in which most criminal transactions were likely taking place. A major source of funds for nationalist leaders and war criminals was of course criminal and black market activity which again lay in the realm of the police. Clearly, the leaderships in the political, the security, and the criminal sphere were closely interwoven and co-operated to undermine the peace process. As a result, the international community declared the fight against corruption another priority area for 1999.<sup>436</sup>

As the implementation process proceeded, a dual development took place. While the issue of war criminals became more prevalent, the tension defused. As a

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<sup>433</sup> *OHR Bulletin*, 25 November 1997; Peace Implementation Council (1997b), p. 17.

<sup>434</sup> *OHR Bulletin*, 25 November 1997.

<sup>435</sup> Bennett (1997), p. 42.

result, it both became easier for war criminals to turn themselves in and easier for SFOR to make arrests. This was the natural continuation of IFOR/SFOR's earlier attitude, namely "to fulfil the minimum expectations to stability and security, i.e. whatever they could get away with without undermining confidence in their presence and in their actions."<sup>437</sup> Still, on the part of SFOR a more proactive stance was long overdue. In practice, the non-persecution of war criminals hampered the confidence-building process by risking long-term stability and reconciliation in order to meet short-term security goals, such as preventing renewed fighting.<sup>438</sup>

**Box 5.10 Supporting Tasks – War Criminals and Media**

Rather than risking an increase in tensions through the arrest of war criminals, IFOR/SFOR sought to destroy the power base of war criminals which consisted of media, money, and the police. Thus, in co-operation with the OHR, SFOR shut down fear-mongering, nationalist media outlets and civilian implementation agencies were cracking down on corruption through the establishment of a uniform and transparent monetary system.

The importance of ridding Bosnia-Herzegovina of war criminals was undisputed and the process appeared to be gaining momentum through increased political co-operation and the surrender of indictees. Given the absence of an end date, the steady reduction of tensions and the war criminals' gradual loss of power and status, SFOR might take a more proactive stance without risking outbreaks of violence.

#### 5.4 Conclusions on the Implementation of the Dayton Agreement

- *Demilitarisation and military reform*: After their rapid and successful implementation, the purely military tasks were in danger of being underestimated with respect to their importance for the peace process as a whole. Without them, none of the later consolidation processes could have occurred and conditions for civilian implementation would not have been present.
- *Law and order*: The reduction and reform of local police forces was a process that covered an extended period of time. Although progress in this area was crucial to

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<sup>436</sup> Peace Implementation Council (1998b), para. 12.

<sup>437</sup> Hansen (1997b), p. 78.

the population's perception of their security, rushing the reform process was likely to backfire as it would have cut short a psychological normalisation process that marked the true transition to a peacetime state. Despite its limited progress by late 1998, the promotion of judicial reform was an important step in this direction.

- *Supporting tasks:* With the exception of demining, IFOR/SFOR played a tangential role in the supporting tasks by providing a secure environment for civilian implementation, as was called for in the Dayton Agreement. In addition, carrot-and-stick co-ordination was established as a fruitful approach in which SFOR's 'raw power' added pressure to the incentives offered the parties with respect to building local capacity for demining, welcoming home returnees, promoting moderate political forces and media sources, and handing over war criminals.
- It is impossible to undertake a relative assessment of elements within the international security assistance programme that singles out a specific task which 'brought about peace.' Instead, the implementation process showed that only a comprehensive and co-ordinated approach by the international community would consolidate peace.
- Three years into the implementation of the Dayton Agreement, SFOR was faced with the same problem with which the civilian implementers had grappled since the Agreement had been signed. As the emphasis of 'security' moved from military to civilian security, many tasks took on more of a civilian character reflected in the increasing security co-operation between IFOR/SFOR and the IPTF in the course of implementation. Those tasks that remained were the ones that required structural processes to take place in Bosnian society, in the local political leadership, and in the security sector. These were processes of rapprochement and reconciliation that international goodwill and specifically international security assistance accelerated, but that could not simply be executed. An exception was the arrest of war criminals which was a concrete task that would have impacted reconciliation directly and served to consolidate the transition from war to peace.

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<sup>438</sup> Hansen (1997b), p. 78.

## **6 Remaining Issues in Co-ordination and Co-operation**

Chapter 5 presented the bulk of co-ordination that took place in the course of implementation and the execution of security-related tasks. In particular, it pointed to the growing co-operation between SFOR and IPTF and SFOR's increasing role in supporting civilian implementation. The current chapter picks up additional issues of interaction between third-party actors that concern co-ordination and co-operation as such. In the following, co-ordination between NATO, PfP, and other non-members, changes in IFOR/SFOR's attitude towards its civilian counterparts, the Civil Military Task Force (CMTF), and the interplay between civilian and military agencies to effectively exercise pressure on the local counterparts are discussed.

### **6.1 Co-ordination between NATO, PfP, and Other Non-members**

The peace implementation process in Bosnia-Herzegovina and the international involvement in the process has more far-reaching implications than the simple success of the mission. Nowhere is this more true than with respect to NATO's deployment, the success of which will affect a whole range of major issues in international affairs. In addition to facing a new mission of peacekeeping and potentially peace enforcement, the NATO-led force had to adjust to its temporarily expanded membership with the PfP-countries and other non-members. Still, throughout the overwhelming majority of troops came from NATO member states and the integration of 'foreign' troops into the command structure was not as challenging as it had appeared at first sight.

The military component had a clear leadership in the field with the COMIFOR and later COMSFOR who was backed up at a political or strategic level by the North Atlantic Council (NAC) and the NAC+N. The latter was the main mechanism for political consultation between North Atlantic Council and IFOR/SFOR's non-NATO contributors.<sup>439</sup> In addition to participation in NAC+N meetings, contributing non-NATO countries had liaison officers at SHAPE and were involved in planning operations and generating the necessary forces through the SFOR Co-ordination

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<sup>439</sup> *NATO Basic Fact Sheet No. 11, April 1997* ([www.nato.int/docu/facts/sfor.htm](http://www.nato.int/docu/facts/sfor.htm)), p. 3f.

Centre. NATO realised the need to involve contributing Partners as early and as much as possible in military planning.<sup>440</sup> As a result, contributing non-NATO countries were consulted at key junctures at NATO headquarters and given the opportunity to express their views or associate themselves with NAC decisions.

Thus, “[n]on-NATO nations have been incorporated into the operation on the same basis as forces from NATO member countries. They take orders from the SFOR Commander through the multinational divisional headquarters. Several non-NATO countries are represented in SFOR headquarters in Sarajevo which has personnel from 25 NATO and non-NATO nations.”<sup>441</sup> In an assessment of NATO’s peace-keeping experience in Bosnia-Herzegovina, it is claimed that the “integration of 15 PfP and four other non-NATO nations under a unified command and control has been a major success” and that “IFOR’s military success derived to a large extent from performed, proven command structures and logistic systems and from long-term contingency planning carried out in NATO.”<sup>442</sup> Calic argues that Dayton implementation acted as a catalyst for structural reform in NATO, reflected in “new mechanisms of political consultation and important new working relationships which in future should enable [the organisation] to mount such an operation more quickly and effectively.”<sup>443</sup>

In comparison with prior UN-led peacekeeping operations, the co-operation and co-ordination in IFOR/SFOR was spared the ‘dual key’ approach that inhibited past operations due to interference and micro-management by national governments. Despite the fact that command lines were much more orderly in IFOR/SFOR, problems of operational command and control remained. Given that NATO had never actually been deployed previously, it was not surprising that a number of other practical difficulties arose, such as with respect to logistics, communications systems, and the timing of deployment in relation to its back-up organisation ‘over the horizon.’<sup>444</sup>

With respect to the military capabilities for crisis management more generally, Solana proposed a two-fold approach. On the one hand, there was a need to “accelerate the process of convergence” between NATO and PfP countries in order to

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<sup>440</sup> Simon (1997), p. 4; *NATO Basic Fact Sheet No. 11, April 1997* ([www.nato.int/docu/facts/sfor.htm](http://www.nato.int/docu/facts/sfor.htm)), p. 4f.

<sup>441</sup> *NATO Basic Fact Sheet No. 11, April 1997* ([www.nato.int/docu/facts/sfor.htm](http://www.nato.int/docu/facts/sfor.htm)), p. 3f.

<sup>442</sup> *NATO Basic Fact Sheet No. 11, April 1997* ([www.nato.int/docu/facts/sfor.htm](http://www.nato.int/docu/facts/sfor.htm)), p. 7.

<sup>443</sup> Solana (1996), p. 4; Calic (1996b), p. 13.

prepare them for future joint operations. On the other hand, a change was necessary in EU's military planning and outward image, such as appointing a Special Representative for particular issues.<sup>445</sup> A coherent and region-wide security structure could act as a deterrent and counteract aggression and instability. In this way, Western Europe would take on the responsibility that reflects its power in international relations more accurately.<sup>446</sup>

## **6.2 Rapprochement between Military and Civilian Actors**

In contrast to the relatively straightforward military arrangements, the provisions for civilian implementation in the Dayton Agreement were unclear and mechanisms for co-ordination among civilian actors were complex and not well thought out. Furthermore, decision-making power was decentralised with the position of the High Representative as a weak overall co-ordinator “with no directing power over the various agencies providing field services under the Dayton accord.”<sup>447</sup> In the decentralised structure, “there was no single leading political body, no central implementation authority, and a clear separation of enforcement powers between the civilian and military aspects of the agreement.”<sup>448</sup> As a result of the distinction, the IFOR success story was initially mitigated by the lack of civilian progress that in turn led to claims that “with respect to communication, settlement of refugees or political power, the goal of a multi-ethnic, unified Bosnia is further from realisation after one year than at the signing” of the Dayton Agreement.<sup>449</sup> The involvement of large numbers of international organisations, NGOs, and individual countries in the wake of the Dayton Agreement, was a continuation of international engagement during the war and was running into the same danger of co-ordination becoming an end in itself. Previously, the international community had been accused of spending 80% of their

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<sup>444</sup> A more detailed discussion of the practical challenges of IFOR/SFOR deployment would go too far in this context. For more information on issues that emerged in the NORDPOL BDE during IFOR, see Grandhagen (1997), pp. 17-9, 42-6.

<sup>445</sup> Bildt (1997a), p. 7. Solana has of course since taken over just that position in the emerging plans for an EU Common Foreign and Security Policy.

<sup>446</sup> Bildt (1997a), p. 8. Solana regards the Combined Joint Task Force (CJTF) in this light, suggesting that it be an option for a WEU-led force without US participation. Solana (1996), p. 4.

<sup>447</sup> Schear (1996), p. 93.

<sup>448</sup> Taylor (1996), p. 41.

<sup>449</sup> Woodward (1997), p. 98.

time with each other and only 20% helping the parties. Although the Dayton Agreement undertook the strategic distribution of tasks, the implementation process revealed operational problems that seriously impaired both effectiveness and credibility of international efforts.<sup>450</sup>

In part the discrepancy in success between the military and civilian implementation was a result of two widely diverging timelines which went beyond the civil-military divide and were more a question of matching goals and tasks. Woodward warned that the “slow timeline of peace-keeping and repatriation [was] irreconcilable to the short timeline for exit.”<sup>451</sup> In an attempt to explain the difficulties experienced in the early stages of civil-military co-ordination, Paasch argues that there was no structure in place and no practical experience with co-ordination needs as comprehensive as those in Bosnia-Herzegovina. As a result of the complicated civilian structures and the range of agencies involved, the military scepticism towards forging close ties with actors in the civilian field deepened.

Accordingly, the co-ordination between military and civilian security providers got off to a bad start in early 1996 during the exodus of Bosnian Serbs from the Sarajevo suburbs. The exodus itself has been the subject of various interpretations, but IFOR’s lack of willingness to assist the newly and incompletely deployed IPTF in managing that crisis has been unanimously criticised.<sup>452</sup> Another illustrative incident took place in Mostar in early 1996, in which IFOR refused to come to EU-administrator Koschnick’s aid during disturbances in the city, arguing that it was not NATO’s task to solve internal problems of the Federation.<sup>453</sup>

However, in the course of implementation, co-operation between individual agencies and NATO improved significantly.<sup>454</sup> By April 1996, IFOR had done away with the major military threats and a gradual reorientation towards the support of civilian implementation began; particularly with an eye towards the September 1996 elections.<sup>455</sup> The need for civil-military co-ordination and particularly the need for the multi-national military force to explicitly take on the support of civilian implementation was further strengthened after the transition to SFOR. There were several reasons for the gradual shift in attitude among the military actors. (1) In part

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<sup>450</sup> Calic (1996a), p. 25.

<sup>451</sup> Woodward (1997), p. 102.

<sup>452</sup> Serwer (1996), p. 3; Schear (1996), p. 93.

<sup>453</sup> Mappes-Niedeck (1996), p. 115.

<sup>454</sup> Paasch (1997), p. 16.

it was a function of IFOR having successfully executed its purely military charge. (2) The achievement of IFOR's tasks also formed the critical stable foundation for civilian implementation to proceed. (3) Most importantly, IFOR's reluctance had been due to the fear of 'mission creep' on the side of the political decision-makers. This so clearly marked the initial IFOR period that a number of civilian agencies considered the transition from UNPROFOR to IFOR a setback in terms of support for their work. As a number of SFOR officials pointed out, it was ironic that the greatly reduced force was assigned the more general task of supporting civilian implementation which was both time- and personnel-consuming and extensive. As a result, it was all the more necessary to co-ordinate actions and to develop guidelines and priorities for the use of SFOR. Still, by expanding its line of business, SFOR recovered some of the immense momentum that had characterised IFOR in early 1996 and that was partially lost in the vacuum that followed the initial military success. Realising how closely the fulfilment of the two component missions were tied together, the successful civilian implementation became more and more a part of NATO's exit strategy.<sup>456</sup>

Similarly, the Office of the High Representative pointed out early on that "IFOR and the OHR have a number of issues in common." But although both sides realised the importance of elections and felt the pressure to perform in the face of rising expectations among the populace, the OHR still made a clear distinction in that the "people are looking to IFOR for security and to the OHR for social, political, economic and infrastructure development."<sup>457</sup> Over a year later, Westendorp, recognising just how closely military and civilian progress were tied together, included "security and stability" among his strategic objectives, such as "democratization; and economic and social reconstruction," which were identified as the foundations of his work as High Representative.<sup>458</sup> The position of the High Representative was formally strengthened through reorganisation and clarification of his responsibilities at the PIC meeting in Bonn in December 1997 and informally through the performance of Carl Bildt and later Carlos Westendorp.<sup>459</sup> Clearly, the

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<sup>455</sup> Leurdijk (1996), p. 117.

<sup>456</sup> The emerging relationship is usually referred to as civil-military co-operation (CIMIC). NATO's AJP-1 defines CIMIC as "the resources and arrangements which support the relationship between NATO commanders and the national authorities, civil and military, and civil populations in an area where NATO military forces are or plan to be employed. Such arrangements include co-operation with non-governmental or international agencies, organisations and authorities."

<sup>457</sup> OHR (March 1996).

<sup>458</sup> Carlos Westendorp (1997) *Speech to North Atlantic Council* (Brussels, October 1997).

<sup>459</sup> Paasch (1997), p. 18.

more power the High Representative was assigned by the international community to interfere in the affairs of the sovereign Bosnian state, the more he would have to be formally legitimised, in order to be effective. In spite of the improvements, the International Commission continued to stress the need to streamline the civilian implementation machinery to provide coherence, cohesion and better co-ordination in June 1997.<sup>460</sup>

With respect to formal mechanisms, co-ordination bodies were established soon after the implementation process began. Unfortunately, they were not effective in harmonising the strategies and goals of divergent actors. Weekly meetings among the full group of main agencies were arranged to discuss matters of co-ordination and to co-ordinate activities. However, although regular meetings appeared to be a sensible structure in a complex implementation situation, they did not necessarily yield results that were proportionate to the time spent in them. Steiner recalled that “[i]n Bosnia-Herzegovina, we tried to cope with a multiplicity of institutions by having so-called “principals’ meetings” as often as possible. That slowed everything down – we had IFOR, IPTF, UN, OHR, UNHCR, and many others. There has to be a homogeneous decision-making body to work through such a crisis as Bosnia was and is.”<sup>461</sup>

Solana views the development since positively and states that “through our close coordination with international organizations with a role in European security, we have built up relations of trust and habits of cooperation which are paying real dividends in the civil-military interface now under way in Bosnia.”<sup>462</sup> Schear offers a similar assessment and states that “[i]n practice, this a la carte arrangement has proved less unwieldy than some had feared. Despite occasional tensions and inconsistent coordination, functional interdependence has bred reasonably good working relations.”<sup>463</sup> In fact, it has been argued that co-ordination improved to such a degree that the confrontation lines no longer ran between third-party actors, but between the field offices and their home stations.<sup>464</sup> Looking ahead, Schulte emphasised the need for co-ordination in future operations. Although the possibilities of developing a standard model for the future are somewhat limited, as specific formats will depend

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<sup>460</sup> International Commission (1997), p. 2.

<sup>461</sup> Steiner in Urban (1997), p. 39.

<sup>462</sup> Solana (1996), p. 4.

<sup>463</sup> Schear (1996), p. 94.

<sup>464</sup> Paasch (1997), p. 18.

on “political circumstances at the time and the attitude and decisions of member states,” Schulte stressed that early joint planning, “unity of approach”, “clearly defined missions and responsibilities,” and “tightly linked military and civil planning” were imperative for success.<sup>465</sup> A first step in this direction was widespread acknowledgement that in civil-military relations permanent liaison arrangements, joint planning at an early stage, and an interdisciplinary, yet hierarchical co-ordination structure are essential to the success of a multi-dimensional peace support operation.<sup>466</sup>

### **6.3 The Civil-Military Task Force (CMTF)**

IFOR/SFOR had a two-fold system for assisting civilian implementation. As was described throughout Chapter 5, IFOR/SFOR provided forces for protection and logistic support, explicitly contributed to the secure environment through a continuation of its military tasks, and engaged in reconstruction support.<sup>467</sup> At times when there was a special need for more comprehensive military support, such as to the OSCE before and during the September 1997 elections, the force was augmented and personnel directly provided to the relevant organisation. In the same way, the work of the OSCE in the area of regional arms control and regional stability was actively promoted by SFOR with data and logistics support. The most visible military back-up was possibly supplied to the IPTF with whom SFOR conducted joint patrols. The other major UN institutions whose work was directly related to security was UNHCR. They also received information from SFOR both on movements of people, on infrastructure and housing conditions and on progress in reconstruction. Among other responsibilities in connection with repatriation, SFOR had the critical responsibility of maintaining the demilitarised character of the Zone of Separation by carefully checking anybody moving through or into the zone. This aspect of civil-military co-operation went from being non-existent to stopgap under IFOR and from variable to widespread under SFOR.

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<sup>465</sup> Schulte (1997b).

<sup>466</sup> *NATO Basic Fact Sheet No. 11, April 1997* ([www.nato.int/docu/facts/sfor.htm](http://www.nato.int/docu/facts/sfor.htm)), p. 11, 13.

<sup>467</sup> An example of this type of support is SFOR’s decisive action against media that disrupted the progress of civilian implementation. Westendorp described the action as “a clear example of [SFOR’s] operational importance in civil implementation.” Westendorp (1997).

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In contrast, a more systematic approach and the other critical leg of IFOR/SFOR's relation to civilian implementation was a Civil-Military Task Force (CMTF). The task force was established under IFOR and then located at SFOR headquarters in Sarajevo. It consisted of approximately 350-400 advisors. Aside from minor French and German contributions, advisors were almost exclusively US reserve military personnel that acquired civilian experience in any one of twenty functional areas that covered areas, such as economics and business, law, administration, culture, engineering, agriculture, etc. A civil affairs unit was a common component of US forces when deployed in peace support operations, such as in Somalia or in Haiti. NATO's civil affairs personnel were stationed at all levels of command in IFOR/SFOR as well as in the Joint Civil Commissions (JCCs) that were established by the OHR at regional and local levels and that assisted in a variety of aspects in civil implementation. In addition to the more general logistics support of SFOR mentioned above, support to the OHR under CMTF consisted mainly of technical and engineering expertise, as well as transport and communications support.

Although the Civil Military Task Force (CMTF) was established under IFOR, their mandate was limited in the early days of the implementation process. Initially, the task force merely supported peacekeeping operations and small community projects. Under SFOR, NATO's civil affairs personnel both reflected and promoted increased co-operation between the civilian and the military sides of peace implementation in Bosnia-Herzegovina. "The [...] role [of the CMTF] is to identify needs and projects for rebuilding of civil infrastructure and institutions. They also co-ordinate with international organisations, non-governmental organisations and humanitarian agencies to obtain necessary materials, money, and manpower to meet these needs."<sup>468</sup> NGOs, in particular, profited from the logistics expertise provided by NATO's civil affairs personnel. Aside from co-operation with local actors on infrastructure and similar projects, the major tasks for CMTF corresponded with the chief areas of co-operation between SFOR and civilian agencies, such as providing personnel in support of OSCE's election efforts, supporting UNHCR in planning refugee returns, supplying logistics, operations, and training support to IPTF. For this purpose SFOR set up a Law Enforcement Task Force that assisted in establishing current co-operation and employment mechanisms between IPTF and local police and

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<sup>468</sup> *NATO Fact Sheet (December 1996)*, ([www.nato.int/ifor/general/sf-cimic.htm](http://www.nato.int/ifor/general/sf-cimic.htm)), p. 1.

in developing the plans for the reorganisation of local police forces through restructuring and a revision of operating procedures.

#### **6.4 Co-operating to Force Compliance**

The implementation process demonstrated how the political leadership in each ethnic group simply continued to treat the undecided issues in accordance with their own interpretations which of course led to stagnation in the civilian implementation process. This was also true with respect to the security situation and public allegiance to the uniform Bosnian state that was not pursued with equal vigour in practice. As a result, several areas of civilian implementation were severely delayed due to the lack of co-operation from local parties that incapacitated co-ordination bodies. The difficulties experienced when placing the responsibility for demining in local hands was a prime example of this. Likewise the final successful establishment of the NDC was an indicator of an increased willingness to co-operate with the international community and among ethnic groups that appeared to be emerging in late 1997.

The growing degree of compliance reflected the success of co-ordination among international actors. The lack of preparation and co-ordination on the civilian side initially allowed the parties to play various third-party actors off against each other.<sup>469</sup> It was soon realised that, “[d]onor co-ordination is key to effective peace-building”<sup>470</sup> and that the co-ordination between civilian and military players harboured huge potential benefits with regard to exercising pressure on the parties to comply with the Dayton Agreement. As Jane Sharp puts it, “this kind of conditionality requires a single coherent economic and political strategy, implemented by a central authority, visibly connected to the NATO Stabilization Force (SFOR).”<sup>471</sup> The carrot and the stick approach could only work when there was an effective stick to wield in case the carrot failed to bring about compliance. In fact, the stick would increase the effectiveness of the carrot.

The benefits of this dynamic were accepted by all actors and mitigated the ‘clash of cultures’ between civilian and military agents. The relative harmony also

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<sup>469</sup> Bildt (1997a), p. 5; Woodward (1997), p. 98.

<sup>470</sup> Sharp (1997a), p. 38; Paasch (1997), p. 18; International Crisis Group (1996a).

<sup>471</sup> Sharp (1997a), p. 38.

benefited from the fact that no significant outbreaks of violence occurred that would have challenged IFOR/SFOR to use force. The credible threat of force to a large extent eliminated the need to use it and facilitated the association of civilian agencies with the military force. Accordingly, the mutual dependence and the realisation that the military actors would not be able to withdraw without the civilian ones and that co-ordination could in fact accelerate joint withdrawal, increase co-operation, and mitigate cultural and organisational differences between the two. Tellingly, the level of collaboration was particularly high in times of crises, such as when SFOR was authorised to use force against media or when the international community joined forces in the investigation into the shootings in Mostar.

A specific example of a body that promoted ethnic integration among Bosnian Muslims and Bosnian Croats was the Federation Forum which was established in mid-1996 upon a US initiative and discussed social, economic, political issues. It was regarded as a necessary step towards more systematic Federation building which could bring together high level representatives on a regular basis from the international community and the Federation political leadership.<sup>472</sup> In addition, IFOR/SFOR established a Psychological Operations (PSYOPs) task force and engaged in public information campaigns to enhance the public understanding of the force's presence and activities. Regardless of improved relations, the lack of co-operation from locals was still the predominant check on progress.<sup>473</sup> Despite the tendency to co-operate across ethnic divisions in a variety of professional groups, Bosnian politicians of all ethnic groups appeared to be obstructing the process rather than promoting multi-ethnic coexistence.

## **6.5 Conclusions on Co-ordination**

- *NATO, PfP and others:* Aside from some practical difficulties, integration and co-ordination was perhaps surprisingly successful, keeping in mind that the operation in Bosnia-Herzegovina was NATO's first actual deployment and that 15 PfP and four other countries were to be integrated. Both at strategic and at operational levels co-ordination arrangements were found that helped streamline co-operation.

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<sup>472</sup> Serwer (1996), p. 4; Schear (1996), p. 99.

<sup>473</sup> Peace Implementation Council (1997b), p. 2.

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- *Civil-military rapprochement to force compliance:* The clear distinction between military and civilian timelines and mandates was replaced by a gradual realisation that close co-operation was both desirable and inevitable. It was recognised that the goals of the two sides were in fact the same and the date of withdrawal was likely to be a product of their ability to co-ordinate the remaining aspects of implementation.
- *CMTF:* The CMTF contributed substantially to practical co-operation and facilitated rapprochement due to the fact that the advice was provided by individual experts rather than ‘prestigious’ organisations. It also served to tie NGOs into the joint implementation effort to a greater degree.
- Following the initial troublesome period in which the military and the civilian sides were at complete odds with one another, it appeared that co-ordination lessons were in fact being learned and translated into practical policy for daily co-ordination needs – three years into the Dayton process. While there are a number of proposals for early co-ordination between civilian and military implementers in future operations, each new deployment is likely to bring its unique set of circumstances and new lessons to be learned.

## **7 Conclusions**

In drawing conclusions about the peace implementation process in Bosnia-Herzegovina more generally, two fundamental questions should be asked. First, what was done and was it effective? Second, how was it done? The answers to these questions build on, but go beyond the detailed partial conclusions extracted from each element of the analysis in the previous chapters.

### **7.1 What Was Done: Tasks, Execution, and Limitations**

“Public security is the first casualty of peace.”<sup>474</sup>

*Dr. James Shear, Deputy Assistant Secretary of Defense, September 1997*

The delivery of security assistance in support of the peace process in Bosnia-Herzegovina demonstrated the crucial role of security sector reform in peace implementation. The security gap that emerged at the end of the war was two-fold consisting of military and civilian security. Whereas the military security gap was rapidly filled, closing the civilian security gap proved to be a longer term process that had to become self-sustainable. IPTF concluded its basic reform programme and entered the observation phase in which it would become clear whether the local police forces followed democratic principles of policing and themselves promoted these values in the education and training of future police officers. Naturally, complete self-sustainability implies access to sufficient financial resources to put noble ideas into practice and it was in this area that security assistance provided by the international community in the form of funding would be required for some time to come.

Although the approach had to be gradual, filling the gap was nonetheless critical and failure potentially disastrous. Instead of enhancing public security and the population’s trust in its law enforcement institutions, the unfilled security gap would in fact act as a conflict generator and undermine the legitimacy of law and order. Finding no recourse in local police forces and other institutions of the judicial system, the Bosnian population was likely to take matters into its own hands, be it against

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<sup>474</sup> Dr. James Shear, Deputy Assistant Secretary of Defense For Peace-keeping and Humanitarian Assistance at the US Department of Defense, speaking at a conference on *Policing the New World Disorder* at the National Defence University, Washington D.C., 15-16 September 1997.

another individual, another ethnic group, or against the government. Any of these actions could tip the delicate balance away from peace and towards war. Moreover, as the remaining security gap was a result of ethnic divisions, the slide into a military confrontation was not too far off.

The police forces cannot be viewed in isolation from their political context. In order to succeed reform of the security sector had to be reflected in a parallel political reform process. Despite some limited progress in the area of multi-ethnic integration, there was no reason to believe that the police forces would abstain from violating the human rights of another ethnic group, inhibit freedom of movement and obstruct the return of minorities, until the nationalist political leaderships ceased to propagate ethnic hatred and displayed the willingness to co-operate with their counterparts from other ethnic groups.

In addition to politics, parallel structures created a difficult organisational backdrop for security sector reform and did not encourage multi-ethnicity in the security forces. This was reflected in the fact that responsibility for security – one of a government's prerogatives – was distributed at different levels and security forces were only accountable to the rather weak SCMM at the level of the central Bosnian government. In order to strengthen security at the government level, the Peace Implementation Council stressed the need to develop a defence dimension at the state level, amid calls for continued military reform, particularly with respect to improved inter-entity co-operation and reduced military expenditures.<sup>475</sup>

In line with the need for an appropriate political backdrop, an underlying normalisation process would have to occur for the peace process to become truly autonomous. Here is where the limitations of international security assistance lay. While the international community could assist in the initial transition from full-fledged war to tentative peace and promote and accelerate reconciliation and reform in the security sector, there were structural processes of normalisation that had to take place to consolidate peace. The normalisation process was primarily psychological and involved the entire range of local actors, such as the political leaderships, military and public security forces, and the general population; the same group of actors that would have to continue the pursuit of peace after the withdrawal of the international community. Although third-party actors in Bosnia-Herzegovina did not necessarily

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<sup>475</sup> Peace Implementation Council (1998b), para.13.

recognise their limitations, they were successful in triggering “virtuous circles rather than vicious ones.”<sup>476</sup> In that way, they acted as a catalyst for the normalisation process. In particular, international security assistance that increased transparency among the parties, acted as an impartial mediator, and offered economic incentives, played a significant part in the implementation of the Dayton Agreement and in the consolidation of peace.

Perhaps the greatest obstacles to the normalisation process were so-called ‘spoilers’ of the peace process that attempted to halt or reverse the normalisation process, due to the fact that they profited from a tense state and a generally high level of insecurity and instability. It is important that the providers of security assistance distinguish between moderate and extremist spoilers. Whereas the international actors should aim to win over the former group by making it more profitable to co-operate, the latter must be marginalised; for example by arresting war criminals or undercutting their power base. In Bosnia-Herzegovina, rejectionism predominantly took the form of a limited willingness to co-operate among the political leaders at the federal, entity, and municipal level. Most of these were willing to concede to the ‘right’ – usually economic – incentives. However, a major challenge persisted, in that the international community could not and should not attempt to compete with the ‘fringe benefits’ of tension that spoilers profit from through crime and corruption. Other strategies would have to be devised to marginalise or win over potential spoilers. Although spoilers in the Bosnian peace process were not the clearly identifiable group that they have been in other peace processes, they were influential and had to be dealt with, in order to facilitate the structural process.

Spoilers were particularly successful in undermining a sense of common fate and common identity which was an important factor in the transition to long-term peace and stability. Although Michael Steiner claimed that he saw a common Bosnian identity behind the fears, others were more sceptical as there were no powers or functions that encouraged loyalty to and identity with the Bosnian state.<sup>477</sup> In this connection, the media had a significant effect on the development of a sense of common fate and also played a key role in the implementation process by affecting the general population’s support for the peace process and for the presence of third-

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<sup>476</sup> Expression suggested by LTC Michael J. Kelly, Australian Military, speaking at a conference on *Policing the New World Disorder* at the National Defence University, Washington D.C., 15-16 September 1997.

party actors.<sup>478</sup> Recent actions limiting the ‘spoiling’ effect of the media displayed the international community’s resolve to marginalise sources that undermined the normalisation process and the consolidation of peace. As Mappes-Niedeck points out, in the long run, a situation would have to emerge in which ethnicity was of secondary importance.<sup>479</sup>

## 7.2 How Was It Done: Co-ordination, Compliance, and Political Will

Despite Boutros-Ghali’s attempt to systematise different types of peace support operations, peace implementation in Bosnia-Herzegovina demonstrated that an operation could never be categorised as purely one or the other. In the early days of Dayton, the mandate provided by the Agreement was characterised as consisting of *peace enforcement* under IFOR/SFOR, *peacekeeping* by IPTF, and *post-conflict peace building* by a host of civilian agents.<sup>480</sup> The complex picture of three missions in one was further blurred in execution; an integrating trend that was called for by practitioners. Accordingly, as the military force sought to distance itself from its civilian counterpart, accusations of failure arose concerning the discrepancy between civilian and military implementation of the Dayton Agreement. Granted, the Agreement was much less elaborate with respect to civilian tasks than to military ones, but the irony of the accusations of an uneven pace was that the completion of primary military tasks was a precondition for initiating civilian activity. Only when the fundamental security needs of the immediate post-settlement society had been fulfilled, was it possible to begin putting into practice extensive plans for reconstruction, repatriation, building of political structures, and economic development. Thus, in addition to the horizontal and vertical dimensions of civil-military relations that refer to hierarchical structures of co-ordination, there was a chronological dimension in the organisation of tasks that pointed to ‘what needed to come first.’

The realisation that tasks had their sequential as well as their functional place in the implementation process was late in coming in Bosnia-Herzegovina. Instead,

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<sup>477</sup> Steiner in Urban (1997), p. 40; Woodward (1997), p. 102.

<sup>478</sup> Preisinger (1997), p. 34.

<sup>479</sup> Mappes-Niedeck (1996), p. 120f.

misplaced expectations of parallel civilian and military missions that would both be completed within the first year led to massive and debilitating criticism. In the course of Dayton's second year, a more balanced approach and more sophisticated understanding of the correlation between military and civilian tasks emerged. Following the initial military success, the remaining security task assigned to the military and to the civilian police monitors progressed at a speed which was fairly equal to that of the other tasks in civilian implementation. Aside from the mutual dependence of the two components in practice, a technicality determined that these tasks simply could not be completed before significant civilian progress was made, as SFOR's mandate to provide a safe and secure environment for the activity of civilian actors could by definition not run out before the civilians too were ready to leave.

As a result of the grand failure of the international community during the war, third-party actors entered the peace implementation effort branded by what Gow termed "the triumph of the lack of will."<sup>481</sup> Accordingly, an important question at the outset was whether the international community would display sufficient political will and cohesion of effort to see the peace process through. Although, every actor involved was aware of the implications of failure, critical observers argued that the decision to undertake the mission was where the collective political will of the international community ended. To say the least, third-party actors displayed varying political will to use those enforcement mechanisms that were available, when putting Dayton into practice.<sup>482</sup> All the while, practitioners and commentators agreed on the need to "stick to basic principles," as Steiner expressed it, when he warned against the dangers of extensively compromising the mission's goals and underlying values.<sup>483</sup> Schulte agrees that "firmness is often a prerequisite to progress;"<sup>484</sup> and Preisinger underlines that progress was only possible with pressure and the international community had to demonstrate its willingness to draw on the entire range of measures available to them and to force compliance.

The counter-argument warns that too much pressure could be counterproductive by creating a dependency that required the presence of the

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<sup>480</sup> Leurdijk (1996), p. 121.

<sup>481</sup> Gow (1997).

<sup>482</sup> Paasch (1997), p. 15f.; International Crisis Group (1996a). Paasch identifies three predominant systematic causes of the at times half-hearted character of the intervention in Bosnia-Herzegovina: (1) a fear of body bags; (2) a merely technical understanding of Bosnia's needs; and (3) insufficient integration of military and civilian operations. Paasch (1997), p. 16, 18, 19.

<sup>483</sup> Steiner in Urban (1997), p. 40.

international community rather than allowing its departure.<sup>485</sup> The International Crisis Group for one bemoaned the increasing apathy among political leaders that could avoid difficult decisions that sooner or later would be made by the international community anyway.<sup>486</sup> At the same time, it might well be that international determination and assertiveness would be necessary for the full implementation of the Dayton Agreement. Thus, third-party actors found themselves in a Catch-22 situation, where they continued to face the challenge of finding the balance between applying pressure and cultivating and strengthening independent political decision-making structures. What was undisputed was that despite the unanimous support for a firm and cohesive stand, the international community effectively wasted a year and a half on finding the resolve to force implementation.<sup>487</sup>

Throughout one should keep in mind the dominating role of the United States in determining the international stance and the progress of implementation. Fluctuations in US policy and commitment were reflected in the ups and downs of the peace process and the need for the strategic leadership of the United States was once again underlined when a turning-point was reached in Bosnia-Herzegovina in the Summer of 1997 and in early 1998. Following uneasiness in the Spring, the international community began reasserting itself during the Summer, and finally took concrete steps to force compliance on a variety of issues at the PIC Conference in December 1997. At the time, the peace process also drew strength from the confirmation of 'moderate' leaders in power through the elections in the Republika Srpska in September 1997. Thus, during three years of implementation, the international community became more skilful in employing the means that they did have available for encouraging or forcing compliance. By combining their means for exercising pressure on the parties, the military force and the civilian implementers divined an effective tool that drew on both incentives and the threat of force. Their collaboration served to increase the credibility of both actors which in turn rendered their tools more effective.

In conclusion, the fact that the peace process in Bosnia-Herzegovina was looking up in late 1998 followed the overdue realisation in the international community that one indeed had to stand as one in tasks and responsibilities and in the

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<sup>484</sup> Schulte (1997b).

<sup>485</sup> Preisinger (1997), p. 30f., 32; Daalder (1997b), p. 8f.

<sup>486</sup> International Crisis Group (1998b), p. 3f.

process of their execution. The international community contributed tremendous sums to the peace implementation process in Bosnia-Herzegovina, particularly in comparison with other afflicted areas around the world. Similarly, funding was bound to decrease as other crises, such as the one in Kosovo, intensified;<sup>488</sup> particularly when it was tempting for the international community to rest on its laurels of late 1998 and the after all remarkable achievements of three years of peace implementation in Bosnia-Herzegovina. Still, in the security sector the lack of funding for reform hindered the irreversible consolidation of civil security in Bosnia-Herzegovina. Choices as to the distribution of limited funds are never easy, but continued lawlessness effectively prevented the full transition from war to peace. The challenge of breaking the deadlock of fear has yet to be met. Until the population developed confidence in their personal security, there would be no peace.

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<sup>487</sup> Bennett (1997), p. 43.

<sup>488</sup> Both the International Crisis Group in late 1998 and the Peace Implementation Council at its meeting in Madrid in December 1998 warned of reductions in resources, as it was clear that the level of support to the peace process in Bosnia-Herzegovina would not be sustainable much longer. See Peace Implementation Council (1998b); International Crisis Group (1998c).

## **Acronyms – Bosnia-Herzegovina**

ARBiH	Army of Bosnia-Herzegovina
CAFAO	Customs and Fiscal Assistance Office
CFE	Conventional Forces in Europe
CIMIC	Civil-Military Co-operation
CJTF	Combined Joint Task Force
CMTF	Civil-Military Task Force
COMIFOR	Commander in Chief of IFOR
CSBM	Confidence and Security Building Measure
DHA	Department of Humanitarian Affairs
DPA	Dayton Peace Agreement
DPKO	Department of Peace-Keeping Operations
ECMM	European Commission Monitoring Mission
FPPs	Friends of the Peace Process
FRY	Federal Republic of Yugoslavia
GFAP	General Framework Agreement for Peace
HDZ	Croatian Democratic Union
HVO	Bosnian-Croat armed forces/Croat Council of Defence
ICITAP	International Criminal Investigative Training Assistance Program
ICFY	International Conference on Former Yugoslavia
ICTY	International Criminal Tribunal for Yugoslavia
IEBL	Inter-Entity Boundary Line
IFOR	Implementation Force
IMF	International Monetary Fund
IPTF	International Police Task Force
JCC	Joint Civilian Commission
JMC	Joint Military Commission
JNA	Yugoslav People's Army
JSAP	Judicial System Assessment Programme
MAC	Mine Action Centre
MND	Multi-National Division
MPRI	Military Professional Resources Inc.
NAC	North Atlantic Council

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NATO	North Atlantic Treaty Organisation
NDC	National Demining Commission
NGO	Non-Governmental Organisation
NPA	Norwegian People's Aid
PfP	Partnership for Peace
PIC	Peace Implementation Council
PIFWC	Persons Indicted for War Crimes
OHR	Office of the High Representative
OSCE	Organization for Security and Co-operation in Europe
ROEs	Rules of Engagement
RRTF	Return and Reconstruction Task Force
SACEUR	Supreme Allied Commander Europe
SCMM	Standing Committee on Military Matters
SCRes	Security Council Resolution
SDA	Party for Democratic Action
SDS	Serbian Democratic Party
SFOR	Stabilization Force
SHAPE	Supreme Headquarters Allied Powers Europe
SRSg	Special Representative of the Secretary General
SRT	Srpska Radio Televizija
UN	United Nations
UNCivPol	United Nations Civilian Police
UNDP	United Nations Development Program
UNHCR	United Nations High Commission for Refugees
UNMIBH	United Nations Mission in Bosnia and Herzegovina
UNMOP	United Nations Observer Mission in Prevlaka
UNPREDEP	United Nations Preventive Deployment in Macedonia
UNPROFOR	United Nations Protection Force
UNSC	United Nations Security Council
UNTAES	United Nations Transitional Authority in Eastern Slavonia
VRS	Army of the Serb Republic
WEU	Western European Union
ZOS	Zone of Separation

## **SECTION III**

# **IMPLEMENTING THE LUSAKA PROTOCOL**

**“ONLY THE DEAD HAVE SEEN THE END OF WAR.”**

PLATO

## **SECTION III: IMPLEMENTING THE LUSAKA PROTOCOL**

### **1 Introduction**

It has been argued that international security assistance to enhance the transition from war to peace in the wake of a peace agreement is particularly important in the absence of trust between the parties to the conflict. After two futile attempts to manage the conflict in Angola, the third involvement of the international community was to be more comprehensive and assertive. Three sets of experiences coloured the starting-point for the Lusaka peace process: the deep cultural divisions between the parties, thirty years of civil war, and – more immediately - the atrocities that followed the collapse of the Bicesse peace process.<sup>489</sup> They led to distrust and suspicion. The divisions among the parties are addressed in greater detail in the presentation of the local counterparts in Chapter 4 and the implications of the long civil war are considered throughout. At this stage, it is helpful to cast a brief look back at the events of 1991-2.

On paper the 1991 Bicesse Accords were exemplary: based on a mutually agreed cease-fire and providing instructions for demilitarisation, military reform, and elections to be held after a period of time that would be sufficient to give both parties to the conflict a real and equal chance to organise politically and decide the struggle for power by peaceful means.<sup>490</sup> Angola after Bicesse was a striking example of the misplaced but common belief that achieving a peace agreement is the ‘hard part.’ The world was shocked to find that the Bicesse Accords and the elections held in the following year did not guarantee peace in Angola. Cleary summarises the causes of collapse and explains that “[d]eep-seated mutual suspicion, inadequate management of the challenges of the pre-electoral period, exploitation by both the Angolan government and UNITA of the inability of the UN observer mission to effect compliance with the provisions of the Accords, and electoral manipulation led to

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<sup>489</sup> In this case study, I will not discuss the dimension of the conflict that concerns the Cabinda enclave, but limit myself to the direct confrontation between UNITA and the government.

<sup>490</sup> James Hamill (1994) “Angola’s road from under the rubble,” *World Today* 50(January), p. 7.

resumption of the civil war.<sup>491</sup> Thus, after a brief peaceful period the war continued with unparalleled vigour. In 1993, Harding wrote that “whatever the next step in the peace process, violence seemed a likely form of political expression for as long as Angola held together.”<sup>492</sup>

Although the case study is to review the Lusaka implementation process, it is important to be aware of how scarring the experiences of attempting to implement the Bicesse Accords were for all the actors involved. While trying to do everything ‘right’ this time around, the actual implementation process bore frequent and uncanny resemblances to Bicesse, despite the far more extensive international presence. These reminders could not but have affected the parties’ trust in each other, in the international presence, and in the peace process itself. At the same time, it was the lack of trust which was the fundamental factor that had not changed from Bicesse to Lusaka and was one of the reasons behind the similarities. At the outset, the issues that stood out as the main challenges in the Lusaka process were a general demilitarisation and power-sharing. Both were directed at building trust between the parties as an essential precondition for a successful peace process. Before analysing the implementation process and its component tasks in detail, it is helpful to briefly review the major phases of the Lusaka peace process from 1994 until 1998. This facilitates placing individual international efforts into the wider context of the peace process as a whole.

The first period was marked by uncertainty, with frequent and severe cease-fire violations, with atrocities still fresh in the minds, and incomplete deployment of UNAVEM III. A year went by, before concrete steps towards implementation were taken, in particular with respect to demobilisation. In contrast to the Bicesse process, links were established between different segments of the implementation process, such as that demilitarisation was considered a precondition for the full legalisation of UNITA through its conversion into a political party. The move to link security issues with political concessions reflected the distrust that pervaded the relationship between the parties throughout the implementation process. As a result, when demilitarisation progressed slowly, it put a severe damper on any political rapprochement. Thus, the year one evaluation by the UN Secretary General underlined that “[m]any of the

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<sup>491</sup> Sean Cleary (1999) “Angola – A case study of private military involvement,” in Jakkie Cilliers and Peggy Mason (eds) *Peace, Profit or Plunder? The Privatisation of Security in War-torn African Societies* (Institute of Security Studies: Pretoria), p. 145.

factors that prevented implementation of the earlier peace accords are still very much in evidence – distrust, continuing military activities, foot-dragging over quartering and related activities, obstruction of freedom of movement and the restoration of government administration, lack of respect for United Nations and other international personnel.”<sup>493</sup> Despite minor, temporary advances, these aspects continued to form major obstacles throughout the entire peace process until 1998.

Following an agreement between UNITA leader Jonas Savimbi and President Jose Eduardo dos Santos on a revised time table, the peace process accelerated in the course of 1996 with some progress in the realm of demilitarisation and the integration of some UNITA officers into the Angolan Armed Forces (FAA). In December 1996, UNITA declared that it “ha[d] quartered all members of its Armed Forces and police [and] surrendered all its weapons to the UN Angola Verification Mission-3.”<sup>494</sup> Both sides appeared to be making steps towards consolidating the peace.

Thus, observers appeared more hopeful than at any previous point in the peace process, when UNITA representatives took up their positions in the newly formed Government of Unity and National Reconciliation (GURN) in early 1997. Leaning on those positive assessments and on some nominal improvements with respect to the demobilisation of UNITA, UNAVEM III began its scheduled downsizing process and was replaced by MONUA in June 1997. The new UN observer mission was to complete the remaining tasks by transferring the responsibility for security into local hands. Most importantly, the transfer of key areas to state authority, which was the crucial test of UNITA’s willingness to ‘go-all-the-way’ with the peace process, was to be monitored. Sadly, developments throughout the year revealed UNITA leader Jonas Savimbi’s – and the government’s – dual strategy of preparing for both war and peace. UNITA’s willingness to co-operate decreased steadily in the course of the year and blame was increasingly assigned to Savimbi by most international observers, including the members of the Troika and the UN.

Although UNITA had fulfilled some of the UN’s conditions in September 1997, a clear shift in US policy took place later in the year. In an attempt to marginalise the spoilers and bring forces of peace into the international community’s fold, the United States moved onto the side of the ‘peacemakers,’ that is the MPLA

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<sup>492</sup> Jeremy Harding (1993) *The Fate of Africa. Trial by Fire* (Simon & Schuster: New York, NY), p. 27.

<sup>493</sup> S/1995/1012.VII.43.

government and those UNITA leaders that opted for peace.<sup>495</sup> The end result of the policy shift was that sanctions were finally imposed on UNITA in the fall of 1997. UNITA also suffered a significant blow when Mobutu Sese Seko was ousted from power in neighbouring and formerly supportive Zaïre. Although this initially led to a more co-operative spirit on the part of UNITA, observers also claim that it triggered the crisis that followed in late 1997, when provocative campaigns were stepped up on both sides.<sup>496</sup> The situation further deteriorated in the course of 1998, with a growing number of clashes between UNITA and the government. Tellingly, the fourth anniversary of the signing of the Lusaka Protocol drowned in a military offensive by the government. As of late 1998, it appears that the loss of support from Zaïre and the United States was only a temporary setback, until UNITA had filled the gaps with other willing sources of support.

The Angolan case study is structured in the same way as the study of the international efforts to implement the Dayton Agreement in Bosnia-Herzegovina. The starting-point for the assessment of international security assistance consists of three component parts. First, the stage is set by giving an overview over the central security deficits in the immediate wake of the agreement in Chapter 2. Second, a review of the Lusaka Protocol in Chapter 3 elaborates on its structure, security-related content, and legitimacy. Finally, regional and extra-regional actors that were involved in providing international security assistance to the Angolan peace process are presented in Chapter 4. On this basis, a thorough analysis of the security aspects of the implementation process itself is conducted, including demilitarisation, military and civilian security sector reform, and other supportive security tasks (Chapter 5). Since implementation must be regarded as a comprehensive effort, special attention must be paid to the co-ordination of activities (Chapter 6). The case study ends with some conclusions on the international efforts to enhance security in the implementation of the Lusaka Protocol.

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<sup>494</sup> "UNITA Announces Quartering of Armed Forces, Police," 11 December 1996 (<http://wnc.fedworld.gov>).

<sup>495</sup> Jule Reimer (1997) "Verfeindung ohne Ende? Das Volk resigniert, die Mächtigen lavieren," *Deutsche Welle Hintergrundanalysen*, 3 December 1997 (<http://www.dwelle.de>).

<sup>496</sup> Reimer (1997).

## 2 Threats to Security in the Wake of the Lusaka Protocol

The purpose of identifying threats to security is to determine those aspects of security that the state is incapable of providing for its citizens. These points of breakdown are where the international community comes in. As Gambari points out with respect to the role of outsiders in the reconstruction of collapsed states, “foreign intervention means that states’ functions are being performed – whether as assistance or interference – by another state or group of states.”<sup>497</sup>

The following section describes the situation in Angola in the immediate wake of the Lusaka Protocol in terms of the threats to security at that time. Naturally, in the process of implementing the Protocol, conditions changed. What is described here, was merely the starting-point: the initial conditions under which the agreement was to be implemented. How these conditions developed emerges in the discussion of the implementation process. I will refrain from discussing the obvious threats to security that open warfare implied.

### 2.1 Military Threats

Threats to military security arose with disputed territory, the presence of armed forces of various allegiances, and the easy availability of arms in the conflict area.

Control over Angolan territory was divided between UNITA and the MPLA-led government. In contrast to other cases in which territory is to be distributed among warring parties, either as newly formed states or component parts of a state, the goals of peace and national reconciliation in Angola implied that all territory was to be surrendered to one of the contestants. Although the latest military strike by the government put it into control to the degree that it accelerated the signing of the Protocol, strongholds remained and UNITA retained enough territory to have a major bargaining tool. In view of the scope, the depth, and duration of UNITA’s control over certain areas, the movement was understandably reluctant to hand over territory. For the peace process to succeed, territory would eventually have to be brought under

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<sup>497</sup> Ibrahim A. Gambari (1995) “The Role of Foreign Intervention in African Reconstruction,” in I. William Zartman (ed)(1995a) *Collapsed States. The Disintegration and Restoration of Legitimate Authority* (Lynne Rienner Publishers: Boulder, Colorado), p. 222.

uniform control, but it was clear that substantial incentives and guarantees would be required to induce UNITA to transfer authority over its strongholds.

A cease-fire was not in place at the time of signing, but it was to take effect two days later.<sup>498</sup> Several factors were likely to impact the effectiveness of the cease-fire. First, there was the size of the country and the concomitant size of the two opposing armies. Therefore, the degree to which a cease-fire would be effective would also depend on the degree of control that the two leaders had over UNITA and government forces respectively. Second, Angola's history was fraught with ineffective cease-fires, agreements and other ups and downs of war. As a result, the degree to which the current cease-fire would be complied with would vary. Both factors were interrelated and there was a danger that negative trends would reinforce each other. Realistically, one could not expect the cease-fire to hold with a complete absence of clashes, but the overall picture to be one of absence of open armed conflict.

Angola's wars since independence have featured external involvement throughout. In their study of the Angola peace processes, Saferworld argues that external involvement rendered the conflict more destructive than it otherwise would have been. They state that "[b]y the mid-1980s, outside interests were moving the war along with a momentum of its own and the outcome had become crucial to the evolution of Southern Africa as a whole."<sup>499</sup> Accordingly, foreign forces were also present in the wake of the signing of the Lusaka Protocol in late 1994. Whereas superpower presence had ceased, a more mixed assortment of foreign forces supported the two sides in the conflict. Mercenaries had played a decisive role in the most recent military achievements on the part of the government, prior to signing of the Protocol. With the regime change in South Africa, that country's heavy involvement had also been reduced. The most influential aspect of international involvement in the final stages of military action, was the extensive supply of arms to the MPLA and to a slightly lesser extent UNITA.<sup>500</sup>

In addition to the presence of foreign forces, the male population of Angola was highly mobilised. In contrast to conflicts of shorter duration, a highly mobilised

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<sup>498</sup> The unilateral cease-fire UNITA had declared in 1993 had broken down, when the government continued its offensives regardless.

<sup>499</sup> Saferworld (1996) *Angola. Conflict Resolution and Peace-building* (Saferworld: London), p.4.

<sup>500</sup> The relationship between the parties and the third-party actors is discussed in greater detail in Chapter 3.1.2 in connection with an assessment of the legitimacy of the Lusaka Protocol.

state had been a continuous feature of Angolan society for over thirty years and was necessarily translated into a way of life. Because of the degree to which the fabric of society had been destroyed, allowances would have to be made for a drawn-out transition from war to peace. Mobilisation not only meant being integrated into a military organisation, but implied that large sections of the population were uprooted from their homes, due to the movement of the force they belonged to, and that families were split up. Rather than nurturing traditional family and community ties, mobilisation transferred loyalties over to those that could provide security and some form of organisation in times of upheaval and insecurity. International security assistance faced the major challenge of establishing alternative structures of identity and of reducing the role of the military in each individual's life.

The unclear distinction between military and civilian security in Angola makes the evaluation of implementation and reform difficult. Formally, a delineation was made between military and civilian security forces, with the Angolan Armed Forces (FAA), on the one hand, and the Angolan National Police (ANP), on the other. In addition, both sides had parallel security structures, such as the Rapid Reaction Police (RRP) on the part of the government or UNITA's Mining Police. Although police forces in name, most of their activities were to some degree military in nature. Initially, specific tasks were allocated to the military and the police forces. Also, lip service was paid to the necessity of quartering the FAA and the Rapid Reaction Police and of developing a reliable impartial police force. However, the dividing line between the two forces became more and more blurred in the course of implementation. The result was a more general sense of insecurity and instability throughout Angola that the Angolan government scrambled to meet with whatever means it had at its disposal, thereby undermining attempts at reform and clarification.

Much more so than in Bosnia-Herzegovina, the major challenge to internal security was to address a source of instability that consisted of a military force, i.e. UNITA. As a result, there was an imbalance between the police's tasks in theory and its opponents in practice. For all intents and purposes, the police faced an army rather than individual criminals. Even the police's main task of disarming the civilian population was military in nature when it reached the scale that the operation had in Angola. It was not without good reason that the primary responsibility for disarmament was assigned to IFOR/SFOR in Bosnia-Herzegovina rather than to the

IPTF. None of the security assistance provided by the international community could alter the trend towards growing indistinction.

Furthermore, a massive inflow of arms had taken place over a period of thirty years, from Cuba, countries of the former Soviet Union and Eastern Europe, the United States, South Africa, and other countries in the region. Despite the fact that UNAVEM I had successfully supervised the withdrawal of Cuban and South African troops from Angola, large numbers of arms had remained. Since the collapse of the Bicesse process, arms again arrived in Angola on both sides of the conflict from a variety of sources. The result was an immense number of small arms, evenly spread among the population, aside from the military capabilities in the hands of the parties. As Harding put it, “[i]n the right hands, the gun confers absolute legitimacy, while grievance is left to take care of itself.”<sup>501</sup> Although unsophisticated weaponry was accountable for a large number of deaths in the Angolan conflict, the trend pointed towards the introduction and increasing spread of heavier weapons.<sup>502</sup>

Angola was – and continues to be – one of the most mine-ridden countries in the world. As the UN Mine Action Programme stated, the “scope and complexity of the mine threat is probably greater than in any other country and will require a well-co-ordinated approach.”<sup>503</sup> With a population of twelve million and estimates of over ten million mines, there was a mine density of at least one mine per person.<sup>504</sup> The extent of mine contamination was excessive in Angola, because mines were used as part of a war strategy of disruption, and because the war had raged throughout the entire country at one time or another.<sup>505</sup> After more than thirty years of civil war, it was not to be expected that the placement of land mines had been recorded by the parties to any significant extent.

Although landmines were a military tool, there were two main civilian aspects of landmine contamination that had significant security implications. The first and most important was the inability of the displaced population to return to their homes.

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<sup>501</sup> Harding (1993), p. 19.

<sup>502</sup> Rwanda is the most cited example of butchery with simple but highly effective weapons, such as the machete.

<sup>503</sup> UN Mine Action Programme (1998) *Country Report: Angola* ([www.un.org/Depts/Landmine/country/Angola.htm](http://www.un.org/Depts/Landmine/country/Angola.htm)).

<sup>504</sup> UN Mine Action Programme ([www.un.org/Depts/Landmine/country/Angola.htm](http://www.un.org/Depts/Landmine/country/Angola.htm)); United Nations (1996) *The Blue Helmets* (United Nations: New York, NY), p. 254; Saferworld (1996), p. 23.

<sup>505</sup> Africa Watch Report (1993) cited in United Nations DHA (1997) *Angola: The Development of Indigenous Mine Action Capacity* ([www.un.org/Depts/Landmine/Reports/angola/angola.htm](http://www.un.org/Depts/Landmine/Reports/angola/angola.htm)), Phase One, 32.

Return was hampered due to the fact that both housing and the roads leading forth were heavily mined, rendering large parts of the population immobile in their exile. Naturally, a country will not return to a stable state, unless the population has settled and starts to plan for the future. The second civilian aspect was that landmine contamination further impeded resettlement and the consolidation of peace. Even those refugees that indeed managed to return home were unable to farm the land and become self-sufficient. In that way, it was clear that land mines would have a restraining effect on economic reconstruction and regeneration for some time to come, offering few opportunities for the immediate peaceful future. The devastating legacy of landmines was a critical security issue in Angola where much of the Angolan population was even more reliant on farming than the population in Bosnia-Herzegovina, and “[s]ubsistence agriculture [had been] the traditional livelihood for the majority of the country’s [...] citizens.”<sup>506</sup>

## **2.2 Threats to Law and Order**

The rule of law has to do with the existence and performance of the institutions of justice, including the police, the court system, and the penal system and threats to law and order arise when these institutions malfunction. Gambari claims that “[e]ven in the best of times in Africa, the maintenance of law and order as an attribute of statehood has existed only tenuously, because the instruments of the state, such as the judiciary, the police, and the army, have never really been sufficient to cope with the full demands of governance.”<sup>507</sup> This clearly held true for Angola.

The Angolan police force itself had clear para-military roots and the security environment featured a host of internal security forces. Most of these fought alongside the army on behalf of the government. The Angolan National Police remained heavily armed and partial to the MPLA. Moreover, although well-equipped many policemen were illiterate and ignorant of democratic standards of policing and human rights. In addition, para-military forces continued to exist under the leadership of both parties.

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<sup>506</sup> US Department of State (1998) *Angola Country Report on Human Rights Practices for 1997* (Bureau of Democracy, Human Rights, and Labor, U.S. Department of State: Washington D.C., 30 January 1998; [http://www.state.gov/www/global/human\\_rights/1997\\_hrp\\_report/angola.htm](http://www.state.gov/www/global/human_rights/1997_hrp_report/angola.htm)), p. 1. Harding states that of approximately 10 million at least 6 million depended on the land in the early 1990s. Harding (1993), p. 61.

As cease-fire violations decreased in late 1995 and in the course of 1996, crime rates rose. Crime became an increasing problem for the government, and the Angolan police was completely incapable of living up to the challenge.<sup>508</sup> According to Saferworld, there was a danger that crime would “evolve into a state of generalised anarchy.”<sup>509</sup>

An elaborate system of courts had been established in the course of a nationwide reorganisation along Marxist-Leninist lines. The network of courts was divided both geographically and functionally and contained different kinds of people’s courts as well as a Supreme Court and a Court of Appeals. The legal process in Angola often involved consulting with respected leaders of different ethnic groups and with other local residents. Despite these trappings of a court system, the “independence of the judicial structure and process was severely circumscribed by political control of the court system and the fact that the judges of the military tribunals [established in 1983] were military officers whose appointment, reassignment, and removal were controlled by the minister of defense.”<sup>510</sup> In addition, formal legal rights were often disrespected or not invoked, resulting in serious and frequent human rights violations. Naturally, Angola was a country subject to civil war since independence and had little opportunity to develop a more legitimate court system. Moreover, there were rival systems of courts and prisons in UNITA-held territories.

Under both parties’ leadership, the penal system was if possible in a worse state than the judicial system. According to reports by the US government and human rights groups, conditions in Angolan prisons were life threatening, particularly due to food scarcity, overcrowding, sanitary conditions, and lack of medical treatment. Moreover, arbitrary arrests and abductions remained the order of the day. Inadequacies in the judicial and the penal system were of course closely related. Thus, “a scarcity of resources and the lack of qualified and motivated personnel in the judicial system, limited the exercise of [the prisoners’ constitutional] rights.”<sup>511</sup> A corrupt and ineffective system of justice engendered an absence of trust on the part of the population that instead sought alternative manners of redress.

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<sup>507</sup> Gambari (1995), p. 222.

<sup>508</sup> S/1996/503.III.8.

<sup>509</sup> Saferworld (1996), p. 2.

<sup>510</sup> Library of Congress (1989) *Angola – A Country Study* (Area Handbook Series: Library of Congress; <http://lcweb2.loc.gov/frd/cs/aotoc.htm>), “Criminal Justice System.”

### 2.3 Other Threats to Security

In order to fully comprehend the immediate post-war situation in Angola, it should be remembered that since the break down of the Bicesse process in September 1992 a “humanitarian disaster ha[d] befallen the country which ha[d] no parallel even during the long 30-years-war from 1961 to 1991.”<sup>512</sup> In July 1993, the UN estimated that one thousand people were dying each day and a total of 300,000 died between 1992 and 1994.<sup>513</sup> Since international arms shipments from the major external players had officially ceased, the destructiveness of the post-Bicesse war was astonishing and in part due to more sophisticated weapon technology. The involvement of private security companies also contributed to the fierceness of the war.<sup>514</sup> As a result of the renewed conflict, an estimated 30% of the population, that is 3.5 million people, were in need of humanitarian assistance in late 1994. The situation was particularly difficult in the interior, where large areas had been inaccessible for humanitarian aid due to the intensity of fighting.

A large number of people was also displaced as a result of the latest fighting, but there were also refugees and internally displaced persons (IDPs) that had not returned in the course of the Bicesse process. Approximately 280,000 refugees were spread out in camps along the borders in Zaïre, later to become the Democratic Republic of Congo (DRC), Congo/Brazzaville, Namibia, and Zambia and had been living there under squalid conditions for several years. In addition, there were about one million internally displaced inside Angola.<sup>515</sup>

As mentioned above, the proliferation of landmines put a serious damper on the prospects for economic reconstruction. Moreover, in contrast to Bosnia-Herzegovina, where there was an economic base even though it was more or less moribund, there was no general economic infrastructure that might form a starting-point for regeneration in Angola. Obviously, infrastructure that served the oil, diamond and other mining industry was the exception that confirmed the rule. The

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<sup>511</sup> US Department of State (1998), p. 2-4, 8; Amnesty International (1996) *The Lusaka Protocol: what prospects for human rights?* (Report AFR 12/02/96, Amnesty International: London, 10 April 1996; <http://www.amnesty.org/ailib/aipub/1996/AFR/11200296.htm>), p. 8.

<sup>512</sup> Hamill (1994), p. 6.

<sup>513</sup> Human Rights Watch (1996) *Angola: Between War and Peace. Arms Trade and Human Rights Abuses since the Lusaka Protocol* (Human Rights Watch, February 1996; <http://www.hrw.org/hrw/summaries/s.angola962.htm>).

<sup>514</sup> Hamill (1994), p. 9; Cleary (1999), p. 146, 152f.

<sup>515</sup> UN Mine Action Programme ([www.un.org/Depts/Landmine/country/Angola.htm](http://www.un.org/Depts/Landmine/country/Angola.htm)).

civil war in Angola had caused the “complete collapse of economic activity, the denial of essential services, and massive overcrowding in the cities as people [sought] refuge from the conflict.”<sup>516</sup> The duration of the war and the scope of destruction added up to a bleak starting-point for lasting peace in Angola, but also underlined the compelling need for peace. Fituni points to the enormity of the job at hand and the need to “creat[e] conditions for self-sustained growth and decent living standards for society.” Still, he is weary of the fact that “the social costs of putting the state together [in Angola] may make the program’s implementation completely unrealizable.”<sup>517</sup>

The magnitude of the psychological transition becomes apparent in Fituni’s comment on the war’s duration: “During forty years of war, two generations of Angolans have been born and reached maturity. They have never lived in conditions of peace and stability and do not know what peaceful development of the state is about.”<sup>518</sup> One would suspect that the longer a war has been raging, the longer it would take the population to develop confidence in the peace process. This is especially true in Angola where the population suffered an additional blow, when it placed overwhelming trust in the elections in the Bicesse process and was severely burnt in the subsequent return to war.

Not surprisingly then, the population’s trust in the government was variable. The social contract that had to be re-established, would be difficult to resurrect – or even erect – as long as the government was unable to project its power into geographically remote regions. Therefore, trust in the government’s ability to guarantee the individual’s security would be very hard to build. Although one may argue that an alternative decentralised system of government may be more appropriate given Angola’s vast territory and regional divisions, the need for a uniform system that covers the entire territory – whatever its other characteristics – is indisputable. Indeed, “Angola’s legitimacy as a unitary state is unquestioned, but the internal contradictions appear irreconcilable precisely because they have been artificially implanted and fostered from outside. In the mid-1990s, with external forces hardly interested in Angola’s internal feuds, the confrontation lives on by itself, because the future of each of the warring parties depends on it.”<sup>519</sup>

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<sup>516</sup> Hamill (1994), p. 10.

<sup>517</sup> Leonid L. Fituni (1995) “The Collapse of the Socialist State. Angola and the Soviet Union,” in Zartman (1995a), p. 152f.

<sup>518</sup> Fituni (1995), p. 147.

<sup>519</sup> Fituni (1995), p. 154.

**Box 2.1: Summary of Threats to Security**

**(1) Military threats:** Control over territory was divided, with clear strongholds for each party. All of the territory was to be transferred to government hands. Large armies existed on both sides of the conflict and the civilian population of Angola was armed to the teeth. The distinction between military and civilian security forces was blurred. There was an enormous number of landmines that hindered freedom of movement, repatriation, and economic reconstruction and inflicted widespread bodily harm.

**(2) Civilian security threats:** The police was ineffective and not credible due to its involvement on one side of the conflict, was heavily armed, and frequently committed human rights abuses. In addition, there were a number of official and unofficial para-military groupings. Both the judicial and the prison system were essentially defunct.

**(3) Other threats:** Due to long years of fighting, infrastructure had been almost completely destroyed and economic activity was limited to the oil and diamond industries that harboured few or no economic benefits for the general population. In the immediate wake of the Lusaka Protocol there were approximately 300,000 refugees and one million internally displaced.

### **3 The Lusaka Protocol**

#### **3.1 General Review of the Agreement**

##### **3.1.1 Structure, Content, and Goals**

Following negotiations between the government and UNITA that lasted over a year, the Lusaka Protocol was initialled by the negotiators in Lusaka on October 31, 1994 and finally signed on 22 November 1994.<sup>520</sup> From a legal point of view, the Lusaka Protocol was detailed, comprehensive and provided a sound basis for implementation. It drew on the Bicesse Accords, Security Council Resolutions, international statutes, such as the Universal Declaration of Human Rights, and the Angolan Constitution as its legal footing. The Bicesse Accord was emphasised throughout, underlining the fact

that the Lusaka Protocol merely represented a revitalisation of that same peace process and that the Bicesse Accords were in no way invalid, despite the derailed implementation. In this way, the legitimacy of the government and its claim to power was maintained and strengthened, as moving away from Bicesse would have placed a question mark behind the election results, inadvertently supporting Savimbi's claim of fraud and introducing additional instability at the outset of a fragile process. This was particularly important to the international community which had identified Jonas Savimbi as the culprit in the return to war in 1992 and which wished to underline their commitment to the MPLA as the democratically elected government of Angola. Moreover, the international community did not want to engage in a repetition of the disastrous election experience and the tension it would bring, and chose not to toss the power ball out into an open court again. To highlight this point, the institutions that emerged from the elections were cited as one of the starting-points of the Lusaka process.

The Protocol consisted of a brief statement of intent that listed some cornerstones of the current process, such as the Bicesse Accords, the election results, the desire to achieve national reconciliation, and the resolutions of the United Nations Security Council. These cornerstones made up the constituent documents of the Lusaka Protocol, in combination with the ten annexes.<sup>521</sup> The desire to maximise the operationalisation of items in order to avoid diverging interpretations during implementation, was reflected in the fact that most of the Annexes were further subdivided into General Principles, Specific Principles and Modalities. By stating indisputable general principles and then moving on to the greatest possible level of detail the parties could agree upon, the authors of the agreement attempted to lay a sound foundation for implementation.

Literature on the viability of peace agreements is divided on the issue of how detailed an agreement should be. Proponents of a detailed approach argue that

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<sup>520</sup> The Lusaka Protocol was based on the Draft Protocol of Abidjan in which a comprehensive set of arrangements had been agreed upon in April and May 1993. Saferworld (1996), p. 10; Cleary (1999), p. 159.

<sup>521</sup> The Annexes took up the following issues: the Agenda of the Angola Peace Talks between the Government and UNITA (Annex 1), Reaffirmation of the acceptance, by the Government and UNITA, of the relevant legal instruments (Annex 2), Military Issues I (Annex 3), Military Issues II (Annex 4), The Police (Annex 5), National Reconciliation (Annex 6), Completion of the Electoral Process (Annex 7), The United Nations Mandate and the Role of the Observers of the "Acordos de Paz" and the Joint Commission (Annex 8), Timetable for the Implementation of the Lusaka Protocol (Annex 9), Other Matters (Annex 10).

unresolved or ambiguous issues are potential time bombs in the implementation process. In the interest of impartiality of the implementers, a sound and explicit agreement is preferred as a neutral standard. It provides a greater degree of legitimacy should pressure need to be exercised to force compliance. In contrast, arguing that the implementation process is far from predictable at the time of the signing of an agreement, others have pointed to the need for flexibility. The Lusaka Protocol is an example of an agreement that sought to anticipate the central issues as comprehensively as possible. Only in a few instances did the Protocol refer to outstanding written documents to be exchanged by the government, UNITA and the UN, in which specifics would be determined at a later date.

The goals of the agreement, as listed in the Protocol section were “lasting peace” and “true and sincere national reconciliation” in Angola.<sup>522</sup> Given the emphasis placed on reconciliation, it appears that the unity of the country was an implicit goal of the agreement. Sarcastically, one might argue that national unity was to be preserved as that would guarantee whoever was in power access to both oil and diamond resources. In the case of partition, the dividing lines would be likely to separate the two sets of resources. Although one should not discount the genuine wish for peace, the war in Angola made most observers rather cynical. As a result, the call for peace and the normalisation of political and social life might indicate that both sides wanted to legitimise and complete their hold on power.

The main items of the Protocol included military security issues, such as the re-establishment of a cease-fire, demobilisation under UNAVEM III and the integration of UNITA generals into the FAA, and civilian security issues, such as the incorporation of former UNITA soldiers into the national police force. Furthermore, a number of political issues were addressed, including the outstanding second round of presidential elections and the allocation of government posts to UNITA.<sup>523</sup> In addition to the electoral process, national reconciliation was linked to various other civilian issues. Several efforts directed at liberating the media and activating it for the cause of reconciliation were devised, such as initiating awareness campaigns “to promote the

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<sup>522</sup> Lusaka Protocol ([http://www.angola.org/politics/p\\_lusaka.htm](http://www.angola.org/politics/p_lusaka.htm)).

<sup>523</sup> UNITA was allocated the following posts: Deputy minister posts of Defence, Home Affairs, Finance, Agriculture, Public Works, Social Reintegration and Mass Communication; 3 provincial governorships and 7 deputy governorships; 30 municipal and 30 deputy municipal administrators; and 70 administrators of communes.

spirit of tolerance, coexistence and trust in Angolan society.”<sup>524</sup> The declaration of an amnesty early on in the process was to underline conciliatory efforts. Strengthening of the central government through the transfer of areas under UNITA administration was absolutely necessary to engender a sense of national unity and shared destiny. Still, whether the desired impact would indeed take place, would depend on how effectively the power holders governed and managed to make their power felt in outlying areas.

The agreement included sophisticated timetables for implementation. Whereas deadlines could be brought forward by mutual agreement, delays were implicitly considered intolerable. In part, the strict stance on timetables was a result of the difficulties experienced in the Bicesse process. The Lusaka Protocol bore witness to a more thorough understanding of the interrelations between different elements of implementation. Accordingly, the Protocol included a mechanism that stated that “[n]o task shall be initiated before the previous one has been concluded.”<sup>525</sup> Clearly, there was a fundamental contradiction here. While wishing to express a firmer stance on non-compliance and a low tolerance policy with respect to delays, the document recognised the intricacies of implementation and the need for flexibility. In practice, it soon became clear that the deadlines stipulated in the agreement were largely irrelevant to the peace process.

Despite its drawbacks, observers tended to agree that, compared to the Bicesse Accords, the Lusaka Protocol featured a number of improvements.<sup>526</sup> First, the UN presence was to be much larger.<sup>527</sup> Second, the force had a more far-reaching mandate which involved it directly in the disarmament process. Third, the time-table for the second round of presidential elections was more flexible, which eventually led to an indefinite postponement. Fourth, the Lusaka Protocol envisioned power-sharing arrangements that were to serve as an incentive for UNITA to abandon its military strategy. Finally, the agreement included provisions to promote an administrative decentralisation process in an effort to bring local and provincial government closer to the people.

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<sup>524</sup> Lusaka Protocol, Annex 9,1.

<sup>525</sup> Lusaka Protocol, Annex 9, Observations.

<sup>526</sup> See discussion in Saferworld (1996), p. 12; Winrich Kühne (1995) “Lessons from Peacekeeping Operations in Angola, Mozambique, Somalia, Rwanda and Liberia,” (*Challiot Papers* #22/1995, Institute of Security Studies, Western European Union), p. 20f.

<sup>527</sup> The final strength was determined on 8 February 1995 in S/RES/976 (1995).

**Box 3.1: Basic Features of the Lusaka Protocol**

The Lusaka Protocol was declared to be a continuation of the Bicesse process with reconciliation as its primary goal and confirmed the MPLA government in power in order to avoid instant potentially destabilising political competition. Observers tended to agree that it was an improvement compared to the 1991 agreement.

The Protocol was detailed and comprehensive with respect to military and civilian security issues and underlined the linkages between different aspects of implementation.

### 3.1.2 Legitimacy and Self-interest

Generally, one assumed that fundamental consent to the international presence and support for the peace process was given through the signing of the agreement. In that way, the UN peacekeeping force could call on the agreement as a basis for its actions. However, consent is never static and evolves throughout the peace process. In Angola, too, it varied with the extent that the parties felt that their objectives had been met and were represented in the agreement. In essence, it was a question of the extent to which the parties accepted the agreement as the appropriate mechanism for conflict management, as well as the international actors' assistance. This section discusses the political positions, goals, and security perceptions of the parties in connection with the peace agreement, as well as the parties' relationship with the third-party actors. In this manner, it will be easier to gauge the validity and potential of the agreement.

The Protocol was initialled by representatives of UNITA and the government on October 31, 1994 and was subsequently approved by "the competent constitutional authorities of the Republic of Angola and by the statutory UNITA authorities."<sup>528</sup> However, neither President dos Santos nor UNITA leader Savimbi signed the agreement themselves. Savimbi was unwilling to travel to Lusaka and questioned some of its provisions, even as the document was being signed.<sup>529</sup> While the Security Council chose a 'wait and see' approach, Amnesty International interpreted the situation as a dubious starting-point for the peace process, claiming that "the signing

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<sup>528</sup> Lusaka Protocol. UNITA Congress approved the Lusaka Protocol in February 1995. S/1995/177, II.4.

<sup>529</sup> In fact, Annex 2 reflected reservations on the part of UNITA, as to the legitimacy of the resolutions. Rather than recognising their legal bindingness, UNITA admits that "it has taken good note" of the documents; hardly a wholehearted endorsement. Lusaka Protocol, Annex 2.

of the Lusaka Protocol owed more to international pressure than to the political will of the Angolan government and UNITA to achieve peace.”<sup>530</sup>

Both parties were unhappy with the agreement.<sup>531</sup> Towards the end of the negotiations, the MPLA had been gaining momentum and was winning back territory. From the time of independence, the MPLA had had the advantage of governing “the new polity of Angola from the heart of its own ethnic regional stronghold”<sup>532</sup> and considered itself superior to its opponent. The recent military gains by the government did not force UNITA to the bargaining table, but they did accelerate the negotiating process and influenced what concessions the movement had to make.<sup>533</sup> Although the government was generally interested in seizing the opportunity of reaching an agreement, it also wanted to continue its military campaign in an effort to reverse UNITA’s military gains on the ground. UNITA on the other hand, was dissatisfied because it did not manage to “translate its military gains into political control.”<sup>534</sup>

Accordingly, “Lusaka set the mood for what was to come,”<sup>535</sup> namely a peace process marked by distrust and a zero-sum perception among the parties. Similarly, the agreement has been accused of dealing with the symptoms of the conflict rather than its root causes. Thus, the absence of trust and of a common outlook that originated in deep-seated divisions and that had derailed earlier attempts at peace, were not taken into account. Naturally, these would be difficult to integrate into a legal document even under the best of circumstances and attempts were made to counteract distrust between the parties through the extended role of the UN. But it was not until mid-1997 that the Secretary General pointed to “the need to bridge the deep political, psychological and even regional divisions in the country and to foster mutual trust which has been severely undermined by one of the longest-running conflicts in Africa.”<sup>536</sup> Cleary agrees when he writes that “[t]he antagonism of each side to the ‘other,’ apparent when their diplomatic guards are down, can be

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<sup>530</sup> Saferworld (1996), p. 13, 16; Amnesty International (1996), p. 2.

<sup>531</sup> See for example Alex Vines (1999a) *Angola Unravels – The Rise and Fall of the Lusaka Peace Process* (Human Rights Watch 9/1999; <http://www.hrw.org/reports/1999/angola/Ang1998.htm>), Ch. IV, p. 1.

<sup>532</sup> Fituni (1995), p. 149.

<sup>533</sup> Alex Vines (1998) “Angola and Mozambique: Different Roads to Peace” (Paper presented at *Transitions from War to Peace in the post-Cold War Era*, Foreign and Commonwealth Office: London, 28-9 September 1998), p. 4.

<sup>534</sup> Saferworld (1996), p. 11; Carrie Manning (1999) “The Collapse of Peace in Angola,” *Current History* 628/1999, p. 209; Joanna Lewis (1996) “Angola 1995: The Road to Peace,” *International Relations* 8(1), p. 84.

<sup>535</sup> Manning (1999), p. 209.

frightening. The challenge of overcoming deep-rooted resentments, fears and suspicions, defining common visions, developing common values and building a nation, still lies ahead in Angola.<sup>537</sup> Thus, the lack of trust would determine the context in which the Lusaka Protocol was to be implemented.

Despite the misgivings of some observers, the two parties regularly expressed their formal willingness and commitment. In May 1995, President dos Santos and Jonas Savimbi declared their support for the peace process and their willingness to resolve the outstanding issues at a meeting in the near future. Throughout the peace process, the level of political support was reflected in the parties' willingness to conduct high levels meetings.<sup>538</sup> Thus, after a series of summits in 1995, the climate improved considerably.<sup>539</sup> Increasingly, however, meetings took place within the Joint Commission and under pressure from outside actors. It was also telling that Savimbi was absent at the two most important political benchmarks, namely the signing of the Lusaka Protocol and the inauguration of the GURN.<sup>540</sup> Typically, UNITA Congresses affirmed the movement's commitment to the peace process, but fell short of taking practical steps, such as in connection with the formation of the FAA and the transfer of state authority.<sup>541</sup> The government was equally good at paying lip service to the Lusaka process. Thus, timetables were agreed upon without being followed up. Sometimes it appeared that deadlines were set to please the international community rather than to gratify either of the parties. In the end, Manning writes that "[d]espite several periods in which significant progress was made, mutual mistrust deepened rather than diminished with each important step taken in the process."<sup>542</sup>

Given the level of suspicion, the existence and credibility of security guarantees were critical issues that were only partially resolved. The UN, on the one hand, and the parties' commitment to rapid demilitarisation, on the other, were theoretical security guarantees. In practice, however, the relative weakness of the UN's mandate and immediate delays in the military build-down deprived the guarantees of their credibility.

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<sup>536</sup> S/1997/438.VII.33.

<sup>537</sup> Cleary (1999), p. 144.

<sup>538</sup> S/1996/171.VII.31.

<sup>539</sup> Saferworld (1996), p. 13.

<sup>540</sup> Pierre Beaudet (1998) "More War in Angola," *Economic and Political Weekly* 47-8/1998, p. 2962; Manning (1999), p. 209.

<sup>541</sup> S/1996/827.II.4; S/1998/17.IX.41f.

<sup>542</sup> Manning (1999), p. 209.

The Protocol also underlined that the parties recognised their primary responsibility for its implementation, and that they desired the presence and the support of the United Nations.<sup>543</sup> This was the starting-point for a pattern of manipulation of the international community by both parties that both understood the international system very well. Due to the loss of support and stigmatisation that was triggered by UNITA's rejection of the 1992 election results, UNITA harboured little trust in the external actors. However, UNITA also recognised that the UN presence would put a stop to the government's military momentum. Moreover, should things not work out to UNITA's satisfaction in the peace process, the UN would once again serve as a convenient scapegoat.<sup>544</sup> A positive aspect had been the appointment of Alioune Blondin Beye, former Foreign Minister of Mali, as Special Representative to the Secretary General, which Jonas Savimbi welcomed because he believed that Beye understood 'African' problems better.<sup>545</sup> Unfortunately, Beye proved not to be authoritative enough; not because of any lack of zeal, but due to the fact that he did not have the weight of the international community behind him. As a result, he could not sustain the parties' respect. Aside from the limitations on its military campaign, the MPLA was basking in the good will of the international community, having been recognised as the legitimate government. As the international community became more critical of the government's military and human rights violations, and especially its involvement in the DRC and Congo-Brazzaville, the MPLA grew less co-operative. Then, when the military track gained in importance in the course of 1998, the UN presence was increasingly seen as a tiresome impediment.

At the same time, Vines argues that by 1998, "[t]he UN's practice of ignoring the two parties' deceptions and depredations and its own lack of transparency had encouraged both parties' to regard the peace process with contempt, and both, the Angolan government and UNITA had determined that war was their preferred option."<sup>546</sup> Manning sums up that "[b]y early this year [1999] both the government and UNITA had apparently grown weary of the fiction of observing the Lusaka

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<sup>543</sup> Lusaka Protocol, Annex 8, A.I.

<sup>544</sup> Vines (1998), p. 25; Richard Cornwell and Jakkie Potgieter (1998) *Angola – Endgame or Stalemate?* (Occasional Paper No. 30, Institute for Security Studies: Johannesburg, April 1998), p. 4.

<sup>545</sup> Cleary (1999), p. 158f.

<sup>546</sup> Vines (1999a), Ch. I, p. 2.

Protocol and the accompanying tedium of justifying their actions to the international community.”<sup>547</sup>

### **Box 3.2: Legitimacy of the Agreement**

The greatest drawback of the Lusaka Protocol was that it paid little heed to the absence of trust between the parties. It set the tone for the peace process in that it could not breach the gap in trust and included only half-hearted security guarantees that could not match the parties' security concerns. The international community was respected only as long as there was a shred of credibility behind its commitments to peace. After that, the relationship between the parties and the external presence was marked by attempts to manipulate.

## **3.2 Security and Security-Related Arrangements**

### **3.2.1 Tasks Set Out in the Protocol**

Having presented the structure, content, and goals of the agreement more generally, the following section elaborates on the security-related arrangements in the Lusaka Protocol. The strict timetables for military security tasks reflected a major lesson learned from the Bicesse process, namely the need for the demobilisation processes to be completed before most other tasks could even be addressed. To underline the lesson, the military security issues were divided into two Annexes, concerning the cease-fire, demobilisation and disarmament, on the one hand, and referring to military reform in the national forces of Angola, on the other. While all the items on the military security agenda had detailed timetables, it was constantly underlined that no progress would be made in other areas until the UN had certified satisfactory completion of the quartering process. As mentioned above, hindsight begs the question of how realistic or even how relevant the deadlines were.

Throughout the annexes, the role of the UN was indicated in connection with the results to be achieved through the implementation of the Lusaka Protocol. Annex 8, then, was dedicated to detailing the tasks that the United Nations were to take on in

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<sup>547</sup> Manning (1999), p. 211.

the implementation of the agreement. Here, they were assigned a major role, “in contrast to the Bicesse Accords in which [...] the UN was limited to verifying the implementation of the cease-fire.”<sup>548</sup> The Lusaka Protocol was similar to other peace agreements in that it contained typical tasks in an immediate post-settlement phase, such as monitoring a cease-fire, supervising the separation of forces and the withdrawal of foreign forces, in particular the mercenaries involved on both sides in the Angolan civil war. Transfer of territory is a typical component of agreements that settle an interstate conflict. The Lusaka Protocol referred to the transition of UNITA-held territory into government hands, as a part of the recognition and implementation of the election results of 1992 that confirmed the MPLA in power.

Following the immediate post-settlement phase, in which troops were positioned in a way that removed the immediate threat of renewed clashes, a more comprehensive demilitarisation process was initiated. This included demobilisation, disarmament, and the registration of armed forces and weapons on both sides of the conflict. Whereas demobilised UNITA soldiers were to be integrated into the national armed forces (FAA), into the national police force, and into Angolan society, former combatants on the MPLA government side were primarily to be returned to civilian life. The integration of UNITA forces into a joint armed force for Angola was a continuation of the Bicesse process, which also included an element of military reform, similar to the Lusaka Protocol. However, when the two sides returned to hostilities in 1992, the UNITA staff that had been part of the FAA pulled out, instantly reversing the results of the military integration efforts. In order to ensure that integration would stand the test of time, the Lusaka Protocol envisioned a multi-faceted process that involved the former opposing military staff in training programmes and joint leadership. Absent from the Protocol were provisions for a regional security network, which proved to be a significant shortfall, as the security in the region was clearly interconnected and both troops and arms effortlessly crossed borders, seriously undermining stability.

In the implementation of all of the military security provisions, the UN was to act as the neutral holder of all information, ensuring mutual transparency. The idea was for the UN to bridge the gap between the parties in order to overcome the lack of trust and allow the peace process to begin.

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<sup>548</sup> Amnesty International (1996), p. 3.

### *Section III Implementing the Lusaka Protocol*

The list of tasks for the UN in Annex 8 was very detailed and consequently very long. In contrast to other peacekeeping missions, the main problem in this case was not a vague mandate but the lack of means to carry it out. The Protocol stressed the good will of both parties and their desire to implement the provisions agreed to, but even under the best of circumstances the UN would have required a far larger mission than the one set up. In theory, only a limited force was necessary given the vociferous support both parties expressed for the agreement, but in practice, the operation was too comprehensive for the staff present to carry it out. It was unfortunate that a so thoroughly planned process could not be implemented more effectively. The analysis of the implementation process will reveal to what degree the lack of security that a larger and more heavily armed force might have provided for the parties and the population at large, affected the pace of the peace process and indirectly the political willingness of the parties to comply with the Lusaka Protocol.

In areas related to the civilian side of security, the Lusaka Protocol was also fairly comprehensive, covering items, such as calls for social integration programmes for former combatants and returning refugees, that other agreements had been criticised for lacking. The agreement implicitly recognised the links between civilian and military security by placing the “[f]ree circulation of persons and goods” among the specific principles in the first military annex.<sup>549</sup> Other typical borderline issues between military and civilian security were the reconstruction of infrastructure and demining, including the establishment of a demining school.<sup>550</sup>

In addition to the Lusaka Protocol the mandate detailed in Security Council Resolution 976(1995), provided a legal basis for security tasks to be executed in the course of the peace process. The UN mandate for the new peacekeeping force included five elements: (1) political, (2) military, (3) police, (4) humanitarian, and (5) electoral.<sup>551</sup> The political element in the mandate gave UNAVEM III a mediating role in the extension of state administration to all of Angolan territory and in other efforts towards national reconciliation. The UN was also to assist in the preparation and implementation of the second round of presidential elections and be the final instant for their approval.<sup>552</sup> The mandate in the military sphere encompassed supervision and

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<sup>549</sup> Lusaka Protocol, Annex 3, II, 7.

<sup>550</sup> According to Annex 8, the parties expressly requested UN assistance to demining and agreed to provide all necessary information to the UN.

<sup>551</sup> S/RES/976 (1995).

<sup>552</sup> List taken from *The Blue Helmets* (1996), p. 256.

verification of the parties' obligations in demilitarisation, as well as the formation of national armed forces. In addition, the UN was given the task of co-ordinating and supporting all humanitarian efforts with an emphasis on tasks arising in the process of demobilisation and reintegration.

With respect to law and order and civilian security sector reform, UNAVEM III was to oversee the dissolution of para-military groups and the neutrality of the national police force. Specific tasks for the UN civilian police monitors included the following:

- "to verify and monitor the neutrality of the Angolan National Police (ANP)
- to monitor and verify the collection and storage by the ANP of arms in the hands of the Civilian Police
- to verify the quartering of the Rapid Reaction Police
- to verify the activities of the ANP in regard to security arrangements for UNITA leaders
- to verify the process of integration of UNITA members into ANP."<sup>553</sup>

While police performance, and implicitly promoting respect for human rights, was an important element in the civilian police monitors' list of tasks, the mandate reflected the recognition that the militarisation of the police forces had to be reversed first. The police was to be transformed into a neutral agent and public service institution rather than an instrument of the government. Although the distinction between internal and external security appears somewhat artificial in the Angolan context, it is the inherent final goal of the military and civilian security sector reform. Thus, if the transition from war to peace was to be successful in the long run, Angola would have to have one armed force and one national police force that consisted of and served members of both parties equally. Therefore, those UN civilian police tasks that pointed towards meeting some of UNITA's security concerns, that is overseeing the incorporation of former UNITA soldiers into the ANP and provisions for the safety of UNITA leaders, were critical.

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<sup>553</sup> UN (1997) *Briefing on CivPol Unit and UNCIVPOL in UN Missions* (15 September 1997, UN DPKO: New York, NY).

**Box 3.3: Security Tasks in the Protocol**

The dilemma of timetables reappeared in the Lusaka Protocol and its subsequent implementation. Despite the clear benefits of strict deadlines, more often than not flexibility was critical in the peace process. The challenge was how to stand firm, but not.

The UN's tasks were limited to monitoring, but in a variety of military security contexts, such as in connection with the cease-fire, the transfer of territory, the withdrawal of foreign forces, disarmament, demobilisation, and the formation of the FAA. In civilian security, the UN was assigned the supervision of the quartering of para-military groups, human rights monitoring, and the integration of UNITA members into the ANP. The greatest drawback lay in the absence of back-up measures that would allow the monitoring tasks to be translated into actual pressure.

### 3.2.2 Structures of Authority over Implementation

Throughout the Lusaka Protocol it was repeatedly underlined that the responsibility for the successful completion of the transition from war to peace lay solely in the hands of the parties themselves. Third-party actors were asked to monitor and verify the activity of the parties, but these measures were meant to be supportive only. In practice, however, the international community became so heavily involved that it inadvertently assumed that authority, regardless of the fact that the agreement had placed the responsibility for the peace process in the hands of the parties. There was hope that the formal ownership of the process would encourage the parties to move ahead. At the same time, the limited role of external actors reflected the level of commitment in the international community which was not willing to bear the financial and human costs of a larger and more muscular operation.

An example of the supervisory function was the control and verification of the cease-fire. Also, the UNAVEM III Force Commander was to “supervise the establishment and management of quartering areas and the registration and subsequent demobilization of UNITA personnel.”<sup>554</sup> In accordance with the SCRes 976, the SRSB had the executive authority over the UNAVEM III operation. In the area of humanitarian assistance, the co-ordination of activities was to remain in the hands of the United Nations Humanitarian Assistance Co-ordination Unit (UCAH). In addition to co-ordinating the different UN bodies in this area, the unit was involved in

recruiting and co-ordinating other international agencies and NGOs. New offices were to be established as necessary, such as the Demobilization and Reintegration Office (DRO), which was added in recognition of the fact that the specific humanitarian tasks tied to demobilisation and reintegration required special follow-up. Similarly, the Central Mine Action Office under UCAH co-ordinated all activities linked to demining between UN agencies and NGOs.<sup>555</sup>

The Joint Commission (JC), a new version of the Joint Political and Military Commission (JPMC) of Bicesse, was to oversee the implementation of the Protocol and illustrate the responsibility of the parties. It consisted of representatives of the government and UNITA, was presided over by the Special Representative of the UN Secretary General (SRSG), and included observers from the Troika, USA, Portugal, and the Russian Federation.<sup>556</sup> The SRSG had a moderating role and was to act as a mediator in cases of dissent. The commission's tasks were to supervise the continued implementation of the Bicesse Accords, as well as the implementation of provisions contained in the Lusaka Protocol and relevant Security Council Resolutions. Moreover, the commission was the instrument for determining violations of obligations defined in these legal documents. Decisions on violations and other issues were made by consensus, including the decision to dissolve the JC once the agreements were considered fully implemented. It provided an arena in which the parties could 'battle out' disagreements by non-violent means and that promoted a common understanding of the most critical issues. In the end, however, the peace process depended on the implementation of decisions rather than on verbal commitments and the Joint Commission was eventually stalled as all other efforts to bring about a transition from war to peace were.

Aside from the discussions in the Joint Commission, the international community had few possibilities to exercise influence effectively. UNAVEM III had the right to use force in self-defence, including in those instances in which the parties might attempt to hinder UNAVEM III in the execution of its mandate.<sup>557</sup> Similar to the Lusaka Protocol, the starting-point was right on paper, but proved excessively difficult to implement. The credibility of UNAVEM III's use of force derived from its performance on the ground and the force simply did not have the means to establish a

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<sup>554</sup> *The Blue Helmets* (1996), p. 257.

<sup>555</sup> *The Blue Helmets* (1996), p. 257.

<sup>556</sup> Lusaka Protocol, Annex 8, IIC.

credible presence and was not backed by the international commitment necessary to use those means that it did have.

### **3.3 Conclusions on the Lusaka Protocol**

- The Lusaka Protocol was officially a continuation of the Bicesse Accords; validating the election results that derailed the previous peace process. In that way, the formal legitimacy of the government was secured and initial instability averted.
- The agreement was extremely detailed in terms of tasks, actors, and schedules. Supervisory tasks were delegated to the international community and particularly the UN, but the main responsibility for implementation remained with the parties. This was intended to instil a greater sense of ownership in them, but also involved significant risks in the case of non-compliance. At the same time, it reflected the actual level of commitment of the international community.
- Tasks ranged from demilitarisation, including demobilisation, disarmament, and reintegration, and military reform to a reorganisation of internal security forces and a number of other security tasks that reached into the civilian realm, such as repatriation and demining.
- The Joint Commission (JC) was the main implementation body and consisted of representatives of the parties and the Troika (US, Russia, and Portugal) and was chaired by the Special Representative of the UN Secretary General (SRSG).

## **4 Third-Party Actors Providing Security Assistance**

Aside from the actors that influence the political context on the domestic Angolan scene, a number of non-Angolan actors have been involved in the peace process following the Lusaka Protocol. Gambari distinguishes between “African and extra-

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<sup>557</sup> *The Blue Helmets* (1996), p. 256.

African interventions.”<sup>558</sup> Clearly, the latter were the most decisive element in peace implementation in Angola. In the first half of the present chapter, extra-regional actors will be introduced, followed by a presentation of the regional bodies and individual states that have played a role in providing international security assistance to Angola.

#### **4.1 Extra-Regional Actors**

Despite formal independence in 1975 and the supposed non-interference that was to go with it, the conflict in Angola has featured a large degree of external involvement from the outset, pre- as well as post-independence. Since the accords that brought Namibian independence and the withdrawal of Cuban troops in 1988, the major third-parties enjoyed a legitimised presence.<sup>559</sup> The accords coincided with the end of the Cold War that entailed an end to the proxy war between the superpowers in Angola and significantly scaled back engagement in the country. Similarly, Hamill points out in a discussion of the development towards Bicesse that in contrast to earlier negotiations in the time from 1975 where both the US and the Soviet Union had continued to supply weapons to their respective clients, “both Washington and Moscow [...] relinquishe[d] any lingering ambitions either might have harboured of a military victory for their Angolan client.”<sup>560</sup> The superpower withdrawal from Angola reflected an Africa-wide trend. Gambari argues that “Africa’s growing marginalization in the post-Cold War period may, in fact, have accelerated the process of state collapse. [At the same time,] it may well be that the more complete the collapse of a state, the greater will be the role of foreign intervention in its reconstruction.”<sup>561</sup> Accordingly, the discussion of the delivery of international security assistance reveals a shift in the nature of superpower involvement, away from direct military support to one of the parties and towards a supportive, rather than proactive role in the peace process that followed the Lusaka Protocol.

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<sup>558</sup> Gambari (1995), p. 225.

<sup>559</sup> At the time of writing in Spring of 1999, the legitimate external presence has come to an end, when both parties in the Angolan conflict requested and effected the withdrawal of the United Nations peacekeeping force, MONUA.

<sup>560</sup> Hamill (1994), p. 8.

#### 4.1.1 The United Nations

The UN's record in Africa was mixed. Whereas the operation in Somalia had left an excessively bitter taste in the organisation's mouth, the experiences in Angola's more immediate neighbourhood, i.e. Namibia and Mozambique, gave rise to renewed hope going into the Lusaka process. The main UN agencies in Angola were the United Nations Humanitarian Assistance Co-ordination Unit (UCAH) and the United Nations Angola Verification Mission III (UNAVEM III). Whereas UNAVEM III represented the peacekeeping force and thus the military side of the UN presence, UCAH was responsible for co-ordinating all humanitarian assistance. The UN presence was headed by the Special Representative of the Secretary General (SRSG).<sup>562</sup>

On 1 February 1995 the Secretary General recommended to the Security Council that UNAVEM II be immediately replaced by UNAVEM III. Given the difficulties that both UNAVEM I and II had had to contend with, there was significant hesitancy among potential contributors, especially as an effective force would have to be relatively large and require significant funds. At the same time, it would be saddled with obvious risks, as successful implementation would again be contingent upon the will of the signatories. Still, the UN felt a special obligation to see this process through. Although they could only be partially faulted for the failure of the Bicesse process, a UN peacekeeping force had been in Angola since early 1989. Despite the fact that the peace process was in the hands of the parties, the organisation had implicitly taken on a responsibility through its six-year presence in the country.

The military component of UNAVEM III was authorised at a strength of 7,000 troops.<sup>563</sup> The force was organised in 22-24 self-sustained infantry units and support troops, such as three independent engineer squadrons to accompany infantry and assist in setting up the quartering areas, and a signals company. UNAVEM III also included a small field hospital in Luanda, as well as a number of helicopters and a

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<sup>561</sup> Gambari (1995), p. 221.

<sup>562</sup> Throughout the case study, I will use 'UNAVEM III' to denote both the military and civilian components of the peacekeeping force and the UN presence as a whole. In connection with the implementation of those tasks that involve UCAH to a greater degree, that is demobilisation and reintegration, demining and repatriation, I will refer to the military component of UNAVEM III and UCAH distinctly.

<sup>563</sup> S/RES/976 (1995). Sibanda underlines that the original mission request, issued by the Force Commander of UNAVEM II, had been for 15,000 troops. Maj Gen Philip V. Sibanda (1999a) "Lessons From UN Peacekeeping in Africa: From UNAVEM III to MONUA," in Jakkie Cilliers and Greg Mills (eds) *From Peacekeeping to Complex Emergencies. Peace Support Missions in Africa* (Institute for Security Studies: Pretoria), p. 119.

logistics unit. In addition to the troops, the force contained 265 military staff personnel, 350 military observers, and 56 demining experts. It was to be deployed to 59 locations throughout the country and to stay for a one-year period. UNAVEM III was responsible for disarmament and the quartering stage of demobilisation, as well as civilian security sector reform and human rights monitoring. While UNAVEM III was limited in size, given the comprehensive list of tasks it had been assigned, it was a large force in the history of peacekeeping in Angola. It is important to keep in mind that at the time the Lusaka Protocol was signed in late 1994, nobody could conceive of a 60,000+ peacekeeping force under NATO command, such as was deployed in Bosnia-Herzegovina a year later.

The Security Council suggested that the civilian police component of UNAVEM III was to comprise 260 observers, stationed in all eighteen provinces throughout Angola and headed by a Chief Superintendent of Police. Given Angola's size and the number of civilian police monitors in relation to the mandate, it was clear from the outset that they faced significant challenges. Even more so than in previous peacekeeping missions, the unarmed civilian police component of UNAVEM III would be entirely dependent on the willingness of the parties to co-operate. In addition, the Angolan National Police and the Rapid Reaction Police were excessively armed, further exacerbating the monitors' reliance on their counterparts' goodwill.

The deployment of UNAVEM III took place incrementally and lasted from early April 1995 until late June of the following year.<sup>564</sup> When the preparatory segment of UNAVEM III was declared fully operational and deployed to 53 sites throughout the country on 26 April 1995, the military component comprised 690 personnel and the civilian police component consisted of 185 monitors. Another milestone was reached in late May, when the UN logistic battalion had been deployed and UNAVEM III's strength had increased to 1,813.<sup>565</sup>

The Security Council resolution set the starting-date for deployment to 9 May 1995.<sup>566</sup> It was novel for the Security Council to tie a set of conditions to the deployment of the peacekeeping force, which were to demonstrate the parties' commitment to the peace process. Thus, UNAVEM III was to await the consolidation

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<sup>564</sup> By 25 January 1996, 6,609 military and police personnel had arrived. In June 1996, the number had further increased to 7,282. Saferworld (1996), p. 17.

<sup>565</sup> In May 1995, UNAVEM III was comprised of 1,603 military and 210 civilian police observers. *The Blue Helmets* (1996), p. 259f.

<sup>566</sup> S/RES/976 (1995).

of the cease-fire; a stipulation that delayed the deployment of the peacekeeping force. An evaluation by Saferworld underlines that “applying the conditionality for deployment [...] had to be balanced against another concern – the need to deploy peacekeeping troops rapidly in order to help build up mutual confidence and keep up the momentum of the peace process.”<sup>567</sup>

In part, the delay was also due to the choice of countries that were to provide troops. Ideally, the Security Council had wanted the force to be made up of predominantly African contingents. These were not immediately deployable, lacked logistical capabilities for deployment and in part were not adequately trained. Only Zimbabwe managed to provide a battalion in time. Other countries were disqualified by previously having taken sides in the conflict and were therefore unacceptable to UNITA.<sup>568</sup>

In accordance with SCRes 1118 (1997), UNAVEM III was replaced by the UN Follow-on Mission in Angola (MONUA) on 30 June 1997.<sup>569</sup> Originally, UNAVEM III’s mission should have been completed by February 1997, but because of delays in implementation “the plan changed to phased withdrawal. Four of the six infantry battalions, together with additional support units and some military headquarters personnel were repatriated by June. [...] MONUA comprised of 1,500 ‘rapid reaction troops’ deployed in six companies to assist 345 Civilian Police (CIVPOL) and just eighty-five military observers.”<sup>570</sup> The military component was to be gradually withdrawn by the end of 1998, when MONUA would become the unarmed observer mission originally envisioned, having transferred the maintenance of security into the government’s hands. It was intended to “assist the Angolan parties in consolidating peace and national reconciliation, enhancing confidence-building and creating an environment conducive to long-term stability, democratic development and rehabilitation of the country.”<sup>571</sup> When MONUA took over, the emphasis shifted towards the tasks of the civilian police monitors. Both the CIVPOL component and

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<sup>567</sup> Saferworld (1996), p. 16.

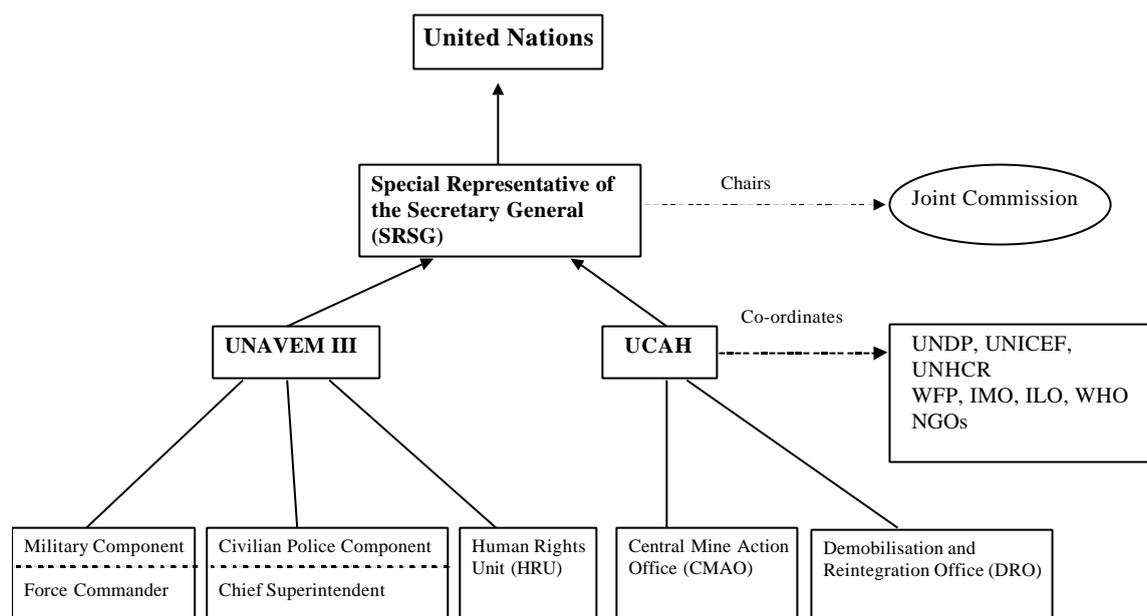
<sup>568</sup> Saferworld (1996), p. 17f. As of March 1996, the following fourteen countries were providing troops to UNAVEM III: Argentina, Bangladesh, Brazil, India, Namibia, Portugal, Republic of Korea, Romania, Russia, Ukraine, United Kingdom, Uruguay, Zambia, and Zimbabwe. In terms of numbers, the contribution of European countries was minimal; a factor that most certainly contributed to the generally low interest in the Angolan conflict. In addition, the contributions of 30 countries made up the 350 military observers and 22 countries seconded a total of 260 civilian police observers.

<sup>569</sup> S/RES/1118 (1997).

<sup>570</sup> Vines (1998), p. 18.

<sup>571</sup> S/1997/438.VII.32; Vines (1999a), Ch. X, p. 2.

the Human Rights Unit grew and were given increased logistical support. The military component was greatly reduced and switched from trying to maintain an overall presence to strategic relocation to those areas where tensions were particularly high.<sup>572</sup>



**Figure 4-1 Overview over UN Agencies during UNAVEM III**

With respect to humanitarian tasks, the United Nations Humanitarian Assistance Co-ordination Unit (UCAH) was assigned the release of demobilised soldiers from quartering areas and their reintegration into society. In addition, UCAH was in charge of co-ordinating demining and repatriation. The Unit was established during the war in April 1993 and was later expanded by the addition of regional field advisors. When the intensity of fighting decreased, the World Food Programme (WFP), the United Nations Children's Fund and United Nations High Commissioner

<sup>572</sup> S/1998/17.B,C. MONUA's mandate officially expired in February 1999, but some of the staff remained after that date in accordance with a plan for gradual drawdown. Most notably, many of the human rights monitors stayed. The SRSG, Diallo, left Angola on 15 March 1999, but remained in office until December 1999 awaiting potential re-deployment.

for Refugees (UNHCR) had begun to deliver humanitarian aid again in late 1993, and intensified their efforts following the Lusaka cease-fire.<sup>573</sup> Emergency relief remained an important task for UCAH and the other actors in the humanitarian field throughout the Lusaka peace process. In general, there were far fewer ‘cooks’ in Angola than in Bosnia-Herzegovina, which allowed the SRSG to at least formally be the clear head of the international presence. Unfortunately, his leadership did not manage to translate into a coherent approach on the ground, where the day to day operations by UNAVEM III and UCAH, as the two main actors, went separate ways.

**Box 4.1: United Nations Agencies**

The main UN agencies in Angola were UCAH and UNAVEM III. Whereas UNAVEM III represented the peacekeeping force and thus the military side of the UN presence, UCAH was responsible for co-ordinating all humanitarian assistance. The UN presence was headed by the SRSG.

UNAVEM III consisted of approximately 7,000 soldiers and a few hundred military and civilian police monitors. The peacekeeping force was responsible for disarmament and the quartering stage of demobilisation and for civilian security sector reform, including human rights monitoring. Despite UNAVEM III's limited size in relation to its mandate, it was a large peacekeeping force in the African context.

Aside from straightforward humanitarian tasks, such as emergency relief, UCAH were assigned the release of demobilised soldiers from quartering areas and their reintegration into society. In addition, UCAH was in charge of co-ordinating demining and repatriation.

4.1.2 Friends of the Peace Process: the United States, Russia, and Portugal

The three predominant extra-regional friends of the peace process were the United States and the Russian Federation, due to their Cold War engagement, and Portugal as the former colonial power. In the period from 1994-8, the United States, Russia, and Portugal formed the Troika that was to oversee the implementation of the Lusaka Protocol. The Angolan war from 1975 until the first peace agreement in 1988 was the archetypical proxy war of the Cold War period. Accordingly, the United States were engaged in order to ‘fight communism’ in the guise of the MPLA government which

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<sup>573</sup> *The Blue Helmets* (1996), p. 253.

in turn was supported by the Soviet Union. Typically, the support from both sides prior to 1988 was in the shape of arms deliveries. In that way, the superpowers played a fateful role in contributing to the perpetuation of the conflict. Similarly, observers widely agree that a more substantial agreement that actually involved significant rapprochement between the parties was possible at Bicesse, because a more co-operative spirit characterised superpower relations and because the superpowers showed a commitment to peace. Similarly, it became clear leading up to and following the elections that the absence of continued superpower commitment and pressure was a crucial factor in the breakdown of the peace process and the full implementation of the Bicesse Accords.<sup>574</sup>

Over the years, the stance of the *United States* has been ambiguous and subject to shifts in the administration. Since the collapse of the Bicesse process, the country's interest in the Angolan conflict has declined steadily but remains strong compared to their involvement elsewhere in Africa. Until May 1993, the US had supported UNITA in their bid for power. At that point, they recognised the MPLA as the rightful government, but the United States still wanted to see the rehabilitation of the rebel leader Jonas Savimbi into a 'peaceful politician.'<sup>575</sup> They did exercise significant pressure on the government to sign the Lusaka Protocol, but since then the involvement of the United States in the implementation phase was characterised by a lack of commitment. This was reflected in the absence of any significant intelligence capacity, but more importantly in their unwillingness to make use of the economic leverage that the country did have in Angola.<sup>576</sup>

Nonetheless, the United States should be counted among the Friends of the Peace Process, due to their extensive financial involvement, and have been described as a relatively influential actor in Angola. Despite the fact that they did not contribute troops to UNAVEM III and MONUA, the US covered about one third of the UN's running costs.<sup>577</sup> Over a period of five years from 1994-9, the United States contributed \$500 million to the peace process. Most of the support was development and relief related and was channelled through the United States Agency for International Development (USAID). Three major official goals were pursued by the

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<sup>574</sup> Hamill (1994), p. 8.

<sup>575</sup> Lewis (1996), 84f. During the Cold War, Angola was the second largest recipient of covert US aid following Afghanistan. Vines (1999a), Ch. XII, p. 1.

<sup>576</sup> Lewis (1996), p. 84; Vines (1998), p. 17; Alex Vines (1999b) "War Number Four," *The World Today* 55(6), pp. 24-5.

United States in Angola: (1) to support resettlement and rehabilitation; (2) to strengthen civil society and democratic institutions; and (3) to stabilise macroeconomic conditions. In addition to the financial aid provided through USAID, a number of American oil companies had business interests in Angola. The United States procured 14% of their oil from Angola, which represented 70-80% of Angolan oil exports. Private businesses invested \$4 billion in the petroleum sector from 1994-9, rendering Angola the second largest site for investment in Sub-Saharan Africa.<sup>578</sup> Adding to that the arms deals between Angola and the United States, the US obviously had the potential to apply significant pressure on the Angolan government – if they chose to do so. Thus, the United States was able to influence the parties to some extent and underlined their ‘commitment’ by a number of official visits and mediation efforts. However, relations with both parties deteriorated in 1997 and 1998, robbing the US of their leverage and leaving no influential external player in Angola.<sup>579</sup>

The *Soviet Union* was very much the junior partner in the co-operation leading up to the Bicesse Accords; issues were resolved in line with American rather than with Soviet principles.<sup>580</sup> In the time period from the signing in 1991 until the renewed outbreak of fighting, the Soviet Union was dissolved and the successor states had other priorities than the peace process in Angola.<sup>581</sup> In the Lusaka process, Russia also played a limited role, despite their official preferential position as member of the Troika. Any leverage that Russia might have had at earlier stages of the conflict evaporated as the conflict distanced itself further from the ideological plain that it predominantly moved on in the period between independence and the first agreements in 1988. Instead, the Angolan civil war increasingly focused on material goods and the access to resources. Similar to the United States, Russia also had extensive arms deals with the parties to the Angolan conflict and maintained ties to the region in that way.

With the declining role of the United States and Russia, *Portugal* moved in to fill the void. As the former colonial power, Portugal felt a special responsibility to promote peace in Angola – in addition to being a major non-oil trading partner. The

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<sup>577</sup> Vines (1999a), Ch. XII, p. 1.

<sup>578</sup> Manning (1999), p. 212; Vines (1999a), Ch. XII, p. 1.

<sup>579</sup> Vines (1999a), Ch. XII, p. 3

<sup>580</sup> Hamill (1994), p. 8.

<sup>581</sup> Hamill (1994), p. 9.

inclusion of Portugal in the Troika was an acknowledgement that it best understood the conflict. As it also proved more flexible in its approach to the peace process, the other Troika members often deferred decisions to Portugal. Accordingly, Portugal hosted meetings between the parties, mediated and provided similar good offices. In the eyes of UNITA, the country's position was somewhat compromised by the fact that it had traditionally provided training to the FAA and, due to the colonial heritage, had closer ties to the MPLA. Overall, the Troika has been accused of pursuing its own national interests rather than those of the peace process.<sup>582</sup>

**Box 4.2: Friends of the Peace Process**

The three predominant extra-regional friends of the peace process are the United States and the Russian Federation, due to their Cold War engagement, and Portugal as the former colonial power.

Both the Russian and US interest in the Angolan conflict declined steadily, but both remained involved because of arms sales and other private business interests. Neither country showed the political commitment to use their economic leverage in pursuit of peace.

Portugal assumed a greater role as the United States and Russia withdrew, but its position was compromised in the eyes of UNITA, as it had traditionally been a closer ally to the MPLA.

#### 4.1.3 Other International Organisations

Not many other international organisations focused on the security field in Angola. Most were active in related fields, particularly in humanitarian assistance. Aside from the UN and the United States, the *European Union* (EU) was one of the major players in the Angolan peace process. Similar to the United States, the EU provided good offices and substantial financial support to the peace process. Most of the funds went towards demining and human rights, as well as emergency relief. Still, although the EU was supportive, it lacked the clout of the United States. Portugal was obviously the most influential member state. The EU might have fruitfully played a greater part in the enforcement of the sanctions regime, given that several member states were among the worst sanction busters. However, the EU proved equally ineffective in this

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<sup>582</sup> Sibanda (1999a), p. 123f.

area as the rest of the international community. Apart from a host of smaller NGOs in the human rights and relief fields, briefly presented below, the UN stood alone as the organisational framework for the actual international presence in Angola.

Typically, international security assistance in the aftermath of a peace agreement includes the exchange and monitoring of treatment of prisoners of war. In Angola, as elsewhere this task was exercised by the *International Committee of the Red Cross* (ICRC). They were also active in non-military fields and worked closely with the EU, among others. Also, given the close link between the population's perception of security and the consolidation of the peace process, compliance with human rights standards obviously played a major part in securing public confidence in the transition from war to peace. In the context of this study, human rights monitoring is regarded as an essential part of both the military and civilian security sector reform. *Human Rights Watch* is just one example of an NGO that was active in this area. Another area in which NGOs took on a major share of implementation was demining. *Norwegian People's Aid* and the *Halo Trust* are just two examples of the actors that provided critical support to the peace process.

Aside from direct international security assistance, a number of organisations were involved in providing humanitarian assistance and emergency relief. As mentioned above, the scope of the international presence in this area varied with the intensity of fighting throughout the war, but a number of organisations were engaged throughout. In addition to the UN agencies in the humanitarian field, organisations funded through USAID in this area included *Save the Children*, *World Vision*, *Catholic Relief Services* (CRS) and others.<sup>583</sup>

## 4.2 Regional Actors

The peacekeeping experiences in Somalia and Rwanda produced opposite effects in extra-regional and in regional actors. Extra-regional actors concluded that they did not want to get involved in more of the same and that the time was now come for Africa to take over potential future peace operations on the continent. In contrast, African

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<sup>583</sup> US Department of State (1996) *U.S. Presence in Angola* (Fact Sheet released by the U.S. Department of State, Bureau of African Affairs, 4 October 1996; [www.state.gov/www/regions/africa/fs-angol.htm](http://www.state.gov/www/regions/africa/fs-angol.htm)).

organisations were spurred into action and displayed an enthusiasm to meet the challenge. These two trends obviously reinforced each other and led to a host of initiatives, such as moves towards establishing conflict management mechanisms in the OAU and SADC. However, as Espegren has pointed out, there was a significant gap between the formal willingness, on the one hand, and the practical willingness and capacity to operationalise the plans for conflict management in Africa, on the other.<sup>584</sup> Regional security institutions have often proven too weak and too divided to be effective and are dependent on financial and other support from outside actors. Also, as Sibanda underlines, they are “not immune to the political and economic ‘games’ which the major powers exercise within UN missions.”<sup>585</sup> Still, the desire to act on a regional basis springs from the realisation that “individual security, national security, and regional security are interdependent in Southern Africa.”<sup>586</sup> Similarly, when multilateral organisations decide to intervene, they are motivated by diverse interests and objectives and often refer to “regional and subregional political and economic development” as a justification for collective action.<sup>587</sup> With the much debated ‘African Renaissance’ in mind, Ohlson and Stedman point out that a “new Southern Africa depends on resolving Angola’s long-lived civil war.”<sup>588</sup>

#### 4.2.1 Regional Organisations: The Organisation of African Unity and the Southern African Development Community

As suggested above, the *Organisation of African Unity* (OAU) has displayed a clear willingness to address the needs of conflict management, since the issue was first taken up at the 1992 Summit in Dakar. However, success has been limited, as the organisation faces organisational, political, and resource related hindrances to successful peace operations under OAU auspices.

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<sup>584</sup> Astrid Espegren (1999) *The Organization of African Unity and Conflict Management: Still a Toothless Bulldog?* (Masters Thesis in Political Science submitted to the University of Oslo, unpublished, Spring 1999).

<sup>585</sup> Sibanda (1999a), p. 124f.; Jinmi Adisa (1996) “Problems for Peacemaking and Peacebuilding for Africa’s Post-Conflict States” (Paper prepared for the *International Workshop on Disarming Ethnic Guerrillas Project*, Peace Research Institute Oslo: Oslo, 18-19 February 1996), p. 6.

<sup>586</sup> Thomas Ohlson and Stephen J. Stedman (1994) *The New is Not Yet Born: Conflict Resolution in Southern Africa* (The Brookings Institution: Washington D.C.), p. 5.

<sup>587</sup> Gambari (1995), p. 224.

<sup>588</sup> Ohlson and Stedman (1994), p. 5.

Moreover, it appears that those actors that commanded and contributed significant financial resources and could act authoritatively were the only welcome and somewhat influential ones in the implementation of the Lusaka Protocol. The OAU was not even mentioned in the agreement let alone called upon to provide international security assistance to the implementation process, due to an awareness of its organisational and most importantly resource limitations. It was therefore only natural that the OAU, an organisation that was characterised by near financial paralysis, would be considered a far less desirable contributor than even the United Nations. UNAVEM III's mandate exceeded by far the capabilities available to the OAU and SADC, particularly keeping in mind the involvement of other members of the UN family and the substantial co-ordination this required. Although the OAU was likely to be perceived as a legitimate actor, they were hardly considered one that could issue credible threats or provide tempting incentives that might induce a greater degree of compliance on the part of the parties.<sup>589</sup> What both the OAU and SADC could and did do was dispatch mediators when the peace process stalled. The success rate of these undertakings was no higher nor lower than those of other external actors seeking to influence the peace process.

While the entire region was saddled by the consequences of the continued unrest in Angola, the role of the *Southern African Development Community* (SADC) was limited by the fact that South Africa was perceived as dominating the organisation. Given South Africa's history of support to UNITA, SADC was not a welcome contributor to international security assistance in the eyes of the Angolan government.<sup>590</sup> With respect to the Angolan civil war, SADC largely limited itself to issuing statements and communiqués condemning the lack of compliance with the Lusaka Protocol on both sides of the conflict and voicing support for the sanctions regime.<sup>591</sup> When the organisation branded Jonas Savimbi a war criminal in 1998, it

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<sup>589</sup> The OAU reaction to the coup in Congo/Brazzaville is a case in point. Despite the fact that the MPLA government in Angola intervened on the side of challenger Denis Sassou-Nguesso by instigating the confrontation, by supplying weapons to Sassou-Nguesso, and by launching air strikes and deploying mechanised forces against Congolese government forces, what could only be called "blatant invasion," produced no protest from either the OAU or the UN or anybody else and displayed the weak footing on which the OAU's long-standing principle of the inviolability of borders stands. Helmoed-Romer Heitman (1998) "Analysis of crisis response capability," *Jane's Intelligence Review & Jane's Sentinel Pointer* (October 1997), p. 11.

<sup>590</sup> Jakkie Cilliers (1999) "South African Foreign Policy and Africa" (Paper presented in Oslo, 17 March 1999).

<sup>591</sup> S/1998/1110.II.9.

lost the remnants of its influence on the conflicting parties.<sup>592</sup> In the Angolan conflict, SADC would always be saddled with conflicting loyalties that undermined its impartiality in the conflict.

In sum, Angola appeared to resemble a pattern that was emerging in Africa in which the sub-regional organisations were more vocal and more proactive – for better or for worse – than the OAU. Still, SADC had a long way to go before it would have the capacity to stage a peacekeeping operation even with substantial outside contributions.

#### 4.2.2 Potential Regional Great Powers: South Africa and the Democratic Republic of Congo

Although very different in the amount of state power they wielded, South Africa, the Democratic Republic of Congo (DRC), and Zambia stood out as particularly influential in the Angolan peace process. Involvement changed dramatically with the regime change in both countries. The changing policies in both South Africa and the Democratic Republic of Congo (DRC) played a pivotal role in the power relations between UNITA and MPLA. They affected the moral backing that UNITA and MPLA received in the Southern African region, as well as the financial and military support available to the parties.

Angolan relations with *South Africa* were coloured by two major factors. First, Angola emerged as the leader of the front-line states in the late eighties. Second, the Apartheid regime in South Africa provided substantial support to UNITA. It has been argued that “large scale South African air and ground attacks on Angolan government forces in 1985, 1987, and 1988 reversed the momentum of Luanda’s offensives and saved UNITA from almost certain defeat.”<sup>593</sup> From that time onwards, South Africa’s support for UNITA decreased in stages. Following the agreement on South African and Cuban troop withdrawals, South Africa no longer intervened directly. After the elections in 1992, even the formerly staunch UNITA supporter de Klerk “quietly drop[ped his] commitment [...] in favour of a new partnership with a pivotal regional state.”<sup>594</sup> Finally, UNITA lost the remnants of South African support with the victory

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<sup>592</sup> S/1998/931.II.6.

<sup>593</sup> Library of Congress (1989), “National Security Environment.”

<sup>594</sup> Hamill (1994), p. 11.

of the ANC in 1994. Still, given the prior South African bias, Angolan President dos Santos ruled out any bilateral South African involvement.<sup>595</sup>

The fate of Angola and that of Zaïre and her successor the *Democratic Republic of Congo* (DRC) have been closely intertwined. Angola and the DRC were closely linked due to the fact that there were “numerous ethnic groups whose homelands had been divided by the boundary between Zaire and Angola a century earlier. [...] These ties often extended to support for antigovernment rebels.”<sup>596</sup> While the two countries signed several non-aggression agreements and began the institutionalisation of joint security bodies, the reality was that Zaïre’s President Mobutu Sese Seko could not and did not make serious efforts to undermine the unofficial Zairean support for UNITA. In fact, “[i]t was only through a continuation of the Angolan war that Mobutu could preserve his strategic importance.”<sup>597</sup> In 1997, the Angolan Government was quick to support rebel leader Laurent Kabila’s take-over in the hope of undermining support to UNITA, particularly the logistic support structures in southern Zaïre.<sup>598</sup> Similarly, UNITA lost valuable allies and rear bases through the regime changes in the DRC and in Congo/Brazzaville. Both countries were the stage for proxy wars between the Angolan parties.<sup>599</sup>

Another country that affected the implementation of the Lusaka Protocol, but can hardly be called a regional great power, was *Zambia*. Throughout the war the Zambian government officially supported the Angolan government, but did little to cut off the support UNITA was receiving from and on Zambian territory. During the peace process, suspicions were raised concerning substantial arms deliveries from Zambia to UNITA. Like the DRC and other countries in the region, Zambia had a special interest in the success of the Angolan peace process, as refugees from the conflict were a major burden on the neighbouring countries, while the country was simultaneously profiting from arms deals with the parties to the conflict.

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<sup>595</sup> Cilliers (1999).

<sup>596</sup> Library of Congress (1989), “National Security Environment.”

<sup>597</sup> Hamill (1994), p. 8.

<sup>598</sup> Heitman (1998), p. 11.

<sup>599</sup> Cleary (1999), p. 167.

**Box 4.3: Regional Organisations and Regional Great Powers**

Neither the OAU nor SADC had the resources to become heavily involved in the Angolan peace process. Their contribution was limited to good offices and mediation. In addition, SADC's approach to the conflict was coloured by the history of regional involvement in the Angolan civil wars, as well as in the ongoing war in the Democratic Republic of Congo (DRC).

South Africa and the DRC were potential regional great powers by virtue of their close ties to the parties and earlier engagement in Angola. Whereas South Africa scaled back its involvement, the DRC was still the scene of a proxy war between UNITA and the MPLA.

### 4.3 Local Counterparts

The peace process that followed the signing of the Lusaka Protocol cannot be understood without an insight into what the conflict in Angola was all about. Angola was marked by a high level of animosity that derived from the length and fierceness of the war, and from a variety of personal, ethnic, racial, and ideological differences. In fact, Harding emphasised that it is impossible to understand the level of distrust without understanding the events of 1961-76. It was this distrust that – intensified by the failure of the Bicesse process – made the implementation of the Lusaka Protocol so challenging.<sup>600</sup> Saferworld describes the Angolan conflict as “a civil war with ethno-regional and politico-ideological dynamics, rooted in the nature of Angolan society and the historical development of rival Angolan nationalist movements.”<sup>601</sup>

Each party to the conflict had its ethnic constituencies. The MPLA's traditional support base was among the Mbundu and Mesticos. Its strongholds were in the poor neighbourhoods of Luanda and among the Lusophone, left-wing, urban élite, many of which had been educated abroad in Portugal or Eastern Europe.<sup>602</sup> In contrast, UNITA originated among the Ovimbundu of the central highlands. Originally, UNITA had campaigned for control by rural-traditional Africans or pure blacks as opposed to the mixed race Mesticos. The cultural divisions were

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<sup>600</sup> Harding (1993), p. 18; Saferworld (1996), p. v, 13.

<sup>601</sup> Saferworld (1996), p. 3.

institutionalised and were reflected in an uneven development between different groups of the population.<sup>603</sup> The conflict boiled down to a struggle between the ‘peasant based’ UNITA and the ‘outsiders and exploiters’ of the MPLA and became increasingly uncompromising. As a result, the two parties’ respective territories were almost entirely economically divided.<sup>604</sup> The distance between the parties was reflected in the degree of autonomy in UNITA-held areas and their description as a “state within a state.”<sup>605</sup> Despite each party’s affiliation with certain parts of the population, both tried to solicit a wider support base. At the same time, however, “the distance between the people with plans and those for whom the plans were laid was daunting.”<sup>606</sup>

The cultural differences were also reflected in the organisation of each party. Whereas the FAA was a traditional military organisation, UNITA’s military arm, FALA, was organised horizontally. In order to function coherently, the decentralisation typical of a guerrilla movement had to be matched by strict doctrine and discipline.<sup>607</sup> Moreover, “[t]he military logic of war, which has kept Unita’s guerrillas in the countryside and restricted the better-armed MPLA to the cities, serves to entrench this fundamental division.”<sup>608</sup>

In part, the ambiguous and shifting policies within each party could be explained by the existence of so-called spoilers in their midst. In general, spoilers are a group of actors that accumulated authority during the civil war which could only be maintained in situation of insecurity. Powerful local politicians that controlled trade routes in the interior and wanted to keep their monopoly were just one example of spoilers that hindered UNAVEM III’s execution of its mandate.<sup>609</sup> Akindele points to “the use the political elites make of these [divisive] factors in the promotion,

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<sup>602</sup> Ohlson and Stedman (1994), p. 79f.; Cleary (1999), p. 143f.

<sup>603</sup> Cornwell and Potgieter (1998), p. 2.

<sup>604</sup> Jule Reimer (1996) “ANGOLA: Zwischen Krieg und Frieden – Angola im schwierigen Prozeß des Überganges,” *Deutsche Welle Hintergrundanalysen*, 16 December 1996 (<http://www.dwelle.de>).

<sup>605</sup> “Angola: Focus on Prospects for Peace Talks,” *IRIN*, 5 November 1999 ([http://www.africanews.org/South/Angola/stories/19991105\\_feat2.htm](http://www.africanews.org/South/Angola/stories/19991105_feat2.htm)).

<sup>606</sup> Harding (1993), p. 68. When the last census of the Angolan population was taken in 1960, the Mbundu made up approximately 23% and the Ovimbundu 38% of the population. Since then the urban population and thus MPLA support group has grown immensely. Harding (1993), p. 18, 33, 35; Saferworld (1996), p. 3; Lewis (1996), p. 82.

<sup>607</sup> “Angola: Focus on Prospects for Peace Talks,” *IRIN*, 5 November 1999 ([http://www.africanews.org/South/Angola/stories/19991105\\_feat2.htm](http://www.africanews.org/South/Angola/stories/19991105_feat2.htm)).

<sup>608</sup> “Angola: The roots of conflict,” *BBC World Service*, 28 January 1999 (<http://www.news.bbc.co.uk/>).

<sup>609</sup> Saferworld (1996), p. 20; Keith Somerville (1995) “Angola – Reaping a Deadly Harvest,” *World Today* 51(8-9), p. 157.

advancement and protection of their personal, group and class interests, and the misuse of these factors to stall, stunt or derail the processes of state-building and nation-building.”<sup>610</sup>

Within both parties, military leaders were very influential and hard-line generals were consistently among the most damaging spoilers in the Lusaka peace process. On the MPLA side, General de Matos, Chief of Staff of the FAA, was unhappy with the agreement and considered the war suspended rather than settled. In early 1995, he stated that “only the total defeat of Savimbi can ensure peace [...] strictly from the military point of view [the Lusaka Protocol] was a mistake.”<sup>611</sup> Similarly, it was clear “on the UNITA side, [that] the interests of the leadership in continuing the armed conflicts against the MPLA [...] still appear[ed] to outweigh the interests in agreeing to end such conflicts.”<sup>612</sup> Although UNITA was only marginally weakened as a result of the adverse developments in the Democratic Republic of Congo (DRC) in the course of 1997, the movement felt decidedly more threatened and exposed to greater pressure from the government to make concessions. In turn, UNITA leader Savimbi found it more difficult to justify political concessions internally to his military leaders.<sup>613</sup> The more prominent security concerns became on either side, the more prominent the voice of the military community. Luckham points out that in situations where democracy is to emerge as part of a negotiated settlement, it is critical that the conflict can be “terminated on terms that yield a profit on [the] investments [of military entrepreneurs].”<sup>614</sup> As a result, she argues that bargains were, for example, made with UNITA in the pursuit of democracy, but in spite of UNITA’s human rights record.<sup>615</sup>

In democratic societies, a moderating influence is exercised by local civil society. In Angola, local NGOs remained weak and entirely dependent on international funding. Local organisations typically would have had a part to play with respect to human rights. Although a few human rights groups were formed, such

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<sup>610</sup> R.A. Akindele (1996) “The Resurgent Interests in Federalism as a Strategy for the Reconstitution of the State in Contemporary Africa: Problems and Prospects” (Paper prepared for the *International Workshop on Disarming Ethnic Guerrillas Project*, Peace Research Institute Oslo: Oslo, 17-18 February 1996), p. 6.

<sup>611</sup> Quoted in Vines (1999a), Ch. IV, p. 1; Beudet (1998), p. 2962.

<sup>612</sup> Adekanye (1996), p. 13.

<sup>613</sup> Somerville (1995), p. 157; Beudet (1998), p. 2962.

<sup>614</sup> Robin Luckham (1995) “Dilemmas of Military Disengagement and Democratization in Africa,” *IDS Bulletin* 26(2), p. 52.

<sup>615</sup> Luckham (1995), p. 52.

as the Angolan Human Rights Association and the Human Rights Committee of the National Assembly, they were weak and ineffective throughout the peace process.<sup>616</sup> Church councils traditionally played a marginal role in Angola, but even when the Bishop issued direct calls for peace, they were disregarded by the parties.<sup>617</sup>

In addition to spoilers in the military and political sphere, economic interests were a driving force in the Angolan conflict. There were two areas in which private business interests played a major role in the conflict and subsequent peace process in Angola. First, the peace process cannot be understood without taking into account the issue of access to natural resources, in particular diamonds and oil. Second, the Angolan conflict was the forerunner in a trend towards the privatisation of security. Both aspects were closely linked in Angola as access to resources was often part of the payment to private security companies, as well as to both parties' military leadership.<sup>618</sup>

In contrast to a number of other, poorer, African countries plagued by civil war, the spoils in Angola were formidable. Oil revenues for 1997 were more than \$4 billion and made up 90% of the government's export earnings. Diamond revenues were estimated at \$850 million.<sup>619</sup> The diamond trade was UNITA's major source of revenue in the 1990s, amounting to a total of approximately \$3.7 billion in the years 1992-8. UNITA controlled 60-70% of production of which only 20% were legal sales. It was clear that the peace process hinged on who gained control over the diamonds and on satisfying commercial interests on both sides.<sup>620</sup> At the same time, the parties' control of the oil and diamond business respectively, allowed them to buy virtually unlimited amounts of arms and be free of international pressure.<sup>621</sup>

Attempts were made to control the diamond trade in order to limit the funds that were available for arms purchases, but industry was extremely difficult to influence due to a lack of transparency reflected in the modest share of legal sales. Major trading partners for diamonds were Belgium, Israel, the United Kingdom, and South Africa. The problem in Angola was that so many other actors, be they companies or states stood to profit from the continued tensions. As long as there was

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<sup>616</sup> Saferworld (1996), p. 43. UNITA also has a human rights advocate group, the Association of Surviving Angolans (ACAS), based in Lisbon. US Department of State (1998), p. 9.

<sup>617</sup> Reimer (1997); Vines (1998), p. 25.

<sup>618</sup> Cleary (1999), p. 163f.; Vines (1998), p. 16.

<sup>619</sup> US Department of State (1998), p. 1.

<sup>620</sup> Saferworld (1996), p. 22, 38.

<sup>621</sup> Manning (1999), p. 208.

cash in UNITA's and the government's hands, there would be sources of arms available.

The other main business interest was linked to private security companies which generally have four main functions. They can perform services as security guards, they can supply equipment or assist in procurement, they can train other security forces, and finally they can engage in combat on behalf of another actor.<sup>622</sup> Shearer suggests that as of 1998 there were over 100 private security companies in Angola, "where the government requires strategic resource firms to provide their own security."<sup>623</sup> Of these, only one, namely Executive Outcomes (EO) was actively involved in combat. Executive Outcomes first entered the picture in early 1993 on behalf of Sonangol, the national Angolan oil company. They were hired to assist the government in recapturing the Soyo region which was the centre of the oil industry and in the hands of UNITA at the time.<sup>624</sup> The successful campaign was allegedly rewarded by "substantial concessions in oil and diamonds."<sup>625</sup> Following the campaign in Soyo, the government signed its first one-year contract with EO to retrain 5,000 troops of the 16<sup>th</sup> Regiment of the FAA and to provide equipment. This eventually allowed the government to achieve significant gains, which in turn brought enough pressure to bear on UNITA to encourage their signing the Lusaka Protocol. In that way, EO functioned as a force multiplier for the FAA.<sup>626</sup>

Another central private security company involved in Angola was an American company called Military Professional Resources Incorporated (MPRI). MPRI's ties to the US government were characterised by "extremely close links to the US military establishment [and MPRI was] used as the covert wing of US foreign policy, going into regions of the world where the US government is unwilling to become overtly involved."<sup>627</sup>

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<sup>622</sup> Cleary (1999), p. 161.

<sup>623</sup> David Shearer (1998a) *Private Armies and Military Intervention* (Adelphi Paper No. 316, International Institute for Strategic Studies, Oxford University Press: Oxford), p. 48; Kevin O'Brien (1998) "Military-Advisory Groups and African Security: Privatized Peacekeeping?" *International Peacekeeping* 5(3), p. 92; William Reno (1997) "African Weak States and Commercial Alliances," *African Affairs* 383/1997, p. 182.

<sup>624</sup> Shearer (1998a), p. 46.

<sup>625</sup> Executive Outcomes' support consisted of 500 men that supported MPLA government forces. O'Brien (1998), p. 86; Shearer (1998a), p. 46, 48, 66. Executive Outcomes was dissolved in late 1998.

<sup>626</sup> Cleary (1999), p. 156, 164f.

<sup>627</sup> O'Brien (1998), p. 91. Another firm with a large presence in Angola is the British Defence Systems Ltd (DSL) which mainly consisted of former SAS and was hired in October 1997 to protect oil-fields, mines and embassies with approximately 1,000 men.

O'Brien underlines the problematic nature of EO's and other security companies' involvement in the Angolan conflict, when he indicates that "[a]s EO gains a larger interest in the strategic mineral holdings of Africa [...], it may become ever richer and powerful, capable of exercising real power against any number of states in the region."<sup>628</sup> In that way, private security companies and weapons suppliers benefited from ongoing tension and introduced a business dynamic into the Angolan conflict that became difficult to control. It was also troublesome that a government depended on private companies to meet its obligation of providing security for its population. In Angola, there were enough members of the political leadership that were tied into the network of political, military, and economic spoilers. Vines submits that "the desire for peace is missing amongst the elites, who can still profit out of extended conflict, suggesting that Angolans will see more conflict yet before any lasting settlement can be achieved."<sup>629</sup>

**Box 4.4: Local Counterparts**

Angola was plagued by deep-seated divisions that had ethnic, cultural, and political roots. They created an atmosphere of distrust that was not to be overcome easily. The parties were uncompromising from the outset and their commitment to peace proved limited to lip service.

The Angolan peace process was significantly hampered by different sets of spoilers in the political, military, and economic fields, that were all loath to lose their preferential positions attained during the war and that stood to gain from continued high level of tensions.

The private security and business dimension of the Angolan conflict was staggering. The revenue from oil and diamonds enabled the parties to purchase unlimited arms and liberated them from outside pressure. Private security companies had a considerable impact on the military balance and – in combination with business interests – bestowed an economic dynamic on the conflict that hindered the transition from war to peace.

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<sup>628</sup> O'Brien (1998), p. 87.

<sup>629</sup> Vines (1998), p. 28.

#### **4.4 Conclusions on Third-Party Actors**

- The major actor in the Angolan peace process was the United Nations in the guise of UNAVEM III, with a comprehensive role and extensive supervisory tasks. Although the role assigned to it was a product of a genuine desire to bring about peace in Angola, the UN presence lacked the political backing which might have made it authoritative and effective. In some ways, the UN's role was a result of a vacuum into which no other player had stepped.
- Alternative predominant actors might have been the United States or a regional organisation. However, the United States was hamstrung by its extensive private ties into the conflict area and by the lack of political commitment. The OAU and SADC, on the other hand, had neither the necessary political consensus nor the resources to play a more influential role.
- Political commitment was especially critical given the deep divisions between the parties to the conflict that needed to be overcome. The international community would have to act decisively and credibly in order to build confidence effectively and to be able to counteract the disruptive influence exercised by a variety of spoilers.

### **5 Implementing the Lusaka Protocol and Delivering Security Assistance**

Similar to the implementation of the Dayton Agreement, there are three major areas in which international security assistance was provided in the wake of the Lusaka Protocol in Angola: military security, civilian security, and additional areas that indirectly impact the security environment. Throughout, the one key factor that conditioned progress was the political willingness of the parties and the degree to which they were co-operative. Although most public statements by the parties consistently endorsed the peace process, the parties' actions spoke louder.

Overall, the UN's efforts were dwarfed in comparison with the scope and size of the problems that were hampering progress. Observers argue that there was a

window of opportunity early on. Had the UN, and the international community more generally, managed to assert its authority in a post-settlement situation where ‘might was right,’ it would have enjoyed far greater respect and had more influence on the parties. However, when deployment of UNAVEM III proved halting and it quickly became clear that the force suffered from significant logistical shortcomings, the security guarantee that it might have provided became hollow.<sup>630</sup> In any case, it was insufficient to counter the lack of trust and deep-seated divisions between the parties. As a result, the fundamental unwillingness of both parties to make real concessions for peace proved to be an insurmountable obstacle for the international community and its attempts to accelerate the transition from war to peace.

## **5.1 Demilitarisation and Military Reform**

### **5.1.1 Cease-Fire, Separation of Forces, and Transfer of Territory**

The *cease-fire* provided in the Lusaka Protocol was to come into force just two days after the agreement was signed, but was only finally agreed upon by UNITA leader Jonas Savimbi and President Jose Eduardo dos Santos in February 1995.<sup>631</sup> The UN Security Council then issued a resolution on 8 February 1995 that called for UNAVEM III’s deployment on 9 May 1995, on the condition that hostilities had in fact ceased. The forces that were formerly UNAVEM II and still in place in Angola, began deployment into the country side immediately, but were held back by hostile action from UNITA. In late March, 527 military observers and police observers were deployed to 38 sites outside Luanda.<sup>632</sup> It became clear that rather than await initial progress, the peace process depended upon the immediate deployment of infantry troops that could provide security guarantees to the parties, in the complete absence of trust between them.<sup>633</sup> Throughout the Spring of 1995, clashes continued and hostilities were occasionally directed at UN observers and NGO staff, raising “doubts about the willingness of the parties to co-operate in good faith in the implementation

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<sup>630</sup> Moreover, UNAVEM III’s Force Commander Sibanda describes how “once UNITA became aware of our limitations with regard to effective monitoring of their activities throughout Angola, cheating and non-co-operation became the order of the day.” Sibanda (1999a), p. 121.

<sup>631</sup> Amnesty International (1996), p. 4.

<sup>632</sup> *The Blue Helmets* (1996), p. 258.

of the provisions of the Lusaka Protocol.”<sup>634</sup> In part, the clashes were due to the government’s unwillingness to stop pressing ahead and achieving last minute military gains, before the arrival of the peacekeepers.<sup>635</sup> Restrictions on the international actors’ freedom of movement were enforced by both UNITA and the FAA, by refusing security clearances and similar measures.<sup>636</sup>

Although the number of cease-fire violations was significantly reduced in September 1995 and the situation was described as “relatively calm,”<sup>637</sup> violations and clashes continued throughout the four years of this study.<sup>638</sup> In the first two years of the peace process, the number of incidents decreased steadily, until the situation throughout the country could be described as relatively stable. However, from mid-1997 onwards this process was reversed and Angola began a steady descent into renewed war. Given the history of violence in Angola, events fell short of being classified as outright war, but might well have warranted that description in another – traditionally more peaceful – country. Clashes took place between various constellations of actors, such as bandits and police forces, government troops or special security forces and UNITA forces in disputed areas, or between UNITA supporters and the civilian population.<sup>639</sup> Meanwhile, in “1996 the concern over cease-fire violations ha[d] largely been superseded by an upsurge in crime, banditry, looting and cattle-rustling – often carried out by uniformed individuals and often resulting in loss of life.”<sup>640</sup> The US Department of State confirms that “politically and economically motivated violence by the state security forces and common criminal violence were often indistinguishable.”<sup>641</sup> This description highlights the almost anarchic traits of Angola’s ‘*post-conflict*’ phase.

Obviously, these violent outbursts undermined civilian confidence in the peace process. The effect was multiplied by the fact that civilians were frequently the preferred targets for attacks by either side. If not killed, civilians might be kidnapped

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<sup>633</sup> Saferworld (1996), p. vi, 17.

<sup>634</sup> *The Blue Helmets* (1996), p. 258.

<sup>635</sup> Lewis (1996), p. 84; Cleary (1999), p. 163.

<sup>636</sup> S/1995/177, III.12.

<sup>637</sup> *The Blue Helmets* (1996), p. 261; see also S/1995/842.III.A.8.

<sup>638</sup> Saferworld (1996), p. 1, 13; Amnesty International (1996), p. 4. A notable exception and a clear violation of the cease-fire agreement that took place soon after this assessment, was the government’s offensive in the Soyo region in November 1995.

<sup>639</sup> Amnesty International (1996), p. 5; S/1998/333.III.9f. As is shown below, significant lower level violence also persisted in the area of civilian security.

<sup>640</sup> Saferworld (1996), p. 13.

<sup>641</sup> US Department of State (1998), p. 2; Vines (1998), p. 14.

into service as soldiers, child soldiers or sex slaves.<sup>642</sup> Clashes were both the result of government and UNITA leaders' inability to control all forces at their disposal and of strategic decisions tied to political developments in the peace process.<sup>643</sup>

UNAVEM III's ability to affect the intensity of clashes was hampered by a number of factors. To some extent, the intensity of fighting was irrelevant of UNAVEM III's presence, but was a product of provocations and responses at a low level. The contentious behaviour of the Angolan National Police which incited violent reactions is a case in point. UNAVEM III's efforts to alleviate these confrontations are discussed in the section on civilian security below. One of the few instances, when a UNAVEM III platoon was sent to the Soyo region in late 1995, remained the exception and was accompanied by a reservation on the part of the Secretary General that "UNAVEM III is neither equipped nor mandated to serve as an interpositioned disengagement force."<sup>644</sup> This is surprising in that the Secretary General appears to be excluding the most fundamental task that is inherent in any peacekeeping operation. Instead, he implicitly admitted UNAVEM III's dependence on the parties' tactical consent. As a result, the level of violence reflected progress on the political front and more particularly the demagoguery of the political leaders rather than any effort by the international peacekeeping force. Operationally, UNAVEM III's struggled with "difficulties in obtaining [...] adequately trained and equipped forces, particularly from Africa."<sup>645</sup> Furthermore, the bulk of UNAVEM III's presence was concentrated around the quartering and storage areas. This was a practical necessity, but also limited the effect the force might have had on the anarchic conditions in large parts of the country.

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<sup>642</sup> Amnesty International (1996), p. 7.

<sup>643</sup> The presence and involvement of private armies did not make this picture any easier. See for example O'Brien (1998), p. 93-4.

<sup>644</sup> S/1996/75.III.A.9. According to Major General Philip Sibanda, UNAVEM III Force Commander 1995-8, there was only one other incident in which UNAVEM III used force. Tellingly, it was to repel a group of bandits attacking a UN convoy rather than as an impartial intervener in a confrontation between the parties. Maj Gen Philip V Sibanda (1999b) "On UN Operations in Southern Africa: Mandate, Means and Doctrine in UNAVEM III" (Presentation given at a conference on *Towards a Global Consensus on Peace Support Operations*, Institute for Security Studies, Pretoria, 21-23 October 1999), p. 7.

<sup>645</sup> Saferworld (1996), p. vi. One should also note, however, that by March 1996 some of the largest troop contributions came from African countries, most notably Zimbabwe, Zambia, and Namibia. In addition, quite a few African countries provided military and civilian police observers, namely Algeria, Congo, Egypt, Guinea-Bissau, Kenya, Mali, Morocco, Nigeria, Senegal, Tanzania, Zambia, and Zimbabwe.

The persistence of clashes was of course linked to how the *separation of forces* was progressing. This process, described as ‘disengagement’<sup>646</sup> in UN terminology, was initially uneven. Especially government forces were reluctant to withdraw from key positions in the early stages of the peace process. It was not until March 1996 that the government provided UNAVEM III with a plan for the first phase of the withdrawal of its forces.<sup>647</sup> Later on, disengagement was not always a clear-cut issue as hostilities were merely moved downwards to a lower level, at which irregular security forces rather than the FAA remained militarily active. In other words, although the withdrawal of the FAA was finally satisfactory, it was simply replaced by other armed elements with more or less covert ties to the government throughout MPLA-controlled territory. Both sides, i.e. the government and UNITA, were accused of “aggressive patrolling”<sup>648</sup> that undermined trust between the parties.

At the same time, particularly UNITA appeared to welcome the break in the fighting as an opportunity to regroup and re-equip themselves following the losses sustained shortly before the peace agreement was signed. These developments obviously ran counter to the purpose of the Protocol.<sup>649</sup> The government was not wholly innocent in this regard and accusations persisted throughout that the government's quartering was merely a disguise for the FAA's strategic redeployment. In some instances, UNAVEM III declared withdrawals unacceptable and urged the government to move from forward positions to barracks.<sup>650</sup> Government forces promised to return to their barracks once it had been demonstrated that the demobilisation process of UNITA had begun in earnest. In the transition period, where not all government forces had been withdrawn and UNITA was still moving about in large parts of Angola, clashes were foreseeable.

A significant barrier to accelerating disengagement, was the fact that the first concrete steps towards consolidating disengagement and subsequent demobilisation

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<sup>646</sup> “Disengagement” is a limited term that only involves the “positioning of the opposing military forces beyond artillery range,” but no permanent disarmament or demobilisation. Joanna Spear (1999) “The Disarmament and Demobilisation of Warring Factions in the Aftermath of Civil Wars: Key Implementation Issues,” *Civil Wars* 2(2), p. 2.

<sup>647</sup> S/1996/248.III.9.

<sup>648</sup> S/1995/1012.III.B.12; Human Rights Watch (1996), p. 2.

<sup>649</sup> Cleary (1999), p. 167; Reimer (1996).

<sup>650</sup> When the deployment of UN troops was delayed, UNITA voiced concern about government troops in offensive positions close to the quartering areas. This was an expression of UNITA's security concerns and resulting reluctance to relinquish its own military power. “UNITA Issues Statement on Deployment of Intervention Police,” 18 April 1996 (<http://wnc.fedworld.gov>); Reimer (1996); S/1996/827.III.A.12; Saferworld (1996), p. 14.

lay entirely in the hands of the parties. They involved providing specific military information on capabilities, plans for quartering troops, and suggestions for joint verification mechanisms; issues that were to be decided upon by Savimbi and dos Santos. Despite frequent and forceful demands from UNAVEM III, both sides remained reluctant to provide military data. This undermined the peacekeeping force's efforts at increasing transparency and building confidence. Once again the parties badly concealed resistance to the peace process and their unwillingness to make real concessions, highlighted the dependence of international security assistance on a minimum of political support and the limitation of their role to that of a potential catalyst rather than an agent of change.

In terms of the separation of forces, a disengagement process took place in which both parties withdrew their forces to their strongholds. As neither leadership had absolute control over the multiplicity of forces at their disposal, withdrawal could not be entirely comprehensive nor co-ordinated. The lack of complete control also offered a convenient excuse to the parties when they were accused of violations or attacks. As mentioned above, decentralisation in UNITA's horizontal structure was counteracted by strict discipline, in order to maintain a cohesive military force.

Another key aspect was the *withdrawal of foreign forces*. In the negotiation phase leading up to the Lusaka Protocol, the government achieved significant military gains, with the help of the South African based private security company, Executive Outcomes (EO). Naturally, UNITA was bent on their removal from Angolan territory in the wake of the agreement and their repatriation was included in the Lusaka Protocol.<sup>651</sup> By December 1995, little progress had been made and the repatriation of foreign forces was still a major issue in negotiations in the Joint Commission.<sup>652</sup> As a result of pressure from the United States, the Angolan government finally terminated the EO contract in December 1995. On 12 January 1996, all 446 EO employees had been repatriated.<sup>653</sup> While initial developments indicated that most of the foreign forces had indeed been withdrawn, the following four years were characterised by the coming and going of military support forces. This was a continuation of patterns of

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<sup>651</sup> Shearer (1998a), p. 48.

<sup>652</sup> S/1995/1012.II.5.

<sup>653</sup> "Private US companies train armies around the world," *US News and World Report*, 8 February 1997; S/1996/75.II.7; Saferworld (1996), p. 14; Shearer (1998a), p. 48. Cleary questions the credibility of the withdrawal. He is supported by Human Rights Watch reports. Cleary (1999), p. 147, 163; Human Rights Watch (1996), p. 4.

external involvement that dated back to the colonial presence, as well as the engagement of South African and Cuban forces in the first Angolan civil war.

The major clashes that signalled the beginning of the end of the peace process in late 1997, were an attempt on the part of the Angolan government to seal off the border to the Democratic Republic of Congo (DRC) in order to prevent the arrival of both additional UNITA troops, but also Congolese and Rwandan forces in support of UNITA that had fought together in the DRC.<sup>654</sup> Although the UN supervised the withdrawal, they were never in any position to prevent the arrival of forces and arms in Angola.

At the height of its campaign in mid-1993, UNITA had controlled 80% of Angolan territory. Even though the government managed to reduce that figure to approximately 40% in the months preceding the Lusaka Protocol, the *transfer of territory* and the restoration of government authority over the entire country remained a key element of the Lusaka Protocol.<sup>655</sup> Interestingly, the Angolan civil war bore some important characteristics of an inter-state conflict. One of the characteristics of a state is its control over a given territory and the concomitant population, including the responsibility of providing security in this area. In Angola, there was a discrepancy between control over territory and control over population. Although the government at times administrated only a minor part of the territory, it was always responsible for the lion's share of the population which flocked into the major cities during the wars and their aftermath; illustrating an urbanisation process typical of conflict-ridden societies. Although the struggle in Angola was one for power and not partition,<sup>656</sup> the two main parties had clear territorial affiliations.

Accordingly, the failure to re-establish government control over UNITA-held territory, largely due to UNITA's refusal to hand them over, was a pivotal factor in the steady return to war towards the end of 1998. This was due to the symbolic, geopolitical and resource strategic implications of control over territory. As long as UNITA retained a strategic territorial base with access to indispensable resources, they would be able to keep their options open and continue the fight, if need be. As Manning points out, "UNITA thus had no incentive to move on territorial integration

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<sup>654</sup> Beaudet (1998), p. 2962.

<sup>655</sup> Vines (1998), p. 4; Manning (1999), p. 210.

<sup>656</sup> Cleary (1999), p. 171. Except of course for Cabinda, FLEC secessionists.

until it had abandoned all reservations about the peace process.”<sup>657</sup> Throughout the implementation process, UNITA was aware of the crucial power that derived from holding critical territory which was why the organisation was so reluctant to relinquish control. It is also important to keep in mind that throughout its reign the MPLA government never controlled the entire territory of Angola. Therefore, it was not a question of resurrecting authority but of transferring the control that UNITA had traditionally held in North- and South-Eastern Angola into the hands of the movement’s fiercest opponent.<sup>658</sup>

The transfer of authority was slow to begin with, but had also not been envisioned as one of the first items to be put into practice. In the course of 1997, the extension of state authority finally gathered pace, with a large proportion of territory placed in government hands.<sup>659</sup> The transferral of Negage air base in the North of the country and of the provincial capital Cuango – from which one of the main diamond areas was administered – was regarded as a positive sign. It indicated that the MPLA and UNITA had finally been able to agree on a system of financial support, that is of diamond mine concessions, that would fund the movement’s activity as a political party.<sup>660</sup> However, in early 1998 the process stopped short at the final four municipalities that formed UNITA’s core area and that encompassed the major diamond-mining areas. In addition, the scheduled move of UNITA’s headquarters to Luanda which would have been an irrevocable sign of trust, never took place. It underlines the impression of two parties in control of distinct territories, rather than a country headed for reconciliation and national unity. This reflected the pattern of concessions that throughout the period from 1994 to 1998 had been marked by efforts on both sides to “consolidate and enlarge their areas of control.”<sup>661</sup>

The final step towards allowing full government authority was never taken by Savimbi. Instead, in the run-up to increased hostilities, governing was rendered increasingly impossible in those areas that UNITA wanted back. Some of the

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<sup>657</sup> Manning (1999), p. 210.

<sup>658</sup> Besides involving access to natural resources, territory played an important part in state- and nation-building. Whereas the former entails penetration and government control throughout the territory, the latter points to the need to engender loyalty towards a uniform government and country. Given the crucial role of territory in the Angolan conflict, Akindele’s suggestion of a power-sharing system based on a federal model might indeed be a fruitful alternative. Akindele (1996), p. 2, 12.

<sup>659</sup> By January 1998, government authority had been established in 239 out of 344 localities.

<sup>660</sup> Reimer (1997); Saferworld (1996), p. 38f.

<sup>661</sup> *The Blue Helmets* (1996), p. 261. In early 1998, it also became clear that UNITA was maintaining a “security perimeter” in areas adjacent to the ones still under UNITA control. S/1998/236.II.9.

government administrators were threatened or killed by UNITA supporters or were simply allowed no freedom of movement. Whereas the international community decided to enforce election results by providing physical protection to elected officials in hostile municipalities in Bosnia-Herzegovina, its resolve in the Angolan peace process was not as strong. It is impossible to know whether accompanying government representatives in newly restored areas would have been feasible or effective, given UNAVEM III's limited manpower, mandate, and equipment. Enforcing the extension of administration, would also have implied taking sides in the conflict, particularly given the fact that it would have meant endorsing hand-picked MPLA cronies in former UNITA strongholds.<sup>662</sup>

Throughout the peace process bouts about territory continued and put the process as a whole at risk. Despite agreements on a peaceful transfer of authority, the government demonstrated just how much it distrusted UNITA by establishing control over certain areas with military force, such as in September 1995 when the government offensive for the oil-region of Soyo seriously endangered the progress made in other areas.<sup>663</sup> Particularly, when trying to promote the fact that from now on conflicts were to be managed by non-violent means, a military offensive was – to say the least – sending mixed messages to the general population, as well as to the opponent.

The government's legitimacy and the credibility of its claim of providing security to its population were undermined by the activities of the ANP and other security forces in the newly transferred areas. In its report on the human rights situation in Angola in 1997, the US Department of State wrote that “[w]hile civilian authorities generally maintain effective control of the security forces, there were frequent instances in which the security forces acted independently of government authority. Members of the security forces committed numerous, serious human rights abuses, especially in areas to which the Government recently extended its administration.”<sup>664</sup> In December 1997, Reimer commented that Angola remained a divided country.<sup>665</sup>

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<sup>662</sup> Despite international efforts to encourage the appointment of UNITA administrators in newly transferred areas, this was not very successful. Governors were appointed by the President dos Santos and were impaired with respect to their impartiality and credibility.

<sup>663</sup> *The Blue Helmets* (1996), p. 261.

<sup>664</sup> US Department of State (1998), p. 1.

<sup>665</sup> Reimer (1997).

Divisions could not be overcome, as long as severe limitations on *freedom of movement* persisted. Throughout the four years of the peace process the lack of freedom of movement continued to pose a serious problem. One factor was the large number of landmines, but there were also numerous checkpoints set up by bandits or by military and police forces on either side.<sup>666</sup> Regardless of who maintained the checkpoints they brought with them harassment and serious violations of human rights. UNAVEM III faced the checkpoints powerlessly and simply had to accept being told that they could not access areas in which the peacekeeping force was to investigate an incident.

The security guarantee that the international community might have provided in connection with the implementation of the cease-fire, the withdrawal of foreign forces, and the transfer of territory was illusive for a variety of reasons. For one, the size of the country to be patrolled in relation to the size of UNAVEM III made any effective monitoring of the whole of Angolan territory impossible. And yet, the notion of UN peacekeeping is not to rely on the capability derived from force, but to project power over large areas due to the moral high ground of the task entrusted to the mission. In theory, this means that the presence of monitors in itself should be an incentive for compliance. Still, even under the best of circumstances UNAVEM III and later MONUA were small in relation to their mandates. Major General Philip V. Sibanda, UNAVEM III Force Commander from 1995-8, emphasised that force contingents were thinly spread out throughout Angola and therefore rather isolated. This left them both exposed to attacks and without credible and timely backup.<sup>667</sup> In Angola, moreover, the implications of UNAVEM III's limited size were compounded by the fact that UNITA and to a lesser degree the MPLA government were not interested in following UN rules, but pursued peace in their own – often counterproductive – way. The degree to which both sides co-operated was a major determinant of progress.

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<sup>666</sup> Human Rights Watch (1996), p. 5.

<sup>667</sup> Sibanda (1999b), p. 7.

**Box 5.1: Demilitarisation I - Cease-fire, Separation of Forces, and Transfer of Territory**

Clashes continued throughout the peace process with varying intensity. There were instances of military activity just short of war, as well as random violence by bandits or armed factions on either side. The persistent high level of violence contributed to the population's sense of insecurity and impeded the consolidation of peace.

There were some improvements in the security situation, when forces were eventually separated and foreign forces repatriated. The separation of forces led into the demobilisation process which was to ensure permanent disengagement.

The transfer of territory was a key issue in the implementation of the Lusaka Protocol. For the government, it involved the affirmation of its legitimate authority, as well as access to the resources under UNITA's control. For UNITA, territory was the final security guarantee, as well as a source of income. The peace process broke down when it had become apparent that there was not enough trust between the parties for UNITA to risk exposure by handing over territory.

### 5.1.2 Disarmament, Demobilisation, and Reintegration

#### *Demilitarisation as an Issue of Culture*

Apart from its technical aspects, such as disarmament and demobilisation discussed below, demilitarisation is a process of re-establishing a peaceful society. It involves reversing a culture where violence is the instinctive method of conflict management even at the level of individuals. Realising the cultural component of demilitarisation in Angola was a formidable task. The conflict had so many dimensions and ran deep for a long time so that it became a way of life and peaceful existence appeared a distant possibility at best. The population's distrust of the peace process, the parties, the external actors, and of each other pervaded everything.

In theory, once the level of militarisation falls below a certain level, demilitarisation becomes a question of the rule of law. In other words, once the sheer existence of a common set of rules is accepted and more specific rules for the content of a system of social interaction are developed, the issue moves into the realm of civilian security. In Angola, even the first step of replacing the power of the gun with other non-violent methods of interacting and handling discord, was a significant challenge, as it involved unlearning what over thirty years of conflict had argued so

convincingly. The inherent attitude towards the conflict was reinforced by the way in which the government handled the peace process, that is the way in which it determined and then disseminated rules for social interaction.<sup>668</sup> As long as aggressive police behaviour and high levels of violence characterised everyday life, the population would be irresolute with respect to whether or not to abide by the rules established by the central government. And yet, despite the lack of co-operation and the hostility displayed by representatives on both sides, the Angolan population was ready for peace. After years of war, the population was tired of war and the government's support base had been weakened significantly. Reimer suggests that the biggest gulf was no longer between different parts of the population but between the population and their leadership, be it UNITA or MPLA.<sup>669</sup>

Developing universal respect for human rights among the population was a fundamental aspect of the demilitarisation process. In this area, efforts by local NGOs and the Church were directed at teaching respect for human rights and promoting national reconciliation. UNAVEM III had a small human rights unit that contributed to civil education.<sup>670</sup> This will be discussed in greater detail in connection with civilian security sector reform (5.2.2). Given the history of the Angolan conflict, it was clear that a peace process such as the one following the Lusaka Protocol required a complex set of measures and – equally important – a sustained effort and long-term commitment to gradually engender confidence in stability and security and the peace process. In the following the three predominant technical tasks of demilitarisation are addressed in turn: disarmament, demobilisation, and reintegration, before the attention shifts to military reform processes.

### *Disarmament*

Given the size of the opposing armies and the duration of the Angolan conflict, the task of disarmament promised to be comprehensive to say the least. Therefore, it is important to keep in mind the components of the process that were directed at different target groups and the responsibility of different parties. On the one hand, there was the disarmament of UNITA that involved a wide range of weapons and was

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<sup>668</sup> A report issued by the US Department of State calls to mind that the “Constitution was revised in 1991 to provide for elections and for the protection of basic human rights, but [that] the Government generally does not respect its provisions in practice.” US Department of State (1998), p. 1.

<sup>669</sup> Reimer (1997); Reimer (1996); Beaudet (1998), p. 2963.

<sup>670</sup> *The Blue Helmets* (1996), p. 260.

UNITA's own responsibility as part of the process of registering at the demobilisation sites. On the other hand, the Angolan government was assigned the task of disarming the civilian population that was heavily armed as a result of thirty years of civil war.<sup>671</sup> The military and civilian disarmament processes are discussed in turn below. Although UNAVEM III's mandate was more comprehensive than UNAVEM II's had been in the Bicesse process, and gave the peacekeepers a direct role in the disarmament process and greater monitoring and verification responsibilities, it was still limited to supervision.<sup>672</sup> It would be crucial to the success of the peace process that the UN "summon the political and financial resources to ensure that weapons are collected and successfully decommissioned."<sup>673</sup>

Both the disarmament and demobilisation of UNITA proceeded in stages. Military information on weapons and force strength was to be provided to the international peacekeeping force by the government and by UNITA. The monitors were then to administer this information obtained from both sides as a first step towards establishing target rates and a measure for evaluating progress. It was not considered necessary for one stage to be completed in full, before the next could begin. Providing military information was an ongoing process that ran parallel to actual reductions. Since the FAA was to be the future national armed force of both parties and therefore did not need to be disarmed, the main focus was on UNITA's military disarmament. UNITA provided information unevenly, but continuously. Unfortunately, much of the data handed over to the international authorities was not regarded as credible. The gap between the data provided by UNITA and the UN's own assessments grew throughout the implementation process, until 1998, when Jonas Savimbi's public claims were simply ignored or discarded. In addition to having to settle for untrustworthy information, UNAVEM III was frequently prevented from inspecting UNITA-held territory. UNAVEM III was particularly vulnerable to misinformation, as the force lacked an effective intelligence capacity. At the same time, the fact that the peacekeeping force had not been provided with that

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<sup>671</sup> Amnesty International estimates that there were 700,000 fire arms in Luanda alone. Amnesty International (1996), p. 5. In part, the proliferation of arms in civilian hands was due to the failure of UNAVEM II to disarm effectively in the wake of the Bicesse Accords.

<sup>672</sup> Saferworld (1996), p. vi.

<sup>673</sup> Christopher Smith (1996) "Light Weapons and the International Arms Trade," in Christopher Smith et al. (1996) *Small Arms Management and Peacekeeping in Southern Africa* (UNIDIR Disarmament and Conflict Resolution Project, United Nations: New York/Geneva), p. 57.

capacity was an indication of the international community's half-hearted engagement.<sup>674</sup>

As disarmament and demobilisation played a central role in the context of the implementation process, the damage done by UNITA's dishonesty was severe, leading both the international community and the Angolan government to distrust any assurances given by UNITA. Initially, the organisation was given the benefit of the doubt, a strategy on the part of the international community that allowed Savimbi to pursue his double strategy without being seriously questioned by the third-party presence. As the misinformation became more blatant and more manipulative in the course of implementation, the international community finally confronted UNITA and added pressure. It had wanted to maintain its impartiality and was weary of condemning one side in the peace process. The notion of impartiality as it was proclaimed in the Dayton process in which enforcement measures and criticisms were tied to the degree of compliance with the peace agreement, had not yet been formulated in full.<sup>675</sup> Instead, UNAVEM III's need to maintain its credibility as an impartial observer precluded any condemnation of UNITA until the organisation's destructive behaviour had become undeniable and, ironically, UNAVEM III's credibility heavily undermined.<sup>676</sup>

The next step was the actual collection of arms for which the UN mandate envisaged the establishment of eight main weapons storage locations throughout the country and which was to be the first step towards demobilisation.<sup>677</sup> There were delays in the opening of quartering areas and storage locations, due to delayed inspection and subsequent acceptance by the parties. Spear claims that the delays were due to the fact that the parties were already scouting out the best strategic locations from which to relaunch the war – if necessary.<sup>678</sup> Some quartering and storage areas were co-located, as a matter of necessity given UNAVEM III's limited

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<sup>674</sup> Lewis (1996), p. 88. Intelligence has long been a taboo topic in the context of peace operations and the situation for UNAVEM III was not unusual in that sense. This is only now changing with more heavy-handed operations in which the necessity of intelligence is undeniable.

<sup>675</sup> The notion had certainly been suggested, but had not been put into action, as it later was in the context of the Dayton Agreement.

<sup>676</sup> Again the uncanny resemblance to the Bicesse process, worsened the mission's image, as UNAVEM II's credibility had also suffered from their inability to disarm effectively and from the fact that the mission was intimidated and threatened by arms all around. Peter Batchelor (1996) "Disarmament, Small Arms, and Intra-State Conflict: The Case of Southern Africa," in Smith et al (1996), p. 75.

<sup>677</sup> *The Blue Helmets* (1996), p. 257; Saferworld (1996), p. 14.

<sup>678</sup> Spear (1999), p. 7.

number of staff. Naturally, co-location might appear dangerous should hostilities break out, but the opposite was also true: Soldiers might be induced to demobilise, if they could keep their options open, i.e. remain close to their weapons. It was an unfortunate, but effective security guarantee. In addition, the economic value of a weapon should not be underestimated.<sup>679</sup> Thus, external actors have to be aware of the sacrifice that disarmament and demobilisation often entail for the soldiers that risk losing both the power of the gun and its cash value. The same is true of UNITA as a whole that even in the event of peace would be able to turn their military capacity into cash.<sup>680</sup>

In the early days of the peace process, few arms were delivered to the registration sites and most of the weapons were unserviceable. Although the number of weapons collected grew, the majority remained of low quality and/or lacked ammunition and included none of the heavy weaponry that UNITA was known to possess.<sup>681</sup> UNAVEM III did not have the capacity to hunt down hidden storages on either side or to exercise effective control over external supply channels, but it collected and destroyed arms when hidden stock piles were periodically discovered. Still, the number of arms caches and their content were a mere fraction of the total of arms at UNITA's disposal. What remained unclear was whether UNITA was retaining capacity for offensive or defensive purposes.<sup>682</sup> Regardless, when full-scale hostilities were on the verge of breaking out towards the end of 1998, the movement emerged from the fourth year of the Lusaka peace process better armed and better organised.<sup>683</sup>

The task of disarming the civilian population was assigned to the Angolan National Police. This decision was based on the reasoning that arms in civilian hands were a matter of law and order, rather than one of military security.<sup>684</sup> In contrast to Bosnia-Herzegovina, where disarmament was in the hands of the impartial peacekeeping force, entrusting that task to the police force in Angola had a negative impact on the perceived credibility and impartiality of the police, as we shall see below. The reinforcing positive circle of growing confidence and subsequently

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<sup>679</sup> Mats Berdal and David Keen (1997) "Violence and Economic Agendas in Civil Wars: Some Policy Implications," *Millennium: Journal of International Studies* 26(3), p. 18.

<sup>680</sup> Saferworld (1996), p. 19; Smith (1996), p. 39; Batchelor (1996), p. 77; Vines (1999a), Ch. V, p. 2.

<sup>681</sup> See for example S/1996/503.III.B.12, VIII.37.

<sup>682</sup> Paul Hare in Vines (1999a), Ch. V, p. 2.

<sup>683</sup> Cleary (1999), p. 167. These are problems identified by Batchelor with respect to UNAVEM I and II, but they re-appeared in UNAVEM III's efforts. Batchelor (1996), p. 68f., 72.

<sup>684</sup> Also, many of those arms had originally been disseminated by the government which had distributed one million AK 47s in Luanda alone. Vines (1999a), Ch. V, p. 5.

increased willingness to co-operate that at least in part marked the disarmament process in Bosnia-Herzegovina, was reversed into a vicious circle of coercion and distrust in Angola. The decision to transfer that responsibility to the police is criticised by Smith, as he claims that it “makes the future begin to look very much like the past,”<sup>685</sup> with reference to the failed attempt at peace implementation after Bicesse. Unfortunately, there was no alternative actor to take on the task of disarming the civilian population. UNAVEM III did not have the manpower to undertake that task itself, instead it had to limit itself to monitoring the process and registering the weapons collected by the ANP.

The disarmament of civilians by the Angolan National Police began in July of 1996 and was to consist of three stages. In the first stage, weapons were collected in areas already under government control. The second stage extended the police activity to the territories held by UNITA but scheduled to be handed over to government authority. Finally, the third stage consisted of prosecution and seemed to be intended as an incentive to surrender arms early on. As the notion of ‘stages’ indicates, the three phases were designed to be consecutive.<sup>686</sup> The notion of stages made sense when viewed in connection with the demobilisation process and more particularly with the transformation of UNITA from a military organisation to a political party. The government tied its efforts to progress in demobilisation and pursued its disarmament duty in fits proportionate to the number of UNITA soldiers and weapons registered at the quartering areas.<sup>687</sup> However, it quickly became clear that arms would be both discovered and delivered after a phase was considered complete, and the process of collecting weapons from the civilian population proved to be ongoing and indiscriminate of territorial delineations. In March 1995, the Angolan Police General Command issued a ban on the importation and trade of arms and ammunition. However, as Kingma points out, the question was “how effective the Angolan police currently is to implement and control this measure.”<sup>688</sup>

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<sup>685</sup> Smith (1996), p. 57.

<sup>686</sup> S/1996/827.IV.24. Incentives of course only work when they can be effectively communicated to the local population. Communication is not necessarily the government’s strongest suit. See also “Police Seize Weapons from Civilians,” 19 November 1996 (<http://wnc.fedworld.gov>); “Benguela Police Collect Weapons from Civilians,” 22 November 1996 (<http://wnc.fedworld.gov>).

<sup>687</sup> S/1996/171.IV.20.

<sup>688</sup> Kees Kingma (1996) “The Role of Demobilization in the Peace and Development Process in Sub-Saharan Africa: conditions for success” (Paper prepared for the *International Workshop on Disarming Ethnic Guerrillas Project*, Peace Research Institute Oslo: Oslo, 17-18 February 1996), p. 8.

The civilian disarmament which was scheduled to begin in March 1996 was delayed due to foot-dragging by the government.<sup>689</sup> Moreover, the success of and even the decision of whether to attempt disarmament at all were contingent upon which areas of the country were to be addressed. Obviously, the government was unlikely to attempt weapons collections in areas not under its control. Since the Angolan government did not control the entire territory or population at any point in time, the scope of disarmament efforts was necessarily also limited. Obviously, the delays in the transfer of territory into government hands held back the collection of arms in UNITA-held territory, as envisioned in stages two and three. Initial progress was slow and in February 1997, the Central Civilian Disarmament Commission announced that it had “recovered 40,000 lethal weapons throughout Angolan territory.”<sup>690</sup> The government appeared less interested in disarming its ‘own’ population and became increasingly one-sided in its efforts. Tellingly, some slight progress was made in early 1998, when the government focused its attention on the former UNITA-held areas, which had recently been transferred into government hands. Its lack of co-operation with MONUA further underlined how partial the government’s efforts at disarming the civilian population were.<sup>691</sup> Despite the government’s manoeuvring, the overall results remained limited; never making a serious dent in the number and availability of weapons in the conflict area. The Angolan population was quite simply scared to volunteer its weapons and buy back programmes suggested under MONUA in the summer of 1997 never got off the ground due to a lack of funds.<sup>692</sup>

Keeping in mind the size of UNITA’s army – officially 60,000 at the time of the Lusaka Protocol, as well as the size of the population – approximately eleven million, the number of arms collected was very small. Adding to that the type and quality of weapons, it is obvious that UNITA was not significantly weakened and that the flow of arms among the population had in no way been curbed.<sup>693</sup>

Indeed, in 1998, armament levels were again soaring. For the first time in the long Angolan war, UNITA was waging a conventional war against the government. Recent arrivals of combat vehicles, tanks, and fighter aircraft from other parts of

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<sup>689</sup> S/1996/248.IV.19.

<sup>690</sup> “Police Carry Out Civilian Disarmament Operation in Luanda,” 7 February 1997 (<http://wnc.fedworld.gov>).

<sup>691</sup> S/1998/524.IV.22; S/1998/723.IV.15.

<sup>692</sup> S/1997/248.IV.18; also S/1997/807.IV.18.

Africa and Europe enabled Savimbi to move out of his guerrilla war mode and lead large-scale territorial strikes against the government. The critical regional dimension of the flow of arms is addressed in greater detail in section 5.1.4.

**Box 5.2: Demilitarisation II - Disarmament**

There were two disarmament processes: a military disarmament that focused on UNITA and a civilian disarmament that targeted the general population. The weapons collected from UNITA were few and mostly unserviceable or of low quality. UNAVEM III was charged with supervising the military disarmament process, but were not capable of forcing delivery of weapons to the storage sites.

The civilian disarmament process was in the hands of the government and the ANP. It became increasingly one-sided and was accompanied by frequent human rights violations, particularly in those areas in which the government had just assumed authority.

*Demobilisation*

The political, logistical, humanitarian, and security challenges were similar to those faced at Bicesse, but this time the UN presence was much larger. Angola also resembled other post-settlement societies in that the challenges were matched by limited legitimacy and a poor capacity on the receiving end to carry out the measures or to continue programmes in the future.<sup>694</sup>

The United Nations Humanitarian Assistance Co-ordination Unit (UCAH) and its Demobilisation and Reintegration Office (DRO) had the main co-ordination responsibility for the civilian aspects of the demobilisation and subsequent reintegration process. According to an evaluation report by Ball and Campbell, “UCAH believed that a successful demobilization and reintegration was in fact the primary sine qua non for an end to humanitarian assistance needs in Angola.”<sup>695</sup> Demobilisation was a two-step process where combatants were first registered at quartering areas and then demobilised and sent on their way with varying degrees of support. The release of combatants moved seamlessly into the process of reintegration and rehabilitation. UNAVEM III was involved in the first stage, i.e. the quartering

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<sup>693</sup> Cornwell and Potgieter (1998), p. 5.

<sup>694</sup> In the Bicesse process, with only 500 field staff the UN “was hopelessly ill-equipped for the task of overseeing the demobilisation of two rival armies – 150,000 men – in a country twice the size of Germany, France and Italy combined.” Hamill (1994), p. 9; Batchelor (1996), p. 79, 93.

and registration process, particularly in those aspects that tied in with disarmament, but played no role in the release of former combatants.<sup>696</sup> The civilian and humanitarian character that was assigned to the demobilisation process was a conscious choice and motivated by the belief that the transition of demobilised soldiers into a ‘civilian context’ could not begin soon enough.<sup>697</sup> Other organisations that were involved were UNDP, WHO, UNICEF, WFP, UNHCR, and the ILO.

Before quartering could begin, the 15 proposed sites had to be reconnoitred and accepted by all parties, that is by UNAVEM III, UNITA, and the government. The acceptance process was delayed due to the absence of UNITA and government representatives from some of the reconnaissance missions. In UN fashion, progress was described as “slow,” but “significant.”<sup>698</sup> In Bosnia-Herzegovina where one initially expected the entire implementation process to be completed within a year, a year’s delay before quartering areas were even recognised by the parties, would have been unacceptable. Apart from the much smaller peacekeeping presence, the attitude towards delays in Angola was different, as the UN itself had been late in deploying. It reflects the ambiguous stance towards deadlines, noted in the discussion of the Lusaka Protocol. While the international community wished to be firm, it understood the need to be flexible – to the extent that initial time tables rapidly became irrelevant. The fact that quartering proceeded in fits and starts made it very difficult for the entire UN operation to plan and implement and ran counter to the initial view that demobilisation would be a relatively short-term process.<sup>699</sup>

In accordance with the 1994 Lusaka Protocol, Angola was scheduled to merge 100,000 government and 60,000 UNITA troops and to demobilise a total of 70,000 combatants.<sup>700</sup> The initial intention was for integration to precede demobilisation. However, as both processes proved difficult to get started, it was decided that the processes would be parallel rather than sequential, in order to move ahead at all. In practice, this meant that UNITA soldiers would have to proceed to quartering areas for demobilisation, while the FAA initially retained its full strength. The threat that this implied for UNITA was clearly underestimated and explains the movements’

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<sup>695</sup> Nicole Ball and Kathleen F. Campbell (1997) *Complex Crisis and Complex Peace: Humanitarian Co-ordination in Angola* (UN OCHA: New York, NY; [http://www.reliefweb.int/ocha\\_ol/pub/angola/index.htm](http://www.reliefweb.int/ocha_ol/pub/angola/index.htm)), Ch. 7, p. 1.

<sup>696</sup> Ball and Campbell (1997), Ch. 4, p. 6-7.

<sup>697</sup> Ball and Campbell (1997), Ch. 4, p. 2.

<sup>698</sup> *The Blue Helmets* (1996), p. 257, 260.

<sup>699</sup> S/1996/171.C.11; Ball and Campbell (1997), Ch. 6, p. 1.

reluctance to demobilise fully before the fighting power of the FAA had been at least partially reduced. Clearly, UNITA would have had more influence if FALA had been incorporated globally into the FAA. When the first group of UNITA soldiers was encamped in November 1995, a year had passed. Delays were due to “continued distrust, incidental fighting and slow response from the international community to requests for financial assistance.”<sup>701</sup> The process accelerated in February 1996 when thousands of UNITA troops registered and surrendered their arms. By early April, UNAVEM III had registered 17,566 UNITA soldiers in their quartering areas, but this still fell short of the requirements to the parties under the Lusaka Protocol.<sup>702</sup>

In March 1997, there were close to 71,000 UNITA soldiers in quartering areas; eleven thousand more than anticipated in the Lusaka Protocol. In the fall of the same year, UNITA still had an estimated 35,000 soldiers in violation of the Lusaka Protocol. This points to the difficulties in intelligence and reliable information, due to lack of transparency and lack of co-operation by the parties. UNITA was called on to quarter and demobilise their remaining forces and in an attempt to force compliance the UN agreed on sanctions to become effective by 30 September 1997, including a travel ban for all UNITA officials and the closure of UNITA offices abroad. In view of some indications of progress, the UN postponed the implementation of sanctions several times. They were finally put into effect in October 1997. By December 1997, UNITA claimed that it merely had ten thousand armed personnel that made up the Presidential Guard and the mining police, but experts suspected that Jonas Savimbi still commanded twice that number and that they were heavily armed. Eyewitnesses also maintained that UNITA was actively recruiting and arming young men at the time.<sup>703</sup>

In contrast to the Bosnian peace process, the demobilisation of UNITA soldiers also brought a large number of family members to the vicinity of the quartering area. This was a reflection of the duration of the conflict and the degree to which rebel life dominated social structures. It also posed substantial challenges to the process of transferring former combatants to civilian life. The UN reported that in addition to the close to 18,000 UNITA members that had registered at the quartering

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<sup>700</sup> The merger would have made the FAA the largest standing army in Africa. Lewis (1996), p. 92.

<sup>701</sup> Kingma (1996), p. 2, 4; Saferworld (1996), p. 14.

<sup>702</sup> Kingma (1996), p. 2f, 10; *The Blue Helmets* (1996), p. 263.; “Police Confine 3,367 Men, UNITA Confines 17,566,” 2 April 1996 (<http://wnc.fedworld.gov>); Reimer (1996).

<sup>703</sup> Reimer (1997).

areas in March 1996, there were approximately ten thousand family members close by. As life outside the camps offered few opportunities, the demobilised troops also stayed in the areas longer than anticipated. When the number reached 62,000 UNITA soldiers and 120,000 dependants by October of the same year, the humanitarian challenge was clearly formidable. Although there was an acute shortage of supplies, UCAH continued its food distribution, sanitation, and civic education programmes as it could.<sup>704</sup> UNAVEM III on the other hand considered these activities to be outside of the realm of its security assignment.<sup>705</sup>

The process was also undermined, when demobilised soldiers were immediately re-recruited by UNITA, and the food or cash reward which they had received from the international community as an incentive for demobilisation and a starting-point for reintegration, collected by the rebel movement. Rumours persisted that UNITA forced uninvolved civilians to register for demobilisation with low quality arms, in order to pocket the cash while avoiding the demobilisation of actual soldiers. At the same time, UNITA was allegedly withdrawing its elite troops into its strongholds.<sup>706</sup> By the end of 1997, 15 sites were closed, when 40,000 out of a total of 79,000 had been registered. Of these 25,000 deserted and only eight thousand – from both the government and UNITA – had been successfully demobilised and reintegrated into society.<sup>707</sup> By this time, the UN operation was experiencing serious funding difficulties. Official demobilisation was completed, but additional opportunities for residual forces would be offered.<sup>708</sup> The final toll in March 1998 recorded 48,000 registered out of an estimated 87,000 UNITA troops, of which 27,000 were absentees.<sup>709</sup> In the course of 1998, a growing number of disenchanted UNITA soldiers defected and fled across the Tanzanian border, but the number of willing combatants still easily outweighed the number of deserters.<sup>710</sup> As a result, Savimbi's army was only marginally smaller at the end of four years of

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<sup>704</sup> S/1996/827.III.B.17.

<sup>705</sup> Ball and Campbell (1997), Ch. 4, p. 11.

<sup>706</sup> Manning (1999), p. 209; Cornwell and Potgieter (1998), p. 4.

<sup>707</sup> Although desertion does not necessarily mean the return to FALA, it makes reintegration so much more difficult, when large numbers simply melt away and cannot be traced. Spear (1999), p. 10.

<sup>708</sup> US State Department (1998), p. 11; S/1997/807.IV.b.25; S/1997/959.III.A.9; S/1998/17.V.B.17.

<sup>709</sup> S/1998/236.VI

<sup>710</sup> This mirrored the split in UNITA's political leadership, where some high-ranking officials had distanced themselves from Savimbi's war mongering. It has also been argued that the dissenters among the leadership had essentially given in to the temptations of a comfortable and profitable life as part of the Luanda government and were unwilling to return to a rebel lifestyle. Jakkie Potgieter and Richard

demobilisation in late 1998 than it had been at the time the Lusaka Protocol was signed.

Although the major burden of demobilising was on UNITA, the FAA was also to reduce its strength by approximately 20-30,000 soldiers. The Bicesse experience had left a deep mark on the trust between the parties. Dos Santos' had in fact demobilised in good faith in 1991/2; if not fully, but substantially. He drew the short end of the stick, when the parties returned to war following the elections in 1992. Once burnt, the government pursued a tactic similar to the one UNITA had chosen in which demobilisation took place haltingly and superficially and troops were repositioned rather than quartered. Whereas UNITA had reduced their armed force in March 1998, the government had "yet to indicate the number of excess troops of the Angolan Armed Forces (FAA) and the time frame for their demobilisation" and both sides had begun forceful recruiting again.<sup>711</sup>

The phenomenon of child soldiers was a tragic aspect of the war in Angola. Even during the peace process, there were tenacious reports of continuing recruitment of youths by both parties.<sup>712</sup> They presented particular challenges to demobilisation and reintegration. The recruitment of children indicates how broadly society was actively drawn into the war, but also how deeply the war would remain ingrained in the population's mind for a long time to come. Impressionable young people were bred into intolerant and uncompromising adults. For some the attraction consisted of the job, the social structure, and the calling in life that both UNITA and the FAA provided. Given the formidable size of the opposing armies, the government and UNITA recruited ever younger soldiers, such as in August of 1998, when the government reintroduced conscription for males aged between fifteen and thirty-four in the face of rising tensions.<sup>713</sup> The Secretary General pointed out that in order to build confidence and trust at lower levels, the political will shown by the two parties in the Lusaka Protocol had to be backed up by action on the ground.<sup>714</sup> The recruitment of child soldiers was just one example of how future reconciliation was made almost impossible. Moreover, the issue of child soldiers in Angola tragically underscored the case of demobilisation *without* reintegration

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Cornwell (1998) *Angola – At the Precipice* (Occasional Paper No. 32, Institute for Security Studies: Johannesburg, July 1998).

<sup>711</sup> Potgieter and Cornwell (1998), p. 2; S/1998/236.VI.B.28.

<sup>712</sup> See for example Amnesty International (1996), p. 5.

<sup>713</sup> Vines (1998), p. 8.

Prisoners of war formed another special group that awaited demobilisation, in the sense that it had to be transferred from a combat to a civilian role. The release and return of prisoners of war in Angola was supervised by the International Committee of the Red Cross (ICRC). Similar to the demobilisation process as a whole, there were also major delays in this area. However, by July 1996, both sides had released all prisoners listed by the ICRC. Those not accounted for were assumed to have died in 'custody.'<sup>715</sup>

In a volatile security situation, demobilisation meant vulnerability. Therefore, Kingma argues, "[d]emobilisation also requires a clear and credible central authority [to provide security for former combatants]."<sup>716</sup> In the Angolan case, that authority could have been executed by either the Angolan government or by UNAVEM III who was responsible for promoting a secure environment in the former conflict area. Kingma continues that if "it is the government, it should be able to guide and secure the process; and its police force should be in the position to intervene if the security of ex-combatants is threatened."<sup>717</sup> Clearly, the MPLA government had no such capacity and arguably no willingness even if they had had it. In fact, the ANP was the source of insecurity rather than the protector of demobilised soldiers. At the same time, UNAVEM III was too small to effectively control the process and provide a credible security guarantee to former combatants.

### *Reintegration*

Demobilisation without adequate reintegration is a major instability factor. The latent danger that lies in the unfulfilled expectations of former combatants that hoped to profit from peace, is a virtual powder keg in any peace process. As Kingma points out, "demobilization is closely linked to security issues; and the impact of demobilization depends largely on whether ex-combatants are able to reintegrate."<sup>718</sup>

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<sup>714</sup> *The Blue Helmets* (1996), p. 260.

<sup>715</sup> US State Department (1998), p. 4f. A much higher number and a much more critical view was offered by Amnesty International. They suggested that an estimated 45,000 prisoners of war were held, only a fraction of which had been released. This number also included people never released as planned during the Bicesse process. In part, the diverging assessments were due to Amnesty's somewhat wider definition of the term 'prisoner of war,' such as people held against their will by one of the parties. The truth probably lay somewhere in between these two assessments. Whereas it was quite possible that the ICRC's assessment was overly optimistic, Amnesty's wide definition was also less than fruitful.

Amnesty International (1996), p. 6.

<sup>716</sup> Kingma (1996), p. 10.

<sup>717</sup> Kingma (1996), p. 10.

<sup>718</sup> Kingma (1996), p. 1.

In Angola, the massive problems faced with respect to reintegration included the dysfunctional economy and the large number of people awaiting reintegration. Major groups were former UNITA combatants, a limited number of government soldiers and approximately 1.5 million returning refugees and internally displaced. In order to promote reconciliation and prevent envy, a shift towards community-based reintegration took place.<sup>719</sup> Also, reintegration support was tied to efforts by the World Bank to stimulate to local economy through community-based initiatives.<sup>720</sup>

Reintegration meant managing the process of “releasing large numbers of former soldiers into a severely depressed economy.”<sup>721</sup> In contrast to Bosnia-Herzegovina, a number of those that were to be reintegrated in Angola had never known a “civilian” existence. Therefore, the combatants were arguably the ones with the least prerequisites for reintegration. Their type of employment and social structure had always been affected by the war. In that way, reintegration had to manage UNITA members and their families, as well as replace the social network formerly provided by UNITA. Moreover, many of the combatants in Angola had virtually no marketable skills and had to compete with a number of professionals, such as carpenters or teachers, for scarce jobs and limited financial support.<sup>722</sup> Only a fraction of former combatants on UNITA’s side had a future in the FAA or the ANP, unlike the Bosnian police that was allowed to act as a temporary sponge for a significant share of the demobilised soldiers. Obviously, UNITA’s strategy of forcing newly demobilised soldiers to return to service in the rebel organisation exacerbated the problems of reintegration.

Employment in the agricultural sector was only an option for few of the former combatants. The percentage may have been slightly higher among rurally recruited UNITA soldiers, but farmland had been systematically abused, denied, and used as a political tool for years, rendering it an unattractive option for most.<sup>723</sup> With enough conflicts in the region in which former combatants could earn a livelihood, an alternative occupation to unemployment, farming, or crime was to join a mercenary

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<sup>719</sup> Kingma (1996), p. 1, 4f., 13.

<sup>720</sup> See for example S/1995/588, VI.32.

<sup>721</sup> Saferworld (1996), p. 19. The awareness of the link between reintegration and long-term economic development was reflected in the close co-operation between UCAH and UNDP in this area. S/1996/171.VI.28.

<sup>722</sup> Berdal and Keen (1997), p. 19.

<sup>723</sup> Saferworld (1996), p. 26.

group.<sup>724</sup> Although that removed some demobilised soldiers from the Angolan scene, it further undermined stability in the region.

The quartering areas featured services that were to smoothen the transition from demobilisation to reintegration, most notably civic education for demobilised soldiers. The battle scars were somewhat deeper, however, and many ex-combatants suffered from war-incited psychological problems that the government neither had the capacity nor the willingness to address.

There was a hope that the responsibility for reintegration would be transferred into local hands early on, but given the scope of the challenges, this was unrealistic. The Angolan National Institute for the Professional and Social Reintegration of Former Soldiers was established in 1995. But as reintegration progressed, it revealed the weakness of the Angolan state and virtually non-existent recipient structures. Lewis writes that “[m]ost serious of all was that national and international institutions seemed unable to sustain a holistic and long-term approach toward investment and planning for the socio-economic reintegration of soldiers.”<sup>725</sup> She argues that the situation in the wake of the Lusaka Protocol was simply not stable enough to launch a comprehensive programme, particularly when it involved devolving funds away from the central government to outlying areas.

Too often, funding for reintegration programmes is hopelessly inadequate, particularly given the staggering demand for “financial, logistical, and technical support” to much needed integration programmes.<sup>726</sup> The lack of funding was a serious problem for the UN’s ability to assist in the execution of the demobilisation and reintegration plans called for in the Lusaka Protocol. In July 1995, the appeal for financial assistance in this area had produced only 1% of the funding needed to carry out the programmes. Funding improved but never exceeded more than half of what was needed.<sup>727</sup>

More generally, demilitarisation as a whole, in its technical as well as its psychological elements, suffered from lack of and oftentimes delays in funding. This had to do with the sheer complexity of the tasks, but also with the fact that most

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<sup>724</sup> Kingma (1996), p. 6, 9.

<sup>725</sup> Lewis (1996), p. 94.

<sup>726</sup> Saferworld (1996), p. 29.

<sup>727</sup> *The Blue Helmets* (1996), p. 260. For example the estimated money needed in 1996 was \$187 million dollars of which \$77 million were eventually pledged. Of that amount, \$57 million were intended for demobilisation and \$21 million were actually received. See also for example S/1997/640.IV.B.30.

international peace support operations grapple with financial constraints. It is important to realise that the UN at the time was involved in a wide range of missions that all craved their toll on the limited resources of the organisation. More particularly, all of Europe was absorbed in the ongoing war in former Yugoslavia.<sup>728</sup> In the period from late 1995 to late 1998 the funds flowing into the regeneration of Bosnia-Herzegovina grew steadily. Although there is no clear evidence that Bosnia-Herzegovina ‘stole’ funding from Angola, it is certainly clear that in the finite aid world, funds to the regeneration of other societies, such as the Angolan one, were wearing thinner.

A major factor unrelated to the demands of conflict management in Bosnia-Herzegovina, was the slow progress in the Lusaka process and the donor fatigue that set in for good during 1996. In part this was due to the fact that certain reconstruction programmes depended on progress in other areas. When progress in demobilisation faltered, reintegration, resettlement, and economic recovery programmes were hamstrung as well.<sup>729</sup> Goals set were impossible to attain and programmes and implementing agencies appeared extremely ineffective. Kingma underlines the interdependency of the different components of the implementation process and points out that “[p]ost-conflict demobilisation and efforts to support reintegration are usually a part of a broader process of reconciliation, nation-building and the strengthening of civil society.”<sup>730</sup> Although significant funds were made available they were simply used up, when the process took far longer than anticipated.

The donor fatigue in Angola was exacerbated by the fact that much of the delay in implementation was due to the parties’ lack of willingness to move the peace process forward which, in turn, led to growing frustration on the part of the third-party actors. In his October 1996 report to the Security Council, the Secretary General pointed out that “[a]t a time, when funds for peacekeeping are scarcer than ever and all expenditures of the Organization are being closely scrutinized, it is becoming increasingly difficult to generate international support for operations which do not enjoy the full co-operation of the conflicting parties.”<sup>731</sup> With rising tensions in the course of 1998 and limited reintegration, humanitarian assistance was gradually

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<sup>728</sup> Sibanda claims that this was “the beginning of a deliberate effort by the UN to shift the peacekeeping emphasis from Africa to other parts of the world, particularly Europe [primarily due to] the failure of the UN Missions in Somalia.” Sibanda (1999a), p. 122f.

<sup>729</sup> See for example S/1996/75.III.C.16.

<sup>730</sup> Kingma (1996), p. 4.

diverted from reintegration to emergency relief, as large groups of people remained entirely dependent on external assistance.<sup>732</sup>

**Box 5.3: Demilitarisation III - Demobilisation and Reintegration**

The two processes were categorised as predominantly humanitarian in character and UCAH was assigned the overall co-ordinating responsibility. UNAVEM III, the peacekeeping force, was limited to overseeing quartering and registration. A number of other international organisations and NGOs were involved in the release and reintegration of former combatants.

The initial plan to first integrate all forces into the FAA and then demobilise was abandoned early on. As a result, UNITA had to demobilise on its own, which brought with it reluctance and deceit in the absence of a credible security guarantee from either the government or UNAVEM III.

The more UNITA soldiers were registered, the more the residual force seemed to grow, indicating that not only soldiers but random recruits were being sent to the quartering areas and that no effective demobilisation was taking place.

The delays in demobilisation and reintegration and the large number of dependants at the quartering areas depleted funds more rapidly than expected and placed a huge burden on the humanitarian effort.

Despite comprehensive efforts at reintegration, results remained meagre, due to the severely depressed Angolan economy, the lack of marketable skills among combatants, and the large number of people to be reintegrated which also included returning refugees and internally displaced.

### 5.1.3 Creating a National Armed Force

Those that were not scheduled for reintegration into civilian life, but were to continue on a military path in the FAA had to undergo a military reform process. This was also part of a wider reconciliation process in which the relations between the civilian segments of society and the military needed to be improved.<sup>733</sup> All four aspects of military reform, that is reorganisation, vetting, re-education, and the establishment of civilian control over the armed forces, were attempted in Angola; all of them with very limited success.

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<sup>731</sup> S/1996/827.VIII.41.

<sup>732</sup> S/1997/640.IV.B.28.

<sup>733</sup> See also Kingma (1996), p. 11.

The *reorganisation* process in Angola involved three elements: (1) the reduction of the force to a sustainable level; (2) the merger of a portion of UNITA's army (FALA) with the FAA and concomitant restructuring; and (3) the abolition of paramilitary forces. Reorganisation played a vital role and more particularly, "no settlement, still less transition to democracy is possible unless the rival military forces can be integrated and brought under some form of government control."<sup>734</sup>

As early as January 1995, only six weeks after the cease-fire came into force, the Chiefs of Staff of UNITA and the government met. By 20 April 1995, agreement had been reached in the Joint Commission that UNITA soldiers would be generally incorporated into the national armed forces and the FAA would then be subject to demobilisation. In this way, one hoped to avoid discrimination in the demobilisation process and to promote national reconciliation. According to the Lusaka Protocol, UNITA forces were to be integrated into the Angolan forces, creating a force of over 160,000 which was then to be reduced to 90,000.<sup>735</sup> One reason for the reduction of forces is typically to free up scarce resources for other reconstruction and development purposes.<sup>736</sup> In contrast, planning to integrate before demobilising indicated that the Angolan government considered "the financial costs of maintaining a large army for a longer period of time [to be] lower than the social and political costs of an expedited demobilisation."<sup>737</sup>

When the decision was made to demobilise concurrently with the integration of UNITA staff into the FAA, the reorganisation process changed fundamentally in character. Rather than creating a joint armed force instantly that might have been regarded as serving the needs of both parties, the FAA remained MPLA-dominated until further notice. The original strategy was abandoned for a good reason. There was obviously no political will among either party to surrender control over their respective armed forces. Reform was particularly difficult to implement, because "[t]he military had enjoyed immense political prestige in Angola and was still an integral element of the party [in the early 1990s]."<sup>738</sup> As Harding writes in anticipation of the peace process, "it would have to reconcile itself to becoming a

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<sup>734</sup> Luckham (1995), p. 52.

<sup>735</sup> *The Blue Helmets* (1996), p. 258f.

<sup>736</sup> Mats Berdal (1996) *Disarmament and Demobilisation after Civil Wars* (Adelphi Paper 303, International Institute for Strategic Studies, Oxford University Press: Oxford), p. 5; Saferworld (1996), p. 37.

<sup>737</sup> Kingma (1996), p. 4.

<sup>738</sup> Harding (1993), p. 71.

national army, without party privileges; or more accurately, one element of a national army, since an end to the civil war would mean the integration of government and UNITA fighters.”<sup>739</sup> The number of alternative security forces, the high crime rate, and the slow progress in military reform all pointed to a reluctance on the part of the government’s and UNITA’s military establishments to relinquish their privileges. In an assessment of Rwanda and Burundi that holds true for Angola as well, Adekanye points out that “inability to institutionalise such a power-sharing arrangement particularly as applied to the military and security forces, and to put in place structures good and trusted enough to guarantee maximum human security for all, has been a major cause for the continuing conflicts in the two countries.”<sup>740</sup>

Although another agreement was reached in January 1996 on a framework for understanding for the formation of the merged FAA, critical issues on structure and the allocation of posts remained unresolved.<sup>741</sup> Putting agreements into action proved equally difficult. There were delays in the arrival of UNITA generals; for a long time nobody came to Luanda, and when they did, they did not include key figures.<sup>742</sup> Clearly, releasing UNITA generals to join the FAA was fraught with two dangers for Savimbi, both of which sprang from an absence of trust between the parties. On the one hand, there was the physical danger to the officers, as UNITA often belaboured the lack of security guarantees for its members travelling into ‘enemy’ territory. Considering the purges undertaken by the government in the immediate wake of the 1992 elections in which thousands of UNITA members had been killed, UNITA’s preoccupation with security arrangements was understandable.<sup>743</sup> On the other hand, there was the psychological danger of key UNITA officers joining the ‘enemy’ camp and being seduced by the spoils of power in Luanda. But delays were also due to logistic constraints and foot-dragging by the government.<sup>744</sup>

In the spring of 1997, some UNITA soldiers left quartering areas to join the FAA, but did so in small numbers only. As it appeared that no more UNITA soldiers would be forthcoming to be integrated into the FAA in March 1997, the selection process was officially drawing to an end. At that point, approximately 17,000 had

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<sup>739</sup> Harding (1993), p. 71.

<sup>740</sup> Adekanye (1996), p. 10; Kingma (1996), p. 11.

<sup>741</sup> S/1996/75.III.B.13; *The Blue Helmets* (1996), p. 261; Saferworld (1996), p. 15. The agreement stated that UNITA would provide “26,000 soldiers to the national army, 200 personnel to the air force and 100 to the navy, in addition to the 2,500 already integrated into FAA in 1992.” S/1996/75.III.B.13.

<sup>742</sup> Reimer (1996).

<sup>743</sup> Cleary (1999), p. 153f.

been selected and 7,500 already incorporated into the force.<sup>745</sup> Integration did not consist of much more than assigning the soldiers to a new unit, with further training available only in the context of training provided for the FAA in general. The integration process was formally completed on 10 July 1997 with a disappointing 10,900 UNITA troops incorporated into the FAA – as opposed to the scheduled 26,300 – and General Arlindo Pena ‘Ben Ben,’ Savimbi’s nephew and one of UNITA’s most senior generals, as Deputy Chief of Staff.<sup>746</sup>

In order for the incorporation process to advance it was essential that communication links existed to UNAVEM III, which acted as the verifying party. While these were fairly easily established with the government, links to UNITA proved difficult.<sup>747</sup>

The demobilisation of UNITA and a few FAA staff constituted the first massive post-war reduction. Reducing the force to a sustainable level would have been the next step, had the integration of UNITA officers into the FAA succeeded. The only restructuring that was planned in anticipation of or as a result of the incorporation of new force members, was the establishment of a “4th Branch.” The Branch was to be responsible for reconstruction and to take on some of the soldiers to be integrated and keep them employed. Half of the eighteen generals in this branch were to come from UNITA, but Savimbi almost immediately criticised the tasks assigned to the branch and to his officers as undignified and ‘unmilitary’ activities. A practical problem was obviously the cost of the branch that would comprise 70,000 soldiers. In mid-1996 the plan remained under discussion.<sup>748</sup>

An essential component of the reorganisation process consisted of sorting out the strands of existing security forces. In addition to the military forces on both sides, each had at least one police force. Aside from official forces and official parties, “a privatization of violence in the hands of armed groups beyond the control of the state” often takes place in times of transition.<sup>749</sup> In theory, the process of disbanding extraordinary security forces was to have been completed in the course of the separation of forces and demobilisation. But the lack of trust among the parties and

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<sup>744</sup> S/1996/960.III.B.9.

<sup>745</sup> “Former UNITA Soldiers Join FAA, Angolan Police,” 16 April 1997 (<http://wnc.fedworld.gov>). By June of the same year the number had increased to 18,000; S/1997/248.III.10.

<sup>746</sup> S/1997/640.III.B.16.

<sup>747</sup> *The Blue Helmets* (1996), p. 259.

<sup>748</sup> Saferworld (1996), p. 26.

<sup>749</sup> Luckham (1995), p. 55.

their reluctance to surrender their special forces meant that dismantling para-military forces would feature prominently in the military reform process. The continued existence of additional security agents affected both the structural and behavioural aspects of military and police reform.

The *vetting* process in Angola mainly took place as part of the screening of UNITA members that were to be integrated into the FAA. The government's minimum standards for officers, such as age, reading and writing skills, and health were an important factor for the initial delays in incorporation. To a degree the minimum standards were also abused by both sides: UNITA could use them as an excuse to delay dispatching officers, and the standards allowed the government to impede the acceptance of former opponents into the FAA. Only when the international community asked the government to abandon some of its strict requirements, the process moved forward and UNITA sent officers and soldiers, as well as members of its leadership to Luanda. Ironically, the promotion of standards for policing and military officers is highly desirable in security sector reform. The aim is not a highly educated military force, but one that has undergone basic training and has obtained reading and writing skills. However, in the Angolan case, in order for the peace process to move forward at all, lowering the standards became inevitable. Other than the initial government standards, no systematic process of selection was attempted.

The behaviour of the military forces on either side was horrific and a *re-education* process was sorely needed. In the course of only a month from December 1996 to January 1997, the FAA was accused of burning 25 villages and soldiers from both sides deliberately killed and tortured civilians.<sup>750</sup> Since only a limited number of UNITA soldiers were integrated into the FAA, it was difficult to distinguish between 'regular' training, such as any armed force conducts, and specific training that targeted respect for human rights, reconciliation, multi-cultural co-operation etc.

Military training was offered by a variety of countries, including the United States, Spain, Portugal, France, and Brazil, as well as foreign military advisors.<sup>751</sup> Courses were held for both seasoned FAA staff and UNITA newcomers. They lasted

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<sup>750</sup> "UNITA Radio Reports Police, Army Activity in Uige, Benguela," 12 January 1997 (<http://wnc.fedworld.gov>); Amnesty International (1996), p. 7.

<sup>751</sup> Portugal co-operated with the Angolan government, supplying technical assistance and training and Brazil provided pilot training for the planes bought by the Angolan government. Potgieter and

for three months and predominantly tackled practical issues, such as resource management. While these courses certainly contributed to the professionalisation of the armed forces, as well as their credibility, impartiality, and transparency, reconciliation was not directly addressed. And yet, maybe true enthusiasm for co-operation was generated by members of the two sides absolving training and duties together rather than through a lecture. Training was also provided by foreign military advisors, such as South African Executive Outcomes and American Military Resources Professional Inc. (MPRI). The United States threatened to withhold US financial aid and forced the Angolan government to terminate their contract with Executive Outcomes. Instead, they were to hire MPRI, whose task it would be to continue retraining two elite paratrooper brigades and to assist in establishing a military training academy for non-commissioned officers.<sup>752</sup> With respect to training received by the FAA, there did not seem to be a clear cut distinction of a pre- and a post-Lusaka situation. Thus, training was a continuation of war-time assistance. Throughout 1995, UNITA was also still recruiting mercenary services from several countries to train its forces and intensified its own training activity in the course of 1998, reflecting the degeneration of the peace process.<sup>753</sup>

The demilitarisation process and the military reform process form the basis on which *civilian control* may be implemented. Civilian control has a structural or institutional and a behavioural or performance aspect. It is when the requirements for both have been fulfilled that one arrives at democratic control over the security sector. In the Angolan context, both were rendered unfeasible, due to the fact that a single security sector with a uniform set of instruments never evolved. Luckham points out that “[...] in most African countries, the military establishment and other repressive apparatuses of the state continue to be the single most important obstacle to transition to democracy. Even in retreat, they are formidably equipped to block political reform.”<sup>754</sup> The military security sector in Angola never got to the point where it would have come under pressure to democratise. The government was far too preoccupied with battling alternative security providers, that is UNITA’s military and

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Cornwell estimate that there were approximately 250 ‘advisors’ in Angola in 1998. Potgieter and Cornwell (1998), p. 2.

<sup>752</sup> O’Brien (1998), p. 91, 97. O’Brien adds that MPRI denies involvement in some of these activities. Cleary (1999), p. 163.

<sup>753</sup> The countries included Belgium, Israel, Morocco, France, Germany, and Zimbabwe. Cleary (1999), p. 149, 152, 161.

<sup>754</sup> Luckham (1995), p. 49.

police forces and other armed groups, in an attempt to reassert its legitimacy and establish a monopoly on the use of force in Angola.

Nonetheless, the success of military reform and the creation of an integrated force was dependent on the socio-economic and the political context.<sup>755</sup> In Angola, there was little national reconciliation and no economic development, apart from the leadership's exploitation of natural resources. The political climate was marked by distrust and a lack of co-operative spirit. It is not surprising that the military reform process withered away in such an uncompromising political context. Among other things, this was also reflected in the authorities' unwillingness to prosecute and punish violations of the Protocol and more generally of human rights. As indicated above, the human rights record of the armed forces on both sides was shocking. All human rights abuses were subject to investigation by the UN civilian police monitors, but the monitors were often hindered in carrying out that task. In an ideal situation, the enforcement would be in the hands of Angolan authorities and there would be internal control mechanisms for misbehaviour.

Another aspect of civilian control over the military is control over the force's budget. Due to a lack of external support and fiscal and balance of payment problems, the general trend in Africa was towards military decline. In contrast, Angola maintained a high level of military spending and ran its economy into the ground in the process despite its wealth in natural resources.<sup>756</sup> The government was extremely dependent on oil exports, so that the fall in oil prices in 1998, created a large gap in government budgets. In fact, Potgieter and Cornwell suggested in mid-1998 that the government might be compelled to return to war to gain control of the inland wealth.<sup>757</sup> A key aspect of democratic control was transparency in financing and the need for sustainable military budgets/expenditures. The Angolan government only paid its soldiers low or no salary at all.<sup>758</sup> Moreover, the corruption and close ties among the political and military leadership effectively foreclosed any democratic civilian control of the armed forces. Obviously, the government was diverting much needed funds from other reconstruction efforts, such as reintegration programmes or economic reform measures, and was thereby undermining the consolidation of peace.

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<sup>755</sup> Batchelor (1996), p. 98; S/1996/171.III.B.9.

<sup>756</sup> In 1994, Angola was spending more than 20% of its central government expenditure on military expenditures. Luckham (1995), p. 54f.; Cleary (1999), p. 165.

<sup>757</sup> Potgieter and Cornwell (1998), p. 1.

<sup>758</sup> Reimer (1996); Potgieter and Cornwell (1998), p. 1.

**Box 5.4: Military Reform**

When reorganisation changed from general integration of UNITA's FALA and the FAA to selective integration, the dynamic of the process shifted in favour of the government. The number and rank of UNITA staff that was eventually incorporated into the FAA fell short of expectations.

The re-education of the military mostly came in the form of training from a variety of countries and private companies. It did not specifically target reconciliation and thereby did not consolidate the merger of UNITA and government troops.

No improvements were brought about with respect to establishing democratic civilian control over the armed forces, due to defects in the political context for reform, such as corruption, ineffective political institutions, and lack of political commitment. Attempts to carry out a military reform of the Angolan armed forces failed.

#### 5.1.4 Regional Stability and Arms Supplies

A Bilateral Cease-fire Modalities Timetable accompanied the Lusaka Protocol and revalidated the “triple zero” provision of the Bicesse Accords. It was to regulate the supply of weapons to both sides and thereby addressed the regional dimension of the conflict. UNAVEM III's designated role was limited to collecting and verifying information on military forces, positions, and equipment. Similar to the situation in the Balkans, the security in the Southern African region was clearly interconnected and unless the flow of arms was curbed, the chances for consolidating peace in Angola remained slim. In line with this realisation, the Special Representative of the Secretary General Beye made efforts to involve neighbouring countries early on, so as to build a stable and supportive regional backdrop for the peace process.<sup>759</sup> Similar efforts to disarm combatants and civilians had little value as long as structures for the delivery of weapons remained in place. The challenge was therefore to develop a “well-co-ordinated regional approach”<sup>760</sup> that aimed at influencing supply and demand.

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<sup>759</sup> S/1995/588, II.3. Small arms in particular were almost entirely uncontrollable and therefore had significant implications for the region. One should distinguish between extra-African actors who were usually arms producers and African actors who were usually the middle-men. Both earned well in their deals. Cornwell and Potgieter (1998), p. 6.

<sup>760</sup> Batchelor (1996), p. 97.

Clearly, neither party complied with the agreement and both continued to purchase arms.<sup>761</sup> Although an embargo to prevent arms deliveries to UNITA and the MPLA government had been in place since 1992, its effect was limited. UNITA could rely on supplies from a variety of sources throughout the peace process including “across the porous Zaïrian border; from private sources in South Africa; from captured weaponry; and finally, from existing arms stockpiles.”<sup>762</sup> Also, the United States and Russia had begun to supply arms to the Angolan government in 1993. The international community accepted that the Angolan government had legitimate security concerns and viewed its acquisition of weapons more benignly.<sup>763</sup> The irony of the international involvement in Angola was underlined by the fact that the Troika, whose members were all major arms suppliers, was a key player in the pursuit of peace.<sup>764</sup>

Christopher Smith claims that in 1996 the arms flow into the region had virtually ceased – with the exception of Angola, as supply in most countries actually outweighed demand.<sup>765</sup> Although this may explain a reduced flow *into* the region, it says nothing about the flow *within* the region which clearly increased in volume, with the re-emergence of conflict in various parts of Central Africa. Weapons flowing out of Angola, especially light weapons and small arms, also represented a significant source of instability in the region, particularly for South Africa and Zambia.<sup>766</sup> The difficulty of handling the enormous flow of arms in the Southern African region was reflected in two diametrically opposed views. Smith cites critics in Southern Africa that argued “that a similar ‘success’ by UNAVEM III in Angola [as ONUMOZ in Mozambique] will be exceptionally destabilising for the region.”<sup>767</sup> Thus, arms agreements in other former conflict areas simply diverted a wide range and large quantity of arms to other markets.<sup>768</sup> In contrast, others argued that the failure to carry out programmes and to develop a regional approach, not only meant the non-

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<sup>761</sup> Human Rights Watch (1996), p. 4.

<sup>762</sup> Hamill (1994), p. 10.

<sup>763</sup> Saferworld (1996), p. 33; Cleary (1999), p. 159.

<sup>764</sup> Cornwell and Potgieter (1998), p. 5.

<sup>765</sup> The list of more or less overt arms suppliers to the Angolan conflict was long indeed. The government was supplied by the Russian Federation, the Czech Republic, Brazil, North Korea, Israel, South Africa, Nigeria, the United States, and Zimbabwe. In addition to equipment captured from the government, UNITA received arms from South Africa and the United States, as well as from Zaïre, Namibia, France, the United Kingdom, Ukraine, and Bulgaria. It is worth noting that supplies from the US and South Africa had been significantly reduced in recent years. Smith (1996), p. 29f.

<sup>766</sup> Smith (1996), p. 42f.

<sup>767</sup> Smith (1996), p. 57.

implementation of certain provisions, but a direct contribution to the worsening regional situation.

In the course of 1997, several significant changes took place that appeared to harm UNITA the most. The changes affected support for UNITA from Angola's neighbouring countries on the one hand, and the international community, on the other. In the spring of 1997, Mobutu Sese Seko fell for good in Zaïre, which brought to power the MPLA-supported rebel leader Laurent Kabila to head the renamed Democratic Republic of Congo (DRC).<sup>769</sup> Later that year Sassou Nguesso a long time supporter of UNITA was ousted in a coup in Congo-Brazzaville with the active involvement of Angolan government forces. In both countries, both UNITA and the Angolan government were engaged on respective sides in the upheavals, each fighting for a support base. The loss of both helping hands dealt a severe blow to UNITA which had been using those territories for training, stockpiling, and as supply routes. Manning pinpoints the link between the various conflicts, when she writes that "the Angolan government saw the fighting as battles joined to defeat long-time allies and supporters of Jonas Savimbi."<sup>770</sup> The instability in the DRC also entailed an even greater strain on Angola's resources; both because of the military engagement and the refugee flows into the country.<sup>771</sup>

Approximately at the same time, the international community lost patience with Savimbi's high noon concessions and imposed further sanctions in an attempt to isolate UNITA and prevent further arms acquisitions. Similar to the embargo, the sanctions proved very difficult to implement at some of UNITA's most important strongholds abroad. Unfortunately, "whilst resulting in some reduction of revenue for UNITA, the implementation of UNSC Res 1176 appears token at best."<sup>772</sup> Overall the sanctions proved ineffective, mostly because the international community lacked the political will to implement them.<sup>773</sup>

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<sup>768</sup> Kingma (1996), p. 7; Ohlson and Stedman (1994), p. 258; Cornwell and Potgieter (1998), p. 5.

<sup>769</sup> Although Mobutu had no effective control over the border areas, he did not make a significant effort to stem the arms tide either. Saferworld (1996), p. 10.

<sup>770</sup> Manning (1999), p. 210.

<sup>771</sup> S/1997/438.V.A.20.

<sup>772</sup> "Diamond Trade and War," *APIC*, 15 December 1998; Lewis (1996), p. 86.

<sup>773</sup> Cornwell and Potgieter (1998), p. 5; Vines (1999b), p. 25. Accordingly, for a long time UNITA's overseas support structure remained unaffected in the United States, Great Britain, Portugal, and Germany. Only France managed to swiftly put the sanctions regime into action. Most European and other Western countries had to pass legislation to outlaw certain aspects of UNITA activity. The time lag involved allowed UNITA to avoid prosecution by renaming their offices and transferring their

Clearly, the loss of regional support for UNITA presented a window of opportunity for the international community to put more pressure on UNITA and exacerbate the movement's isolation. The effect of the isolation remained limited as increased diamond sales made up for the loss of support from the United States.<sup>774</sup> Other factors that influenced the more unrelenting attitude were the fact that UNITA's attempts at manipulation were becoming undeniable, threatening to ridicule the international community and the UN in particular. In addition, the new Secretary General of the United Nations, Kofi Annan, had taken office in early 1997 and initiated his term by presenting a comprehensive reform package that placed particular emphasis on cost-effectiveness and a thorough reassessment of ongoing peacekeeping operations.

The Angolan government and in some instances also the South African and Zambian governments tried to take more decisive action by shooting down planes that violated Angolan, South African, or Zambian airspace. They also closed down smaller airports that could not be checked and secured thoroughly to avoid their use by sanction busters. But in general, local air forces were too weak to enforce sanctions comprehensively.<sup>775</sup> Particularly the assistance provided by Zambia marked a significant shift in regional support for UNITA. Although arms for UNITA continued to arrive from and diamonds to be exported to Zambia, the Zambian government officially supported the MPLA government. Relations between the two countries worsened in the course of 1998, when the MPLA-government accused Zambia of not taking enough actions to prevent the violation of sanctions from Zambian territory.<sup>776</sup>

Another attempt to strangle the arms sources to UNITA focused on the diamond trade, which had enabled Savimbi to make massive arms purchases. Astonishingly, it did not occur to the international community to curb the diamond trade until 1998, despite its obvious function as UNITA's major source of income with which to purchase supplies.<sup>777</sup> The sanctions on the diamond trade might have been effective, if the industry had been targeted sooner, but controlling the diamond business was extremely difficult in any case.

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operations into the hands of citizens of the host country. UNITA benefited greatly from its diaspora support that could not only bust sanctions, but was also active in procuring arms for the organisation.

<sup>774</sup> Saferworld (1996), p. 33.

<sup>775</sup> S/1998/236.II.11; Cornwell and Potgieter (1998), p. 5.

<sup>776</sup> Vines (1998), p. 15; Cornwell and Potgieter (1998), p. 6f.

<sup>777</sup> Vines (1999a), Ch. I, p. 4.

Although it was clear that a critical factor for the success of the peace process would be to halt the procurement of weapons, all attempts failed. Where there was oil or diamonds with which to buy weapons, there proved to be suppliers. The situation never evolved to a state in which the parties did not feel threatened by each other and in which they might have forsaken the military option in the context of arms negotiations, such as in Bosnia-Herzegovina.

**Box 5.5: Regional Stability**

Security and stability in the Southern African region were interconnected because of arms and refugee flows. International efforts to limit the purchase of arms by embargoes and sanctions were ineffective. The riches that the natural resources endowed each party with enabled them to acquire the means to continue the conflict. However, it was their respective security perceptions and the complete absence of trust between them that provided them with the will to use those means.

## **5.2 Law and Order**

As in most other peace processes building a credible and trustworthy police was also a central issue in the Angolan case. Indeed, given the otherwise weak government presence in the Angolan countryside, the police force acted very much as the representative of the government in outlying areas and seriously undermined popular trust in the authorities and in the viability of the peace process.

### **5.2.1 International Civilian Police Monitors**

The UN Security Council authorised a civilian police component consisting of 260 monitors in all 18 provinces as part of UNAVEM III.<sup>778</sup> In line with the general delays in the deployment of UNAVEM III, the police component did not assume significant proportions until July 1995. At that time 209 UN civilian police observers from 19 countries were in place at 29 team sites throughout Angola.<sup>779</sup> The number of monitors and the number of team sites gradually increased, especially after the

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<sup>778</sup> S/RES/976(1995).

transition to MONUA, when the number of team sites rose to over fifty.<sup>780</sup> At its height in September 1998, MONUA comprised 388 civilian police monitors. In the spring of 1998, the mood was decidedly hopeful, as UNITA had finally signed a declaration stating its complete demobilisation and an agreement on the distribution of earnings from the diamond business had been reached.

In Angola, as was the case in Bosnia-Herzegovina, international security assistance in the areas of military and civilian security was provided in parallel throughout the implementation process, but with most of the initial attention focused on progress in demilitarisation, that is disarmament, demobilisation, and reintegration. When these tasks had officially been ‘completed,’ the attention moved to civilian security issues and the civilian police component was strengthened. Initially, the

“civilian police component of UNAVEM III focused on monitoring the neutrality of the Angolan National Police, the general law and order situation [...]. In addition, the component verified and monitored the quartering of the rapid reaction police and provided the quartered police with training. UNAVEM III also closely monitored the activities of the Angolan National Police in providing security to UNITA leaders residing in Luanda.”<sup>781</sup>

In the process of executing their mandate, it conducted “patrols, visits to police units, prison cells and detention centres and [fostered] contacts with the local population.”<sup>782</sup> When UNAVEM III was terminated and MONUA established in its place in mid-1997, the civilian police component took over the remaining tasks of the implementation of the Lusaka Protocol, such as the full extension of state administration and overseeing civilian disarmament, and assumed “new and expanded responsibilities.”<sup>783</sup> Through increased size and thus presence, MONUA hoped to instil popular confidence in the peace process and in the ANP as the population’s guardian. Following the transition to MONUA, the UN CivPol component in Angola moved closer to the way in which IPTF operated in Bosnia-Herzegovina, with joint patrols and co-location with the ANP, particularly in former UNITA-held areas.<sup>784</sup>

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<sup>779</sup> *The Blue Helmets* (1996), p. 257, 260.

<sup>780</sup> S/1998/236.IX.B.40. The number of monitors authorised was 420, but this number was never reached in practice.

<sup>781</sup> *The Blue Helmets* (1996), p. 263.

<sup>782</sup> S/1995/842.IV.23.

<sup>783</sup> S/1997/438.VII.A.2.36.

<sup>784</sup> S/1998/236.IV.18; S/1997/438.VII.A.2.36.

The police monitors were also mandated to receive complaints about human rights violations and to investigate them.<sup>785</sup> In order to do this more effectively, they co-operated with and assisted a small Human Rights Unit under UNAVEM III. The idea was for the Unit to consist of between ten and twenty human rights monitors that could be distributed to all of Angola's 18 provinces and promote confidence-building and civic education. It was established to "deal with human rights issues and observe implementation of the relevant provisions of the Lusaka Protocol."<sup>786</sup> The Human Rights Unit was initially unclear about its goals in relation to the other elements of UNAVEM III and was not integrated well into the UN's overall approach.<sup>787</sup> Financed in part by the European Union, the Unit was a valuable addition to the civilian police component of the peacekeeping force despite its minimal size.<sup>788</sup> According to Human Rights Watch, their effort was diminished by the fact that they did not make public accusations and made no "effort to establish accountability for abuses."<sup>789</sup> The civilian police monitors could and did investigate and subsequently reported violations to both the Joint Commission and the local authorities. Enforcement was of course another matter entirely.

The human rights monitors suffered from being too closely affiliated with the strategic component of UNAVEM III that was trying to maintain the precarious balance between co-operation and pressure and was afraid that the human rights monitors could 'rock the boat.' A change in policy began in late 1997 and was confirmed in May 1998 by the arrival of a new head of the Human Rights Unit and backed by the Special Representative Beye who had had a change of heart. Then, co-operation with the civilian police monitors improved significantly and the HRU was able to draw on civilian police resources.<sup>790</sup> By that time, however, it was too late to start building confidence among the Angolan population.<sup>791</sup>

Compared to the two thousand monitors deployed in Bosnia-Herzegovina, the number of civilian police monitors in Angola appeared rather modest, especially

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<sup>785</sup> Amnesty International (1996), p. 4.

<sup>786</sup> S/1995/588.IV.22.

<sup>787</sup> Vines (1999a), Ch. X, p. 9.

<sup>788</sup> Amnesty International (1996), p. 4; S/1997/248.IV.20. In line with the shift in emphasis after the transition to MONUA, the staff of the Human Rights Unit was increased to 55 in September 1997. US Department of State (1998), p. 9f.

<sup>789</sup> Human Rights Watch (1996), p. 5. See also Vines (1999a), Ch. X, p. 7-15.

<sup>790</sup> Among other things, accompanying civilian police monitors allowed the human rights monitors to gain access to prisons and other sensitive areas.

<sup>791</sup> Vines (1999a), Ch. X, p. 12.

taking into account the size of the two countries. Clearly, civilian police staff was spread thinly throughout Angola. The glaring mismatch between the limited physical presence and the sweeping mandate became very obvious in the following description in the UN Secretary General's report to the Security Council in January 1996:

“The UNAVEM III civilian police observer component (CIVPOL), composed of 225 officers deployed to 33 team sites, has stepped up its monitoring of the neutrality of the Angolan National Police, security arrangements for UNITA leaders in Luanda, quartering of the rapid reaction police, free circulation of people and goods and the general law and order situation in the country.”<sup>792</sup>

The relatively high number of civilian police monitors in Bosnia-Herzegovina allowed them to be co-located at most police stations and to follow a large number of local police patrols. In contrast, the UN monitors in Angola could at no point summon the impression that they had comprehensive insight into the doings of the Angolan police. Adding to that the heavy armament of the Angolan National Police (ANP), the UN civilian police presence was dwarfed in comparison. Despite the fact that the International Police Task Force (IPTF) was part of the UN mission to Bosnia-Herzegovina and IFOR/SFOR were NATO-led, IPTF benefited hugely from its close co-operation with SFOR. In UNAVEM III the military force and the civilian police component were, of course, joined in one mission, which in theory might point towards an even closer co-ordination between the two elements of security assistance. While there was some co-location of and co-operation between military observers and civilian police monitors, the peacekeepers seldom provided armed back-up, aside from occasional escorts.

Naturally, one should not lose sight of a major difference between SFOR and the peace-keepers of UNAVEM III which was that SFOR owed much of its effectiveness to its muscularity. In contrast, even if the two components of UNAVEM III had not operated fairly independently of one another in practice, the civilian police component would not have gained much from a closer association with an equally understaffed, thinly stretched, and not credible military peacekeeping force. A drawback of conducting joint patrols with the military observers was that the civilian police monitors' separate identity was undermined, so that the Angolan population did not have a clear understanding of the monitors' role.

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<sup>792</sup> S/1996/75.IV.21.

Aside from its size, two additional factors impaired the effectiveness of the civilian police monitors' efforts at promoting civilian security sector reform. First, the activity of the police that was to be observed far exceeded that of a 'normal' police force. Besides the maintenance of law and order more generally, the ANP's main task consisted of civilian disarmament with whatever means necessary. Obviously, disarmament on that scale assumed military proportions – rather than being typical police work – and would be difficult to monitor even with a substantially larger civilian police component. The problem was compounded by logistical constraints in essential areas, such as a lack of vehicles, as well as by the level of destruction of infrastructure throughout the Angolan countryside.

Second, despite consistent claims of close co-operation with the government, the civilian police monitors met with more or less overt opposition from the government throughout the peace process. Although local police officials were relatively co-operative, such as the ANP police chief and the regional commanders, the government was reluctant from the outset. A case in point is the government's unwillingness to grant unrestricted access to its Rapid Reaction Police in late 1995 and early 1996. Despite efforts to strengthen the civilian police component, it became increasingly difficult for MONUA to exercise its tasks. Particularly towards the end of 1998 the relationship between the international police monitors and the government was degenerating to the point that the force was refused access to facilities and denied freedom of movement.<sup>793</sup> By September of 1998, the situation had deteriorated to the degree that MONUA's withdrawal was being discussed. Acknowledging the rising level of tensions, the Secretary General pointed out that "MONUA would not be able to remain in Angola in case of a major military confrontation."<sup>794</sup> MONUA's mandate finally ran out in February 1999.

Throughout the peace process, UNAVEM III emphasised progress and conducted ceremonies to mark improvements. The more or less symbolic events were intended to encourage the parties to co-operate further, as well as to generate hope among the population that the transition from war to peace was indeed moving ahead. As the key is the population's sense of security, the value of symbolic acts should not be underestimated, but with hindsight one wonders who the UN was deceiving.

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<sup>793</sup> S/1998/723.V.18.

<sup>794</sup> S/1998/838.VIII.33.

**Box 5.6: Civilian Police Component of UNAVEM III and MONUA**

UNAVEM III was preoccupied with demilitarisation and the civilian police component was only a small share of the force (260 of almost 8,000). After the transition to MONUA the emphasis within the mission shifted and CivPol monitors made up almost half of the UN peacekeeping force. The main tasks in civilian security were to monitor police behaviour, particularly human rights violations, the quartering of the RRP, and later to oversee the transfer of territory and civilian disarmament.

There was a mismatch between the capacity and nature of the civilian police component of UNAVEM III/MONUA and the police activity they were to monitor which was military in character. In addition, the lack of co-operation by the government hindered the execution of the mandate. Being unarmed the work of the civilian police and the human rights monitors was contingent on co-operation.

### 5.2.2 Police Reform

Due to the government's inability to win an outright victory against UNITA and assume power throughout Angola, "the myth of military power was comprehensively undermined, along with that of a centralized, effective state, though with little as yet to replace them."<sup>795</sup> In the process of establishing a new social contract between the state and its population, the government faced a dilemma when reforming its security apparatus. Especially in times of transition, it might appear as if "they cannot provide the basic physical security on which the continuing survival of the state depends."<sup>796</sup> The Angolan National Police (ANP), as well as the government's Rapid Reaction Police (RRP), played an important role in the government's exercise of authority over Angolan territory. Both were far too effective tools for the government to give up easily.

Whereas the FAA was indeed directed towards fighting UNITA, the ANP, RRP, and similar forces had the additional function of being the government's means of controlling the population at large. Clearly, any attempts to remedy this situation would be perceived as direct assaults on the government's sovereignty. This was a common phenomenon in Africa, where "[a]mong the most crucial of the support structures of oppression have been Africa's military establishments, police forces, gendarmeries, secret services, paramilitary units and 'special units' of various

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<sup>795</sup> Luckham (1995), p. 54f.

<sup>796</sup> Luckham (1995), p. 56.

descriptions.”<sup>797</sup> The variety of security services reflects a weak government’s need to project its capacity to govern. Given the complexity of the network of security services in Angola, the call for a distinction between external and internal security tasks and concomitant forces appeared difficult to meet. Moreover, Luckham points out that “repressive governance and conflict became so deeply *internalized* in African states and societies, that they are now far more difficult to eradicate, with or without outside help, than they were in the years immediately following independence.”<sup>798</sup> The task in the hands of the 260 civilian police and human rights monitors was daunting. In order for a reform of the police to become self-sustaining and for the police to become an impartial, effective, and democratic civilian security force, it had to undergo fundamental structural and behavioural changes. The international security assistance provided in support of these two components of reform are discussed in turn below.

There are two main aspects of the *structural reform* process of the police force that would ideally have to take place for the Angolan police to be an impartial internal security force that serves the needs of the entire Angolan population. First, the multitude of additional security forces on both the MPLA and the UNITA side needed to either be quartered or disbanded or given clearly defined areas of responsibility and placed under civilian control, such as that of the Government of Reconciliation and National Unity (GURN). Second, the Angolan National Police (ANP) as the main instrument for maintaining law and order had to undergo internal restructuring that integrated UNITA members and provided the force with more of a community focus.

The main special security unit under the authority of the Angolan government was the Rapid Reaction Police (RRP) which was created as a heavily armed elite para-military force in 1992. Its confinement was explicitly determined in the Lusaka Protocol and the supervision of this process dominated the civilian police monitors’ activity until mid-1996. The RRP was originally to be quartered only after UNITA had been fully demilitarised, but because of the delays in implementing the military security provisions, the processes of demilitarising UNITA and quartering the RRP became concurrent. Due to initial foot-dragging by the government that held back details on the strength and equipment of the RRP, the process did not get started until

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<sup>797</sup> Luckham (1995), p. 52f.

<sup>798</sup> Luckham (1995), p. 53 (emphasis given).

January 1996.<sup>799</sup> However, when it did, quartering proceeded rather quickly, compared to other aspects of the implementation process. By the end of March, 3,386 out of a declared 3,504 policemen had been confined, completing the first stage of the quartering process; although no action had yet taken place at four of the quartering sites. The credibility of government information on the size of RRP was called into question, when the declared total was revised repeatedly in the course of the quartering process. As a result, it was doubtful whether the RRP had in fact been quartered in its entirety, when 5,222 of the official 5,385 had been confined by mid-1996 and the process declared completed.<sup>800</sup>

Furthermore, progress was overshadowed by UNITA claims that, similar to the quartering of the armed forces, the RRP was merely being repositioned for more rapid and effective deployment in the future.<sup>801</sup> In contrast, the government promoted its co-operation as “proof of the government’s intention strictly and scrupulously to abide by what was laid down in the accords, and to give our UNITA [...] brothers the necessary confidence.”<sup>802</sup> If truth be told, the UN civilian police monitors had little influence and the various security forces proved illusive; slipping though the international community’s fingers to re-establish themselves in new formats. The government’s Civil Defence Corps (CDC) was a case in point. As the peace process progressed, the CDC became more active and was increasingly accused of human rights violations and violations of the cease-fire agreement, in addition to the fact that they were an illegal para-military force.<sup>803</sup>

The same was true of the special security forces maintained by UNITA, including the mining police, the Presidential Guard, and ‘regular’ UNITA police – all of which were prohibited by the Lusaka Protocol. A number of demobilised soldiers took on a police function after leaving the camps, be it as deserters or as former combatants returning home to areas under UNITA control. Especially the mining police grew, as the demobilisation of UNITA armed forces progressed.<sup>804</sup> In the fall

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<sup>799</sup> S/1995/842.IV.25; Amnesty International (1996), p. 5.

<sup>800</sup> “Police Confine 3,367 Men; UNITA Confines 17,566,” 2 April 1996 (<http://wnc.fedworld.gov>); S/1996/248.IV.18; S/1996/503.IV.22. The US Department of State claimed that the quartering process was completed in October 1997. US Department of State (1998), p. 1.

<sup>801</sup> Reimer (1996); “UNITA Issues Statement on Deployment of Intervention Police,” 18 April 1996 (<http://wnc.fedworld.gov>). UNITA also claimed that the government had forcefully recruited 400 youths to join the government’s secret service. “UNITA Radio: MPLA Drafting Cunene Youths into Secret Police,” 3 June 1997 (<http://wnc.fedworld.gov>).

<sup>802</sup> “Government Riot Police Confined to Quarters,” 12 June 1996 (<http://wnc.fedworld.gov>).

<sup>803</sup> See for example S/1997/438.III.10.

<sup>804</sup> S/1996/960.III.A.8.

of 1997, 430 members of the mining police and 70 members of the Presidential Guard were demobilised.<sup>805</sup> But the bulk of UNITA's extra-military security forces was concentrated in its 'regular' police. Two years into the Lusaka process, that is in November 1996, the demobilisation of 'regular' UNITA police began and by March 1997 4,900 out of a declared 5,000 had been registered at the quartering areas.<sup>806</sup> However, given the fluid transition of men from the police, to para-military groups, and to the military in both camps, it was unclear to what extent the international community had indeed been able to dismantle the special security forces. The international community was already witnessing a similar process, when estimates of UNITA's force strength had to be steadily adjusted with progressing demobilisation. In the same way, the international community could never be entirely sure of the size and degree of organisation if the special security forces, particularly given the limited number of civilian police monitors that were assigned this task.

The call for the integration of UNITA police into the ANP reflects the necessity of having a single, uniform police force that is subordinate to the civilian authorities. In addition, in order for the police force to be perceived as impartial and as serving all of the population's needs indiscriminately, it was critical that UNITA was represented in the ANP. Still, the parties only agreed on a plan for the incorporation of UNITA police into the ANP on 29 October 1996.<sup>807</sup> There were essentially two parallel integration processes: First, former UNITA soldiers and policemen were to be incorporated into the ANP. At the outset, it was determined that 5,500 UNITA personnel were to be integrated into the national police. The process fell significantly short of expectations. In April 1997, approximately fifty UNITA soldiers had joined the police force.<sup>808</sup> Whereas this was seen as a positive sign, particularly in light of the fact that the GURN was finally established at about the same time, one has to keep in mind that two and a half years of the peace process had already gone by. It was a long wait before this small step occurred. Integration of UNITA members into the ANP was officially completed on 30 June 1997, with 524 selected of which 442 had actually been integrated and 165 had completed training.<sup>809</sup>

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<sup>805</sup> "UNITA Mining Police, Guards Disarmed in Lunda, Huambo," 2 September 1997

(<http://wnc.fedworld.gov>).

<sup>806</sup> S/1996/960.IV.15; S/1997/248.IV.16.

<sup>807</sup> S/1996/960.IV.14.

<sup>808</sup> *The Blue Helmets* (1996), p. 257; "Former UNITA soldiers Join FAA, Angolan Police," 16 April 1997 (<http://wnc.fedworld.gov>).

<sup>809</sup> S/1997/438.IV.17; S/1997/807.IV.17.

Those that were integrated, actually functioned well and efforts were made to assign them to former UNITA-held areas.

Given the large number of UNITA members under arms, they clearly could not feel adequately represented in this force. Some minor setbacks can be attributed to government selection criteria that caused initial delays. At the same time, selection was voluntary and the fact that no more officers were willing to be incorporated, indicates that the majority of UNITA supporters never recognised the ANP as an independent, impartial, national police force and never believed that it had the potential to become just that. It is yet another example of a vicious circle in the peace process: when the process did not get underway swiftly, the police force remained one-sided in its composition, lacking any moderating influences, and acted primarily on behalf of one group. This, in turn, rendered the opposition even less willing to cooperate and to provide officers for the force, thus slowing down the process of establishing a universally representative non-partisan force.

Second, a far smaller number of UNITA personnel were to form part of a special security unit of the ANP responsible for the protection of politicians and diplomats. As UNITA had a particular interest in participating in this unit, the process began much sooner than the general merger of the two police forces. Although no specific appointments were made until June 1996, UNITA designated 212 security personnel as early as December 1995.<sup>810</sup> Again, excessively strict government criteria caused some delays and training proceeded slowly, but in mid-1997 selection and training of UNITA personnel for the special security unit under the ANP had been completed.<sup>811</sup>

Since the FAA was to be focused exclusively on external security, the task of handling the remainders of the conflict with UNITA officially fell to the Angolan National Police (ANP). Although armament levels during daily policing duties were not excessive, it was clear that large amounts of arms and heavy equipment were being stowed away even after the official disarmament of the ANP had been completed in mid-1997. UNITA complained openly of the excessive armament of the Rapid Reaction Police (RRP), which they claimed led to their being unable to

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<sup>810</sup> S/1995/1012.IV.25; S/1996/503.IV.23.

<sup>811</sup> On progress see for example S/1996/248.IV.18; S/1996/827.IV.23; S/1996/960.IV.15; S/1997/248.IV.16. On completion see S/1997/438.IV.17.

distinguish between the police and the Army.<sup>812</sup> In the process of fighting UNITA, an activity that the Lusaka Protocol barred the government from pursuing with its armed forces, the police force neglected its crucial task of relationship building at a local level. Quite the contrary, the armament and activity of the ANP distanced it from the population. As a result, the community did not regard the police as their local protector, but as a partial and militarily active organisation.

An assessment of the disarmament of the civilian population provides critical insight into *behavioural reform* aspects, as the execution of this task brought the police into close daily contact with the population. Aside from its ‘regular policing,’ no other activity moulded the popular perception of the police and thereby the population’s sense of security as did the manner in which the police force went about disarmament. The symbolism of the act should not be underestimated either, as the people of Angola were literally asked to place their security in the hands of the government authority and its representatives, the police.

The police worked as the extended arm of the government in two ways: First, bad police behaviour reflected back on the government and undermined its legitimacy. Second, the government’s unwillingness to address the issue and punish abuses further weakened its legitimacy. For example, the government inhibited in depth investigations, particularly in areas newly under government control.<sup>813</sup> In the worst case, the police forces became a political tool for the government. Thus, the brutality of the police force particularly in former UNITA-held areas was extremely detrimental to the peace process and triggered counterattacks on ANP policemen. In order to exercise some influence over the process, UNAVEM III participated in developing government plans for civilian disarmament, but these had few practical ramifications for police behaviour.<sup>814</sup>

Towards the end of the period studied – which sadly proved to be the end of the current peace process – the government placed the police in a dilemma. In a tactical move, the government accepted UNITA’s claim that it had demilitarised. As a result, all non-militarised elements encountered throughout Angola were by definition bandits or criminals and could be persecuted as such. In practice, this meant that the Angolan National Police was assigned the task of fighting UNITA for an extended

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<sup>812</sup> “UNITA’s Valentim on Police Work, Disarmament,” 22 June 1995 (<http://wnc.fed.gov>).

<sup>813</sup> US Department of State (1998), p. 2, 3.

<sup>814</sup> S/1995/1012.IV.24.

period of time. Only when clashes became too frequent and obviously part of a military campaign waged between the ANP and UNITA, the government called in the military to assist the police in handling the armed groups 'on the loose.' The government explicitly stated its policy in the following way:

"Many people call them roving gangs. We call them criminals. From the moment [UNITA] stopped being an armed party and became a political party, it had to declare it has no more weapons. We will now have to deal with people found with illegal possession of weapons."<sup>815</sup>

Recalling the plan for disarmament, the government thereby officially initiated the third phase of the disarmament programme.

The ANP was also far from living up to standards of democratic policing in the execution of their regular policing duties. The police force was in no way neutral, as attacks were assumed to be under order from the government<sup>816</sup> and did not abide by internationally recognised standards, as was called for in the Lusaka Protocol. It hindered free movement and incidents of harassment were frequent. Especially in the context of civilian disarmament, the police force (ANP) was accused of using excessive force and violating human rights.<sup>817</sup> Although not all UNITA accusations need have been true, other sources confirmed widespread human rights violations. In the course of their duty, extra-judicial killings, arbitrary arrests, rape, and torture by the police were frequent,<sup>818</sup> and clearly more expedient than formal judicial proceedings. One should also keep in mind that the ANP received no salary for months at a time and corruption was the natural consequence. One should also note that the situation was no better in areas under UNITA control; the culprits merely belonged to a different security force or police.

In the shadow of the ANP's involvement in fighting UNITA, typical police tasks such as combating crime and smuggling were obviously given a lower priority. At the same time, Angola experienced a dramatic increase in crime rates starting in 1996 and accelerating in 1997 and 1998. There was clearly a link to civilian

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<sup>815</sup> Manning (1999), p. 210; "Police Recover Weapons from Cuanza Norte Civilians," 13 April 1998 (<http://wnc.fedworld.gov>). The government repeatedly requested use of the RRP in the fight against rampant crime. This was however not granted by the international community.

<sup>816</sup> US Department of State (1998), p. 3.

<sup>817</sup> UNITA reports for example that "[s]everal people have been assaulted and their property stolen." "UNITA Radio Reports Police, Army Activity in Uige, Benguela," 12 January 1997 (<http://wnc.fedworld.gov>); see also "Police Reportedly Hindering Free Movement in Cuanza Sul," 18 December 1996 (<http://wnc.fedworld.gov>).

<sup>818</sup> US Department of State (1998), pp. 2, 4; Human Rights Watch (1996), p. 5.

disarmament in that the rise in crime at least in part could be attributed to the large number of arms in civilian hands and the ANP's inability – and sometimes unwillingness – to disarm the civilian population. Moreover, the extent of the crime problem and its regional dimensions easily exceeded the police' capacity to handle them.

The international efforts to remedy the abysmal policing standards concentrated on police and human rights training and monitoring, which was an integral part of the behavioural reform in the Angolan National Police. In a train-the-trainers type effort, the EU sponsored a UNAVEM III project that trained Angolan nationals in human rights education.<sup>819</sup> When the number of complaints received by UNAVEM III rose in late 1996, it was unclear whether this was due to more frequent abuses or due to a greater awareness among the population. Vines is sceptical of the achievements of the UN with respect to the promotion of human rights in Angola. He writes that

“[t]he UN approach to human rights issues in the period November 1994 to May 1998 did little to create awareness of human rights issues or accountability for even the gravest abuses. It achieved even less in advancing a culture of respect for human rights in Angolan society.”<sup>820</sup>

The international community still pressed for additional training on internationally accepted standards of democratic policing, because of consistent reports of human rights violations and stressed need for long-term reform programmes.<sup>821</sup> And while international standards were generally accepted in content, their implementation proved difficult, as the government resisted interference in the development of policing doctrines. In general, continued and widespread human rights violations undermined public confidence and diminished the respect for the international community that seemed impotent to do anything about the violations. As many of UNITA's complaints arose in connection with the civilian disarmament process, the UN finally asked the government to pause until the transfer of authority throughout Angola had been completed.<sup>822</sup>

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<sup>819</sup> *The Blue Helmets* (1996), p. 263. For example, “[o]n 27 February [1996], in implementation of [a plan of action], UNAVEM III organized a seminar for law enforcement officers in Benguela province.” S/1996/171.IV.21; *The Blue Helmets* (1996), p. 263.

<sup>820</sup> Vines (1999a), Ch. X, p. 12.

<sup>821</sup> S/1998/1110.V.21; S/1996/827.IV.25; S/1997/741.IV.9; S/1998/17.III.12; S/1998/236.20.

<sup>822</sup> S/1998/17.III.13.

When the government itself carried out training of its police forces, it tended to gravitate towards military training, revealing rather sinister intentions of deploying the police force in the armed struggle against UNITA.<sup>823</sup> The inadequacy of the training corresponded with the government's perception of its security concerns, but also reflected a lack of experience in professional policing and of a genuine understanding of the role of a democratic police force. UNITA also conducted training for its police forces. This might be considered laudable in itself, had it not distracted from the fact that there should not be a separate police force under UNITA control.<sup>824</sup>

Coupled with the constant accusations and counter-accusations that UNITA and the government exchanged on force movements and preparations for war, the aggressive and arbitrary behaviour of the Angolan National Police played a substantial part in undermining the confidence-building process. Elementary security or "[s]ecuring the countryside," as Ng'ethe calls it, is a key task in peace building. In part, this was due to the major instability arising with the large number of arms, but it was also the countryside "where the inchoate state often meets the most resilient forms of civil society, especially in an agricultural region such as Africa."<sup>825</sup>

Both in structure and in behaviour the ANP had little chance to establish itself as a credible, impartial, effective, and democratic police force. A factor was also that the ANP had no experience in policing in a peaceful society, including the fact that it did not have the professional outlook that many policemen in Bosnia-Herzegovina had from their pre-war policing duties. Vines points to the political context of policing and warns that "[a] culture of human rights is unlikely to take root as long as there is acute insecurity and suspicion."<sup>826</sup>

The performance of the police force can of course not be reviewed in isolation from the other instruments of the civilian security sector. As Ohlson and Stedman point out for Southern Africa, "[i]n much of the region the state itself has been the biggest threat to individual security; in others that threat has been the absence of a functioning state."<sup>827</sup> This is certainly true in Angola, where democracy had not been

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<sup>823</sup> S/1997/640.IV.20; Vines (1999a), Ch. V, p. 3.

<sup>824</sup> "UNITA's Valentim on Police Work, Disarmament," 22 June 1995 (<http://wnc.fed.gov>).

<sup>825</sup> Njuguna Ng'ethe (1995) "Strongmen, State Formation, Collapse, and Reconstruction in Africa," in Zartman (1995a), p. 260; I. William Zartman (1995) "Putting Things Back Together," in Zartman (1995a), p. 273.

<sup>826</sup> Vines (1998), p. 27.

<sup>827</sup> Ohlson and Stedman (1994), p. 12.

consolidated and the judiciary was “weak and subject to manipulation.”<sup>828</sup> Although an acceptable body of criminal law had been in place since colonial times, the court system lacked means, experience, and training and did not function in large areas of the country. According to the US State Department, “where it functions, it is not independent of the President and the MPLA.”<sup>829</sup> As a result, there was no legal redress for crime and especially for human rights violations. UNITA had its own court system that claimed to follow a civil code similar to that used by the government, but rival courts could obviously not be given legal standing, if a uniform system was to be created for all of Angola. Judicial reform was called for early on by the UN Secretary General, as well as by the Angolan government that requested assistance to the reform process. Therefore, UNAVEM III took on the task of formulating a plan for judicial reform.<sup>830</sup> Despite some training, mainly conducted by the Human Rights Unit of UNAVEM III and later MONUA, progress was limited and the need for a “strengthening and modernization of the Angolan judicial system”<sup>831</sup> was equally pressing and equally unmet in 1998 as it had been three years earlier.

When considering the abhorrent conditions in both UNITA and government prisons, it was clear that penal reform was a critical leg of the civilian security sector reform. In contrast to Bosnia-Herzegovina, where penal reform initially received scant attention, UNAVEM III was engaged in monitoring conditions in detention centres from the outset. However, direct efforts to reform the system were more difficult to bring about. Although a National Commission on Penal Reform was established as a result of UN efforts since February 1997, there was little evidence that this had any effect on the dysfunctional penal system. As with other reform efforts, the renewed hostilities that began in late 1998 put a complete stop to attempts to reform the civilian security sector, including the police, the courts, and the prisons.

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<sup>828</sup> Saferworld (1996), p. 21.

<sup>829</sup> US Department of State (1998), p. 1, 5.

<sup>830</sup> S/1996/75.IV.26; S/1996/827.IV.26.

<sup>831</sup> S/1998/236.V.22. The consistent calls for a comprehensive security sector reform were reflected in various reports to the Security Council. See for example S/1997/438.IV.19. S/1998/236.V.22.

**Box 5.7: Police Reform**

With respect to the **structural reform** of the police, para-military forces were officially quartered, but were illusive in practice, constantly reconstituting themselves. As very few UNITA soldiers were integrated into the ANP, the force never relinquished its role as another arm of the government. The human rights training that made up the most part of the **behavioural reform** appeared to have little impact and continued violations had a devastating effect on the peace process.

Calls for **judicial and penal reform** were voiced from the outset, but reform plans never reached the implementation stage. The dire need for reforms in all areas of the civilian security sector remained unmet. The UN's role was marginal, due to internal political constraints, but also because the concept of civilian police and human rights monitors rested on the assumption of a minimum willingness to co-operate and to submit to reform.

### **5.3 Supporting Security Tasks**

In Angola, the humanitarian and the peacekeeping communities were closely interwoven. This was the case with respect to the international assistance to the demobilisation and reintegration process, but even more so in demining, repatriation, and the security aspects of political reconciliation. All the following supporting tasks had direct implications for security. At the same time, progress in these areas fluctuated with the evolving security situation in Angola.

#### **5.3.1 Demining**

The Central Mine Action Office (CMAO) was established in August 1994 and was to have co-ordination responsibility until local capacity had been built up sufficiently to take over. The post-settlement efforts were a continuation of the work begun in 1994 even before the Lusaka Protocol was signed. The long negotiations at Lusaka enabled planning to get off to a good start and to be comprehensive. However, planning activities were confined to the humanitarian community and did not involve the Department of Peacekeeping Operations (DPKO) and thus UNAVEM, as the UN technically did not have a mandate to begin planning and co-ordinating a peacekeeping operation. The organisational restraints of the UN system entailed that

the humanitarian and military components were at odds from the very beginning. As a result, demining activities were plagued by the absence of a unified approach throughout and available resources were not organised coherently and constructively.

The co-ordination problems were foreshadowed in the debate over whether the Central Mine Action Office (CMAO) should report to the Special Representative of the Secretary General (SRSG), the UNAVEM III Force Commander or UCAH. The argument was finally settled in favour of UCAH. Arguably, this benefited the operation, as the CMAO's activities required close co-operation with a number of humanitarian actors, particularly NGOs, that UCAH was dealing with anyway in the course of its other activities in Angola. Still, disagreements continued to cause delays in both capacity building and mine clearance. UCAH had the main responsibility for strategic planning, that is for co-ordinating the activities of the government, UNAVEM III, and the NGOs, in co-operation with UNDP and UNICEF.<sup>832</sup>

Aside from the UN family and large international organisations, such as the ICRC, there were a host of non-governmental organisations, including Norwegian People's Aid (NPA), Cap Anamur, the Halo Trust, the Mines Advisory Group (MAG), and Mechem. In addition, SADC also launched a mine clearance programme worth \$2.2 million in support of the Angolan peace process. Clearly, all of these third-party actors diverged substantially with regard to their approach to the conflict, their target groups and local counterparts, their organisational structure, and financing mechanisms. Accordingly, UCAH's responsibility for co-ordination meant reconciling the approaches of a large number of actors that operated on a variety of levels.

A report by Saferworld, cites five main elements in UCAH's strategy on demining: (1) establishing local institutions; (2) demarcation of mined areas; (3) conducting mine awareness campaigns; (4) training local demining staff; and (5) mine clearance.<sup>833</sup> By using UCAH's five-pronged strategy as the starting-point, different aspects of the demining support provided by third-parties are illustrated below.

(1) A pattern has evolved in peacekeeping operations according to which the UN co-operates closely with NGOs and tries to involve local authorities as early on as possible. The rationale of local ownership has an added dimension in the context of

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<sup>832</sup> UNAVEM III's contribution to the demining efforts consisted of 56 demining experts. *The Blue Helmets* (1996), p. 257.

<sup>833</sup> Saferworld (1996), p. 32f.

demining, as it invariably involves the danger or actual loss of life; a risk that external actors should only bear where inevitable. In that way, ownership of demining most clearly symbolises a recognition and an acceptance of blame by the parties' for the horrors of war. Involvement by the parties is a recurrent underlying theme in all the elements of the demining process.

In Angola, there was a clear understanding of the need to build local capacity and to co-ordinate the activity of the UN, the Angolan government, and NGOs from the outset.<sup>834</sup> A government authority, the Angolan National Institute for the Removal of Explosive Ordinances (INAROE), was established in 1995 with the overall responsibility for all aspects of demining. The plan was to transfer responsibility into local hands, i.e. the INAROE, by January 1997, but delays occurred due to a lack of political co-operation and a shortage of local personnel. In part, the delays in developing indigenous capacity resulted from "poor communication and a strained relationship"<sup>835</sup> between the government and the Central Mine Action Office, which proved unable to work with INAROE. The main problem was that the CMAO lacked credibility because it "never had the expertise and resources necessary to provide the type of leadership and co-ordination essential for the development of a mine action programme in a war-torn country such as Angola."<sup>836</sup> The post-conflict situation did not stabilise and conditions did not improve to the degree that the INAROE could effectively fulfil its role. The government remained dependent on external funding and often did not pay the local deminers.<sup>837</sup>

(2) The demarcation of mined areas and the development of a national databank were ongoing processes from 1994 to 1998. Despite efforts to train UNITA and government staff and thereby involve them in the process, both tasks proved difficult due to the limited capacity of the international presence in relation to the country's size and the estimated number of landmines and due to the government and UNITA's reluctance to release information concerning the location and size of mine fields.<sup>838</sup>

(3) Throughout the implementation process, mine awareness campaigns were being conducted. In the early stages, NGO activity concentrated on carrying out

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<sup>834</sup> United Nations DHA (1997), para. 30, 40, 127.

<sup>835</sup> United Nations DHA (1997), 128.

<sup>836</sup> United Nations DHA (1997), 131.

<sup>837</sup> S/1996/827.III.D.22; S/1997/248.III.14.

awareness campaigns in quartering areas, in close co-operation with INAROE.<sup>839</sup> It had the advantage of addressing an already assembled group, but was limited in reach as few soldiers and their dependants travelled to the sites early on. In general, mine awareness campaigns were innovative and intent on building local capacity to disseminate information, but given the size of the target audience and the restrictions on freedom of movement progress was bound to be slow.<sup>840</sup>

(4) A critical aspect for transferring authority into local hands was the training of Angolan deminers. The Central Mine Action Training School was established in December 1995 and funded through UNAVEM III's budget. The school was expected to train 500 Angolan deminers by the end of 1996, and in fact managed to provide training for 300 by October 1996.<sup>841</sup> As part of the reintegration effort, former combatants from both UNITA and the FAA underwent training. This part of the programme worked rather well and a number of local teams were trained. In mid-June 1996, local authorities also took over the destruction of mine stock piles. Unfortunately, when political resistance increased and funds ran out, sustaining the local capacity became increasingly difficult, activities were curbed, and eventually abandoned.<sup>842</sup>

(5) Finally, UCAH's strategy included actual mine clearance in priority areas, such as major roads. Thus, a distinction was made between high priority emergency clearance and routine clearance, where the latter fell to NGOs and was more of a long-term task. With the headstart gained in the final negotiation phase, demining activities were in place and began work early on, but success was always modified by the large number of mines and the lack of records. Clearing the major roads was completed in 1997. As a result of the early clearing achievements and some improvements in infrastructure, the international community was able to slightly scale back humanitarian aid. The military contribution under UNAVEM III did not go beyond the immediate needs of the force's mission, i.e. similar to IFOR/SFOR's part in demining in Bosnia-Herzegovina, UNAVEM III's military component only cleared landmines that were in the immediate path of its operation. Its contribution was further limited by the fact that it arrived in theatre much later than the humanitarian

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<sup>838</sup> It is likely that the parties simply did not have that information, as mine laying dated back 30 years. Somerville (1995), p. 157.

<sup>839</sup> S/1995/842.III.B.16.

<sup>840</sup> United Nations/DHA/Demining (1997), Phase Two, para. 92-6.

<sup>841</sup> S/1996/248.III.17; S/1996/827.III.D.22.

actors that had had a presence in Angola dating back to before the Lusaka Protocol was signed.

Particularly during the first year, mine clearance was severely hampered by extensive clashes and the delays in disengagement. The same was true of the other elements in UCAH's strategy which all experienced difficulties until the cease-fire had been consolidated in the course of 1996. Aside from the cease-fire violations that impaired the demining efforts in the beginning, lack of co-operation and outright hostilities from both parties once again formed obstacles for the implementation of the demining programme. Some progress was made until UNITA – first and then in late 1997 the government also – began laying mines again; by late 1998 neither party was denying these activities.<sup>843</sup> As hostilities grew more intense, the humanitarian situation became more pressing and UCAH was forced to divert funds and attention into direct emergency relief, rather than its long-term reconstruction efforts.

In addition, donor fatigue set in as early as 1995 and, in that year, response to appeals for humanitarian aid raised only 3% of funds called for. In the area of demining, lack of funding continued to be a problem throughout the peace process, culminating in a cessation of training activities in the fall of 1998.<sup>844</sup> A UN evaluation recognised the dynamic concisely, explaining that “since Angola is a country rich with diamonds and oil [...], donors and others wanted to see the government make a strong commitment to tackle the problem of mines before soliciting support from the international community.”<sup>845</sup> A shortage of funds for programmes in the security sector is common, but during the Lusaka peace process disagreements and wrangling between all parties involved constantly delayed progress and further aggravated the scarcity of funds.<sup>846</sup> By late 1997, when funding problems had become pressing and the parties had resumed laying mines, the following had been achieved in the demining programme: “almost 50 per cent of the country's territory had been surveyed for mines, covering the areas where about 80 per cent of the Angolan population lives. Out of an estimated 2,000 to 2,500 minefields, 1,800 minefields have been identified. [...] So far, 700 square kilometres have been demined and

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<sup>842</sup> *The Blue Helmets* (1996), p. 264; S/1996/171.III.D.15; S/1996/503.III.D.20.

<sup>843</sup> Amnesty International (1996), p. 5; S/1997/640.III.A.13. Mine laying resumed despite the fact that the Angolan government is a signatory to the Anti-Personnel-Mine Convention.

<sup>844</sup> *The Blue Helmets* (1996), p. 258; S/1997/248.III.15; S/1997/807.IV.C.30; S/1998/723.VI.C.28. In 1995 the Mine Action Program Appeal raised 24% of the requested \$13 million, in 1996 the share had decreased to 20% of the \$5 million requested.

<sup>845</sup> United Nations DHA (1997), 126.

approximately 10,000 mines out of an estimated total of 6 to 8 million have been cleared.”<sup>847</sup> Though commendable, the achievements in demining were a drop on a hot stone.

**Box 5.8: Supporting Security Tasks I - Demining**

Alleviating the threat from the enormous number of landmines was considered a humanitarian activity and was consequently under the authority of UCAH. Due to the large number of actors involved at different levels, including international organisations, NGOs, the Angolan government, and the UNITA leadership, and discrepancies in the planning stages, the demining activities suffered from the lack of a joint vision and effective co-ordination throughout the peace process.

Aside from the international community's internal problems, demining was hampered by continued clashes, lack of political co-operation from both parties, and the resumption of mine laying. All of these amplified the existing donor fatigue and the scarcity of resources for demining programmes. Given the scope of the landmine problem in Angola, it was not surprising that the international community only managed to make a minor dent in the problem.

### 5.3.2 Repatriation of Refugees and Internally Displaced

Repatriation has two main aspects that need to be addressed, if the peace process is to be consolidated. On the one hand, successful repatriation symbolises the return to a peaceful existence, as much as to a home, and is in that way largely psychological. On the other hand, when repatriation is a question of survival and finding the means to subsist, it becomes an economic issue. International security assistance is primarily concerned with the organisational aspects of repatriation, but implicitly it must convince the displaced population that it is safe and timely to return, for example by providing physical protection to returnees. In spite of the daunting scale of the former task, the bleak economic outlook also proved a formidable obstacle to rapid and comprehensive return.

In the Lusaka process, the issues of demining, repatriation and reintegration were clearly linked in that landmines were a “serious constraint for rehabilitation and

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<sup>846</sup> United Nations DHA (1997), 129.

<sup>847</sup> S/1998/17.V.C.20.

resettlement.”<sup>848</sup> The large group of refugees and internally displaced was swelled by former combatants and their dependants that also awaited repatriation. Therefore, delays in demobilisation and in reintegration programmes that targeted former combatants, as well as returning refugees and internally displaced affected one another. As these processes were interrelated, it was natural that most of the same institutions would be involved. UNHCR and later the International Organization for Migration (IOM) played the leading roles in repatriation, and co-operated with UCAH, which co-ordinated emergency relief and was, of course, deeply involved in the demobilisation process. But UNHCR and IOM also worked with UNDP, which was engaged in the long-term reconstruction and economic development efforts, and with the military, civilian police, and human rights components of UNAVEM III, that were to safeguard the secure environment and handle investigations into harassment and human rights violations.<sup>849</sup>

Throughout 1995 priority was given to the repatriation of internally displaced to their home areas. At the same time, preparations for the repatriation of refugees from neighbouring countries were initiated. In June 1995, an agreement was reached between the government and UNHCR that arranged for the voluntary repatriation of refugees from neighbouring countries.<sup>850</sup> Despite the efforts of the international community in the first year of the Lusaka process, by December 1995 less than 10% had returned. It was argued that the “slow pace [could] be attributed to political and security factors,”<sup>851</sup> such as continued clashes, harassment, and little progress in demining. In the case of demobilised soldiers, UNITA also hindered repatriation by directing flows to strategic locations.

In 1996, there were still 200,000 refugees in Zaïre, 96,000 in Zambia and 20,000 in the Congo. Repatriation was officially postponed in June 1996, because conditions for return had not been met and there was no freedom of movement. Among the conditions for return were the restoration of security, the availability of practical assistance, the revival of the rural economy, and landmine awareness.<sup>852</sup> As major roads were demined, repatriation also accelerated. In the course of 1997, one fifth of the 1.2 million IDPs and one third of the 325,000 refugees had returned.

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<sup>848</sup> Kingma (1996), p. 5.

<sup>849</sup> The IOM was responsible for returning demobilised soldiers. S/1997/438.V.B.24.

<sup>850</sup> Amnesty International (1996), p. 7.

<sup>851</sup> Saferworld (1996), p. 23; S/1995/1012.V.29.

<sup>852</sup> Saferworld (1996), p. 30, 31, 48.

Sadly, the positive trends of 1997 were offset by new displacements triggered by continued hostilities.<sup>853</sup> When tensions rose in the course of 1998, so did the number of refugees and internally displaced. From March 1998, the number of IDPs increased from 900,000 to over 1.3 million in August 1998.<sup>854</sup> Four years of repatriation had effectively been reversed and the number of displaced in late 1998 was higher than it had been in the immediate wake of the Lusaka Protocol.

The preoccupation of refugees with their security had been intensified as a result of the Bicesse process, the collapse of which dampened popular confidence in the subsequent peace process. Again, international security assistance could have bridged the gap and provided a secure environment in which trust could have emerged gradually. But the international presence was not capable of generating enough confidence in the peace process to accelerate the return of the displaced, particularly when daily life involved harassment and eventually open armed conflict. The large number of landmines coupled with the absence of an entrepreneurial tradition and the almost total destruction of infrastructure, deepened the Angolan population's reliance on food aid and dimmed hopes for a speedy recovery.<sup>855</sup> The internal flow of returnees was directed towards areas around Luanda and other cities, as refugees flocked to those areas in which there was a minimum of infrastructure, leaving vast parts of the Angolan countryside empty.

Similar to the inadequate recipient structures for other forms of assistance, the rate of return depended on external assistance to the Angolan government. This heightened the reliance on outside funding. When UNHCR's appeals for assistance to repatriation programmes in Angola raised only a minor share of the funds requested in both 1996 and 1997, it was obvious that repatriation would suffer.<sup>856</sup>

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<sup>853</sup> US Department of State (1998), p. 8; S/1997/807.IV.A.22.

<sup>854</sup> In March 1998, there were also 160,000 refugees, in addition to the IDPs. S/1998/236.V.A.24; S/1998/723.VI.A.21. By February 1999, that number had risen to 1.6 million displaced persons. Vines (1999a), Ch. X, p. 5.

<sup>855</sup> The colonial heritage undermined initiative and was complemented only by the ensuing thirty years of civil war. Reimer (1996).

<sup>856</sup> The 1996 appeal raised \$11 of the \$31 million requested. In 1997, the situation was worse and four months after the appeal had been launched in February only \$4.6 out of the requested \$38.2 million had been contributed. Saferworld (1996), p. 30f.; UNHCR (1997) "Funding Shortage Hits UNHCR's Angola Program," *UNHCR Press Release*, 6 June 1997.

**BOX 5.9: Supporting Security Tasks II - Repatriation**

The Angolan case clearly demonstrated how difficult it was to build a self-sufficient existence in a war-ravaged country with a completely dysfunctional economy. However, it was equally challenging to instil confidence in the displaced population, so that it would return and begin to build a peaceful existence.

Of the refugees, internally displaced and demobilised soldiers that were awaiting repatriation, only a minor share returned to their homes. When tensions rose in the course of 1998, even the meagre successes were reversed through hostilities and harassment. At the end of the peace process in late 1998, the number of displaced was higher than it had been in the immediate wake of the Lusaka Protocol.

### 5.3.3 Power-sharing and Propaganda

The political context was critical for the implementation of the Lusaka Protocol. The current section focuses on those political aspects that were of interest to the assessment of security assistance. It briefly discusses the presidential elections, the power-sharing arrangements, and the security of UNITA officials, as the most important aspects of the political sphere that have direct implications for security. The three aspects were closely related as they all affected the overall balance of power. Progress in one area was usually achieved by disconnecting it from the other two.

The second round of presidential *elections* was originally scheduled for 1997, but in July 1995 “the National Assembly voted to postpone the elections indefinitely in the interest of national reconciliation.”<sup>857</sup> Parliamentary elections that were originally scheduled for 1996 were also postponed for two to four years. In both cases, it was left up to the UN to determine when the conditions for holding presidential elections would be present. This was in line with the international community’s view and its “[d]esire to see that an electoral contest would only follow a transition period of reconciliation and power-sharing.”<sup>858</sup> Ottaway cites Angola as an example of a country “where attempted democratization accelerated the process of disintegration, making state collapse more imminent and the long-term prospects for

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<sup>857</sup> Vines (1998), p. 5.

<sup>858</sup> Vines (1998), p. 18.

democracy dimmer.”<sup>859</sup> Against the disastrous backdrop of the 1992 elections and their aftermath, the instability that could arise with elections was to be avoided in the Lusaka process until peace had been consolidated to a greater degree. More fundamentally, the situation was simply not stable and secure enough for the elections to be free and fair. Thus, at the same time as elections fell victim to instability, they also entailed a destabilising effect and represented a threat to security. One should also keep in mind that a government had been elected into office in the 1992 elections which had been recognised by the international community as free and fair, the results of which had been confirmed in the Lusaka Protocol.

As the UN and the international community more generally were increasingly seen as partial towards the government, a postponement of the elections which placed UNITA outside of the immediate political competition could not have been particularly satisfactory to Savimbi. Moreover, under the Lusaka Protocol it was determined that the outstanding second round of the presidential elections was not to be held until UNITA's military capacity had been dissolved and the organisation had begun to operate as a political party. Although UNITA was eventually declared demilitarised, the situation soon deteriorated again and the movement did not manage the comprehensive transition to an existence as a political party. Obviously, the postponement of elections, coupled with the demilitarisation requirement, placed UNITA in a vulnerable position, despite the fact that the offer of government posts went beyond what the government was obligated to do in accordance with the outcome of the 1992 elections. As a result, the status of UNITA leader Jonas Savimbi and UNITA's participation in government became ever more critical points after the postponement of the elections.

In the absence of elections, *power-sharing* moved to centre stage. The arrangements were not necessarily democratic in a strict sense, but arose out of the realisation that power-sharing was a necessary precondition for peace.<sup>860</sup> On the surface, there was broad agreement that power was to be distributed; the need for negotiation and clarification concerned how power was to be shared. According to Adekanye, the degree to which power-sharing and the rules of the game were accepted and by whom, would only become clear in the course of implementation.<sup>861</sup>

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<sup>859</sup> Marina Ottaway (1995) “Democratization in Collapsed States,” in Zartman (1995a), p. 236.

<sup>860</sup> Saferworld (1996), p. 7.

<sup>861</sup> Adekanye (1996), p. 13.

More particularly, power-sharing involved the establishment of the Government of National Reconciliation (GURN), the status of Savimbi, and the extension of state administration.<sup>862</sup> Power-sharing not only implied sharing the right to rule, but also sharing the responsibility for conducting policy. Joint responsibility would also enhance the development of a sense of common fate. In the same way, federalism is not only about power-sharing, but also about “attracting loyalty to and support for state-building and nation-building.”<sup>863</sup> Zartman points to participation as a basis for sustainable leadership and argues that third-party actors may be called upon to provide security for participation in the government’s legitimisation process.<sup>864</sup> The security guarantee offered by the UN presence was obviously not sufficient to convince UNITA that their goals could be aptly and safely pursued in a non-violent political arena.

Establishing the Government of National Reconciliation (GURN) involved distributing government posts at a variety of levels ranging from ministerial posts to positions as community administrators. It was established far behind schedule. Key issues that caused the delays were the status of Savimbi and the security of UNITA officials. In August 1996, Savimbi finally rejected the offer of vice-presidency. It had been offered to him personally rather than to UNITA as an organisation and Savimbi cited UNITA’s displeasure with the arrangement as the reason for his non-acceptance. Instead, he agreed to the position as head of the opposition. Only when the UN separated Savimbi’s status from the establishment of the joint government was progress made and the GURN finally inaugurated on 11 April 1997. In addition to the UN influence, the events in the DRC added pressure on UNITA and urged compliance.<sup>865</sup> The GURN included representatives of the MPLA, the Democratic Party of Angola (PDA), and UNITA. In fact, UNITA contributed over 60 deputies, but just as at the signing of the Lusaka Protocol, Savimbi did not travel to Luanda for the inauguration.<sup>866</sup> Although he retained the status as leader of the largest opposition party, he did not actually take on his duties in parliament in practice. In September of the same year, Jonas Savimbi’s special status was revoked, following the split in UNITA and the creation of UNITA-Renovada which was instantly recognised by the

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<sup>862</sup> The transfer of territory and concomitant authority was discussed at length in Chapter 5.1.1. and will not be revisited here.

<sup>863</sup> Akindele (1996), p. 9.

<sup>864</sup> Zartman (1995a), p. 270.

<sup>865</sup> Vines (1999a), Ch. IV, p. 4.

government as the legitimate and more welcome representative of UNITA. Clearly, the government strategy of integrating and neutralising Savimbi had failed.<sup>867</sup>

*Security arrangements for UNITA officials* were an important part of the political context in which the Lusaka Protocol was to be implemented. In this question, all the implicit security concerns that plagued the other issues in the distribution of power became explicit. Throughout the peace process, the security of UNITA members in Luanda remained a sticking point that repeatedly caused delays, such as in the inauguration of the GURN which took place in April rather than in February of 1997 for just that reason.<sup>868</sup> While it was a valid concern for UNITA, the issue of security was also consistently used by Savimbi to avoid coming to Luanda and to display only half-hearted commitment to the peace process.

The media also played a part in the security perceptions of both parties. It exacerbated the dismal level of trust between the parties through continuous hostile propaganda, such as accusing the other side of committing atrocities.<sup>869</sup> Most media was government owned or controlled and both the government and UNITA took disciplinary action against critical journalists.<sup>870</sup> Obviously, the atmosphere was in no way conducive to free speech. For the peace process this also meant that media support was unpredictable, fluctuating with UNITA or government enthusiasm and subjective interpretations of the ups and downs of the peace process. Propaganda issued by the parties was directed at each other, but also at the international presence. Especially towards the end of the Lusaka process, hostile propaganda increasingly targeted international staff, raising the question of whether there was indeed sufficient consent for the UN to remain in Angola.<sup>871</sup>

In the absence of independent media, the parties' media outlets determined the popular perception of the peace process. The pivotal role that media would play in contributing to national reconciliation and to moulding the population's perception of progress and the degree to which the transition from war to peace was in fact taking place, was recognised early on. Aside from the more general human rights work, this was reflected in the requirement to transform Vorgan, UNITA's radio station, into a

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<sup>866</sup> Vines (1998), p. 8.

<sup>867</sup> US Department of State (1998), p. 9; Reimer (1996).

<sup>868</sup> Vines (1998), p. 8.

<sup>869</sup> Reimer (1997).

<sup>870</sup> Saferworld (1996), p. 24, 42; Amnesty International (1996), p. 5; US Department of State (1998), p.

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<sup>871</sup> S/1997/640.II.11.

commercial station. After long delays, Vorgan finally ceased broadcasting on 1 April 1998. The UN's own attempts at disseminating information about the international presence and the peace process were based on SCRes 976 (1995) which included only a brief mention of the issue to the effect that UNAVEM III was to have an "effective information capability."<sup>872</sup> Efforts towards this goal were constantly hampered by the government and no significant progress was made towards establishing a UN radio station. The issue was given low priority among the UN's work in Angola, despite the realisation, as described by Margaret Anstee, that "an independent radio station [was a] critical ingredient [...] for a success in Angola."<sup>873</sup> The government's offer of more time on their radio station was not desirable, as it would have compromised the UN's impartiality, not to mention exposing the UN's information to government censorship. Still, in the end, time on government controlled media was what the UN had to settle for, seriously discrediting them in UNITA's eyes through an ever closer association with the Angolan government. This was clearly one of the UN's central lost opportunities. Vines writes that an "independent non-partisan radio station which could have broadcast across country was of critical importance in breaking the monopoly of control of information by both sides."<sup>874</sup>

**Box 5.10: Supporting Security Tasks Elections and Power-Sharing**

Presidential and parliamentary elections were postponed because conditions for free and fair elections did not exist and the international community was concerned about the instability that early elections would bring. For Savimbi and UNITA the struggle then became one to maximise their advantage in the formation of the GURN and the status of Savimbi himself.

All the aspects that concerned the distribution of power were coloured by the level of trust between the parties. The concern for the security of UNITA officials in Luanda exemplifies that. The media fed into the distrust and severely undermined the popular sense of security and confidence in the peace process.

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<sup>872</sup> S/RES/976 (1995).

<sup>873</sup> Quoted in Vines (1999a), Ch. X, p. 6.

<sup>874</sup> Vines (1999a), Ch. X, p. 7.

#### 5.4 Conclusions on the Implementation of the Lusaka Protocol

- *Demilitarisation and Military Reform*: The peace process was marked by a continuously high level of tension and cease-fire violations. Accusations of repositioning rather than withdrawal and quartering proved true with respect to both sides. International security assistance consisted of monitoring demilitarisation and military reform and could not create an environment sufficiently secure to build confidence between the parties. As a result, the critical process of downsizing and reforming the military apparatus on both sides was sketchy at best; at once a product of distrust and shoring up under mutual suspicions.
- *Law and Order*: The militarisation of society continued in the ANP. Whereas the lack of progress in demilitarisation and military reform fed into the parties' lack of trust towards each other, the absence of noticeable improvements in the behaviour and constitution of the police force undermined any confidence that the general population might have developed in the peace process. The civilian police and the human rights monitors were incapable of doing much more than registering abuses and misbehaviour.
- *Supportive Security*: The close links between humanitarian aid and international security assistance crystallised in the implementation of demining and repatriation. Both activities were impaired by continued clashes and later rising levels of tension and corresponding degrees of political co-operation. The struggle for security also carried over into the struggle for political power and hampered progress with respect to the implementation of power-sharing arrangements.
- At the end of the peace process in late 1998, the parties had consolidated their respective hold on power and their coercive security structures, i.e. military and police forces. Add to that the continuous and extensive arms deliveries, financed by the diamond and the oil business, and the stage was set for yet another full-scale war.
- The peace process was hamstrung by the parties' preoccupation with security. Throughout they felt the need to maintain a core security force for their protection. This was simultaneously an obstacle to progress in the peace process and a symbol of the lack of confidence between the parties. Throughout the peace

process, the attitude of UNITA and the government was more reminiscent of hedging during a temporary cease-fire than of a genuine desire to give peace a chance. This was particularly apparent with respect to their perception of territory and their control over it. The UN was unable to provide the parties' leadership with a 'sense of security' that would persuade them to abandon their respective excessive security networks.

## **6 Issues in Co-ordination and Co-operation**

The analysis of the implementation process of the Lusaka Protocol has already revealed the most important co-ordination challenges. In the current chapter, three remaining issues are brought into focus: (1) the major co-ordinating bodies; (2) civil-military relations on the interface between the military and police component of UNAVEM III and the humanitarian community, and (3) the instruments and attempts to force compliance in the light of co-ordination.

### **6.1 Co-ordinating Bodies**

Co-ordination took place among the third-party actors and between the external actors and the local parties. With respect to the co-ordination within the international community, the UN structure dominated the arrangements (see also Figure 4.1). Co-ordination with local counterparts was centred around the Joint Commission and a number of subsidiary bodies.

The head of the UN family in Angola was the Special Representative who "was in overall charge while UCAH was responsible for day-to-day coordination of humanitarian activities," including mine action activities.<sup>875</sup> In that way, the SRSG personified the entirety of UNAVEM III, and the personality of the office holder moulded the parties' perception of the UN presence. Maître Alioune Blondin Beye had been the Special Representative to Angola since 1993 and was respected by the

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<sup>875</sup> United Nations DHA (1997), Phase One, 28; S/1995/177.20.

parties. He was a tireless negotiator, but his influence was weakened by the lack of political commitment and unity with which the international community could have backed up his position to a greater extent.<sup>876</sup> The role of personality in the position of the SRSG became even clearer, when Issa Diallo was appointed, following the tragic death of Maître Beye in the summer of 1998. He did not enjoy the same respect from the parties and was unable to mitigate an increasingly hostile and tense situation.<sup>877</sup> Co-ordination within UNAVEM III, including UCAH, was further impeded by the lack of transparency and limited exchange of information on activities, goals, and progress reports, as well as by the absence of an overall strategy.<sup>878</sup>

The co-ordination of international security assistance with other international actors, such as international organisations or NGOs, was in the hands of UCAH. This took the shape of a variety of minor co-ordination groups, such as one established to oversee progress in the registration areas, with the goal to enhance internal co-ordination and decision-making in the mission.<sup>879</sup> However, the reintegration and demobilisation programmes were examples of UCAH's efforts in Angola and were characterised by poor co-ordination among many actors. Co-operation suffered from competition between different agencies, inefficiency, and an outlook that was short-term.<sup>880</sup>

The short-term perspective was reflected in the underlying aim of the international efforts to transfer authority into local hands as soon as possible. This was attempted long before the government had the capacity to take over, but was promoted by third-party actors that were feeling the pressure of funding shortage.<sup>881</sup> INAROE, the community referral service, and the national reintegration institute are examples of local bodies that were to carry the process in the long run, but did not attain the necessary capacity in the course of the Lusaka Process.<sup>882</sup>

In addition to its primary role of supervising the implementation of the Lusaka Protocol, the Joint Commission was the main forum for co-ordination between the international community and the parties. The Secretary General underlined the value

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<sup>876</sup> He was also so emotionally involved in the effort to make the Lusaka Protocol work that he turned a blind eye to too many violations to be credible in the end. See for example Vines (1999b), p. 24.

<sup>877</sup> In fairness, the situation from the summer of 1998 onwards was an irrevocable slide back into war which was beyond the control of any SRSG.

<sup>878</sup> Vines (1999a), Ch. X, p. 9; Ball and Campbell (1997), Ch. 3, p. 8, Ch. 6, p. 3.

<sup>879</sup> *The Blue Helmets* (1996), p. 260.

<sup>880</sup> Lewis (1996), p. 94.

<sup>881</sup> S/1997/248.V.24; Ball and Campbell (1997), Ch. 6, p. 4.

<sup>882</sup> S/1995/842.V.35; S/1996/827.V.B.31.

of the Joint Commission and reported that it “proved to be a vital conflict resolution and implementation mechanism.”<sup>883</sup> Besides revealing the difficulty of Savimbi and dos Santos in dealing directly with one another, the tortuous nature of talks in the Joint Commission also indicated that the negotiations and decisions in this forum were not taken lightly. It was the only body that survived for continued communication when tensions rose in late 1997.<sup>884</sup> In the Joint Commission the parties retained a minimum of legitimacy and were able to keep up the charade of support for the peace process, as long as they appeared to be communicating in that forum. The body was finally incapacitated, when the split in UNITA occurred in September 1998 and conflicting claims to representation were forwarded.

The Joint Commission was also brought directly into the implementation activity of the UN, for example when the Human Rights Unit of UNAVEM III reported to the Joint Commission. In this way, it was to be motivated to take active part in the peace process, but there were few indications that the formal inclusion or ownership acted as an incentive and that reports were actually investigated. Instead, Vines argues that “the commission became a depository for human rights and military violation reports but there was little inclination by the UN to investigate or publicise these incidents.”<sup>885</sup>

Other bodies that sought to bring together the parties and the international actors had specific tasks, such as the Conflict Prevention Group. It was located at UNAVEM III headquarters in Luanda and included senior military officers from both parties that were to defuse tense situations and prevent escalation. Overall the body was relatively effective, until the return to war became undeniable and disagreements exceeded the capacity of the Group.<sup>886</sup> In addition there was the Humanitarian Co-ordination Group (HCG), co-chaired by the Minister of Social Affairs and the Director of UCAH, also including representatives of UNITA, other UN Agencies, observer and donor countries, the ICRC, and other NGOs. The HCG was deemed an “important step towards building confidence and facilitating the provision of humanitarian assistance,” but had traditionally been regarded as a short-term measure

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<sup>883</sup> S/1997/438.VII.A.1.34.

<sup>884</sup> Saferworld (1996), p. 13; S/1997/959.III.5.

<sup>885</sup> Vines (1999a), Ch. I, p. 1f., Ch. IV, p. 2; Amnesty International (1996), p. 4.

<sup>886</sup> The Central Civilian Disarmament Commission is another example. S/1996/75.III.A.12; S/1996/171.III.A.7.

only.<sup>887</sup> Attempts to establish contacts with local NGOs that might have provided inroads in to Angolan society and assisted in the confidence-building process, lacked vision and generally failed.<sup>888</sup>

## **6.2 Civil-Military Co-operation**

The peace implementation mission in Angola was clearly one in which both the military and the civilian components had a weighty role. As became clear in the context of demobilisation or reintegration, the successful implementation of security assistance programmes required close co-operation between the civilian and military communities. In the Lusaka process the civil-military divide was slightly different from the one in Bosnia-Herzegovina. Whereas the distinction was truly between predominantly civilian and predominantly military actors in Bosnia-Herzegovina, the implementers in Angola were separated into humanitarian actors on the one hand and peacekeepers on the other. This was especially important for the civilian police and human rights monitors that were part of the 'military' organisation in Angola, in contrast to their classification as civilians in Bosnia-Herzegovina. This was due to their all being engaged in a variety of monitoring tasks in related areas. Regardless, civil-military co-operation entailed balancing the need for a distinct identity against the need for co-ordination. As the humanitarian situation was perhaps more egregious in Angola and more of the aid provided was in fact emergency relief, UCAH felt a stronger need to separate humanitarian activities from the political-military strategy pursued by the Special Representative of the Secretary General and the Troika.<sup>889</sup>

Besides the issues of identity, the organisational cleft between 'humanitarians' and peacekeepers had begun to be established in the mission's planning stages. As UCAH was independent of the Security Council and had been involved in Angola throughout the latest stage of the civil war from 1992-4, it was able to begin planning before being mandated by a Security Council resolution, in contrast to the peacekeepers in UNAVEM III. Ball and Campbell highlight the advantage that the humanitarian component enjoyed because of this: "It was fortunate that while the

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<sup>887</sup> S/1995/588.V.25; Ball and Campbell (1997), Ch. 6, p. 2.

<sup>888</sup> Vines (1999a), Ch. X, p. 11; Ball and Campbell (1997), Ch. 3, p. 24.

<sup>889</sup> Ball and Campbell (1997), Ch. 3, p. 4, 25.

peacekeeping mission waited for a new mandate, DHA was able on humanitarian grounds to move forward with planning for mine action through UCAH.<sup>890</sup>

In combination, identity and organisation also created problems in the course of the peace process. Although both had lasting peace and the relief of human suffering at heart as the overall goal of their mission, UCAH perceived UNAVEM III as pursuing only short-term pacification. In part this was due to the closer affiliation of the peacekeepers with the political and strategic side of the mission that in turn was subject to the fluctuating commitment of the international community and pressures of international politics. The result of the discrepancies were that the measures chosen by the two components to implement the Lusaka Protocol were often at odds. The UN's own description of the relationship between UCAH and UNAVEM III in demining is a case in point:

“Given UCAH's need to maintain a humanitarian identity and the importance of focusing beyond the political timeframe of the UNAVEM mission there were often contrasting perspectives between the “military UN” and the “humanitarian UN” on the management modalities needed to address the problem of mines in Angola.”<sup>891</sup>

The co-ordination problems did not only have internal repercussions, but affected the perception of the UN presence by local counterparts. A compelling argument in favour of close co-operation between the humanitarian actors and the peacekeepers was the desire to present a united front to the government and UNITA in order to maximise their influence and not work at cross-purposes. Ball and Campbell point out that the “[I]ack of clarity as to the nature of the relationship, particularly between the Humanitarian Coordinator, and UN peacekeeping forces, led at times to misunderstanding and ill-will in Angola.”<sup>892</sup> In an attempt to bridge the gap in demining and other security efforts, field advisors were deployed to promote “strategic planning, negotiating access, collecting and analysing information, and liaising between the humanitarian community, the peace-keepers, the authorities and the local community.”<sup>893</sup>

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<sup>890</sup> United Nations DHA (1997), Phase One, 28.

<sup>891</sup> United Nations DHA (1997), Phase One, 39.

<sup>892</sup> Ball and Campbell (1997).

### **6.3 Co-ordinating to Force Compliance**

The lack of co-ordination affected the co-operation within the group of external actors but more importantly the international community's ability to exercise pressure on the parties. The two tools with which the third-party actors attempted to force compliance were conditionality and sanctions.

In the present context, conditionality refers to the effort by donors to tie conditions to their aid.<sup>894</sup> The bulk of the aid at stake in the Lusaka process was quite simply the UN presence. Emergency relief to the population could hardly be held back and the lack of funding appeared to cause greater headaches for the international community than for the parties – that after all had independent financing in their oil and diamond resources. Vines points to the limited effect of conditionality due to Angola's riches. Donor co-ordination that might have resulted in pressure on the parties was also offset by business interests.<sup>895</sup> Saferworld argues that economic incentives were ineffective, because both “political leaders [...] place the defence or pursuit of power before their country's economic recovery.”<sup>896</sup>

The UN's record was blemished with the very first attempt at conditionality, when preconditions were attached to UNAVEM III's deployment. The conditions could not be upheld and the UN's misjudgement of the situation was exposed. In the course of the peace process, attempts were also made to make political concessions conditional upon commitments in the military sphere being honoured, in order to persuade UNITA to give up its military strategy for a political one.<sup>897</sup> This too met with little success.

And yet, the UN continued to use its presence as a bargaining tool, using the threat of withdrawal as a particular form of conditionality. UNAVEM III's mandate was only extended for very short periods of time, at worst only a month or a fortnight. The first mandate was only for six months and was tied to the condition that the cessation of hostilities was effective. The next six months were linked to the safety of humanitarian personnel.<sup>898</sup> The contradictory goals underlying this strategy

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<sup>893</sup> Ball and Campbell (1997).

<sup>894</sup> Thus, I chose a somewhat wider definition of ‘conditionality’ than that of a specific policy tool used by international financial institutions or individual governments.

<sup>895</sup> Vines (1998), p. 26.

<sup>896</sup> Saferworld (1996), p. 18.

<sup>897</sup> Saferworld (1996), p. 12, 16.

<sup>898</sup> Amnesty International (1996), p. 1.

contributed to its failure: The UN warned that they would not stay unless there was progress, while pushing for minimum fulfilment of the Lusaka provisions in order to withdraw and to proclaim the mission a success. In that way, similar to the problems that arose from the initial insistence on an end date in Bosnia-Herzegovina, the short mandates of UNAVEM III also undermined attempts to increase pressure. In part, the short extensions of the force's mandate were a product of "international frustration over peacekeeping" and pressure particularly from the United States "not to allow the operation to drag on indefinitely."<sup>899</sup> In the end, the situation was the exact opposite of the desired outcome. Rather than determining conditions on the ground through the threat of withdrawal, the pace of withdrawal was in fact set by the actual security situation on the ground.

Co-ordinating to force compliance was thus never thoroughly attempted in Angola, including a joint strategy among the third-party actors and a common understanding of the instruments available to apply pressure. The Angolan peace process could not muster the same enthusiasm and determination to succeed that characterised the international efforts in Bosnia-Herzegovina. Measures taken in the face of non-compliance from the parties and even more so threats thereof could only have been productive had the third party's willingness to make good on threats been demonstrable. Although some influence was brought to bear in the beginning of the peace process, by early 1998 "neither side was any longer susceptible to UN or outside pressure."<sup>900</sup>

The other major effort to apply pressure was through sanctions. The sanctions followed the lines of the arms embargo that had been in effect since 1993. They were first imposed on UNITA in late 1997, because of non-compliance, and gradually tightened. Rather than forcing UNITA's compliance the immediate effect was that the movement severed all ties to the government and the UN within three weeks.<sup>901</sup> Another step was the embargo on the unofficial export of diamonds which came into force on 1 July 1998. However, the international community and the UN, more particularly, failed to ensure that member states were rigorously implementing the embargo on illegal diamonds from Angola.<sup>902</sup> Sanctions were of course difficult to

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<sup>899</sup> Vines (1998), p. 18; see also Sibanda (1999a), p. 122.

<sup>900</sup> Vines (1999a), Ch. X, p. 2.

<sup>901</sup> Vines (1999a), Ch. IV, p. 3, 7.

<sup>902</sup> "Diamond Trade and War," *APIC*, 15 Dec 1998. Specific sanctions on the diamond trade were imposed by S/RES/1173 (1998), 12 June 1998.

implement due to geographical aspects, such as vast territory, no effective border control, and international support networks. Still, a more important factor was the nature of the diamond trade which lacked transparency and accountability. In part, this had to do with the fact that the international community faced a formidable challenge in attempting to control private interests pursued by sub-state actors or multinational corporations. In the end, sanctions were no more than a moral statement and the “failure of the UN member states and the diamond industry to fully implement the embargo has meant that UNITA have been able to restock munitions and supplies and this has fatally undermined the peace process.”<sup>903</sup>

#### **6.4 Conclusions on Co-ordination**

- On the part of the international presence, the co-ordination of the operation in its entirety was assigned to the SRSG who also provided political and strategic leadership and to a large extent functioned as the voice of the international community. His success was limited by two factors: (1) The commitment of the international community was obviously not constant and derived the SRSG of some of his authority. (2) The civil-military divide, which in Angola ran between the humanitarian and the peacekeeping actors, was so pronounced that it cracked the image of the international community standing as one in pursuit of the same goals. Co-ordination did improve between the two sides of UNAVEM III, but never entirely found a common denominator.
- Co-ordination in itself was thus rather unsuccessful as a means of applying pressure, but other measures to force compliance were attempted. Neither threats of withdrawal, nor sanctions had any significant effect on the parties. Sanctions in particular would have benefited from greater co-ordination between the UN, the Troika and with other regional actors. Unfortunately, the financial gains for a number of regional, but also Western countries were far too great for them to have any interest in enforcing a sanctions regime.

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<sup>903</sup> “Diamond Trade and War,” *APIC*, 15 Dec 1998.

## **7 Conclusions**

In assessing the international security assistance provided to the implementation of the Lusaka Protocol, one should distinguish between the context and actual implementation. The context harboured some fundamental truths that the international effort had to take into account. They included a high level of tension and continued clashes throughout the peace process; the complete absence of trust between the parties; and the business interests that drove the conflict. Against this background, implementation represented a formidable challenge. As for the implementation of Lusaka's security tasks, its evaluation centres around the core issues of the demilitarisation of UNITA with all its constituent elements, on the one hand, and the performance of the external actors, in particular the UN, on the other.

### **7.1 The Context for International Security Assistance**

The most significant effect of the continuously high level of tensions was that the population could not develop a sense of security and thus begin the transition from war to peace. The feeling of insecurity was heightened by the fact that those that were intended to protect the population were in fact behind many of the clashes. Moreover, clashes not only concerned organised members of the two opposing parties, but were directed against the general population which was subject to harassment and serious human rights violations throughout the four years of the peace process. In that way, “[t]he impunity with which rights were abused eroded confidence in the peace process and created a vicious cycle of rights abuses that steadily worsened.”<sup>904</sup> In addition to preventing the Angolan people from engaging in a process of national reconciliation, the volatile situation slowed the practical processes of reintegration and repatriation that were crucial steps in regenerating a post-war society.

For the leadership of the parties, the high level of tensions was more of a symptom than a cause in itself. Surely, clashes contributed to the lack of rapprochement between the party leaders, but even more so they demonstrated the lack of trust between the parties and their view that the political process was an

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<sup>904</sup> Vines (1999a), Ch. V, p. 1.

inadequate tool in the pursuit of each party's goals. In order to enhance the understanding of the context of implementation, the absence of trust should have been taken into account to a greater extent. The heavy reliance on the concept of ownership was ill-considered given the relationship between the parties at the time the Lusaka Protocol was signed. The parties' responsibility for the implementation process should have been qualified in the light of their persistent security concerns. This does not invalidate the concept of ownership on the whole, as a peace process can never be forced upon the parties, but the third-party presence should have been given the means to apply some pressure in the case of non-compliance. Neither the UN agencies nor other major external actors engaged in Angola from 1994-8 were willing or able to provide the political and economic resources to take a credible and firm stand. Clearly, only a sustained and substantial effort that involved both African countries and extra-regional support would have been able to effect any kind of progress towards peace in Angola.<sup>905</sup>

The regional dimension was critical to the Angolan peace process. On the one hand, it affected each party's security perceptions, due to the degree of support that was forthcoming from regional actors and organisations. In that way, the crisis in the DRC had a major impact on the internal dynamic of the Angolan conflict. On the other hand, and perhaps even more importantly for the chances for peace in Angola, the regional supply routes ensured both parties continuous arms deliveries. Perhaps the UN peacekeeping force could have done more to enforce the sanctions regime, but in reality success also turned on the degree to which neighbouring states would be willing to establish effective controls. The earnings from the arms trade and diamond smuggling were too great to be counteracted by the moral compulsion to bring about peace in Angola.

Besides the disruptions that originated within the region, the Angolan peace process was plagued by internal and external spoilers. The latter included both European states and the United States, as well as private security companies; all of which benefited financially from sustained tension and were extremely difficult to handle. As mentioned, the embargo and sanctions regimes were ineffective. The strategy of 'buying over' and integrating the moderate spoilers went far beyond the financial capacity and commitment of the international community. Economic

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<sup>905</sup> Cilliers (1999).

incentives drowned in the profits from the diamond, oil, and private security businesses. The government pursued such a strategy with some success with respect to the UNITA members that joined the GURN or the FAA. However, the strategy failed when it came to the most central spoiler, namely Savimbi himself. From his perspective, the security concerns continued to outweigh the political benefits of joining the government, particularly given the continuous military support that was forthcoming from external spoilers.

## **7.2 The Role of International Security Assistance**

Clearly, both parties had weighty security concerns that were magnified by the absence of trust between them. The MPLA government had been democratically elected, enjoyed the recognition of the international community and was thus considered the legitimate ruler of Angola. In that capacity, it was officially in charge of the coercive means of the state, including the military, the police, and potential other security services. As a result, the lion's share of demilitarisation fell on UNITA. Efforts to tie UNITA into the political process through power-sharing arrangements were insufficient to alleviate the movement's security concerns. At the same time, it is unclear what offers might have induced more co-operation. The degree to which UNITA perceived its security as threatened, was revealed in its demilitarisation and its commitment to transfer territorial strongholds to government authority. Despite the rightful legitimacy of the government, more attention should have been paid to the vulnerable position in which UNITA was placed. This was particularly true following the decision to demobilise UNITA's army, FALA, in parallel with the incorporation of UNITA officers into the FAA. In practice this meant abolishing UNITA's military arm, while leaving that of the government intact. It follows naturally that the movement would also be reluctant to give up its territorial base, as the other major component of its military capacity besides its armed forces.

There is no excuse for UNITA's lack of compliance and its successful endeavour to debilitate the peace process, but the movement's security perceptions and the uneven demilitarisation process can to some extent explain their ambiguity. Moreover, the lack of 'compassion' for UNITA's security dilemma, reinforced the movement's impression that the international presence was partial towards the

government. This was clearly exploited by those in UNITA's midst that stood to gain from continued or renewed hostilities.

The government's main contribution to the overall demilitarisation under the Lusaka process consisted of civilian disarmament and the reform of its civilian security sector. The latter focused on the quartering and dismantling of irregular security forces, the integration of UNITA members into the Angolan National Police (ANP) and substantial improvements of the police's human rights record. Disarmament and civilian security sector reform were closely linked in that it was the ANP that was assigned the task of disarming the civilian population. As this task was performed rather unevenly, applying significantly more pressure on areas that had until recently been under UNITA control, and with excessive violence, civilian disarmament was counterproductive to its function in the Lusaka process. Rather than contributing to a general pacification and reconciliation of society, it served to heighten UNITA's security concerns and its concomitant reluctance to demilitarise and to hand over territory.

The view of the third-party actors as partial was strengthened by the international community's policy of not publicising the military violations and human rights abuses committed by the government. It was desperately trying to maintain a precarious balance between co-operation and bringing about compliance. The dependence on co-operation led the UN and the international community more generally into a blind ally, where, according to Lewis, "too much emphasis was placed upon appeasing political officials rather than protecting people."<sup>906</sup> By the fourth year of the peace process, it finally dawned on the international presence that the balance had tipped much too far towards appeasing the government. At that point, however, it had gambled away its potential leverage with both the government and UNITA.

As has been witnessed in a number of UN missions and was true of the peace process and the involvement of the UN in Angola, the organisation had a remarkable inability or unwillingness to face facts. The organisational checks, a shortage of funds and staff, and even the political constraints that all international organisations operate under, were understandable obstacles. But the UN's tendency to paint far too rosy a picture undermined its credibility and influence. The following assessment of July

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<sup>906</sup> Lewis (1996), p. 92.

1995, when the peace process can hardly be said to have begun, is a case in point. The Secretary General reported that events “give grounds for hope that the most difficult stage of implementation of the Lusaka Protocol might now be over.”<sup>907</sup>

Essential questions are what the international community might have done differently in their delivery of security assistance to the peace process in Angola and, more specifically, how the security guarantee could have been strengthened. Laying aside the political constraints they were subject to, UNAVEM III and MONUA would have been incapable of providing an effective security guarantee against a government or UNITA offensive. They were only effective as temporary buffers between the parties, not able to disarm effectively and impotent with respect to stopping arms deliveries.<sup>908</sup> Overall, the external actors were unable to promote a culture of peace and conflict management by non-violent means.

However, before criticising UNAVEM III for its weaknesses, one should keep in mind that the force authorised to assist in the implementation of the Lusaka Protocol was considered large at the time it was mandated. It was approximately equivalent to ONUMOZ in Mozambique in 1992-4, the largest force in Africa since Somalia in 1993, and more than ten times the strength of UNAVEM II. At this stage, no one could envision the type of NATO-led force, that would be deployed in Bosnia-Herzegovina a year later. In fact, as of 29 March 1996, UNAVEM III was the largest *UN* peacekeeping operation in existence with around seven thousand troops.

Nonetheless, UNAVEM III could have been strengthened in other ways than mere numbers. In particular, it would have benefited immensely from a stronger air capacity. Air support is an example of a force multiplier that UNAVEM III was in dire need of. Despite the fact that air capacity is cost- and personnel-intensive, Angola is a case in which it could have played a vital role. More solid air support would have enhanced the UN force’s effectiveness and efficiency with respect to projecting its presence, transporting itself and other international actors, and to surveying and controlling Angolan air space. In addition, UNAVEM III would have benefited greatly from a stronger intelligence gathering and analysis capability, that could draw on both Western and African intelligence sources.

In the absence of such force multipliers and of the political commitment to use the available means effectively, the UN’s role was marginal; reflected in Vines’

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<sup>907</sup> S/1995/588.VIII.37.

<sup>908</sup> Vines (1998), p. 27.

description of UNAVEM III as “underfunded and overstretched.”<sup>909</sup> Usually, such shortcomings are counteracted by the said balance between sustained international engagement and local ownership. But as became clear above, the parties’ willingness to co-operate was variable at best. One must not give in to what Lewis describes as the “dangerous habit of placing the responsibility for peace on outsiders.”<sup>910</sup> Given the threat perceptions of the parties, their lack of trust, and their economic interest in continued tensions, the peace process might well have collapsed regardless of the strength of the UN presence. Still, what is clear, is that the third-party presence was unable to provide a sufficient security guarantee that might have mollified UNITA and the government and made them more willing to consider a peaceful track.

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<sup>909</sup> Vines (1998), p. 28.

<sup>910</sup> Lewis (1996), p. 89.

## **Acronyms - Angola**

ACAS	Association of Surviving Angolans
ACRF	African Crisis Response Force
ACRI	African Crisis Response Initiative
ANP	Angolan National Police
CAP	Consolidated Interagency Appeal (UN)
CDC	Civil Defence Corps
CMAO	Central Mine Action Office
DRO	Demobilization and Reintegration Office
DRC	Democratic Republic of Congo (formerly Zaire)
EO	Executive Outcomes
FAA	Armed Forces of Angola (Forças Armadas Angolanas)
FALA	UNITA armed forces
FLEC	Front for the Liberation of the Cabindan Enclave
FNLA	National Front for the Liberation of Angola
GURN	Government of Unity and National Reconciliation
HRU	UNAVEM/MONUA Human Rights Unit
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
INAROE	Angolan National Institute for the Removal of Explosives
IOM	International Organization for Migration
JPMC	Joint Political and Military Commission/Comissao Conjunta
LP	Lusaka Protocol
MPLA	Popular Movement for the Liberation of Angola (Movimento Popular de Liberação de Angola)
MONUA	UN Observer Mission in Angola/Missão de Observação das Nações Unidas em Angola
NGO	Non-governmental organisation
OAU	Organisation of African Unity
ONUMOZ	United Nations Peacekeeping Operation in Mozambique
PDA	Democratic Party of Angola
RRP	Rapid Reaction Police

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SADC	South African Development Community
SCRes	Security Council Resolution
SRSR	Special Representative of the Secretary General
UCAH	United Nations Humanitarian Assistance Co-ordination Unit
UNAVEM	United Nations Angola Verification Mission
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNITA	National Union for the Total Independence of Angola (União Nacional para a Independência Total de Angola)
UNSC	United Nations Security Council
USAID	United States Agency for International Development
Vorgan	Voice of the Resistance of the Black Cockerel
WFP	World Food Programme

## **SECTION IV**

# **COMPARING BOSNIA-HERZEGOVINA AND ANGOLA**

“A MAN MAY BE EAGER TO LIE IN THE LION’S BED, BUT CAN HARDLY HOPE TO SLEEP  
THERE QUIETLY.”

ALEXANDRE DUMAS

## **SECTION IV: COMPARING BOSNIA-HERZEGOVINA AND ANGOLA**

### **1 Introduction**

Having undertaken an in-depth analysis of the two case studies, the time has come to compare them directly. The comparison of international security assistance to the peace implementation processes in Bosnia-Herzegovina and Angola again follows the structure established in the analytical framework and consists of two main parts: the starting-point for implementation and the implementation process itself, including the co-ordination of international security assistance.

### **2 The Starting-Point**

The starting-point for the comparison of international security assistance in Bosnia-Herzegovina and Angola is the political context and the societal setting in which it is to be delivered. The situation has three major components: the immediate post-settlement setting; the premises for implementation provided by the agreement itself; and the third-party actors involved in providing assistance.

#### **2.1 Threats to Security in a Post-Settlement Society**

As indicated above, the gap between the population's expectations and the central authority's performance, or more specifically, the areas in which the local government is incapable of or unwilling to provide military and civilian security provide the opening for international involvement. Naturally, the degree of subsequent international involvement depends on several other factors, aside from the size and character of the gap. First, there is the objective need, i.e. the degree of destruction, social disintegration and militarisation of society caused by the conflict. Second, there is the willingness of the parties to receive help and to accept the international

presence. In part, this is reflected in the provisions of the peace agreement. Third, the engagement will be contingent upon the international community's willingness and ability to assist.

In both cases the peace implementation phase was preceded by an all-out civil war in which an international peacekeeping force was deployed but hopelessly overstretched. Both predecessors were mandated by the UN as forces that presupposed basic consent from the parties, and were rendered inoperable by worsening conditions. Whereas UNAVEM II withdrew to a few main locations fairly quickly, UNPROFOR continued to attempt the execution of its mandate under impossible circumstances. However, both forces were in country which allowed for rapid deployment of some monitors in the immediate aftermath of the signing of the Dayton Agreement and the Lusaka Protocol respectively. And both required substantial enforcement with UNAVEM II increasing from 475 to over 7,000 in UNAVEM III and UNPROFOR growing from 31,000 to 60,000 in IFOR.<sup>911</sup> In contrast to UNPROFOR whose official mandate was made ever more extensive, UNAVEM II was limited in the scope of its mandate, but took on a number of tasks in the implementation of the Bicesse Accords despite its limited formal authorisation.<sup>912</sup>

The predecessors in Bosnia-Herzegovina and Angola are relevant in that the international community believed to have learned valuable lessons that were instantly put into practice in the peace processes that followed the Dayton Agreement and the Lusaka Protocol. As a result of UNPROFOR's misfortune, the UN was *excluded* from and the United States were *included* in the military component of the peace mission. In designing IFOR, an attempt was made to match the force's strength and equipment with the requirements inherent in the mandate. Unfortunately, the 'lessons' from UNPROFOR also entailed that IFOR/SFOR tended to interpret its mandate narrowly and excessively so. It took a while for the force to realise that 'mission creep' was the only meaningful option in the Bosnian peace process. Similarly, the international

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<sup>911</sup> UNPROFOR's strength was approximately 31,000 in August 1995. At the time of withdrawal (31 December 1995), there were a mere 2,800, but many of the 'missing' 28,000 initially transferred into IFOR. Espen Barth Eide and Per Erik Solli (1995) *From Blue to Green. The Transition from UNPROFOR to IFOR in Bosnia and Herzegovina* (NUPI Working Paper No. 539, December 1995, Norwegian Institute for International Affairs (NUPI): Oslo), p. 30.

<sup>912</sup> The United Nations describe the force's role during 1992-4 in the following manner: "As a neutral body, UNAVEM II was an indispensable channel for communications and repeatedly drew the warring parties back to the negotiating process while fulfilling other vital functions, such as its support for humanitarian activities." United Nations (1996) *The Blue Helmets* (United Nations: New York, NY), p. 255.

community believed to be remedying all their mistakes in the transition from UNAVEM II to UNAVEM III by enlarging the force substantially, by defining its role more clearly in the agreement, and by assigning it more direct responsibility in the supervision of the parties' compliance. Although these were clearly steps in the right direction, the main problem of third-party commitment remained unaddressed. Thus, the international community appeared to be retracting instantly in early 1995, when tying conditions to the force's deployment rather than taking an assertive stand itself. In that way, any faith the parties and the Angolan population might have had in the political commitment of the external actors was undermined before the first contingent of UNAVEM III had arrived in theatre.

At the same time, it is important to keep in mind that the settlement in Angola was preceded by a far longer period of war, with all the implications that has for social structures, levels of armament, and the degree to which a culture of violence was ingrained in every day life. In Bosnia-Herzegovina, communism had at least provided a stable and peaceful society, if discriminatory, repressive, and unjust. Still, the legacy of the socialist system entailed that profound restructuring of Bosnian society and economy would have to take place which the international community had to address in the context of its implementation efforts. With respect to areas in which international security assistance was provided, this presented particular challenges in the reform of the police and the judicial system as part of the civilian security sector reform. More generally, it haunted reconstruction and reconciliation through political cronyism, corruption, and lack of economic entrepreneurship.

Most importantly, though, the Dayton Agreement and the Lusaka Protocol were to be implemented in extremely weak states, where the legitimacy and reach of the government were limited. Thus, in both Angola and Bosnia-Herzegovina, the international community was unintentionally faced with restructuring a state and its society, rather than simply putting an agreement into practice. This in itself, is not the crux of the problem, but the fact that external actors did not realise the degree to which they would be involved in such an all-encompassing process of change.<sup>913</sup> If they did realise it, they did not internalise it and structure their international security assistance accordingly. Especially the tendency in both cases to place the

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<sup>913</sup> Spear warns that international actors implementing a peace agreement often have an inadequate understanding of the peace agreement's implications and the cultural context of implementation.

responsibility for the peace process in the hands of the local government reflects the desire to maintain the image of a hands-off approach. Of course, it is critical that the local counterparts have ownership of the process, but their lack of capacity was not taken sufficiently into account.

In order to gain greater insight into the role and function of international security assistance, it is helpful to consider specific issues or areas in which security was inadequate or threatened in both the military and in the civilian sphere. Meeting the military and civilian security deficit differed greatly in nature. The Bosnian case is a prime example of military security gaps that were more obvious than unmet civilian security needs, and more rapidly filled. In contrast, the civilian security tasks proved more persistent over time and tended to increasingly dominate thinking the further the implementation process moved along. Although the reform of the Angolan National Police (ANP) was on the agenda from the start, it did not become the area of concentration until the transition to MONUA and when the demilitarisation of UNITA had officially been completed. In other words, when the third-party actors deemed the military security gap sufficiently filled, they turned to filling the civilian security gap, not realising that they were essentially the same in practice.

Remedying the military situation in the wake of the war involves dealing with disputed territory, foreign forces, and a highly mobilised population. Establishing military security requires, for example, monitoring a cease-fire, withdrawal of foreign forces, disarmament, demobilisation and reintegration of former combatants, as well as negotiations on a future regional security order. The peace processes in both Bosnia-Herzegovina and Angola involved decisions in all these areas, but with a varying degree of international involvement in supervising and enforcing decisions reached.

With respect to law and order or civilian security in the post-settlement society, threats in both cases primarily stemmed from the availability of arms and the existence of militias and armed groups. The population was faced with a psychological transition from a revolutionary war mentality to a society where discord was handled through non-violent conflict management mechanisms. The challenge lay not only in convincing the population that these mechanisms would indeed effectively and impartially fulfil the citizens' security needs, but also in gaining the

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Joanna Spear (1999) "The Disarmament and Demobilisation of Warring Factions in the Aftermath of Civil Wars: Key Implementation Issues," *Civil Wars* 2(2), p. 15.

consent of all armed factions to cease their armed operations and respect peace accords, and reduce the scale and impact of their armed actions to a minimum.

It is important to remember that few parties are entirely homogeneous. Instead, they consist of factions with varying degrees of support for the peace process. In order to qualify as rejectionists or so-called spoilers, the factions need to be organised to a certain degree. Some rejectionist factions, simply do not see the minimum political aims of their party met under the reigning conditions, and make up one group of spoilers that pose a threat to the successful transition from war to peace.<sup>914</sup> Another potentially more damaging group of spoilers comprises those that have a direct financial, economic, or power-related stake in a continuation of conflict.<sup>915</sup> Spoilers in general have a destructive impact on the peace process beyond their actual popular support and must be a factor in all considerations related to the delivery of international security assistance. For that reason the issue of spoilers recurs throughout the analysis of the peace implementation process. Closely linked to the issue of spoilers is the bloated security sector typical of a post-settlement society, comprising a number of actors, ranging from military officers to local police or militia chiefs, who are unwilling to relinquish their inflated power.

The most prominent and most powerful spoilers in Bosnia-Herzegovina were among the Bosnian Serb and Bosnian Croat – and to a lesser extent the Bosnian Muslim – leadership, which reflected down into the lower tiers of local political leaders. By virtue of the official power they held, national and local leaders had to be considered inside the peace process where they perpetuated the ethnic divisions on which their power rested. The same was true in Angola, especially among UNITA military staff, which had little to look forward to once demobilised and reintegrated into ‘civilian’ society. In both cases, political and military leaders frequently further strengthened their positions through links into the criminal sphere, be it through direct participation in black market activity or through corruption.

The high crime rates represented a further threat to security and paralysed economic reconstruction and civilian confidence-building. In Bosnia-Herzegovina and

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<sup>914</sup> Stephen J. Stedman (1997) “Spoiler Problems in Peace Processes,” *International Security* 22(2), pp. 5-53. The international commitment was central for the support of the leaderships which were taking on the risk of peace. They were in danger of being branded as traitors by hard-liners, being betrayed by their former opponents or by the opponent’s irregular forces. Thomas Ohlson and Stephen J. Stedman (1994) *The New is Not Yet Born. Conflict Resolution in Southern Africa* (The Brookings Institution: Washington D.C.), p. 121.

in Angola, the threat from rampant crime was matched by ineffective and unreliable police forces and security structures which were often the main violators of human rights and/or in bed with the criminals and thus completely lacked credibility.

In both cases, the war was preserved in a set of societal features, that were both a product of and reinforced the continued absence of security for all. Especially the mobilisation of the majority of the male population into the armed forces, the extensive displacement and the resulting ethnic divisions, that forced virtually everyone to 'choose sides' in the conflict, introduced insecurity. In addition, there was little freedom of movement for a long time in Bosnia-Herzegovina and even less in Angola, literally millions of land mines, and widespread destruction of infrastructure, inhibiting reconciliation and economic reconstruction.

## 2.2 The Peace Agreement's Content and Character

Whereas the post-settlement setting is the practical starting-point, the peace agreement is the legal one. The agreement does not necessarily transform the conflict itself, but serves as a reference point for the parties and the external actors in shaping new rules of behaviour in the post-settlement period. The most important of these new rules is that conflicts are to be resolved through political negotiations rather than military means. Ideally, peace agreements should represent a common position of the opponents "on the appropriate strategies for the future."<sup>916</sup>

Another important insight is that a peace settlement is the very fundament of the peace implementation process, but it is seldom – probably never – seen by the parties as the ideal recipe for reconciliation and the achievement of a lasting peace. In most cases in which a settlement rather than an outright victory on the battlefield has been reached, some manoeuvring for further advantages will continue.<sup>917</sup> Most peace agreements are bound to be met with vehement resistance and much criticism by the parties, which in turn usually face strong internal opposition from rejectionist groups

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<sup>915</sup> See for example Mats Berdal and David Keen (1997) "Violence and Economic Agendas in Civil Wars: Some Policy Implications," *Millennium: Journal of International Studies* 26(3), pp. 1-24.

<sup>916</sup> Fred Tanner (1998) "Bargains for Peace – Security Cooperation During Post-War Peace-Building" (Paper prepared for the *Third Pan-European International Relations Conference*, Vienna, 16-19 September 1998), p. 4.

or spoilers who portray the peace settlement as a betrayal, treason to the national cause or a surrender doomed to failure. This opposition will be expressed not only through obstructionism and passive resistance, but in some cases through political violence and armed resistance. Devising “a spoiler management strategy,” for example co-optation or marginalisation, for the implementation period became an important task for third-party actors in both cases studied. Stedman distinguishes between spoilers that are located inside and those outside of the peace process. The latter often rejects the agreement unconditionally, sometimes because outside spoilers were not made part of the peace agreement, sometimes because they disagree too violently with the terms of the agreement.<sup>918</sup> It is particularly the inside spoilers that the international community must manage as part of the delivery of international security assistance. It is important that the third-party actors make use of the fact that the parties would not have entered the agreement if it did not offer some benefit for them and that they will continue the peace process, although acting obstructionist at times, as long as they still believe that they will gain from it. Thus, the international community can directly affect the parties’ assessment of the costs and benefits of compliance.

Peace agreements vary indefinitely, but the two cases can nonetheless be compared with regard to some basic characteristics, namely the degree of conflict resolution and the inclusion of security tasks; the legitimacy of the agreement and the degree of external pressure; and the mandate for third-party involvement.

(1) The degree of conflict resolution refers to how many central issues in dispute have been left unresolved in the peace agreements, and to the degree to which security tasks in support of structural war-to-peace transition processes have been identified in the agreement.<sup>919</sup>

Crocker and Hampson stress the normative power of comprehensive settlements and argue that full-blown, detailed settlement plans have a greater chance

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<sup>917</sup> Still, Betts points out that “the terms of diplomatic settlements usually reflect results on the battlefield.” Richard K Betts (1994) “The Delusion of Impartial Intervention,” *Foreign Affairs* 73(6), p. 22.

<sup>918</sup> Stedman (1997), p. 8f.

<sup>919</sup> Structural war-to-peace processes encompass physical measures taken to facilitate the transition to peace, such as the establishment of a cease-fire and buffer zones, transfer of territory, removal of foreign troops, disarmament, negotiations on arms control, demobilisation and reintegration, security sector reform, release and return of POWs, security for returning refugees and displaced persons. Whereas the military tasks were clearly defined in the Dayton Agreement, the ‘soft’ civilian tasks were insufficiently mapped out. The example also illustrates that some tasks defy clear delineation, as they are not apparent or cannot be identified at the early stage in which the agreement is drafted.

of successful implementation.<sup>920</sup> However, in many protracted conflicts, the issue of comprehensiveness is irrelevant as long as the parties can only agree to the most vague and ambiguous compromise formula. Peace agreements will always be an exercise in ambiguity: the interpretation of the Dayton Agreement ranged from a “cover for effective partition” to “a starting point for a workable integration of former enemies into a single state.” Again, this demonstrates that a peace agreement must necessarily be ambiguous to obtain the signatures of the parties. Likewise, Dayton “was possible precisely because it remained ambiguous on the core issue of Bosnia’s identity.”<sup>921</sup>

Establishing timetables is another important dimension in peace agreements. It has become common wisdom to warn against premature elections in the immediate post-settlement period when moderate leaders will be defeated easily by more nationalist agitators and warlords in an election campaign. Experience from Bosnia-Herzegovina on the one hand and Angola on the other showed that timetables were indeed difficult to keep. As the fulfilment of pre-determined timetables was far too often used to measure the success of an operation, the fact that one did not manage to execute all tasks on time was regarded as detrimental to the peace process. In reality, delays in the implementation of the peace agreement’s provisions are not necessarily counterproductive, but can allow for the necessary changes to take place on the ground. The organisation of free and democratic elections in the immediate post-settlement society, which poses tremendous practical and psychological problems, such as in Bosnia-Herzegovina, is a case in point.

Timetables also harbour a practical dilemma in that they are usually the product of an awareness of donor pressure to devise specific action plans. Thus, despite the recognition that flexibility is critical in the “fog of peacemaking,”<sup>922</sup> deadlines are set to satisfy calls for accountability and progress from donors. When delays occur, such as in demobilisation and reintegration in Angola, funds run out and programmes are accused of failing, further undermining financial contributions rather than triggering a more differentiated assessment of challenges and countermeasures.

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<sup>920</sup> Chester A. Crocker and Fen Osler Hampson (1996) “Making Peace Settlements Work,” *Foreign Policy* 104/1996, pp. 54-71.

<sup>921</sup> Ivo Daalder (1997) “Bosnia after SFOR: Options for continued US engagement,” *Survival* 39(4), p. 6.

<sup>922</sup> Term suggested by Stedman (1997), p. 17.

Although strict timetables are often unproductive, there is a clear need to understand the links between different activities, with respect to both primacy and chronology. Thus, at times it is important to hold fast to a deadline or to insist on the completion of one task prior to the initiation of another. Timetables can be linked to conditions, such as the holding of the second round of presidential elections in Angola. Other links in the Angolan peace process were not obeyed as rigorously. The web of activities that was created in the Lusaka Protocol collapsed early on and all the links between demobilisation, transfer of territory, integration into the ANP to name but a few proved to be paper tigers only. The development culminated in the recognition of UNITA as demilitarised, when in reality the large-scale retention of arms and troops was suspected by most observers.

At a strategic level, end dates set for the international presence affect the parties' willingness to move to the next stage of the peace process. The end date dynamic was the same in both cases, when all the parties concerned initially put the conflict on hold. As a result, the credibility of the security guarantee provided by third-party actors was severely undermined. The difficulty was recognised in Bosnia-Herzegovina and the international community's stance gradually became firmer and was no longer tied to a specific deadline. In contrast, the external actors in Angola revealed more and more weaknesses in their commitment, while simultaneously threatening withdrawal, despite the fact that that threat had proved ineffective early on.

Peace settlements concluded after protracted civil war almost invariably include an interim transitional period during which confidence-building and reconciliation is to eventually change perceptions and enemy images sufficiently to facilitate the resolution of outstanding issues. The Dayton Agreement made the assumption that one party's position and views of the others would be sufficiently changed in the course of a five year interim period to allow for a phasing out of the international involvement and a final settlement that could not be achieved at the time the peace agreement was concluded.<sup>923</sup> After three and four years respectively of the Dayton and the Lusaka process, there were strong reasons to assume that the reconciliation process in both cases would take more time than five years. This again

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<sup>923</sup> Similar provisions were included in the Oslo Accords in the Middle East. Brynjar Lia (1998) *Implementing the Oslo Peace Accords – A Case Study of the Palestinian-Israeli Peace Process and*

points to the importance of sustained international follow-up rather than abiding strictly by the letter of the agreement.

Finally, the importance of “symbols of peace” in the immediate post-settlement situation has increasingly been acknowledged. There have to be some changes on the ground, albeit small and insignificant, to demonstrate the beginning of a new era. The introduction of new common license plates in Bosnia-Herzegovina is a case in point.<sup>924</sup> In contrast, all efforts to mark improvements in the security situation in Angola were outshone by daily harassment and human rights violations. Similarly, a major damper on the international efforts in Bosnia-Herzegovina was the reality for minority returnees that were met by threats and abuse and that third-party actors had not managed to counteract effectively in the first three years of the Dayton process. Bringing about peace is very much about changing perceptions, and no peace agreement can change those perceptions without establishing clear and unambiguous signs on the ground that a transition period to peace has begun.

(2) The legitimacy of the peace accords in the international community as well as among the parties is an important factor for successful implementation. With respect to the stage of conflict at which the agreement was reached, the parties viewed the war as unfinished business in both Angola and Bosnia-Herzegovina. There was considerable pressure to sign in both cases and as Ivo Daalder noted on Bosnia-Herzegovina “each of the parties felt that the final agreement was to some extent imposed upon them.”<sup>925</sup> In part, the external pressure led to a strong rejectionist block in the early implementation period in both cases. At best, the peace agreements obtained conditional support among the parties in the absence of better alternatives.

A major difference with respect to the legitimacy of the agreement that swayed the Bosnian parties to at least initiate the peace process was the incorporation of the parties’ security concerns. Thus, responsibility for security was delegated down to the Entity level and the most immediate needs were met. Although this might prove counterproductive in the long-run, it has created a relatively stable military situation for the time being, during which rapprochement can take place. Whatever assurances

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*International Assistance for the Enhancement of Security* (FFI-Report 98/01711, Forsvarets forskningsinstitutt: Kjeller, Norway), p. 22f.

<sup>924</sup> The fact that substantial international pressure was necessary to bring this measure about only detracts marginally from the symbolic and practical effect for the Bosnian population.

<sup>925</sup> Daalder (1997), p. 7

the international community did give to the Angolan parties, their limited value was revealed rather quickly in the indecisive stance of the UN on deployment.

Both the Lusaka Protocol and the Dayton Agreement were criticised by decision-makers and politicians inside and outside Bosnia-Herzegovina and Angola for its failures, flaws, inconsistencies, and weaknesses. Moreover, both agreements incurred the wrath of powerful opposition groups on both sides, and have faced challenges such as widespread political violence and passive obstructionism and non-compliance to frustrate the peace process during the first years of the implementation.

Reaching the agreements also meant dealing with the perpetrators and wartime leaders. No exchange of leadership took place in either case and in both cases the signatories did not necessarily reflect the parties. In both cases, it was rather optimistic to suspect that the leaders would fundamentally change their mindset by simply signing a document. Still, in most peace processes one has to acknowledge the necessity of striking deals with the ‘villains.’ In Bosnia-Herzegovina one attempted to find a partial solution by indicting a number of political and military leaders as war criminals, but it did not address the question of other mischievous players, such as President Slobodan Milošević. In Angola, no such attempts were undertaken and given the power that President Jose Eduardo dos Santos and UNITA leader Jonas Savimbi had over their respective organisations, it is unlikely that it would have been possible to effectively marginalise either of them, if desired. In the end, it is a question of consistency. The international community’s strategy to deal with the leaders as spoilers fluctuated and was not assertive, allowing the spoilers among the leaders in both cases to manipulate the third-party actors involved in delivering international security assistance. This was more extreme in the Angolan case and robbed the international presence of virtually all credibility.

(3) It has been recommended that the role and the mandate of peace missions should be part of the negotiated settlement.<sup>926</sup> Clearly, if peace agreements contain no mandate for external actors in monitoring and supporting a demilitarisation process, the process of providing international security assistance will be much more difficult. There is little doubt that the international community will be hesitant to offer peacekeeping troops and extensive international security assistance packages in the absence of a peace agreement. Thus, if the involvement of external actors in

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<sup>926</sup> Tanner (1998), p. 9.

consolidating peace is clearly defined in the agreement, the chances for a successful outcome appear to be greater. Moreover, if peace agreements define co-ordinating mechanisms and structures for the involvement of international bodies, donors, organisations offering international security assistance, there may be less chance of rivalries and competition among external actors. Tasks should also be defined as realistically as possible, although it is not always possible to see what the realistic options are at the outset of an implementation process.

It is fair to say that the mere size of the international community's involvement in the Dayton process, both politically, militarily, and financially, was unparalleled in post-war history. The peace process in Bosnia-Herzegovina was closely scrutinised, monitored, and supported by the United States and its European partners in co-operation with a wide range of local and regional actors in areas ranging from direct military presence and assistance to extensive development aid packages and police assistance programmes. Although similar with respect to the tasks on the agenda, the Angolan peace process could not measure up in terms of commitment to succeed. The Bosnian peace process became a laboratory for the development of new guidelines and lessons learned for international involvement in supporting the resolution of internal conflicts.

Given the difficult starting-point for both peace processes, it appears that "external third-party involvement in all phases of the peace process does indeed matter to political outcomes and that success and failure are indeed linked to the quality and level of support given by third parties to the peace process, especially during implementation of an agreement."<sup>927</sup> Thus, crises need not necessarily end in renewed violence and derail the peace process, if external parties are determined to push the parties back to the negotiating table. In this context, the crucial role of a broad coalition supporting the peace process, including both regional powers, the US, and international organisations should be underlined. There is a wide spectrum between a hypothesis that claims that an enforced agreement is better than an unenforced one to a statement that identifies external involvement as the single most important factor.<sup>928</sup> The truth lies somewhere in between the two extremes and based

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<sup>927</sup> Fen Osler Hampson (1996) *Nurturing Peace: Why Settlements Succeed or Fail* (United States Institute of Peace: Washington D.C.), p. 210.

<sup>928</sup> Charles King has questioned the strong emphasis on external support for the peace process and argues that "a bad settlement well-enforced is still a bad settlement." Charles King (1998) "Transition

on the peace processes in Bosnia-Herzegovina and Angola, the role of international security assistance is indeed crucial.

The role of third parties in enhancing security in the Dayton Agreement was not so different from that in the Lusaka Protocol. In Bosnia-Herzegovina, the mandate of IFOR/SFOR to “assist in the implementation of the territorial and other military related provisions of the agreement” and to “ensure compliance.” Moreover, the International Police Task Force (IPTF) had an extensive mandate to assist the Parties in maintaining “civilian law enforcement agencies operating in accordance with internationally recognised human rights standards.”<sup>929</sup> This included the IPTF Assistance Programme operating at the levels of the police forces, the courts, and political-judicial authorities. Similar tasks were sketched out for UNAVEM III and its components in the Lusaka process, but the key difference lay in IFOR/SFOR’s mandate and capability to “use the necessary force.”<sup>930</sup>

There is clearly a dilemma of striking the balance between empowering the parties versus retaining sufficient influence to prevent the resumption of armed conflict. Thus, an overwhelming third-party presence can sometimes be counterproductive in the sense that it removes the threat of a return to war, and thereby also removes a major incentive for the parties to move forward with the peace process. The parties in Bosnia-Herzegovina used the extensive external pressure as an excuse in the face of internal critics that would have regarded agreeing to a compromise as treason.<sup>931</sup> Similarly, the opposite strategy of relying on the party’s willingness to comply in Angola was not productive. Instead, it is imperative that the international community finds a fruitful balance that fosters indigenous capacity. A balance between pressure and dialogue has to be maintained in which pressure can nonetheless be applied to influence the direction of the development and ensure that it reflects the values that induce peaceful coexistence.<sup>932</sup>

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from War to peace: Principal Issues and Challenges” (Paper prepared for *Transition from War to Peace in the Post-Cold War Era*, Foreign and Commonwealth Office, London, 28-9 September 1998).

<sup>929</sup> Dayton Agreement, Annex 10.

<sup>930</sup> Stedman identifies the supposition of “good faith” as a typical UN mistake. Stedman (1997), p. 49.

<sup>931</sup> Experience from the Oslo peace process, demonstrates the role of low intensity conflicts as a catalyst for progress in the peace process, the so-called “creative crises” logic. Lia (1998), pp. 27-28.

<sup>932</sup> In order to mould a political framework that will reflect the developments in the security sector, power-sharing arrangements in post-settlement situations are central. (See for example J. ‘Bayo Adekanye (1996) “The Two Faces (Phases) of Power-Sharing in Post-Conflict Society” (Paper prepared for *International Workshop on Disarming Ethnic Guerrillas Project*, Peace Research Institute Oslo: Oslo, 17-18 February 1996). As power-sharing arrangements fall outside of my focus, I would just like to mention a few aspects here: Winner-takes-all formulas, which do not provide any security

### 2.3 Third-Party Actors

In many ways, the international community is regarded as the representative of international order, that is of international law and humanity. In the context of this thesis, I have reviewed which specific actors take on that role in the security field. The case studies revealed that a web of interests underlay each third-party actor's rationale for participating in the peace process or refraining from doing so. Even actors, such as NATO and the UN agencies whose basic *raison d'être* was to build international peace and security base their decision on whether and how to get involved on a host of other motivations. For any of the third-party actors, costs and resources are an important concern for the delivery of international security assistance and naturally play into their interest in participating, particularly where the benefits are less tangible gains such as regional peace and stability. How long third parties intend to stay is another issue that often impacts the decision to get involved. And yet, the impact is not as immediate and obvious as it used to be. The discussion of an end date versus an end state in Bosnia-Herzegovina is a case in point which illustrates the shift in thinking that has taken place from focusing on the length of an operation to a more differentiated assessment of progress towards long-term goals.

In part, the actors involved in delivering international security assistance reflect the constellation of actors engaged in the negotiation phase. Thus, in Bosnia-Herzegovina, the role of the United States was comprehensive both within and outside of NATO and the role of the UN was limited. In the same way, the United States and the United Nations were central actors during the negotiations leading up to the Lusaka Protocol. However, it became clear in both cases that not only did the United States have a particular interest in, but it also provided the strategic leadership that was crucial to progress in the peace process. In some ways international involvement

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for the rebel movements, have proven unfortunate. The Western Sahara situation is a case in point where there are few security guarantees for Polisario after the referendum. Angola after Bicesse is another example of the disastrous consequences of a winner-takes-all formula. However, UNITA and the MPLA insisted on this formula, as they were both convinced that they would emerge as the winner. In addition, provisions for the strengthening of inter-ethnic and non-ethnic identities and loyalties should complement power-sharing mechanisms such as a balance of ethnic representation in state institutions. Charles King warns that without encouraging cross-cutting forms of identity and solidarity that might have existed before the war, power-sharing arrangements "are likely to enhance precisely the undesirable divisions that sustained the conflict itself." (King (1998), p.7.) This became clear in the formation of government institutions in Bosnia-Herzegovina, where quota systems tended to strengthen a representative's identification as a member of the group whose quota he filled, rather than as an impartial member of a governing body.

is self-reinforcing. As international actors become more involved, their stake in the process increases – both with respect to reputation and to financial investments – and the need for continued and expanded engagement rises. The Bosnian case reflects this, due to the larger implications for the European security architecture that were implicit in the outcome of the peace process. Angola followed a different logic, where the regressive development of the Lusaka process caused frustration and contributed to undermining international commitment. The difference in commitment in the two cases was also reflected in the international policy towards the peace processes, which – in Bosnia-Herzegovina – was regularly re-assessed and consequently re-formulated. Few such well-grounded adjustments were made in Angola, where policy formulation appeared more haphazard and based on the minimum that was considered achievable rather than on an ‘ideal’ outcome.

The following discussion evaluates the main third-party actors involved in the delivery of international security assistance in Bosnia-Herzegovina and in Angola, ranging from the various bodies of the United Nations, to regional organisations, individual actors, and NGOs.

The role of the *United Nations* family was scaled down at the outset of the peace implementation process in Bosnia-Herzegovina. They were not trusted with the overall responsibility for the implementation of the Dayton Agreement, especially not its military provisions, due to United States’ opposition, which in part resulted from their perception of UNPROFOR’s track record. Angola reflected the traditional structure of peacekeeping operations, with different UN agencies in charge of virtually the entire implementation effort. The Security Council remained the prime legitimising body for international intervention and formally set the strategic plan of action and goals in both cases. Moreover, a more differentiated view of the organisation strengthened other constituting agencies, such as the Civilian Police Unit (UNCivPol) and the recently reorganised United Nations Office for the Co-ordination of Humanitarian Affairs (OCHA). Both have played significant parts in the Dayton and Lusaka peace processes, even more so when the focus shifted to the provision of civilian security in the course of implementation. In addition, the increasing emphasis on good governance, the rule of law, and institution building has led to a reorientation of UN development bodies, including the World Bank, towards security sector

reform, and towards international security assistance.<sup>933</sup> This was more apparent in Bosnia-Herzegovina than in Angola, where the civilian security sector reform never progressed sufficiently to take on meaningful proportions.

The spectrum of *regional organisations* involved in peace implementation ranges from security and defence organisations to organisations that primarily have an economic focus. Only the Bosnian case featured significant contributions from regional bodies, where NATO, the OSCE, and the EU emerged as the most important regional third-party actors involved in providing international security assistance. With respect to NATO's participation, the desire to promote the organisation's international prestige and credibility were a significant factor, which also influenced individual NATO and PfP member's decision to contribute and prove their worth as allies. The broad participation in IFOR and SFOR also mirrored individual states' allegiance to the regional alliance and international obligations, and a number of small states' struggle to maintain a preferred status among the great powers. NATO's involvement in Bosnia-Herzegovina is an example of how a host of other - unrelated - motivations aside from promoting peace and stability could determine an organisation's participation.

In its struggle to defend its place in the community of international organisation's, the OSCE was also wary to decline when it was allotted responsibilities at the outset of the Dayton peace process; despite the fact that it had neither the resources nor the experience, nor was it consulted as to its role. Although it was not among those bodies initially outlined in the Dayton Agreement, the European Union became a substantial contributor in the implementation process, in the role as a 'cash cow' that financed a large number of projects in a variety of fields. Increasingly the EU also provided political guidance through its choice of projects to fund. Financially the organisation was also one of the main actors in Angola, alongside the United States, but did not provide any political leadership. Neither the OAU nor SADC could play a role beyond public statements.

What *ad-hoc coalitions of states, Friends of the Peace Process (FPPs), and donor countries and individual states* have in common, is that they provide

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<sup>933</sup> A fairly recent World Bank policy paper stressed the importance of establishing a secure environment if the development efforts were to succeed, and it advocated more emphasis on financing demining programmes, reintegration programmes, and employment schemes for former combatants, etc. See World Bank (1997) *A Framework for World Bank Involvement in Post-Conflict Reconstruction* (World Bank: Washington D.C., May 1997).

international security assistance outside of the global network of institutions and organisations. Many of these have a special interest in the settlement and their personal and historical ties to the parties as well as their international standing may give them influence and leverage that the UN and regional organisations lack.<sup>934</sup> In this context, the notions of strategic leadership and multilateralism become relevant.

Strategic leadership takes different forms and is driven by different motivations. Whereas some states act on the basis of philanthropy, others pursue specific national or economic interests.<sup>935</sup> In order to be accepted as the leader by the parties and the other third-party actors, a country can prove its particular interest by contributing massive resources and/or personnel or by continuing sustained engagement over a long period of time. In part, the size of a state determines whether and in what form strategic leadership is taken on. Accordingly, the United States' involvement in both Bosnia-Herzegovina and Angola is an example of resource-intensive, national interest driven strategic leadership. In the Angolan case, the economic advantages for the United States were explicit. In Bosnia-Herzegovina they were implicit in NATO's success. One might argue that outright economic interest is a constant factor as opposed to fickle philanthropy.<sup>936</sup> Depending on the motives for involvement, strategic leadership can undermine the neutrality of international security assistance. This is particularly true of those states that take on the leadership position in the pursuit of national interests. The goal of ensuring peace and stability may be paid lip service, but is often a secondary concern. In order to deflect the weakening of neutrality caused by strong national interests, impartiality was linked back to the fulfilment of the peace agreement's provisions in both cases. And yet, the United States could not hide their preference for the Bosnian Muslims.

Betts points out that impartiality can do more harm than good, when it prevents decisive action. He writes that a "middle course in intervention [...] is likely to do little but muddy both sides' calculations." Instead, he argues one should accept the responsibility that comes with intervention and realise that "[m]aking peace means

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<sup>934</sup> Steven Ratner (1995) *The New UN Peacekeeping: Building Peace in Lands of Conflict after the Cold War* (Macmillan: Basingstoke), p. 84.

<sup>935</sup> More specifically, there is international consensus on three conditions in which the philanthropic trigger is usually activated: (1) threats to international peace and order; (2) large-scale suffering among civilian populations; and (3) flagrant violations of human rights. See Milton J. Esman and Shibley Telhami (eds)(1995) *International Organisations and Ethnic Conflict* (Cornell University Press: Ithaca, New York), p. 12.

<sup>936</sup> Smaller nations are less likely to have specific national or strategic interests at stake.

determining how the war ends.”<sup>937</sup> Even when the international community tries to tie its presence to the provisions of a peace agreement or neutral moral standards, it cannot protect itself against being perceived as partial. Savimbi’s condemnation of the international involvement, when the external actors turned against him, due to lack of compliance on his part, is a case in point.

The influence of third-party actors was determined by the parties’ dependence on external assistance. Although the Angolan conflict was certainly fed by external involvement throughout the Cold War, it appeared that the parties were acting more independently in the peace process from 1994-8. The parties were no longer as dependent on the United States and the Soviet Union and later Russia for arms deliveries, as weapons came from any number of sources, as long as both parties had the cash to pay for them. As a result, the international community’s ability to influence the process by exercising pressure was limited. In Bosnia-Herzegovina, all parties but especially the Bosnian Muslims were dependent on international support. The Bosnian Croats and the Bosnian Serbs were so to a slightly lesser degree due to their support bases in Croatia and the Federal Republic of Yugoslavia respectively. In a situation, such as in Angola, where the lion’s share of funds still went to meeting the most fundamental needs in the population, rather than to special perks for a select group, incentives were simply not as tempting as in Bosnia-Herzegovina.

States attempt to safeguard their impartiality by embedding their contribution in a multilateral effort. Tony Smith points out that “[w]hile leadership may require unilateral action on occasion, multilateral alliances and institutions are the most effective way to address ethnic, nationalist, and religious hatreds.”<sup>938</sup> As will become clear below, this is particularly true the deeper external actors intervene in internal security affairs of the parties and thus curtail their sovereignty. Aside from gains in terms of legitimacy and ethics, the benefits of distributing responsibility and costs in a multilateral operation, be it under UN auspices or ad hoc, are commonly acknowledged. Nonetheless, the need for visible strategic leadership among a multitude of actors and organisations has also become very apparent. It is ironic that in a time in which the demands and costs of peace support operations, in particular in the post-settlement stage, are constantly rising and should therefore be cushioned in comprehensive international participation, international involvement becomes more

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<sup>937</sup> Betts (1994), p. 30f.

<sup>938</sup> Tony Smith (1994) “In Defence of Intervention,” *Foreign Affairs* 73(6), p. 43.

contingent upon the leadership of one or a few countries. And yet, both cases underline that while strategic leadership is a necessary it is not a sufficient condition for success. Among other things, co-ordination in planning and implementation are essential.

International security assistance delivered in Bosnia-Herzegovina is a case in point in the discussion of multilateralism: it was a vast undertaking and involved a multitude of organisations, but the coherence necessary to make everyone work together effectively derived mainly from the pressure exercised by the United States. In contrast, despite the obvious interests of the United States in the success of the Lusaka process, the approach was not co-ordinated and lacked backing. Stedman underlines the role of a body in which policy can be co-ordinated and that can assume a leading role in the peace process.<sup>939</sup> Although the peace process in Angola finally collapsed, the Troika, consisting of representatives of the United States, Russia, and Portugal, was instrumental in putting pressure on the process when it stalled – with steadily decreasing effect. In Bosnia-Herzegovina, the Peace Implementation Council emerged as a strong body that enabled the international community to speak with one voice and develop a joint understanding of critical issues and priorities for implementation. Its major drawback was of course the lack of enforcement capability which rendered it continuously dependent on – again – the strategic leadership of the United States in implementation.

The distinction between Friends of the Peace Process (FPPs) and the Coalition of the Willing reflects the relevance of multilateralism. Whereas assistance from FPPs takes the shape of bilateral support efforts, the states that make up a Coalition of the Willing attempt to reap the benefits of multilateralism by involving a larger group of states. In addition to special interests, the FPPs may be marginalised in the international community to a degree that actually necessitates a ‘go-it-alone,’ such as Iran felt compelled to undertake in the Bosnian peace process. Despite the benefits of fellowship, one should keep in mind that the more actors an operation is composed of, the greater the challenges of co-ordination are.

The role of NGOs in either case should not be underestimated. There is certainly a significant difference between more established NGOs and those that have mushroomed in post-settlement areas, where there is substantial funding as in Bosnia-

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<sup>939</sup> Stedman (1997), p. 51.

Herzegovina and to a lesser extent in Angola. In the field of international security assistance, the NGOs' role in human rights monitoring has been the most important, and in many cases they have filled a vacuum created by the lack of monitoring mechanisms in a peace agreement.

A final word on relevant actors must be dedicated to the local counterparts. In both cases, the international community was faced with the challenge of building common security perceptions among former opponents. The Dayton Agreement acknowledged the discrepancies by establishing two entities. However, rather than bridging the gap between contrasting security perceptions, the creation of two entities and the quota arrangements that pervaded almost all aspects of the peace process, served to consolidate the division into three ethnic groups. In Angola, the merger of UNITA and the MPLA in the contexts of the FAA, the ANP, and the GURN was intended to meet both parties security concerns by invalidating the division. Unfortunately, here too practice proved different. When integration and demobilisation strategies were adjusted, they heightened rather than alleviated security concerns, particularly on the part of UNITA. Obviously, this fundamental short-coming of the international approach to the two peace processes and the parties involved in them, created an extremely difficult starting-point for international security assistance.

### **3 Peace Implementation**

To recall, the goal of international security assistance is to contribute to a heightened sense of security and to facilitate the long-term transition from war to peace. It is delivered in two predominant areas that coincide with the distinction into military and civilian security. In the following, international security assistance towards building military security will be discussed first, then the establishment of civilian security and the maintenance of law and order is addressed.

In both the fields of military and civilian security, a security sector reform is a critical element towards consolidating the peace process. Broadly defined, the security sector comprises the actors and structures that control the coercive power of the state. In particular, it includes the armed forces and police forces, as well as courts and

prisons. In the wake of a conflict, where these actors and structures are ill-defined or have extended the scope of their activity into other areas and the government or central authority is struggling to establish or maintain its legitimacy, a reform is essential to define spheres of responsibility and affirm civilian control over the security forces and structures.<sup>940</sup>

There are two underlying assumptions for international engagement: that structural changes need to take place in order to consolidate peace in the long run and that the international community can act as a catalyst in order to facilitate the implementation of change.<sup>941</sup> And yet, it is important to keep in mind throughout that all activities are essentially political when they are being put into practice.

### **3.1 Building Military Security**

Two major categories of tasks are relevant with respect to enhancing military security in the former conflict area: (1) demilitarisation, arms control and regional stability and (2) military reform. Although the underlying aim in both categories is moving the military option further out of the parties' reach by building confidence and increasing transparency, the activities differ widely in terms of their time perspective.

#### **3.1.1 Demilitarisation**

In the present study, demilitarisation is used as a superordinate concept that consists of the range of tasks discussed below. There are two predominant aspects of *demilitarisation*: First, there are the more or less specific tasks involved in demilitarisation, such as supervising a cease-fire or preventing outbreaks of violence, monitoring the withdrawal of foreign forces, demobilisation and reintegration, and disarmament and arms control. Second, demilitarisation refers to reversing the process of psychological militarisation that has taken place during the war or conflict. It entails moving away from a culture in which the threshold for violence is low and more concretely removing the economic and power incentives for continued war or

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<sup>940</sup> The description is based on the definition offered by Mats Berdal and Espen Barth Eide (1998) "Security Sector Reform and Development" (Discussion Paper for *NUPI/DAC Workshop on Security Sector Reform*, 20-1 August 1998), p. 2f.

conflict. The role of direct international security assistance to the psychological process is limited, but the international community can nonetheless support the transition through other development efforts, such as reconstruction of houses and infrastructure. The psychological process will also be promoted through the confidence-building inherent in demilitarisation. In both cases this transition was crucial for the population and the leaders in whom the war experience had instilled deep distrust.

Declaring a *cease-fire* is usually a formal prerequisite for signing a peace agreement. As mentioned above, at the very least there must be an absence of open fighting to even begin to speak of moving towards a state of peace. For the population, it is the first tangible indication of peace. Compared with Angola, the cease-fire in Bosnia-Herzegovina was in place for much longer before the agreement was signed. In neither case had cease-fires been a durable phenomenon. The peace agreements were necessary to confirm the ‘good faith’ of the parties, but the parties’ performance throughout the implementation phase remained the decisive element.

In practice, a cease-fire declaration is not clear-cut. On the surface the cease-fire can be uni-, bi- or multilateral, all depending on who agreed to the cease-fire, but in practice most peace processes involve a number of smaller groupings and spoilers that do not consider themselves subject to the cease-fire agreement. It is also unrealistic to attempt to include all factions, but it is important to identify the most pivotal ones and consider what effect their being left out of an official agreement may have on their support for the peace process. And yet, it is far from certain that all parties and factions wish to be included, as some may be unwilling to waive their right to use force where necessary to protect their security interests. Logically, the fewer factions the actual cease-fire encompasses, the less effective it will be. Moreover, the less effective the cease-fire or the more frequent the outbreaks of violence, the less secure the population feels and the slower the psychological transition from war to peace progresses. The international presence will have to take the degree of inclusiveness into account and adopt strategies that will limit the damage done by “outside” spoilers or excluded factions and/or integrate them into the peace process in other ways.

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<sup>941</sup> Lia (1998), p. 46f.

In a comparison of the conflicts in Angola and Bosnia-Herzegovina, the limits of the term post-conflict become clear. In fact, the Bosnian case is probably an exceptional one, in that violence largely ceased in the wake of the Dayton Agreement. To a significant degree, this was the initial work of IFOR, the force's credibility and actual capacity. Although the all-out civil war was suspended after the Lusaka Protocol was signed, the situation in Angola was still characterised by frequent outbreaks of violence. International security assistance was comparatively more successful in Bosnia-Herzegovina than in Angola, if only, as some argue, with respect to the fact that a relapse into war was avoided.<sup>942</sup> This achievement should not be underestimated as it provides the necessary breathing space for the parties to make the arduous and excruciatingly slow progress towards consolidating peace. Add to that growing freedom of movement, and the population had a chance to settle into a peaceful existence and begin to build a post-war life. This was an important factor for why Bosnia-Herzegovina did not slide back into war during the period studied, but it must also be qualified by the lack of progress on the return of refugees which made peace a hollow promise for a large share of the Bosnian population.<sup>943</sup>

International security assistance can contribute to widening the sphere of the cease-fire's application by acting as an impartial monitor that evenly registers and reports cease-fire violations. However, there is also the danger of generating excessive expectations with respect to the effectiveness of the monitoring force. In most cases, the force will either be consensual or not sufficiently large to act completely independently. Even IFOR at full strength could not guarantee absolute security. As a result, their activities could be curbed by the parties in order to manipulate the degree to which the force could actually impact the security situation. The initial period was critical for success: the overall assertiveness of IFOR rendered later use of force unnecessary. In contrast, the peacekeepers in Angola got off on the wrong foot, when they made deployment conditional on the prior cessation of hostilities. In that way, they missed the window of opportunity and tarnished their image for the duration of the operation.

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<sup>942</sup> International Crisis Group (1999b) *Is Dayton Failing? Bosnia Four Years after the Peace Agreement* (ICG Bosnia Project Report, 28 October 1999; <http://www.int...rg/projects/bosnia/reports/bh51repa.htm>), Conclusion, 2.

<sup>943</sup> After all, the continued displacement of refugees undermines the goal of a multi-ethnic society and is the most visible symptom of persistent ethnic tension.

A cease-fire is also more difficult to monitor, the more intricate the territorial distribution of contested territories. Clearly, the IEBL was far easier to patrol than monitoring the expanse of Angolan territory. As absolute control by the international community is impossible and maybe not even desirable, third-party actors must act decisively and consistently, where violations are observed and must do so impartially, creating a presence where there is no actual physical presence and creating expectations of a response. Actions must become calculable to the degree that spoilers will not wish to challenge the international presence. Cease-fires in civil wars are often accompanied by an amnesty for members of the insurgent movements. This is an especially important confidence-building measure in peace processes where the international presence is insufficient to deter a resumption of violence.<sup>944</sup> No such arrangements were suggested in the Angolan case.

With respect to the *transfer of territory* and the *withdrawal of foreign forces*, it is important to keep in mind that these are often gradual processes in which authority is handed over bit by bit and that continue long after the immediate post-settlement phase. Although partition was politically excluded as an option in both Angola and Bosnia-Herzegovina, it is important to recognise that ethnic divisions and an inability to fulfil its responsibility on the part of the central government is a dangerous mix. Enriquez argues that “[s]tates with diverse national groups or extreme regional divisions will not necessarily split, but the trend is in this direction, particularly for those that cannot deliver economic and personal security.”<sup>945</sup> Similar to the control of security forces, control over territory is a powerful tool and therefore an extremely sensitive issue. Particularly in peace processes that entail a significant amount of negotiation in the implementation process, parties will be unwilling to relinquish their hold over disputed territory and give up a potential ace in future talks. Although territorial questions were largely settled in both the Dayton Agreement and the Lusaka Protocol, territory remained a pressing issue. In Angola, the dispute was of course explicit and linked to political control. With the exception of Brcko, the struggle over territory in Bosnia-Herzegovina continued implicitly in the arduous process of repatriation and minority return. In the same way, Brcko functioned as a major bargaining tool for the international community vis-à-vis the parties in Bosnia-

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<sup>944</sup> For an account of the cease-fire and partial amnesty in the Oslo peace process, see Lia (1998), pp. 48-50.

<sup>945</sup> Juan Enriquez (1999) “Too Many Flags,” *Foreign Policy* 116/1999, p. 48.

Herzegovina. International security assistance to the transfer of territory has to make an effort to thoroughly grasp the role of territory and recognise its implications for the parties' security. In most cases, territory is also a centre of gravity for the parties and should be used as such to a greater extent to apply pressure in cases of non-compliance.

*Demobilisation and reintegration* are possibly the greatest challenge in demilitarisation and the two cannot be reviewed in isolation from each other. Demobilisation involves a clear risk to the warring parties' that are asked to dismantle their military organisation in times of insecurity. In that sense, "[d]emobilization after armed conflict is usually as much a political as a technical exercise."<sup>946</sup> Different measures and assistance from the international community can mitigate the fears of the parties. Nevertheless, as Walters points out "demobilization can be postponed or it can be implemented incrementally and reciprocally, but it cannot be avoided."<sup>947</sup> In Bosnia-Herzegovina cuts were achieved evenly and early on, but a longer-term reduction process would continue for years to come. In Angola, demobilisation became increasingly uneven, following the change of strategy that forced UNITA to undertake one-sided cuts. In both cases, the willingness to demobilise both reflects and is a product of the security environment and the level of trust between the parties.

Once quartered, the task is to successfully transfer former combatants from their war existence into civilian life. Despite the difficulties, reintegration is crucial and the destabilising effect of demobilisation *without* reintegration increases over time, as patience runs out and disillusionment with a better peaceful future sets in. Reintegration needs to take place in at least two areas, in the economy and in society. In countries, such as Angola, where war had affected more than one generation of Angolans and the population suffered great poverty, it was understandably difficult to reintegrate the large number of demobilised soldiers into society. The fabric of society had suffered greatly under the influence of the war and was unlikely to stand much social or economic strain. The Bosnian economy was no stronger and the society's openness was to a large extent conditioned by ethnic affiliation of the returnees or former combatants, reflected in the small number of minority returns.

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<sup>946</sup> Robin Luckham (1995) "Dilemmas of Military Disengagement and Democratization in Africa," *IDS Bulletin* 26(2), p. 58; Spear (1999), p. 7.

<sup>947</sup> Barbara F. Walters (1999) "Designing Transitions from Civil War. Demobilization, Democratization, and Commitments to Peace," *International Security* 24(1), p. 136.

Essentially, all peace processes face similar challenges of reintegration. Since reintegration is such a comprehensive task and is dependent upon progress in other areas such as economic reconstruction and political and social reconciliation, it is difficult to pinpoint the role of international security assistance.<sup>948</sup> Still, it is worth pointing out that demobilisation and reintegration are usually more easily achieved when included in a peace agreement. In those cases, the challenge of defining the force strength necessary to meet each party's security needs, has been tackled before the implementation process begins, removing a potentially disruptive issue from further negotiations. The more active the international community is in supporting reintegration efforts addressing the needs of former combatants, the lesser the chances for extremist factions to re-attract them into paramilitary or other spoiler groups. The recommended follow-up does not necessarily lie within the realm of international security assistance, but other international efforts need to take over seamlessly. Once again, Angola demonstrates how easily soldiers were re-recruited by UNITA, shortly after registering as demobilised, when no immediate way forward into a peaceful existence emerged for the former combatants. Similarly, the Bosnian case indicates that reintegration can be temporary and conditional in anticipation of future developments, with frustration straining the fragile balance below the surface.

Both Angola and Bosnia-Herzegovina were plagued by blurred distinctions between military and civilian security forces and the existence of a wide range of official and unofficial para-military groups. Diverting military security forces into police or unofficial forces' ranks was common in both cases as a means to avoid full demobilisation. Although the situation differed slightly in the two countries with respect to the degree that the forces were official and uniformed organisations, they remained on the payroll and loyal to their political leaders in both cases.

In some conflicts it may be hard to identify the group that should be targeted for demobilisation and reintegration, encompassing outright combatants, members of paramilitary forces, former detainees and prisoners, returning refugees and displaced persons, in short, many of which are easily lured back into renewed fighting.<sup>949</sup> For the more or less "civilian" population that is not to be demobilised, the demobilisation and reintegration of the "forces of war" symbolise the end of open hostilities, the

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<sup>948</sup> Kees Kingma (1996) "The Role of Demobilisation in the Peace and Development Process in Sub-Saharan Africa: conditions for success" (Paper prepared for the *International Workshop on Disarming Ethnic Guerrillas Project*, Peace Research Institute Oslo: Oslo, 17-18 February 1996), p. 4.

referral to non-violent conflict management mechanisms and the transformation of the war machine or armed opposition force into a reduced peace time organisation. In Angola, it also entailed rampant criminal gangs that in turn underscored the incapacity of the police.

The rationale for *disarmament* is the exchange of arms for political benefits. The speed of disarmament both in absolute terms and relative to the other tasks in implementation has been much discussed, particularly with respect to the instability that can easily arise with rapid disarmament. On the one hand, there is obviously a need to reduce the number of arms available as soon as possible following the agreement. On the other hand, removing the population's and the armed factions' security fallback before government institutions are capable of protecting them, introduces insecurity and instability and increases the chances of outbreaks of violence occurring.<sup>950</sup> Thus, premature disarmament can be dangerous, when the parties cannot retain fail-safe or residual forces during the transitional period as an insurance policy should the peace process fail.

A similar point has been raised by Fred Tanner who argues that instead of mandating immediate demilitarisation and demobilisation, the peace arrangements should strive towards a controlled and transparent military adjustment process that allows the various parties to retain fail-safe or residual forces during the transition period.<sup>951</sup> The peace accords should preferably include a number of CBMs and reassurance measures short of disarmament, as integral parts of the peace settlement, and external parties should provide security guarantees and encourage the opponents about their future.

Although helpful in understanding the challenges of disarmament, the debate skirts another issue. The level of arms will to a certain extent be irrelevant, as long as there is a genuine interest in peace and as long as the parties feel secure and confident in the process, so that they will not feel the need to fight. Moreover, it is impossible to

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<sup>949</sup> Lia (1998), p. 74.

<sup>950</sup> Barbara F. Walters (1997) "Critical Barrier to Civil War Settlement," *International Organization* 51(3), p. 362. Walters even suggests that stability may be enhanced if parties were allowed to retain some arms in the initial stage of implementation. Similarly, C. Smith argues that disarmament is a precondition for rebuilding civil society, but he also points to the need for a security guarantee. In the best case scenario, i.e. if the security guarantee were effective, disarmament would be virtually irrelevant. Christopher Smith (1996) "Light Weapons and the International Arms Trade," in Smith et al (1996) *Small Arms Management and Peacekeeping in Southern Africa* (UNIDIR Disarmament and Conflict Resolution Project, United Nations: New York/Geneva), p. 39, 58f. For a comparison with the peace process in Mozambique, see C. Smith (1996), p. 31-7.

<sup>951</sup> Tanner (1998), p. 9.

disarm completely and in one fell swoop, and to control the flow of arms in small spoiler groups. Similarly, it has generally been accepted that arms are the symptoms, not causes of conflict. Arms, however, are the instruments of waging wars and they can fuel conflicts once they are made available. Instead of solely relying on disarmament by external actors, local mechanisms must be developed to deal with the presence of weapons in society, both in spoiler and in criminal circles, such as establishing an effective local police force and developing a local consensus to disarm. Spear also points to the socio-cultural role of guns in different societies, which calls for sensitivity, and she indicates that complete disarmament cannot be an absolute requirement.<sup>952</sup> A tradition for carrying arms in the Balkans is a case in point.

In both cases the economic value of arms was an important factor and reflected the extent of achievements in confidence-building. Whereas the peace process in Angola never progressed to the point where the benefits of peace outweighed the value of the weapon in the perception of the former combatants, the Bosnian population was to some extent willing to relinquish their arms and the short-term cash benefit for stability and security in the long-term. Still, even in Bosnia-Herzegovina small arms remained widespread, particularly in the growing criminal sector.

The above reservation does not disqualify all efforts to disarm or the utility of disarmament as an integral part of demilitarisation. Moreover, when one party retains arms, as an insurance policy, it can trigger a security dilemma that almost inevitably leads to renewed hostilities. When disarmament can be carried out successfully, it can indirectly enhance the local law enforcement capacity, and reduce the business aspect of arms and the financial gain from possessing and dealing in arms, which — apart from contributing to the individual's lack of security in general — often undermines buy back programmes and weapons amnesties. Disarmament is simultaneously a product of and a catalyst for confidence-building. As with other security assistance programmes, disarmament must be a self-sustainable process, driven by local forces, supported by a local consensus. External actors can support this process through various activities that increase transparency, as well as provide practical assistance.<sup>953</sup> For example by disarming former warring factions, external actors remove significant pressure from the parties themselves. They, in turn, must justify any deconstruction of

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<sup>952</sup> Spear (1999), p. 3.

<sup>953</sup> Spear (1999), p. 16, 19.

their own security network, such as surrendering arms, to their constituencies and to the rejectionists in their ranks. Another area for third-party actors is the use of intelligence agencies to monitor local disarmament efforts.<sup>954</sup> But again, the long-term control of arms, especially small arms, must come as a result of local efforts.

*Arms control and regional stability* differ from disarmament in that the latter usually has a shorter time perspective and involves a narrower set of actors than the former. It should also be distinguished from the concept of military reform which aims at restructuring the personnel aspect of the armed forces, unlike arms control which concentrates on military equipment. Although arms control is seldom a part of the peace agreement that is to be implemented, it is always a part of the context of implementation. Both cases, but particularly the Lusaka process, have demonstrated that disarmament is futile unless parallel regional arrangements to control the arms flow are established.<sup>955</sup> Reaching agreement on arms control measures and regional security arrangements is critical for the long-term consolidation of a peace process, in that it promotes confidence between the parties and confidence in the peace process. In addition, arms control talks draw in neighbouring states that are not necessarily signatories to the peace agreement between the parties to the conflict, creating a regional setting that is characterised by stability and transparency. Moreover, should tensions rise within the wider area of conflict, the temptation to return to open conflict will be reduced at lower and equal arms levels that render no party obviously superior. Similarly, even arms constraints are easier to bear when all parties are subjected to them equally.

Third-party actors can facilitate the arms control process by offering mediation in a negotiation process, assist with technical assistance for the creation of security control regimes, offer security guarantees for a certain regional order, and promote military co-operation between former adversaries. In this study, the concept of international security assistance was distinguished from traditional notions of security assistance, such as provided to insurgent guerrilla movements, but the traditional notion is not obsolete. On the contrary, Bosnia-Herzegovina and much more so Angola have received significant amounts of traditional military support, in the shape of cash, arms, and military training. The failure to control the regional context also

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<sup>954</sup> The CIA's role in monitoring the Palestinian Police Force's disarmament efforts is a case in point. See Lia (1998), pp. 72, 89-92.

<sup>955</sup> Spear (1999), p. 4.

allowed the economic aspects of the arms flow to flourish.<sup>956</sup> Thus, international security assistance can be counterproductive, when it takes the form of supplying weapons to one or more parties to the conflict. While this may also serve to build a framework for an arms control regime by creating a balance of power between the parties and by linking the parties' military forces to external parties and agreements, the damaging effect of a continued inflow of arms clearly outweighs the potential benefits.<sup>957</sup>

It is also a risky strategy in that it will be difficult for the international community to control the process. Instead, it is likely to and did develop its own dynamic in the Angolan case, with powerful spoilers emerging in the arms trade. The inability of the international presence to enforce the embargoes effectively and undercut the arms deliveries to the parties rendered peace unsustainable in the end. Although no agreement was reached on the sub-regional arms control regime in the Balkans, Bosnia-Herzegovina attained a level of transparency in the military realm that somewhat mitigated the potential threat that arose with another party's military capability. In contrast, a regional solution was not systematically pursued in Angola. The MPLA and UNITA were engaged in a continuous arms race in which all international security assistance was ineffective in countering the threat perception, as it did not have the capacity and credibility to measure up to the level of distrust between the two parties. Therefore, it could not provide the necessary security guarantees to halt the arms race which essentially spiralled out of control and contributed to the resumption of hostilities by late 1998.

Bosnia-Herzegovina exemplifies the scope of international security assistance to the establishment and fulfilment of an arms control agreement very well. The international community was instrumental in bringing about agreements and functioned as the guarantor for the other parties' compliance. The latter form of international security assistance required a substantial military contribution to provide intelligence support, to supervise and exercise pressure, and to actually destroy equipment. Aside from a significant increase in confidence between the parties, the

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<sup>956</sup> Spear (1999), p. 4.

<sup>957</sup> The hotly disputed Train and Equip programme reflects both sides of the argument: While opponents rejected the delivery of arms into a former conflict area, advocates argued that there was no danger as long as deliveries were within accepted agreement limitations and third-parties monitored compliance. In an attempt to maintain a regional security environment conducive to the continuation of the peace process, the international community has also been engaged in non-proliferation efforts in the

process in Bosnia-Herzegovina actually signified substantial respect for and trust in the powers of the international community and their willingness to use them. It is impossible to assess how susceptible the country would have been, had it been equally rich in resources as Angola.

Despite the remaining instability in the region, the value of the negotiation process or the dialogue in itself and its contribution to transparency and confidence should not be underestimated in Bosnia-Herzegovina. And yet, both cases underline the need for more progress in resolving the core political conflict before a regional security order can be established.

Working towards greater *freedom of movement* is another crucial aspect of demilitarisation. In contrast to tasks such as transfer of territory or the withdrawal of foreign forces for which specific time tables may be set, freedom of movement has no set deadline. Given that the promotion of freedom of movement covers an indefinite time span, it appears advisable to transfer the responsibility into local hands. Yet, the potential for the parties themselves to abuse their control became abundantly clear in both Bosnia-Herzegovina and Angola. Manipulation took place at very local levels at individual check points in Bosnia-Herzegovina. Although violence may not have been used as strategically in Angola as in Bosnia-Herzegovina, it was more widespread and random violence and put a severe damper on freedom of movement. In both cases, changes in and manipulation of freedom of movement affected economic activity; not to mention the repatriation of refugees. International security assistance to supervise that freedom of movement is observed proved largely effective in Bosnia-Herzegovina, where illegal checkpoints were relentlessly removed, but not so in Angola, where the landmine plague added to the problem of outright hostilities. The discussion of freedom of movement also indicates the limitations of international security assistance. Despite the relatively effective international supervision in Bosnia-Herzegovina, instances of harassment where they did occur had a disproportionately large impact on the population's sense of security.

The need to focus on the entire range of tasks to enhance demilitarisation early on in the peace process is pressing. In addition to the military necessity of supervising the flow of arms and personnel, it has a symbolic value in that it demonstrates to the population that a transition to a more peaceful society is taking place and thus

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Middle East, such as preventing regional actors from obtaining particularly threatening weapons. Lia (1998), p. 100.

increases their confidence in the peace process. The need to begin this process early does not necessarily mean that it will be completed early on. Particularly the supervision of military activity and reintegration will continue far into the peace process, albeit at a far lower and, ideally, at a steadily decreasing level of international activity. The international presence is valuable when it can represent an impartial judge on progress and compliance. Particularly in the immediate aftermath of the war, it serves to overcome the barriers created by a complete absence of trust between the parties and to highlight progress where changes are marginal and steps hardly visible.

### 3.1.2 Military Reform

In contrast to some tasks within demilitarisation, military reform is a long-term process. It is dependent on the provisions of a peace agreement as well as on the military power structures at the time the agreement was reached. Given that the peace agreement allows for a reconstituted armed force, the military reform process can be sub-divided into four constituting processes: reorganisation, vetting, re-education, and submission to civilian control. All four processes are equally important and mutually dependent on one another. Still, one or more of the processes may be paid especial attention; all contingent upon the nature of the conflict and the parties' military apparatus.

(1) The *reorganisation process* aims at transforming armed forces from a war-to a peacetime organisation. This involves the reduction of forces, as well as restructuring. This is especially relevant in societies that have suffered an internal war, where the opposing forces are to be integrated into one joint structure, such as in Angola and in Bosnia-Herzegovina. Still, Bosnia-Herzegovina was a mixed bag in that there was both the formation of a joint Federation force and the reform of the Bosnian Serb force. In general, the reduction of forces in Bosnia-Herzegovina was progressing, but the military forces and budget was still inflated, tying up funds that could otherwise be used in reconstruction. Characteristically, the reorganisation process also attempted to distribute commanding staff positions among members of the former contestants. In Angola, that integration tended to be temporary with generals pulling out of the joint force, whenever the conflict revived. As a result, no real merger of forces took place. Similarly, despite increased understanding among officers within the Bosnian Federation, co-operation was tenuous at best and, as of

late 1998, a working uniform staff and a force that could conduct joint operations had not been created.

In the context of reorganisation, international security assistance can take the shape of good offices to support reaching agreements on force levels and composition and of direct planning assistance. Furthermore, in both Angola and Bosnia-Herzegovina, the international community served as an impartial observer that verified compliance with restructuring plans.

(2) The so-called *vetting process* is a long-term selection process which in some ways can be regarded as a continuation of the demobilisation process. In the vetting process, either the force itself or international actors providing security assistance systematically review the quality of the armed forces' staff. The criteria for the "new and improved" force should also be reflected in criteria for the selection or recruitment of new staff members. The predominant role for the international community in support of the vetting process consists in advice on the criteria of qualification and, in extreme cases such as Bosnia-Herzegovina, also in the actual assessment of individual candidates.

(3) The *re-education process* is directed towards promoting a mindset of co-operation and particularly of multi-ethnic consciousness. Again, this is particularly true of re-education in the wake of an internal conflict, but overcoming the war mentality and re-defining the 'enemy' is critical to developing an armed force that serves peace rather than individual power holders' propaganda and is relevant in the aftermath of any conflict. The re-education process consists of developing new doctrines and staging courses for officers, on human rights or quite simply on military strategy. Aside from the content of the re-education efforts, the act of undergoing the process in itself, promoted understanding and co-operation among military officers in Bosnia-Herzegovina and furthered multi-ethnic coexistence. In Angola, the MPLA was extremely concerned about infringements of its sovereignty which presented a difficult starting-point for the international effort. Still, there was a clear opportunity to take a moral stand and establish standards of legitimacy for Angolan security forces, that the third-party actors could have pursued more forcefully.

(4) Placing the armed forces under *civilian control* is crucial to building lasting peace. Luckham argues that "there can be no transition to, still less consolidation of, democracy [...] unless military and security establishments are brought under some

kind of democratic control.”<sup>958</sup> In Bosnia-Herzegovina, placing the military force under civilian control was made an obligation under the Dayton Agreement, which resulted in the establishment of the Standing Committee on Military Matters (SCMM), the co-ordinating mechanism of the presidency and the joint forum for the two Bosnian armed forces. Although creating the necessary institutional structures was a first and essential step, the bodies’ effectiveness remained contingent upon both how ‘orderly’ conditions were on the ground, as well as on the political climate in the government institutions, to whom the forces were to be loyal. Similarly, the SCMM in Bosnia-Herzegovina was too dependent on practical or ‘operative’ conditions to be overly effective. Still, civilian control contributed to increased transparency, confidence-building, and thus co-operation across Entity borders. As well as being a matter of necessity, the processes of political integration in the GURN and military integration in the FAA were deliberately linked in Angola. Similarly, both parties tied concessions in one area to progress in the other. Although the need for a legitimate and ‘multi-ethnic’ government was undeniable in the process of establishing effective civilian control over security forces, the insistence on linkage also acted as a ball and chain for the peace process as a whole.

In a peaceful society, discord is managed through non-violent mechanisms. In a war-torn society, the population may be hesitant to submit to these mechanisms from the outset. Moreover, the referral of disputes to non-violent conflict management mechanisms will only succeed, when the military is independent of the different sides to the dispute and not susceptible to escalating the quarrel into open fighting on behalf of one of the parties. If it is not, the result is a split into opposing factions, reversing the integration process and leading to the return to full-blown civil war.

Here, the role of international security assistance is limited as the effective placement of the armed forces under civilian control is so dependent on the political context. The international community can assist in designing and establishing structures that ensure civilian control, such as training civilians in overseeing the military sector, establishing parliamentary control of the military budgets etc., but the success of these measures, i.e. effective civilian control, can only truly be assessed on the basis of performance over time. There is a window of opportunity in the immediate aftermath of the agreement to excise lasting change in the military forces

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<sup>958</sup> Luckham (1995), p. 56.

of the opposing parties, when third-party actors have the potential to oversee and inspire reform. Multilateralism in this context strengthens the belief in the impartiality of the international presence and in the universal validity of the values it promotes. In that way, it is critical as security and the shape and control over security functions are seen as vital concerns by the parties.

### 3.2 Establishing Civilian Security

A neglected but crucial part of peace processes around the world is a reform of the civilian security sector, frequently labelled “rule of law”-programmes. There has often been a tendency to treat the civilian security sector reform as a largely technical task and to sideline its political implications. However, reforming the rule of law is an inherently political process that is crucially dependent on the political context, and a firm commitment on the part of the political authorities if it is to succeed. The case studies in this thesis demonstrated that the tasks and the overall political setting have profound implications for the civilian security sector. Both were characterised by public endorsement, but little action. Especially in Bosnia-Herzegovina it proved difficult to break the ethnic mould that all structures at the political level reinforced, despite the overall goal of multi-ethnic coexistence. In Angola, control was more one-sided, in that there was one official civilian security sector, in addition to the informal one in UNITA-held territories, whose existence was essentially not acknowledged nor explicitly targeted for reform.

Civilian security sector reform has three component processes: a structural reform and a behavioural reform of the police and security forces, and a reform of the judicial and penal system.<sup>959</sup> The police perhaps has the most immediate impact on the public perception of law and order, but judicial and penal reform are equally important for the sustainability of the system.

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<sup>959</sup> Both researchers and practitioners have moved a significant step towards acknowledging the link between the police, the judicial and the penal system. See for example Espen Barth Eide, Annika S. Hansen, and Brynjar Lia (1999) *Security Sector Reform as a Development Issue* (Room Doc. #7, OECD/DAC Task Force for International Peace and Development, Paris, 2-3 June 1999), Robert B. Oakley, Michael J. Dziedzic and Eliot M. Goldberg (eds)(1998) *Policing the New World Disorder: Peace Operations and Public Security* (National Defence University: Washington D.C.), and Nicole Ball with Tammy Halevy (1996) *Making Peace Work* (Policy Essay No. 18, Overseas Development Council: Washington D.C.).

(1) The *structural reform* process is similar to the reorganisation process in the area of military security, in the sense that the police and internal security apparatus are to be reduced to a sustainable and appropriate level. In other peace processes, such as Haiti and Gaza and the West Bank, a brand new police and security apparatus was to be created. In all cases, the security sector should ideally be placed under civilian and democratic control, a task which is extremely difficult since control of the police and the internal security apparatus is one of the most important means of coercive power of the state. The experience from Angola and Bosnia-Herzegovina underlines another aspect of structural reform that is relevant in a variety of cases, namely the need for a single uniform police force rather than a range of paramilitary organisations with varying allegiances. Popular confidence in the security apparatus presupposes a certain amount of predictability in the actions of the security forces and thus requires their allegiance to the general public rather than any one party. In this connection, one should keep in mind the need for continuous dialogue, combined with diplomatic pressure on the political authorities, to facilitate the reform process through democratisation. Several cases demonstrate the futility of rule of law and human rights programmes as long as the structural issues of division of power between the legal, executive and legislative branches and civilian democratic control of the state's coercive powers are left in abeyance.

There is a direct link between the military and the civilian security sector, particularly regarding the demobilisation and reintegration processes, as many former combatants and army officers join the police forces, as was the case in Bosnia-Herzegovina and in Angola and in most other peace processes. Moreover, the Angolan National Police acted and was equipped along the lines of a military force, further weakening the distinction between civilian and military security forces in Angola. The crossover features of the Angolan police were insufficiently taken into account by the international community, when designing the reform programme in the civilian security sector. Instead, it was simply accepted that the ANP was a police force, although – in practice – it was so in name only. The presence of large numbers of former combatants, many of whom may have been involved in war crimes or human rights abuses during the civil war, seriously undermined the population's perception of the police force as a "public service institution" in both Bosnia-Herzegovina and Angola. Instead, the police was still viewed as a representative of the government in Angola and the protector of a given ethnic group in Bosnia-

Herzegovina. The link between military and civilian security sector reform was also apparent in the increasingly close co-operation between SFOR and the IPTF in Bosnia-Herzegovina, where SFOR provided IPTF with technical assistance on checkpoints, and furnished IPTF with information, surveillance, support, and protection. In addition to conducting joint inspection of police stations to confiscate illegal arms, IPTF and SFOR also co-operated in dismantling Special Police Forces in Republika Srpska.

Again, drawing comparisons to the military reform process the police force must also undergo a profound vetting process in which unqualified or undesirable officers are removed from the force. Moreover, the experience in both Palestine and Haiti has shown the difficulty of building a new police force from the ground up, where the absence of a layer of experienced officers, that might otherwise have provided role models, had negative effects on newly-educated young officers that lacked on-the-job guidance. Although the ANP had existed for a considerable length of time, it had not acted as a civilian police force and lacked the same kind of experience. When too many former military personnel are incorporated into the police force, there is also a danger of a “militarisation” of the police in outlook, tactics, training, equipment, and self-image. Although the international community can take on an extensive role in the selection of officers, as in the case of Bosnia-Herzegovina, the internalisation of new doctrines and their instinctive translation into active police culture and work takes time and may well require an entire generation of “naturally grown” officers which, in turn, depends on future recruitment practices. In this context, the role of local and international NGOs in monitoring the performance of the new security sector, especially in the field of human rights becomes increasingly important.

(2) In line with the re-education of the armed forces, *behavioural reform* in the civilian security sector is directed towards developing respect for human rights within the police force which in turn is crucial for inspiring the population’s confidence in their personal security and thereby for consolidating peace. Only when the people have once again learned to surrender the protection of their personal security into government hands, such as trusting the local police force, will a peace process take root.

The difference between these component processes becomes clear when one reviews the performance of ethnically mixed patrols in Bosnia-Herzegovina.

Although the structural reform, i.e. placing policemen of various ethnic backgrounds in the same police car, was a manageable challenge, getting the policemen to interfere against members of their own ethnic group, i.e. the behavioural reform, proved far more difficult. A complicating factor were the informal ethnic command structures that provided a parallel disciplinary system that was at odds with the democratic standards of policing promoted by the international community.

The range of security assistance to the reconstruction or the establishment of a police force is wide. The most frequent assistance on the ground is the provision of civilian police monitors that, in different peace operations, have mandates that allow for varying degrees of involvement. The civilian police monitors in Bosnia-Herzegovina joined local police patrols, gave advice, assisted in the development of doctrines and police academy curricula, and supervised the execution of police duties to the extent that arrests, police reports and similar processes were closely surveyed. In contrast, the role of police advisors in Angola was largely limited to a monitoring role. Even after the transition to MONUA, training appeared somewhat futile, while the bulk of the police force was off conducting military campaigns.

When international monitors are unarmed, which is usually the case, a curious dynamic develops in their relationship with the local counterparts. The manner in which the international monitors execute their tasks, leaves the sovereignty of the local police officers in tact on the surface and thus makes it easier for them to accept both advice and practical security assistance from the international community. However, as the Angolan experience showed, there was another pitfall that had to be avoided: By not condemning the ANP's activities to a greater extent, the external actors compromised their own moral message and damaged their credibility.

In addition to the external assistance that is directed towards improving the performance of the local police force through training, the international community has provided invaluable support to the establishment process by supplying uniforms, vehicles, means of communication, various police equipment and has sponsored educational facilities. On the one hand, this contributes to the air of professionalism that the local police depends on to establish their authority. On the other hand, uniforms, vehicles, police equipment, forensic science laboratories, etc. enhance the ability of the police forces to undertake their tasks in accordance with international recognised human rights norms, as it improves the police's ability to produce technical evidence and lessens their dependence on producing a confession from

suspects. The international community also supported the reform process by developing a transitional international payment mechanism for police salaries, such as for the Palestinian Police Force (PPF), in order to avoid a breeding ground for corruption and to increase the accountability of donor funding. In Haiti, the international community supported the government in drafting sustainable budgets for the security sector.

(3) The *reform of the judicial and penal system* is the counterpart to the reform of the police force and a critical component of the civilian security sector and the maintenance of law and order. For a long time, assistance to the judicial and the penal system were regarded as separate from the establishment of a police force, a view that was reflected in the manner in which the international community approached civilian security sector reform. Accordingly, the legal assistance that was provided in post-settlement reconstruction tended to be the result of unilateral initiatives and was seldom linked to the civilian police monitors that were dispatched under UN auspices. This has changed, however, and the rule of law has become one of the buzz words in peace implementation. Its application and popularity in the context of post-conflict and other transitional societies was triggered in part by the experience of the UN Transitional Authority in Cambodia (UNTAC) and led to the proposal of a UN “justice package” to accompany peacekeeping and post-conflict peace building operations.”<sup>960</sup> Cases such as Haiti, El Salvador, and to a lesser degree Bosnia-Herzegovina – where work on the court system almost appears to be an afterthought in civilian security sector reform, have contributed to the realisation that police, judicial, and penal reform are closely interrelated. The judicial systems in both Bosnia-Herzegovina and Angola were plagued by a myriad of problems. The situation in Bosnia-Herzegovina had finally stabilised to the degree that more comprehensive judicial reform programmes could be initiated, but in Angola there were too many fundamental needs to be met and too little excess capacity to get extensive judicial reform programmes off the ground.

International security assistance in this area often includes a supervisory and advisory role, such as monitoring court activity, surveying prisons, following legal procedures to ensure their correctness and fairness, and advising local members of the

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<sup>960</sup> Rama Mani (1998) “The Rule of Law or the Rule of Might? Restoring Legal Justice in the Aftermath of Conflict” (Paper prepared for the *Third Pan-European International Relations Conference*, Vienna, 16-19 September 1998).

legal profession. Due to the fact that the legal teams in a mission are often sent by professional organisations rather than by an international organisation along the lines of the UN, it is difficult to extend their mandate beyond the said advisory role. However, this appears to be changing as a wide range of international actors, including UN agencies, the OSCE, the EU, the OAS, the OAU, the World Bank and aid agencies such as USAID, CIDA and international NGOs are increasingly devoting more attention and resources to rule of law programmes in the context of post-conflict peace building.<sup>961</sup> In an effort to counteract a potential lack of legitimacy in Bosnia-Herzegovina and also to benefit from IPTF's intimate knowledge of the civilian security sector, the UN civilian police monitors were assigned the tasks of reviewing court activity, by merely reinterpreting their UN-mandate. As with the unarmed civilian police monitors, the non-threatening stance of the legal advisory teams allowed them to exercise influence beyond their actual authority. Despite the fact that the number of actors has risen, particularly among NGOs, sponsors of judicial reform programmes are still few and efforts at civilian security sector reform remain short of funds in virtually all peace support operations; where they are included.

Assistance to penal system reform is an even more sensitive issue than aid to reform police forces, and the criticism that has been levelled against aid programmes for improving prison conditions in Rwanda and Cambodia may have been a deterrent for donor countries in this field. In the West Bank and Gaza only one donor country, Norway, was willing to support reform efforts in this sector.<sup>962</sup> Clearly, in conflict areas where the standard of living is low, where the prisons are filled with war criminals and collaborators, there may be little local support for aid efforts aiming at improving conditions for inmates. From a human rights viewpoint, however, prison reforms are vital for the simple reason that prisons usually are one of the main stages for human rights abuses, and such abuses undermine the tedious process of building confidence in the post-settlement society. The horrendous prison situation in Angola is a case in point, where a mental transition towards regarding prisons as a legitimate tool of the state – on behalf of society – will be a long time coming.

Above all, security sector reform needs to be comprehensive and co-ordinated through a coherent strategy for structural, technical, and behavioural reforms. It must

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<sup>961</sup> Mani (1998).

<sup>962</sup> UNSCO (1997) *Rule of Law Development in West Bank and Gaza Strip: Survey and Status of the Development Effort* (Gaza, July 1997).

be closely tailored to the political negotiation process in the post-settlement period; rule of law assistance and security sector reform programmes will be futile without a political and legal framework, including a clear and unambiguous commitment on the part of the political leadership to democratic and power-sharing rule. As long as each of the competing parties had an own ethnic informal security structure, as in Bosnia-Herzegovina and Angola, they had no need to develop a nation-wide alternative. This argument is self-defeating in a multi-ethnic society-to-be. It is a major challenge for third-party actors to sell civilian security sector reform and to influence the parties' perception of their costs and benefits. Therefore, programmes also have to be tailored to the specific needs of the society in question. Extensive one-size-fits-all strategies are bound to fail as the needs and absorptive capacity vary indefinitely among cases.

#### **4 Co-ordinating International Security Assistance**

Despite the challenges of co-ordination that increase proportionately with the growing number and type of actors involved, it must be emphasised that division of labour and the distribution of costs onto several shoulders is a good thing. Control over the security sector is a pivotal part of a state's sovereignty. As a result, external intervention in this sensitive area greatly benefits from multilateralism and the distribution of responsibility. Indeed, the more profound the international involvement in the reorganisation of the security sector, the greater the need for multilateralism. Whereas the demilitarisation component of international security assistance, ranging from cease-fire monitoring to disarmament and demobilisation, are likely to be placed in the hands of large organisations, such as the UN in Angola or NATO in Bosnia-Herzegovina, military and civilian security sector reform has witnessed the advent of a host of new actors. The most prominent among these are NGOs and bilateral arrangements, as well as private security companies.

However, two caveats arise with the involvement of multiple actors: the organisations or actors need to be suitable for the tasks they take on, in terms of resources and organisational capacity, and they need to co-ordinate their activities. The implications of inadequate co-ordination, such as the fact that some measures may duplicate, overlap or counteract each other, are all too obvious, and yet,

considerations of these implications are sadly absent in the planning stage of most peace support operations. Thus, the challenge in contemporary post-settlement missions not only lies in the sheer number of actors involved, but in the fact that roles are not clearly defined at the outset.<sup>963</sup> With regard to the relationship between the military and civilian bodies, Goodman has argued that the military should not engage in activities that might just as well be executed by other, civilian groups. The same may be argued with respect to international security assistance.<sup>964</sup> Similar thinking marked external assistance to demobilisation and reintegration in Angola, where it was argued that the transition to civilian life would be accelerated by allowing civilian organisations to take the lead.

That is not to say that each of these actors did not contribute to the peace process, but it is crucial that their actions be co-ordinated. Apart from the obvious concern of optimal use of limited financial and personnel resources, co-ordination aims at avoiding abuse by the parties to the peace process. In contrast, effective co-ordination increases the third parties' ability to exercise pressure on parties, for example by requiring multi-ethnic co-operation as a precondition for aid. Co-ordination is critical in spoiler management, where the predictability and consistency among external actors is a major factor in rendering pressure effective. Ideally, co-ordination reduces costs and increases effectiveness due to greater complementariness of individual actors' contributions and due to the increase in credibility that is a result of the international community speaking with one voice. Especially with regard to security guarantees, Walters argues that a "guarantee will only be as effective as the political will of its backers."<sup>965</sup>

In Bosnia-Herzegovina, there was initially little co-ordination and local parties exploited the lack of co-ordination. In the course of implementation, however, the international community arrived at patterns of co-ordination in which a credible threat could be made in cases of non-compliance. To an increasing extent, third-party actors stood as one in late 1998, with the same professed goals, the same approaches, and the

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<sup>963</sup> The competition for funds from international organisations does not contribute to transparency of efforts and co-ordination. Quite often a project might depend on keeping details of its implementation under wraps in order to be able to acquire the funds necessary to initiate or maintain it.

<sup>964</sup> Louis W. Goodman (1996) "Military Roles Past and Present," in Larry Diamond and Marc F. Plattner (eds)(1996) *Civil-Military Relations and Democracy* (The Johns Hopkins University Press: Baltimore, Maryland), p. 38f.

<sup>965</sup> Walters (1997), p. 361.

same standards. This was particularly true of the improved co-ordination of civilian and military tasks in the implementation of the Dayton Agreement.

As any peace process' fundamental limitation lies in the parties' lack of willingness to co-operate, co-ordinating international security assistance in a way that enables the international community to exercise significant pressure on the parties, can promote the peace process. In addition to improved co-ordination, the execution of these threats, such as withholding funds or imposing security restrictions, contributes to the credibility and the effectiveness of measures adopted by the international community.

In Angola, there had to be more reliance on the parties' responsibilities, as external actors could not project power into the Angolan countryside in the same way that IFOR was doing in Bosnia-Herzegovina. Particularly the initial military security gap was credibly filled by IFOR in Bosnia-Herzegovina, but not so by UNAVEM III in Angola. Aside from its capabilities, this was due to the fact that IFOR had been charged with executive rather than supervisory tasks, in contrast to Angola, where the responsibility was in the hands of the government. As a result, the international presence was more dependent on political co-operation in Angola.

The situation differed in the civilian security sector, where the population expected the civilian police components in both Bosnia-Herzegovina and Angola to carry out executive police duties, despite the fact that this was never envisioned nor pronounced as one of the monitors' tasks. Nonetheless, the disappointment of popular expectations sobered the population in both countries in their enthusiasm for the external presence. In Bosnia-Herzegovina, this meant taking away from IFOR's credibility; even in late 1998 credibility remained dependent on SFOR's determination to force compliance. In Angola, on the other hand, the lack of effective intervention by the civilian police monitors simply confirmed the perception of external actors as untrustworthy.

Significant international pressure can be an excuse for parties to comply with unpopular measures that are difficult to sell to the more extremist or rejectionist constituencies. Although the international community can absorb some of the blame, the parties should not be led to rely on that buffer in the long run. Third-party actors also run into the danger of undermining local support for their own presence by appearing too much of a bully. Their effectiveness also depends on where the most powerful spoilers are located, more particularly whether they are the leaders or

factions within a party. In recognition of the fact that ethnic loyalties would prevail initially, the international community was to preside over most common institutions in Bosnia-Herzegovina for the first years. The degree to which external pressure was holding peace alive is difficult to determine and will probably only become clear when the international community pulls out of Bosnia-Herzegovina.

In both cases the threat of withdrawal was used by the external presence to hasten the development towards peace. In both cases the strategy failed. Whereas the international community recognised that the Dayton Agreement would not be fully implemented by the end of IFOR's mandate and eventually moved to open-ended alternatives, the United Nations' attempts to exercise pressure on the parties in Angola by granting only short mandate extensions only served to further weaken the operation's credibility. Stedman points out that the greatest difficulty with using withdrawal as a threat is that it tends to hurt the forces of peace and play into the hands of the spoilers who aim at derailing the peace process.<sup>966</sup>

Co-ordination between civilian and military actors involved in peace implementation is particularly important.<sup>967</sup> In part due to a legacy of bad co-operation and few common interests during the open conflict stage, the road is often bumpy early on in the peace process, where the organisational and differences in perspective between the two are most apparent. The potential for co-operation does increase after a cease-fire, since the unarmed civilian organisations are not equally dependent upon maintaining their impartiality as they were during open hostilities. One should distinguish between a military peacekeeping force working with large international organisations and with small NGOs. Whereas the former are more used to the need for some command structure even though not as established as in the military force, the latter are less susceptible to yielding to military authority. While it is crucial to see the potential for co-operation and for non-traditional roles, there are also limitations of civil-military co-operation (CIMIC), stemming from the NGOs' need for close community relations, supporting constituencies and fund-raising, different organisational cultures etc.

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<sup>966</sup> Stedman (1997), p. 14, 44.

<sup>967</sup> For a more detailed account on civil-military co-ordination (CIMIC) in peace support operations, see Brynjar Lia and Annika S. Hansen (1998) *Sivilt-militært samarbeid og koordinering i fredsoperasjonar: ein introduksjon* (FFI-Report 97/05161, Forsvarets forskningsinstitutt: Kjeller, Norway).

However, as civil-military co-ordination (CIMIC) has been acknowledged as an increasingly important dimension of peace support operations, the IFOR/SFOR operation contributed to a greatly improved understanding among military as well as civilian actors of the delineation of roles and responsibilities as well as differences in culture and organisations. In Angola, the dynamic was somewhat different in that the civilian and especially the humanitarian actors had been in theatre for a longer period of time and had been more extensively involved prior to the signing of the Lusaka Protocol. They were therefore even more reluctant to submit to the authority of the military component of UNAVEM III. More generally, the operation was hamstrung by lack of co-ordination at both planning and implementation stages and did not improve significantly in the course of the operation. Although, the SRSG in Angola had longer standing than the newly-invented High Representative in Bosnia-Herzegovina, the latter proved to be more powerful than the former. The fact that the differences between the two positions were marginal on paper, but considerable in practice points to the influence of other factors and especially the degree of obstructionism exercised by different sets of spoilers.

In the delivery of international security assistance, the need for co-ordination is particularly great between the military peacekeeping force and the civilian police monitors and advisors. As the civilian police monitors are unarmed and rely on co-operation with their local counterparts, the military force can provide invaluable support by having access to the use of force. Where co-ordination is good and visible, the police monitors will be challenged in their authority to a lesser degree. The Bosnian case demonstrated that there are a number of tasks in the grey zone between police and military activity. It has been suggested that the challenges in the grey zone can be met by an extension of powers to either the peace-keeping force, i.e. give them increased policing duties, or to the civilian police monitors, i.e. arm them. However, both are problematic options, which would undermine the work of both the military force and the civilian monitors in all their duties *outside* of the grey zone. Instead, the close co-operation between IFOR/SFOR and IPTF rendered any such distortion of their mandate unnecessary. The creation of the Multinational Specialised Unit (MSU) under SFOR was an attempt to address tasks in the grey zone, but in practice the MSU did not add any new tasks to SFOR's portfolio. A similar unit in Angola would have been unlikely to have made a difference, as the challenges that broke UNAVEM III's

back were much more fundamental than a lack of capacity to take on tasks, such as crowd control.

Given the amount of assistance provided and the clout that they can bring to bear on the parties, common co-ordination mechanisms at a strategic level are especially important. The notion of the Contact Group in Bosnia-Herzegovina was in part developed to serve the purpose of co-ordinating the efforts of the major actors involved.<sup>968</sup> Although co-ordination in this body was mainly conducted during the negotiation phase leading up to the Dayton Agreement, the concept remained a valid one. The international efforts in Bosnia-Herzegovina benefited tremendously from the co-ordination of policy and resulting moral authority of the Peace Implementation Council (PIC). The Troika in Angola was less effective, in part because it was less inclusive, but also because it clearly did not have the same commitment to the process, as the PIC did in Bosnia-Herzegovina.

When conducted at the planning stages, co-ordination enhances the speed of delivery, which may be essential for the parties' ability to comply with their obligations under the agreement and to deal with rejectionists within their ranks. More specifically, the establishment of the rule of law including its constituent institutions is in critical need of rapid support, in order to combat spoilers and extensive criminal activity. The more elaborate the co-ordination network, the fewer non-public channels are available for diverting aid into diverse projects and organisations where neither transparency nor accountability are ensured. Thus, co-ordination contributes to maintaining some influence over the fledging police force, the courts and prison system, so that, for instance, requirements for the protection of human rights can be incorporated into a system for the co-ordinated delivery of international security assistance.

In those cases, where planning at early stages is impossible or is simply left out, the question becomes how co-ordination can improve planning and management of assistance during the implementation process. Rapid establishment of different types of co-ordinating bodies locally and at a strategic level is critical, as is partnership with local forces. However, a major obstacle often occurs as the recipients' capacity to receive and absorb international security assistance is weak in the immediate post-settlement stage. Yet as the ultimate aim is to make the peace

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<sup>968</sup> James Gow (1997) *The Triumph of the Lack of Will* (Hurst & Company: London), p. 157.

process autonomous, the challenge of co-ordination is to develop partnerships with the recipient which enhance the parties' ability to assume responsibility and fulfil their obligations under the peace agreement. In both cases, efforts were made to establish local bodies to take over a share of the implementation duties. In both, the bodies largely remained financially dependent on third parties and subject to local political control.

In some ways, the issue of co-ordination can be interpreted as the international community's desire to maximise control over the implementation process. Control, in turn, can be of the outcome or the flow of international security assistance.<sup>969</sup> The structure of the co-ordinating bodies, the number of actors and their specific interests, and the international society's willingness to exert pressure to ensure compliance, are all important factors in the final outcome. Still, the parties' willingness or unwillingness to continue the peace process is the ultimate determinant of progress and is influenced by a host of factors beyond the reach of the international community.

The commitment and willingness of the international community to make use of those levers that are available, brings us to the financial and practical links between the two cases. It is important to understand that the costs of a peacekeeping operation are never entirely covered by available funding. Whereas this does not affect the military component of an operation to any great extent once it is up and running, lack of financial resources can lead to the cancellation of civilian security programmes. This was felt more immediately in Angola, but also occurred in Bosnia-Herzegovina. Donor fatigue was certainly an issue in Bosnia-Herzegovina, but it was combated and suppressed by the will to see the peace process through to a successful outcome, regardless of the cost. Too much prestige hung in the balance for the external parties involved. Clearly, this was not the case in Angola, where a failure to secure peace would have no serious consequences for the international community, aside from witnessing renewed suffering which one had seen before and which could be put down to the parties' recalcitrance.

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<sup>969</sup> An example of an attempt to control the outcome of assistance was the Open Cities programme in Bosnia-Herzegovina, where the UNHCR granted special financial support to those municipalities that aimed at creating the very multi-ethnic communities that the outside world was wishing for. In contrast, many of the co-ordinating mechanisms in the implementation of the Oslo Accords, were concerned with increasing the transparency of the aid flow, in order to make sure that they arrived at their designated recipient.

The two cases differ in the parties' relation to the international community. Bosnia-Herzegovina was more susceptible to external influence for several reasons. First, the parties were aware of how much was at stake for the international community and that the concomitant necessity to succeed brought a substantial level of commitment with it. In this sense, the relation to the international community changed somewhat in the course of implementation, as the three ethnic groups tested the true commitment of the third-party presence in different areas. Second, the international presence in Bosnia-Herzegovina provided a guarantee against threats to national security of which especially the Bosnian Muslims had to be sensitive. This is less true of the Bosnian Croats and the Bosnian Serbs that cultivated their ties to the potential 'aggressors' Croatia and FRY respectively. Third, the international community actually had more attractive incentives to offer in Bosnia-Herzegovina than they had in Angola. Aside from the more credible and more substantial promises of aid, the long-term gains for Bosnia-Herzegovina should the country continue on a peaceful path were deeper integration into the European community of states.

In contrast, both the Angolan government and UNITA recognised rather quickly that although UNAVEM III represented the greatest commitment to Angola to date, it did not have the backing to apply the necessary pressure, particularly because the scarce resources available to the external actors were easily outweighed by the sources of income in the hands of the parties. Therefore, it was difficult to devise incentives that might tempt the leadership of the MPLA and that of UNITA. In addition, the predominant threat in the security perceptions of the parties derived from an internal rather than an external source and – again – UNAVEM III could not provide a secure environment in Angola, as IFOR and SFOR had done in Bosnia-Herzegovina.

Section IV Comparing Bosnia-Herzegovina and Angola

International Security Assistance	Bosnia-Herzegovina	Angola
<b>Precursors</b>	<ul style="list-style-type: none"> <li>Weak states, limited government legitimacy and reach: international community did not realise the degree to which it would be involved in restructuring the state.</li> <li>Preceded by all-out war and prior UN involvement. War considered unfinished business; conditional support for peace agreement.</li> <li>Some 'lessons' appeared to be translated into practice in the new missions:</li> </ul>	
	IFOR/UNMIBH: (1) Exclusion of UN from military operation. (2) Narrowly defined mandate for IFOR. (3) IFOR larger and more heavily equipped.	UNAVEM III: (1) UNAVEM III substantially larger. (2) Role more clearly defined in Lusaka Protocol. (3) More direct responsibility in supervising compliance.
<b>Demilitarisation</b>		
Monitoring the cease-fire, separation of forces, withdrawal of foreign forces, transfer of territory	<ul style="list-style-type: none"> <li>Cease-fire almost universally upheld, in large part due to IFOR's muscular presence. Freedom of movement is gradually enforced.</li> <li>Struggle over territorial control continued in the issue of repatriation.</li> </ul>	<ul style="list-style-type: none"> <li>Continued low level violence undermined popular confidence in peace process and government's ability to provide individual security. UNAVEM III could not make up for the security deficit and create a safe environment.</li> <li>Security guarantee was not sufficiently credible to induce UNITA to transfer all territory.</li> </ul>
Demobilisation and reintegration	<ul style="list-style-type: none"> <li>Initial reductions achieved quickly; long-term reductions ongoing.</li> <li>Slow economic reconstruction and continued ethnic tensions retarded reintegration.</li> </ul>	<ul style="list-style-type: none"> <li>Increasingly uneven, exposing UNITA to an ever greater extent. Reintegration extremely difficult, due to severely depressed economy and the fact that the war had raged for over a generation and placed heavy strain on the social fabric.</li> </ul>
	<ul style="list-style-type: none"> <li>Reintegration included both demobilised soldiers and returning refugees and had to be viewed against the background of economic reconstruction and political and social reconciliation. Reintegration was an example of a task where international security assistance could improve the conditions for reintegration, but could not directly bring it about. Lack of reintegration harboured a danger of instability and was a breeding ground for rejectionists.</li> </ul>	
Disarmament and regional stability	<ul style="list-style-type: none"> <li>Initial military disarmament proceeded according to schedule and was complemented by a long-term regional approach. Civilian disarmament did not gain momentum until peace process had been underway for over 2 years.</li> <li>Disarmament and the quest for regional stability were partially undermined by one-sided programmes to train and equip.</li> </ul>	<ul style="list-style-type: none"> <li>Official demilitarisation of UNITA, including demobilisation and disarmament completed in early 1997, but when tensions rose and the movement's security 'fallback' was revealed, the undiminished lack of trust was underlined.</li> <li>Attempts to curb the arms flow at the regional level were fumbling and wholly unsuccessful, undermining all domestic efforts to disarm.</li> </ul>
	<ul style="list-style-type: none"> <li>As much as disarmament was a practical necessity, the willingness to surrender arms indicated the sense of security and the general trust in the peace process. The economic value of the gun was overlooked; both as tool for subsistence and with respect to its cash value. This was all the more true for the vested interest that the international arms trade had in perpetuating conflict.</li> <li>International security assistance can promote disarmament and regional stability through good offices, sanctions, technical assistance, and through providing security guarantees.</li> </ul>	

*Section IV Comparing Bosnia-Herzegovina and Angola*

<b>Military Reform</b>		
Reorganisation/integration	<ul style="list-style-type: none"> <li>Joint Federation force created, but not operative as one force. Immediate reductions took place with demobilisation; long-term adjustments of force strength to defence budgets remained to be undertaken.</li> </ul>	<ul style="list-style-type: none"> <li>Joint force included only limited UNITA representation and did not emerge as the one military force for Angola. Therefore, no long-term strategies for force size were developed.</li> </ul>
Re-education	<ul style="list-style-type: none"> <li>Military training promoted co-operation and understanding among military staff.</li> </ul>	<ul style="list-style-type: none"> <li>Government weary of infringements. Training was mainly provided through bilateral arrangements and private contracts.</li> </ul>
Civilian control	<ul style="list-style-type: none"> <li>Appropriate structures established in the Standing Committee on Military Matters, but political context and lack of co-operation impeded its effectiveness.</li> </ul>	<ul style="list-style-type: none"> <li>Political and military integration processes linked, stalling in each process hampered the other.</li> </ul>
	<ul style="list-style-type: none"> <li>Role of international security assistance is limited, as structural changes are contingent upon parallel political processes of reconciliation and co-operation that make 'civilian control' meaningful.</li> </ul>	
<b>Civilian Security Sector Reform</b>		
Restructuring and behavioural reform of police force	<ul style="list-style-type: none"> <li>Police was significantly reduced and reorganised. Still, ethnic divisions persisted and too often police action was based on ethnic affiliation.</li> </ul>	<ul style="list-style-type: none"> <li>Formal adjustments in weaponry, but activity and equipment remained reminiscent of a military force. Integration of former UNITA soldiers into police force was minimal. The ANP continued to commit gross violations of human rights.</li> </ul>
	<ul style="list-style-type: none"> <li>Whereas in Bosnia-Herzegovina each citizen's sense of security depended on his ethnic background, the entire population's sense of security was undermined by the activity of the ANP in Angola.</li> </ul>	
Reform of judicial and penal system	<ul style="list-style-type: none"> <li>Judicial and penal reform were afterthoughts and were only pursued when the bulk of structural police reform had been carried out.</li> </ul>	<ul style="list-style-type: none"> <li>Conditions never stabilised to the degree that a comprehensive reform could be attempted, despite persistent calls for judicial and penal reform by the international community.</li> </ul>
	<ul style="list-style-type: none"> <li>Reforming the rule of law was an inherently political process, went to the heart of the states' power. It was difficult to overcome ridge between the parties and to create a uniform system that answered to the concerns of the entire population.</li> </ul>	
<b>Co-ordination</b>		
	<ul style="list-style-type: none"> <li>Difficult start, but much improved in the course of the peace process. Not the least because of strategic leadership that enabled the international community to speak with one voice and apply pressure on the parties.</li> </ul>	<ul style="list-style-type: none"> <li>Major rift between the humanitarian and the military/security actors. The lack of co-ordination was most damaging with respect to the absence of common goals. There was a lack of international political commitment that might have given the peace process the necessary strategic direction.</li> </ul>

**Table IV.1: Comparing International Security Assistance to Bosnia-Herzegovina and Angola**



**CONCLUSIONS –**

**THE CONCEPT OF INTERNATIONAL**

**SECURITY ASSISTANCE**

“OFT EXPECTATION FAILS, AND MOST OFT THERE  
WHERE MOST IT PROMISES.”

WILLIAM SHAKESPEARE

## **CONCLUSIONS – THE CONCEPT OF INTERNATIONAL SECURITY ASSISTANCE**

Much of the debate about the nature of internal conflicts and the role of third parties in their termination, inevitably seeks to answer questions about what makes some peace settlements fail and others succeed. In a comparative study of five different peace processes, Fen Osler Hampson presents three possible explanations. First, the “ripeness” of the conflict; second, the “substantive provisions of the peace accords [...] its design and its ability to anticipate or deter new challenges;” and finally the role of external powers and regional actors, i.e. the external pressures and influences that are exerted on the parties at the international level. Hampson argues that the third aspect is the single most important factor in the equation. He writes that “[w]here there was a unified and sustained third-party involvement in both the negotiation and the implementation of the agreement, settlements were more durable than in those cases where settlements were orphaned and third-party intervention was sporadic or limited to a few poorly defined roles.”<sup>970</sup>

Hampson’s conclusions appear to coincide with those of the present study, which has looked more closely at the delivery of *international security assistance* to peace processes. Having developed the concept theoretically and built an analytical framework that was then applied to two case studies, the time has come to draw more general conclusions. The key issues in peace implementation that determine the conditions for international security assistance as they have crystallised in the case studies and in the comparison are spoiler management, international security guarantees, and the population’s sense of security. The third aspect differs slightly from the first two, in that it is a product of the peace process rather than a feature of international security assistance. Moreover, the population’s sense of security is determined by independent indigenous processes in addition to the international efforts. Still, the development of a popular sense of security is essential to the consolidation of a peaceful society, and success in this respect has to be re-evaluated at the “end” of the peace processes studied here. In the current section, conclusions

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<sup>970</sup> Fen Osler Hampson (1996) *Nurturing Peace: Why Settlements Succeed or Fail* (United States Institute of Peace: Washington D.C.), p. 207. Hampson’s conclusions are confirmed by Walters’ quantitative study of various factors that contribute to the success or failure of peace agreements. See Barbara F. Walters (1997) “The Critical Barrier to Civil War Settlement,” *International Organization* 51(3), pp. 335-64.

will be discussed in two stages. An initial assessment returns to the criteria of effectiveness suggested in the analytical framework, before moving to some final thoughts on the opportunities and limitations of international security assistance to the implementation of peace agreements.

## **1 Criteria of Effectiveness**

In the analytical framework, five criteria were suggested that might assist in assessing how effective international security assistance had been in enhancing security and in that way accelerating the transition from war to peace. Two more criteria have emerged from the case studies. While it is important to have a general idea of what to strive towards, there is no sense in providing a list on which items might be ticked off. In other words, it is the road towards a peaceful state, i.e. the implementation *process* itself, rather than the fulfilment of any particular end state that is important. And still, running through the criteria is useful for adjusting expectations to the process and in underlining which areas are the least – or even the most – susceptible to being assessed with the help of milestones.

Thus, international security assistance was deemed to have been effective when it had

(1) *assisted in fulfilling specific provisions of the peace agreement*: Naturally, one would want the parties to fulfil their obligations under the agreement, not the least in order to serve mutual trust and transparency, but the need for flexibility in a peace agreement is also prevalent. At the same time, one should also guard oneself against the opposite extreme where the parties perceive nothing in the agreement to be fixed and rob the process of all its sorely needed predictability and stability.

(2) *contributed to increasing support for the moderate pro-peace factions, i.e. increased the legitimacy of the peace agreement*: It has become abundantly clear that so-called “spoilers” and those that benefit from continued hostilities and how they are handled both by external and by local actors play a crucial part in the success of a peace process. One of the most effective ways in which the international community can undermine support for rejectionist factions is by devising a spoiler management strategy in co-operation with the parties for example by providing assistance to the

establishment of capable and trustworthy local security structures, and co-opting and/or excluding spoiler elements. This is a typical milestone that will take a long time to reach and where progress along the way is just as important as arriving at an end state.

(3) *increased security on the ground in the perception of the population*: The occurrence of clashes and the level of violence in the wake of the agreement is an obvious indicator of progress in the transition from war to peace. Again, establishing a sense of security and of community in the population is a fundamental precondition for the normalisation process and the transition from war to peace and possibly the most powerful tool to enhance the legitimacy of the peace agreement and process.

(4) *provided a sufficient security environment for speedy post-settlement reconstruction and development*: Although it appears to be obvious that economic upswings presuppose a minimum of security, security does not necessarily bring development with it. In addition, as was pointed out in the section on demilitarisation, sufficient security need not be a technical question of arms availability, which is something international security assistance can address, but a much less tangible one of the people's willingness to use them. Thus, a secure environment can only be the first step in the long-term consolidation of peace.

(5) *executed a comprehensive reform of the security sector*: With respect to the reform of the security sector, including both the military and the police, we again encounter two basic components: the organisational/institutional element that resurrects a system for the monopoly on the use of force, internally and externally, and the psychological component that points to the more illusive concept of the population's trust in the security forces and the protection of human rights. Again, while reform measures may be executed or supported through international security assistance, it is the political context of the reform that gives it meaning.

(6) *given rise to security co-operation between the parties to the conflict*: The parties' realisation that everybody is concerned about security, is the first but considerable step towards addressing common concerns and possibly adopting joint measures. It is unlikely for security co-operation between the parties to occur early on in the implementation process. Instead, it presupposes a substantial amount of trust between the parties and an acknowledgement of the peace process as irreversible. Confidence must be fairly well advanced if true co-operation is to take place between

the opposing parties, in particular where security continues to be the prime item on the agenda.

(7) *promoted the integration of the post-settlement state(s) into a regional security network*: Although not useful as a milestone, the final criteria provides a valuable pointer to progress within the wider region. Participation by neighbouring states in forming a stable and secure context, lends legitimacy to the peace process.

## **2 Limitations of International Security Assistance**

When reviewing the entire spectrum of international security assistance, it is impossible to identify one task as more important than the rest. Instead, all have their place in an implementation process and all have their appropriate point in time. And yet, among all the sets of tasks the reform of the military and civilian security sector has emerged as a key element of peace implementation.

It is crucial for the peace process that the transition to non-violent conflict management mechanisms is reflected in the security forces, that they display respect for human rights and are subject to civilian control. Effective security functions, including professional police performance, are especially important to the legitimacy of the post-settlement government. The prioritisation of human rights varies with the government's ability and willingness which in turn affects the perception and the progress of the peace process. As noted earlier, control over the security sector, including military forces, police forces, courts and prisons, is a tremendously powerful tool and the struggle between the parties for that control is one of the gravest threats to a peace process. In order to reduce the stakes involved in the struggle, power-sharing in the security sector can be an option, albeit a dangerous one. Given that the monopoly on the use of force is perhaps the most fundamental prerogative of a state, the international community needs to be aware of the implications for the sovereignty of the state should they attempt to dilute the monopoly.<sup>971</sup>

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<sup>971</sup> The Bosnian case illustrates the dilemma of how to reconcile maintaining a monopoly on the use of force with the parties' contending claims to that monopoly. At a national level, the military was headed by the Presidency of Bosnia-Herzegovina, but consisted of two separate forces. It remained to be seen whether acknowledging the demands of the Bosnian Serbs and the Federation for control over military security, while at the same time not recognising the Bosnian Croats claim, was a viable option in the

Factors	Implications for International Security Assistance
Comprehensiveness of effort	<ul style="list-style-type: none"> <li>• There is a need to recognise the links and mutual dependence between tasks, with regard to chronology and priority.</li> <li>• Coalitions and co-ordination between military and civilian providers of international security assistance are essential.</li> <li>• There is tension between the need for flexible time-tables and funding limitations and donor calls for accountability and progress. The focus has shifted towards aiming at a given endstate rather than an enddate.</li> </ul>
International political commitment	<ul style="list-style-type: none"> <li>• Outside engagement is the single most important factor for successful peace implementation.</li> <li>• Commitment is reflected in the scope and duration of international security assistance, as well as in the amount of political and financial support that is forthcoming.</li> <li>• Broad coalitions/multilateral arrangements, strategic leadership, and regional support are all critical. There is also a need for a strategic level body in which policy can be co-ordinated, in order for the international community to speak with one voice.</li> <li>• A balance needs to be struck between sustained outside engagement and local responsibility.</li> </ul>
Security guarantee	<ul style="list-style-type: none"> <li>• Durable solutions to the security concerns of the parties need to be devised and common security perceptions built. In the transition period, the security guarantee provided through international security assistance is essential for confidence-building in an atmosphere of distrust.</li> <li>• Aside from operational issues, the lack of commitment and the threat of withdrawal on the part of the international community weaken the security guarantee.</li> </ul>
Spoiler management	<ul style="list-style-type: none"> <li>• Spoilers thrive on distrust and tensions and are present in all walks of post-settlement life. Often groups of spoilers in the political, military, and economic/criminal realm, are linked and extremely powerful.</li> <li>• A common spoiler management strategy which targets the parties' assessment of the costs and benefits of compliance is crucial. The strategy must be consistent and assertive and aim at either marginalising or integrating spoilers.</li> </ul>
National political compliance	<ul style="list-style-type: none"> <li>• International security assistance is highly political. It is important that the international community is aware of this and consciously fosters consent throughout the peace process. Security guarantees are one instrument for increasing co-operation.</li> <li>• Compliance will also be a function of how dependent parties are on international assistance.</li> </ul>
Popular sense of security	<ul style="list-style-type: none"> <li>• Sense of security is an illusive but no less important concept. For a transition from war to peace to occur, a normalisation process must take place in which the population develops a belief in peace and confidence in their security.</li> </ul>

**Table 2.2 Decisive Factors for the Success of International Security Assistance**

Nevertheless, there is a point in averting a situation in which the security sector is dominated by one of the parties. This is another characteristic of the new and improved security sector that will take some time to become ingrained. In the meantime, international security assistance allows third-party actors to provide

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long run. The outlook was rather bleak. Either hostilities would resurface and the policy of a separate force for each entity become Bosnia-Herzegovina's death warrant, or the country would indeed manage to return to its peaceful multi-ethnic nature and feel no need for two separate forces. It would be many years before assessments could be made on the viability of the Bosnian solution.

security guarantees that free up the parties to the conflict, so that they can each loosen their grip on the security functions and develop lasting solutions. It is important to remember that even in post-conflict societies where the security sector is virtually non-existent, there will never be a security vacuum. As every member of society is intent upon her own security, small-scale mechanisms for the management of conflicts naturally emerge. The challenge is to persuade the population to trust in the newly established or reformed security sector for their protection and for justice.

As has become clear throughout, there is a powerful group of actors that profit from preventing the development of long-term stable solutions. Spoilers are particularly damaging when they collude across different sections of society, i.e. across military, economic, and political spheres. For example, spoilers will become increasingly difficult to handle the more political power also entails economic gain. Managing spoilers is a crucial task for the international community, as they quite often have the power to derail the peace process and upset the achievements of international security assistance. Spoilers have a staying power that usually exceeds that of third parties, which enables them to retain powerful positions and a relatively low profile until the time that the international community withdraws. Therefore, the key to spoiler management is early detection and a conscious decision on the part of external actors to devise a strategy for handling spoilers. Moreover, the strategy needs to be followed by assertive and co-ordinated action.<sup>972</sup>

This is also closely linked to the security guarantee provided by the international community, in that spoilers thrive on the lack of trust between parties – whether they themselves are among the parties or not – and will benefit from discrediting international security assistance. Therefore, the security guarantee can only be credible when it is issued in the context of sustained third-party engagement and when it has solid and vocal international political backing. Thus, the international community must “feel that they have a stake in the success of the implementation process.”<sup>973</sup> Walters points out that “[o]utside powers can play a critical role in the resolution of civil wars, but only if they are willing to make a solid commitment and bear the necessary costs.”<sup>974</sup> In that sense, it has become clear that the commitment of

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<sup>972</sup> Stephen J. Stedman (1997) “Spoiler Problems in Peace Processes,” *International Security* 22(2), p. 52f.

<sup>5</sup> Joanna Spear (1999) “The Disarmament and Demobilisation of Warring Factions in the Aftermath of Civil Wars: Key Implementation Issues,” *Civil Wars* 2(2), p. 15.

<sup>974</sup> Walters (1997), p. 362f.

the international community is equally important as the local political willingness to comply with and support the peace process. Still, a balance must be found between local responsibility and comprehensive and sustained international engagement. At the same time as the third-party actors are being called upon to be more forceful, such as was the case in both Bosnia-Herzegovina and Angola, local dependency on external assistance grows. The precise content of the balance is less important than the fact that it rests on a strategy that – similar to the more specific issue of spoiler management – must be co-ordinated, assertive, and as impartial as possible. Unless the costs of non-compliance become predictable, spoilers are unlikely to adjust their behaviour to the international efforts.

The contribution that international security assistance makes to peace processes cannot be underestimated and there can be no doubt that it serves to enhance security in the former conflict area. Still, there are a number of limitations to its effectiveness. Most importantly, the political implications of who has control of the security sector and its concomitant security forces often make impartial delivery of assistance difficult. This, in turn, increases the hesitancy of the donor community. Unfortunately, the need for security assistance to be delivered rapidly is at odds with the reluctance of the international community to fund the reform of the security sector. Thus, the lead-on time necessary to overcome the scruples involved in providing international security assistance can adversely impact their ability to influence the security situation. One way in which the reluctance may be modified is through multilateral operations, and even more so through improved co-ordination among the actors involved which can significantly advance accountability and compliance.

There is also a question as to whether aid is in cash or in kind. Whereas the transparency that comes with earmarked funding or specific in kind deliveries usually serves to increase the donor community's willingness to deliver it, it often puts a damper on the recipient's enthusiasm, due to the conditions attached to the assistance. Accordingly, not only the aid itself and who receives it, but the manner in which assistance is provided, may be politically loaded. Walters underlines the delicacy of delivering assistance to the security sector, arguing that "nonmilitary intervention,

although politically more acceptable and financially less costly, is unlikely to accomplish much.”<sup>975</sup>

Similarly, there is a thin line that separates civilian *security* assistance and civilian assistance. As security is so critical to the transition from war to peace, almost any task has security implications. In the attempt to understand the function and effectiveness of international security assistance, a definition that casts the net too wide is not fruitful. There are tasks that are humanitarian in nature, or that aim at the consolidation of political institutions or at economic development, which should not be considered international security assistance. International actors need to understand where the line between security assistance and civilian aid is drawn, who is the most suitable to take on a given task, and whom to co-operate with in order to handle both positive and negative spill-over effects into other areas of implementation.

The difficulty in separating security from civilian assistance points to the fact that there are several interwoven processes that constitute a peace process. The most straightforward is a process of structural change, in which institutions are created or re-established. Then, there is a parallel political process which must take place in support of the structural reform of the security sector and other international security assistance. In other words, the political context must be supportive of the new reforms and doctrines. No amount of preaching on multi-ethnic coexistence will have an impact as long as the political leadership propagates the opposite. In some cases, the international community will be able to gain co-operation from political authorities by making clear that the reform of the military and civilian security actually allows them to govern more effectively. Thus, “[i]nstead of being seen as an issue of international interference in internal affairs, the reform process can be presented as an international effort to support the establishment of real sovereign authority over the territory held by the state.”<sup>976</sup>

In addition to the structural changes and political adjustment, the population must undergo a normalisation process that eventually leads them to a belief in peace and confidence in their security. This constituent process can hardly be described as parallel to the other two, instead it pervades everything else and is often even the indirect target for international security assistance, whether the providers of the

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<sup>975</sup> Walters (1997), p. 362f.

assistance are aware of this or not. And still, the process of developing peace in the minds of the people evades direct manipulation by third parties. Although the international community can prepare the ground by issuing threats and rewards, it is quite simply a process of reconciliation and rapprochement that must take place before peace is consolidated. Too often the international community has provided security assistance in the misplaced hope of remedying an inadequate security situation by supporting technical solutions, such as can be addressed through more training and better equipment. Although such forms of assistance are necessary elements in the whole web of tasks and types of assistance, they are insufficient unless the underlying political and, most importantly, psychological situation is also addressed.

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<sup>976</sup> Espen Barth Eide, Annika S. Hansen, and Brynjar Lia (1999) *Security Sector Reform as a Development Issue* (Room Doc. #7, OECD/DAC Task Force for International Peace and Development, Paris, 2-3 June 1999), p. 15.

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