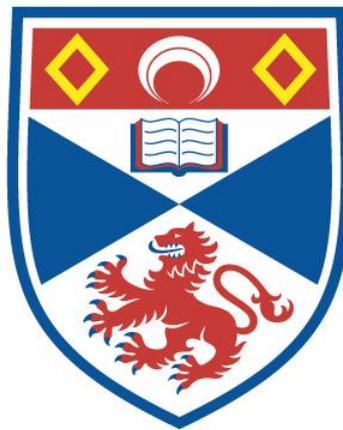


**BANDANAS AND BLUE HELMETS : AN ANALYSIS OF
UNITED NATIONS-INSURGENT RELATIONS AFTER
THE COLD WAR**

MICHAEL S. WESLEY

**A Thesis Submitted for the Degree of PhD
at the
University of St Andrews**



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**BANDANAS AND BLUE HELMETS: AN ANALYSIS OF
UNITED NATIONS-INSURGENT RELATIONS AFTER THE COLD WAR**

Degree for a Doctor of Philosophy

Michael S. Wesley

18 August 1995



ABSTRACT

This is an examination of a neglected class of relations that have become more common after the Cold War, those between the United Nations and sub-State insurgent groups. This relationship has changed significantly after the end of the Cold War, both in the nature and frequency of the United Nations' response, and in the character of the insurgents that are addressed. Observing a strong influence of realism in both the motivations of insurgent actions and in the determinants and constraints of United Nations security initiatives, this study hypothesises that the predominant determinant of the effectiveness of United Nations-insurgent interactions is an essential concurrence in their approaches to the interaction. The research design develops an analytical framework of approach indicators to test the validity of this hypothesis across a range of United Nations-insurgent interactions. Those interactions chosen for analysis are Mediation; Peacekeeping, including Monitoring Ceasefires, Humanitarian Peacekeeping; and Disarmament and Demobilisation; and Election Monitoring. United Nations interactions with contemporary insurgent movements - the FMLN, the Khmer Rouge, the Bosnian Serbs, Renamo, the USC-SNA, the Contras, and Unita - are chosen according to their operational viability in order to fully test the hypothesised relationship. The general support for the hypothesis revealed by the analysis suggests important conclusions for the planning and conduct of United Nations initiatives, which are increasingly being called on since the Cold War to intervene in civil wars.

I, Michael S. Wesley, hereby certify that this thesis, which is approximately 108,000 words in length, has been written by me, that it is the record of work carried out by me and that it has not been submitted in any previous application for a higher degree.

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GLOSSARY

ANC	African National Congress
ARENA	<i>Alianza Republicana Nacionalista</i> (El Salvador)
ASEAN	Association of South-East Asian Nations
CAC	Cessation of Armed Conflict Mechanism (Mozambique)
CCF	Ceasefire Commission (Mozambique)
CCFA	Commission for the Formation of the Armed Forces (Angola)
CCPM	<i>Comissao Conjunta Politico-Militar</i> (Angola)
CD	<i>Covergencia Democratica</i> (El Salvador)
CGDK	Coalition Government of Democratic Kampuchea
CIAV	International Support and Verification Commission (Central America)
CIVS	International Verification and Follow-Up Commission (Central America)
CMVF	Joint Verification and Monitoring Commission (Angola)
COPAZ	<i>Comision Nacional para la Consolidacion de la Paz</i> (El Salvador)
CORE	Committee for the Reintegration of Demobilised Personnel (Mozambique)
CSC	Supervisory and Monitoring Commission (Mozambique)
ECOWAS	Economic Community of West African States
ERP	People's Revolutionary Army (FMLN)
FALA	<i>Forcas Armadas de Libertacao de Angola</i> (Unita Armed Forces)
FAPLA	<i>Forcas Armadas Populares de Libertacao de Angola</i> (MPLA's Armed Forces)
FARN	National Resistance Armed Forces (FMLN)

FDR	<i>Frente Democrático Revolucionario</i> (El Salvador)
FMLN	<i>Frente Faribundo Martí para Liberación Nacional</i> (El Salvador)
FPL	Popular Liberation Forces (FMLN)
Frelimo	<i>Frente de Libertação de Moçambique</i>
Fretilin	<i>Frente Revolucionária do Timor-Leste Independente</i>
FSLN	<i>Frente Sandanista de Liberación Nacional</i>
FUNCINPEC	<i>Front uni national pour un Cambodge indépendant, neutre, pacifique et coopératif</i>
IAEA	International Atomic Energy Agency
ICFY	International Conference on the Former Yugoslavia
ICJ	International Court of Justice
ILO	International Labour Organisation
JIM	Jakarta Informal Meetings on Cambodia
KPNLF	Khmer People's National Liberation Front
LAS	League of Arab States
MNF (I and II)	Multinational Peacekeeping Force in Lebanon
MPLA	<i>Movimento Popular de Libertação de Angola</i>
NADK	National Army of Democratic Kampuchea (Khmer Rouge)
NATO	North Atlantic Treaty Organisation
NLM	National Liberation Movement
OAS	Organisation of American States
OAU	Organisation of African Unity
OIC	Organisation of Islamic Conference

ONUC	United Nations Operation in the Congo
ONUCA	United Nations Observer Group in Central America
ONUMOZ	United Nations Observer Mission in Mozambique
ONUSAL	United Nations Observer Mission in El Salvador
ONUVEN	United Nations Observer Mission to Verify the Electoral Process in Nicaragua
PAC	Pan Africanist Congress of Azania
PAVN	People's Army of Vietnam
PCC	Paris Conference on Cambodia
PCES	Communist Party of El Salvador
PDK	Party of Democratic Kampuchea (Khmer Rouge)
PLO	Palestine Liberation Organisation
PRTC	Revolutionary Party of Central American Workers (FMLN)
Renamo	<i>Resistencia Nacional Mocambicana</i>
SAMO	Somali Africans Muki Organisation
SDA	Somali Democratic Alliance
SDM	Somali Democratic Movement
SNC	Supreme National Council (Cambodia)
SNF	Somali National Front
SNM	Somali National Movement
SNU	Somali National Union
SoC	State of Cambodia
SOFA	Status of Forces Agreement
SPM	Somali Patriotic Movement

SSDF	Somali Salvation Democratic Front
SSNM	Southern Somali National Movement
SWAPO	South West African People's Organisation
TNC	Transitional National Council (Somalia)
UNCHS	United Nations Centre for Human Settlements
UNAMIC	United Nations Advance Mission in Cambodia
UNAVEM (I, II, & III)	United Nations Angola Verification Mission
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Program
UNDPI	United Nations Department of Public Information
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNFICYP	United Nations Peacekeeping Force in Cyprus
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organisation
UNIFIL	United Nations Interim Force in Lebanon
Unita	<i>Uniao Nacional para a Independencia Total de Angola</i>
UNITAF	Unified Task Force (Somalia)
UNO	<i>Union Nicaraguense Opositora</i>
UNOSOM (I and II)	United Nations Operation in Somalia
UNPROFOR (I, II, & III)	United Nations Protection Force
UNRWA	United Nations Relief and Works Agency
UNTAC	United Nations Transitional Authority in Cambodia
USC	United Somali Congress

USC-SNA	United Somali Congress-Somali National Alliance
USF	United Somali Front
USP	United Somali Party
WHO	World Health Organisation
ZANU	Zimbabwe African National Union
ZAPU	Zimbabwe African People's Union

1: INTRODUCTION

On 3-4 October 1993, a United States Ranger contingent of the United Nations Operation in Somalia (UNOSOM II) was trapped in a 15-hour firefight with Somali militias in Mogadishu's Bakhara Market. Other United Nations forces arrived to assist in a desperate evacuation, saving 70 wounded, but leaving 17 corpses to be mutilated and paraded through the streets, and Chief Warrant Officer Michael Durant captured, to be exhibited before the world's media. Yet these were of the same forces that had sustained just over 1,000 casualties in taking 100 hours to fulfil a United Nations mandate to drive the Iraqi army from Kuwait less than 32 months previously. The promise and disappointment of the United Nations to police the "new world order" has stimulated a vigorous and often emotive media, public and policy debate around the world. It has forced academics, preoccupied with searching eagerly for clues to the ordering of States and the locations of power in the post-Cold War world, to acknowledge that actors other than States were repeatedly rising to prominence in the flow of events. States coordinating their action through formal international organisations have become one of the defining features of the new international system, while the threats to the system come overwhelmingly from forces originating from within States. Not only do these super- and sub-State actors interact with States, traditionally the defining unit of international relations, they have begun to interact with each other.

The end of the Cold War ushered in not an unprecedented stability; rather its most pronounced effect on the international system turned out to be "the liberation of hitherto suppressed political forces."¹ Two of the most prominent of these forces are those of regional integration and State fragmentation; such contradictory trends "suggest that sizes and distributions of political entities in our era have yet to be determined."² International politics in the final decade of the twentieth century has been characterised by the efforts of States to contend with a proliferating array of challenges, opportunities, and stimuli, while under

¹ Lawrence Freedman and Efraim Karsh, *The Gulf Conflict 1990-1991: Diplomacy and War in the New World Order*, (London: Faber and Faber, 1993), p. xxx.

² Robert G. Gilpin, "The Richness of the Tradition of Political Realism", in Robert O. Keohane (ed), *Neorealism and Its Critics*, (New York: Columbia University Press, 1986), pp. 317-8.

increasing constraints applied by domestic demands, military cutbacks, and growing international uncertainty. Increasingly, States have responded by acting through multilateral organisations to address their security concerns, particularly those of State disintegration. Thus while the coordination of the Gulf War coalition through the United Nations was hailed as a "defining moment" for the new international system, it has proved to be less characteristic than the violent ethnic disintegration of Yugoslavia and the subsequent response to that crisis by the international community through the European Union, the United Nations, and the North Atlantic Treaty Organisation.

1.1: Objectives

This thesis examines the dynamics of the interactions arising from the international community's use of the United Nations to confront the threats of various civil wars. It isolates from this nexus two of the newly prominent international actors - the United Nations and sub-State insurgent organisations - and analyses the features, motivations and constraints on their relationships. In focussing on this interaction, it seeks to understand the varied outcomes of multilateral responses to internal wars. A survey of these involvements begs the question: why was a small United Nations force so successful in helping end the long, bitter Salvadoran civil war by demobilising the experienced, disciplined and well-armed FMLN, while the biggest, most powerful United Nations force ever mounted at that time was humiliated and driven out of Somalia by a disordered collection of petty warlords and ragged militias? The analysis asks what factors determine the behaviour of insurgent movements when they are confronted by the international community. It examines the nature of the determinants, limitations and unique capabilities borne by the United Nations as it grapples with the belligerents in these civil wars. By assessing the outcomes of these determinants on their behaviour and interrelations, this thesis attempts to pinpoint the sources of effective and dysfunctional interactions.

The execution of this study has several rationales. From an academic viewpoint, it is desirable to develop a fuller understanding of these new forces and relations that have surfaced in international politics. A study of the interaction between the United Nations and insurgent movements also begins to fill a gap within the discipline of international relations, which has

largely ignored this growing class of international interrelations. There are also practical justifications for investigating the international community's attempts to deal with civil wars multilaterally. As E. H. Carr stated in laying the foundations of the modern discipline, "The teleology...of international relations is the desire to prevent war."³ In assessing the components of effectively addressing contemporary civil wars, this thesis attempts to advance the endeavour of dampening threats to international stability. It is also cognisant that it is civil wars that are the predominant cause of humanitarian disasters in the modern world. Finally, this thesis arises from the conviction that the United Nations is a valuable security instrument whose loss would limit the international community's ability to preserve international security. It has been written as a growing tide of international public opinion has reacted to its failures and excesses by advocating the dismantling of the Organisation. This thesis contends that many of the United Nations' failures are due to its ad hoc approach to security threats and its unwillingness to maintain a record of its past experiences or base its actions on analysis of previous interactions or present challenges.⁴ As each failure becomes more conspicuous and costly, the viability of the Organisation is threatened by declining Member-State commitment, particularly as the finance crisis deepens. The United Nations needs to increase its success rate, and such an improvement must be grounded in considered responses based on analyses of requirements, forces and capabilities in its operating environments.

1.2: Definition of Terms

Given the increasing volume of interactions in international politics, it is necessary to circumscribe the scope of a study of this nature. A large number of bodies exists under the United Nations' aegis, fulfil a myriad functions and maintain extensive international contacts, while the number and diversity of sub-State insurgent groups, terrorist organisations and pressure groups multiplies by the month. Sartori emphasises the importance in social science of both declarative and denotative definitions, which provide a "disambiguation" of the elements

³ Edward Hallett Carr, *The Twenty Years' Crisis 1919-1939: An Introduction to the Study of International Relations*, (London: Macmillan, 1970), p. 8.

⁴ See Mats Berdal, "Whither UN Peacekeeping?", *Adelphi Paper 281*, (London: Brasseys and IISS, October 1993), p. 51.

being examined by establishing the boundaries and membership of the concepts under investigation.⁵ This thesis isolates and concentrates only on those relations between the United Nations and insurgent movements that are concerned with disturbances to international security and attempting to restore peace and stability. The term "insurgent movement" reflects the selection of the least problematical nomenclature to denote the class of sub-State belligerents examined in this thesis. The groups selected vary in size, tactics, ideology and goals, and do not fit the ideologically-laden "national liberation movements"; neither are all of their tactics consistent with the name "guerrillas", or their objectives all sufficiently revolutionary to deserve the name "rebels". Thus while "insurgency" implies hostilities against an established government, while in many contemporary civil wars no viable government exists, in this study an "insurgent movement" will be taken to denote a sovereignty-free, non-territorial, belligerent political group.⁶

The name "United Nations" is used throughout this study as a convenient shorthand when its relations with the insurgent movements are being considered. It does not, however, assume that the United Nations is a unitary actor; in fact the interplay of the various forces within the organisation will be used to analyse many of its actions and motivations. The United Nations is treated as primarily an organisation of States, whose actions are determined by the agendas and bargaining between its members. As the most universal international organisation, the United Nations is a mirror of the States system and its power distributions; the structure of the organisation reflects this, being dominated by the Security Council which in turn is dominated by the Great Powers.⁷ The United Nations' actions must therefore be studied "as a pattern of cooperation and of muted conflict whose nature, evolution, effectiveness and outcomes cannot be studied apart from the global system."⁸ This thesis takes into account the

⁵ Giovanni Sartori, "Guidelines for Concept Analysis", in Giovanni Sartori (ed), *Social Science Concepts: A Systematic Analysis*, (Beverly Hills: Sage Publications, 1984), pp. 29-30.

⁶ The characteristics of national liberation movements are discussed in Chapter Two, and the nature of insurgent movements are examined in Chapter Three, below.

⁷ This relationship is more fully examined in Chapters Two and Three, below.

⁸ Stanley Hoffman, "International Organization and the International System", *International Organization*, Vol. 24, No. 3, 1970, p. 390.

interests of the States instrumental in determining United Nations action to illuminate the sources and motivations of those actions. A moderating influence on Member-States' determination of United Nations actions is the bureaucratic interpretation of mandates by the Secretariat and the operations launched to implement their decisions. The Secretary-General's and the Secretariat's inputs are characterised by the conservatism characteristic of most executive branches, as they hold a longer-term conception of the Organisation, and are motivated to preserve its reputation, effectiveness, influence, and the commitment of its Member-States.

The "interaction" between the insurgent movements and the United Nations that this thesis examines is studied as an encounter between two actors, each attempting to advance its interests among the potential opportunities and drawbacks it sees as being offered by the meeting. The analysis makes use of the term "optimal" as a qualifier for the interaction, using it to denote a relationship in which the parties advance towards or obtain their goals to a greater or lesser extent. This terminology forestalls the use of absolute measures of success and failure which are difficult to quantify without qualification in international relations. United Nations security initiatives have always been evaluated in terms of qualified success, and even the least satisfactory, such as UNIFIL or UNFICYP, are judged useful in securing secondary objectives: forestalling intervention and regional instability, eliminating sources of friction between the superpowers, and preventing greater hostilities and suffering.⁹ Optimality of interactions between the United Nations and insurgent movements is therefore not necessarily balanced or absolute, but must be assessed in terms of relational constraints and pressures. The interests that they seek to advance during their interactions inevitably involve trade-offs and qualifiers as the actors try to optimise the advantages and disadvantages of various options.¹⁰ This study is well aware that when the United Nations intervenes in a civil war, insurgent movements are not the only actors it interacts with. Rather, it selects and studies relations with certain insurgent movements, taking full account of the influences of other insurgent movements, incumbent

⁹ Alan James argues persuasively that the United Nations has developed a continuum of peacekeeping responses, calculated on the political purpose it intends to advance and the consensus available to it for that mission. See Alan James, "Internal Peacekeeping: A Dead End for the UN?", *Security Dialogue*, Vol. 24, No. 4, December 1993, pp. 359-368.

¹⁰ Robert Gilpin, *War and Change in World Politics*, (Cambridge: Cambridge University Press, 1981), pp. 19-20.

governments, and other actors when these impact in a significant way on the interaction between the United Nations and the prominent or difficult group chosen for study.

1.3: United Nations-Insurgent Relations: A Review of the Literature

A survey of the writing on the United Nations and insurgent movements reveals a conspicuous absence of any analysis of their relations. This can perhaps be attributed partly to the recentness of the interactions, and partly to the need to apprehend the new role of the United Nations and the recent threats of ethnic belligerents. The majority of the academic literature on the United Nations is preoccupied with explaining the organisational dynamics of an international organisation,¹¹ or examining the internal play of politics and "parliamentary diplomacy" within its forum organisations, while substantively ignoring the Organisation's actions or initiatives in the international environment.¹² There do exist, however, a variety of histories and thematic studies of the United Nations as an international actor promoting peace and security, but these inevitably focus primarily on its relations with States during the Cold War.¹³ More recent works analyse the changes undergone by the United Nations since the end

¹¹ See Sydney D. Bailey, *The General Assembly of the United Nations*, (New York: Frederick A. Praeger, 1960) and *The Procedure of the UN Security Council*, (Oxford: Clarendon Press, 1975); Evan Luard, *The United Nations: How It Works and What It Does*, (London: Macmillan, 1982); Keith S. Petersen, "The Business of the United Nations Security Council: History (1946-1963) and Prospects", *Journal of Politics*, Vol. 27, No. 4, November 1965, pp. 818-838; and A. LeRoy Bennett, *International Organisations: Principles and Issues*, (New Jersey: Prentice-Hall Inc., 1991).

¹² See Sydney D. Bailey, "New Light on Abstentions in the UN Security Council", *International Affairs*, Vol. 50, No. 4, October 1974, pp. 554-573, "Some Procedural Problems in the UN General Assembly", *The World Today*, Vol. 31, No. 1, January 1975, pp. 24-28, and "The UN Security Council: Evolving Practice", *The World Today*, Vol. 34, No. 3, March 1978, pp. 100-106; G. R. Berridge and A. Jennings (eds), *Diplomacy at the United Nations*, (London: Macmillan, 1985); Robert W. Cox and Harold K. Jacobson (eds), *The Anatomy of Influence: Decision Making in International Organization*, (New Haven: Yale University Press, 1974); Lawrence S. Finkelstein (ed), *Politics in the United Nations System*, (Durham: Duke University Press, 1988); Rosemary Foot, "The European Community's Voting Behaviour at the United Nations General Assembly", *Journal of Common Market Studies*, Vol. 17, No. 4, June 1979, pp. 350-360; Frederick H. Gareau, "Cold War Cleavages as Seen From the United Nations General Assembly, 1947-1967", *Journal of Politics*, Vol. 32, No. 4, 1970, pp. 929-968; Joe D. Hagan, "Domestic Political Regime Changes and Third World Voting Realignments in the United Nations, 1964-1984", *International Organization*, Vol. 43, No. 3, Summer 1989, pp. 505-541; Robert O. Keohane, "The Study of Political Influence in the General Assembly", *International Organization*, Vol. 21, No. 2, 1967; and Jack E. Vincent, "National Attributes as Predictors of Delegate Attitudes at the United Nations", *American Political Science Review*, Vol. 62, No. 3, September 1968, pp. 916-931.

¹³ See Morris B. Abram, "The United Nations and Human Rights", *Foreign Affairs*, Vol. 47, No. 2, January 1969, pp. 363-374; Berhanykun Andemichael, *Peaceful Settlement Among African States: Roles of the United Nations and the Organization of African Unity*, (New York: UNITAR, 1972); Jack Donnelly, "Recent Trends in UN

of the Cold War, but are more concerned with the United Nations' broader international role to pay attention to its relations with civil war belligerents.¹⁴

Similarly, the literature concerned with sub-State belligerents mentions very little of either their international personality or their encounters with the United Nations. Much of this writing concentrates on the weapons, tactics and trends of sub-State warfare at the expense of the political objectives or diplomatic activities of these movements.¹⁵ A recent area of academic interest has emerged around the study of ethnic conflict, and some of these writers have analysed the links to the international community and the threats posed to regional security by these belligerents.¹⁶ Kirisci, after Willetts,¹⁷ develops a model for the elevation of a sub-State group's

Human Rights Activity: Description and Polemic", *International Organization*, Vol. 35, No. 4, Autumn 1981, pp. 633-655; Linda B. Miller, *World Order and Local Disorder: The United Nations and Internal Conflicts*, (Princeton: Princeton University Press, 1967); K. Venkata Raman, *The Ways of the Peacemaker: A Study of the United Nations Intermediary Assistance in the Peaceful Settlement of Disputes*, (New York: UNITAR, 1975); and N. D. White, *The United Nations and the Maintenance of International Peace and Security*, (Manchester: Manchester University Press, 1990).

¹⁴ See Peter R. Baehr and Leon Gordenker, *The United Nations in the 1990s*, (Basingstoke: Macmillan, 1992); Mara R. Bustelo and Philip Alston, *Whose New World Order: What Role for the United Nations?*, (Sydney: The Federation Press, 1991); Lori Fisler Damrosch and David A. Scheffer (eds), *Law and Force in the New International Order*, (Boulder, Colorado: Westview Press, 1991); Richard A. Falk, Samuel S. Kim and Saul H. Mendlovitz (eds), *The United Nations and a Just World Order*, (Boulder, Colorado: Westview Press, 1991); and Adam Roberts, "The United Nations and International Security", *Survival*, Vol. 35, No. 2, Summer 1993, pp. 3-30.

¹⁵ See Richard Clutterbuck, *Terrorism and Guerrilla Warfare: Forecasts and Remedies*, (London: Routledge, 1990); James Elliot Cross, *Conflict in the Shadows: The Nature and Politics of Guerrilla War*, (Westport: Greenwood Press Publishers, 1973); Regis Debray, *Revolution in the Revolution? Armed Struggle and Political Struggle in Latin America*, (Harmondsworth: Penguin Books, 1967); Geoffrey Fairbairn, *Revolutionary Guerrilla Warfare: The Countryside Version*, (Harmondsworth: Penguin, 1974); Helmut Fredenschuss, "Legal and Political Aspects of the Recognition of National Liberation Movements", *Millennium*, Vol 11, No. 2, Summer 1982, pp. 115-129; Richard Gibson, *African Liberation Movements: Contemporary Struggles Against White Minority Rule*, (London: Oxford University Press, 1972); Galia Golan, *The Soviet Union and National Liberation Movements in the Third World*, (Boston: Unwin Hyman, 1988); and Che Guevara, *Guerrilla Warfare*, (Harmondsworth: Penguin, 1961).

¹⁶ See Judy S. Bertelsen (ed), *Nonstate Nations in International Politics: Comparative System Analysis*, ((new York: Praeger Publishers, 1977); David Carment, "The International Dimensions of Ethnic Conflict: Concepts, Indicators and Theory", *Journal of Peace Research*, Vol. 30, No. 2, May 1993, pp. 137-150; Gerard Chaliand, *Minority Peoples in the Age of Nation States*, ((London: Pluto Press, 1988); John Chipman, "Managing the Politics of Parochialism", *Survival*, Vol. 35, No. 1, Spring 1993, pp. 143-170; Robert Cooper and Mats Berdal, "Outside Intervention in Ethnic Conflicts", *Survival*, Vol. 35, No. 1, Spring 1993, pp. 118-142; K. M. da Silva and R. J. May (eds), *Internationalization of Ethnic Conflict*, (London: Pinter Publishers, 1991); Pierre Hassner, "Beyond Nationalism and Internationalism: Ethnicity and World Order", *Survival*, Vol. 35, No. 2, Summer 1993, pp. 49-65; Alexis Heraclides, "Secessionist Minorities and External Involvement", *International Organization*, Vol. 44, No. 3, Summer 1990, pp. 341-378, *The Self-Determination of Minorities in International Politics*, ((London: Frank Cass, 1991), and "The International Dimension of Minority Separatism: An Attempt at Unravelling a Pandora Box",

issue of concern to the international agenda in his study of the mobilisation of international support for the PLO.¹⁸ Schoenberg's polemical study of the PLO's relations with the United Nations is less helpful in understanding their interaction, because the author's subjective opinions of the motives and role of the United Nations precludes the serious study of one of the most crucial dynamics of the relationship.¹⁹ Thus United Nations scholars' disregard of its relations with insurgent movements is largely matched by insurgents scholars' neglect of their relations with the United Nations.

The few examinations of United Nations operations' relations with sub-State belligerents can be found within the ambit of literature on peacekeeping. United Nations peacekeeping operations in civil wars have produced a plethora of histories and accounts, usually by participants in those operations which offer important situational insights on relations between the peacekeepers and the insurgents.²⁰ These are helpful for the understanding of each operation and conflict, but it is problematical as to whether such subjective reports of contact with insurgent movements can be generalised to other, similar situations, or indeed to the whole class of analogous relations. Skogmo's history of UNIFIL attempts a more conceptual treatment, examining the various political factors and perceptions that influenced PLO behaviour towards UNIFIL.²¹ Other thematic treatments²² examine and critique various peacekeeping operations,

Paradigms, Vol. 6, No. 1, Spring 1992, pp. 117-139; and Anthony D. Smith, "The Ethnic Sources of Nationalism", *Survival*, Vol. 35, No. 1, Spring 1993, pp. 48-62.

¹⁷ Peter Willetts (ed), *Pressure Groups in the Global System: The Trans-National Relations of Issue-Oriented Non-Governmental Organisations*, (London: Frances Pinter, 1982).

¹⁸ Kemal Kirisci, *The PLO and World Politics: A Study of the Mobilisation of Support for the Palestinian Cause*, (London: Frances Pinter, 1986).

¹⁹ Harris Okun Schoenberg, *A Mandate for Terror: The United Nations and the PLO*, (New York: Sharpolinsky Publishers Inc., 1989).

²⁰ See for example Michael Harbottle, *The Impartial Soldier*, (London: Oxford University Press, 1970); Michael A. Attalides (ed), *Cyprus Reviewed*, (Nicosia: The Jus Cypri Association, 1977); Thomas Kanza, *Conflict in the Congo*, (Harmondsworth: Penguin, 1972); and Conor Cruise O'Brien, *To Katanga and Back*, (London: Hutchinson, 1962).

²¹ Bjorn Skogmo, *UNIFIL: International Peacekeeping in Lebanon, 1978-1988*, (Boulder: Lynne Rienner Publishers, 1989), pp. 10; 17-18; 20-1; 45.

²² See William J. Durch (ed), *The Evolution of United Nations Peacekeeping: Case Studies and Comparative Analysis*, (London: Macmillan, 1994); Ramesh Thakur, *International Peacekeeping in Lebanon: United Nations Authority and Multinational Force*, (Boulder: Westview Press: 1987), Gustav Haaglund, "Peacekeeping in a

approaches and methods, appraising their effectiveness in addressing a number of concerns, including relations with belligerents. Alan James' work on peacekeeping provides the closest treatment of the relations between the United Nations and insurgent movements. His analyses proceed from a variety of angles, and his consideration of the point of view of the disputants concludes that for the belligerents, the prospect of accepting peacekeepers as part of the conflict termination process is highly problematical and generally less than desirable.²³ His work concentrating on the problems confronting peacekeeping in civil wars throws into relief the unique complexity and the pitfalls of internal peacekeeping,²⁴ as well as emphasising the delicacy of peacekeeper's position, and the primacy of insurgents as actors in the peace process.²⁵ A combination of the specific insights of case studies and the general conclusions of peacekeeping methodologies, however, provides but a few tantalising clues to a more comprehensive understanding of United Nations-insurgent relations. This can only be provided by an analysis exclusively devoted to the investigation of United Nations-insurgent relations.

A class of literature that obliquely addresses the United Nations' relations with insurgent movements is that generated by the normative debate on the desired abilities of the United Nations in securing the "new world order". Without ever grappling with the subject directly, this debate contains serious implications for the United Nations' relations with insurgent movements as it intervenes in civil wars. Any such speculation and debate indirectly comments on the organisation's present and prospective relations with insurgent movements, while impacting significantly on United Nations policy towards insurgent movement. The debate originated with *An Agenda for Peace*, published in June 1992 by Secretary-General Boutros Boutros-Ghali in response to a request by the Security Council to prepare a report on strengthening the United

Modern War Zone", *Survival*, Vol. 32, No. 3, May/June 1990, pp. 233-240, and Paul F. Diehl, "The Conditions for Success in Peacekeeping Operations", in Paul F. Diehl (ed), *The Politics of International Organizations: Patterns and Insights*, (Chicago: Dorsey Press, 1989), pp. 173-188.

²³ . Alan James, *Peacekeeping in International Politics*, (London: Macmillan, 1990).

²⁴ Alan James, ""Internal Peacekeeping: A Dead End for the UN?", *Security Dialogue*, Vol. 24, No. 4, December 1993, pp. 359-368.

²⁵ Alan James, "The Problems of Internal Peacekeeping", *Diplomacy and Statecraft*, Vol. 5, No. 1, March 1994, pp. 21-46.

Nations security machinery.²⁶ Reaffirming the State's position as the "foundation-stone" of the international system, whose "...fundamental sovereignty and integrity are crucial to any common international progress,"²⁷ *Agenda for Peace* observed its "cohesion...is threatened by brutal ethnic, religious, social, cultural or linguistic strife."²⁸ In addressing its responsibility to arrest this trend through

...agreements ending civil strife [which] may include disarming the previously warring parties and the restoration of order, the custody and possible destruction of weapons, repatriating refugees, advisory and training support for security personnel, monitoring elections, advancing efforts to protect human rights, reforming or strengthening governmental institutions and promoting formal and informal processes of political participation,²⁹

Boutros-Ghali observed that peacekeepers had encountered problems with insurgent movements:

Increasingly, United Nations peacekeeping forces are being established in situations where the success of the operation depends on the cooperation of non-governmental entities or irregular groups. This presents the organisation with a whole new set of problems, such as the lack of a unified or single chain of command, and difficulty in identifying the real source of authority and establishing direct dialogue with the real as opposed to the formal leadership of these movements, factors which in turn may result in agreements not being honoured at lower levels. Frequently, these entities or groups, lacking international recognition, encounter obstacles in obtaining participation in peace conferences or intergovernmental consultations and have thus not always been parties to the political agreements underpinning the establishment of a peacekeeping force. It is also not uncommon for the leadership of these groups to be located in geographically remote areas lacking an established liaison with the United Nations Force Commander. Their very nature may lead them in turn to a generally mistrustful view of the outside world and of the intergovernmental

²⁶ This request was issued by the first ever convening of the Security Council at the heads of government level in January 1992. See "Note by the President of the Security Council", *Security Council Official Records*, S/23500, 31 January 1992, p. 3.

²⁷ Boutros Boutros-Ghali, *An Agenda For Peace: Preventative Diplomacy, Peacemaking and Peacekeeping: Report of the Secretary-General Pursuant to the Statement Adopted by the Summit Meeting of the Security Council on 31 January 1992*, (New York: United Nations, 1992), p. 3.

²⁸ *ibid*, p. 2.

²⁹ Boutros-Ghali, *op. cit.*, 1992, p. 12.

community in particular, and to their being less susceptible to outside influence, while their often clandestine status sometimes makes it all the more difficult to obtain, where the need arises, reliable information about the locations, number of combatants or inventories of weapons.³⁰

For Boutros-Ghali, the problematical nature of insurgents is one of the "new military facts" confronting peacekeepers; when "...governments are not able to exercise control over their territory, U.N. officers must deal with irregular forces and their leaders. This means that agreements often are not reliable, that weapons proliferate without control, and that violence may erupt suddenly."³¹

In this way, the mercurial nature of insurgent movements threatened to bring the whole conflict termination machinery of the international community grinding to a halt. Such defiance was more than frustrating and expensive. Often the pressing nature of the humanitarian or security threat is such that it cannot await the often tortuous negotiations needed to gain the consent of the parties.³² For Boutros-Ghali this raised "...profound questions about the absolute need for consent from the parties in the first place."³³ He argued that the ability to contain and dampen civil wars threatening global peace, and the requirement of greater security by humanitarian operations should be provided by "expanded peacekeeping...[for] when established rules of engagement are no longer sufficient, United Nations forces may need authorisation to use force."³⁴ This perceived need to dispense with the requirement of consent on occasion infers that the United Nations must often impose peace, forcefully if necessary, against sporadically recalcitrant insurgent groups.

³⁰ . Boutros Boutros-Ghali, *Report on the Work of the Organization From the Forty-Sixth to the Forty-Seventh Session of the General Assembly, September 1992*, (New York: United Nations, 1992), p. 52.

³¹ Boutros Boutros-Ghali, "Beyond Peacekeeping", *Conference at New York University School of Law on the Future of Collective Security*, 20 January 1993. p. 112.

³² Boutros Boutros-Ghali, "Challenges and Opportunities for the United Nations Towards the Twenty-First Century", *United Nations University Symposium*, Tokyo, 18 February 1993, pp. 17-18.

³³ . Boutros Boutros-Ghali, "UN Peacekeeping in a New Era: A New Chance for Peace", *The World Today*, Vol. 49, No. 4, April 1993, p. 68.

³⁴ . Boutros Boutros-Ghali, "An Agenda For Peace: One Year Later", *Orbis*, Vol. 37, No. 3, Summer 1993, p. 328.

The supporters of *Agenda for Peace* saw its ideas of peace-enforcement as a chance to authoritatively solve and prevent the festering security threats represented by civil wars. The obstinacy of the belligerents was identified as being responsible for the inability of the United Nations to resolve civil wars during the Cold War.³⁵ Boutros-Ghali's advocacy of "consent-enforcement" on uncooperative belligerents gained endorsements advocating an ability to compel parties to enter peace talks, using "...enforcement leverage whenever either side baulks at a settlement or negotiations to achieve peace,"³⁶ and to maintain "a measure of compulsion...to ensure that parties...abide by their commitments."³⁷ For humanitarian crises, the media and aid agencies supported *Agenda for Peace*, criticising past treatment of warlords attacking relief supplies "as politicians",³⁸ and calling for the use of force to protect flows of humanitarian aid.³⁹ An underlying motivation of arguments supporting consent-enforcement was the perceived need to "win back respect for the UN"⁴⁰ among belligerents and retain the support of

³⁵ Henry Wiseman, "Peacekeeping in the International Political Context: Historical Analysis", in Indarjit Rikhye and Kjell Skjelsbaek (eds), *The United Nations and Peacekeeping: Results, Limitations and Prospects: The Lessons of 40 Years of Experience*, (London: Macmillan, 1990), p. 47.

³⁶ Andrei Kozyrev and Gennadi Gatilov, "The UN Peacemaking System: Problems and Prospects", *International Affairs (USSR)*, No. 12, December 1990, p. 84.

³⁷ Olara A. Otunnu, "Maintaining Broad Legitimacy for United Nations Action", in John Roper, Masashi Nishihara, Olara A. Otunnu and Enid C.B. Schoettle, *Keeping the Peace in the Post-Cold War Era: Strengthening Multilateral Peacekeeping*, (New York: The Trilateral Commission, 1993), pp. 77-8.

³⁸ Editorial, "A Fine, Painful Line for the UN", *The Independent*, Monday 14 June 1993, p. 17.

³⁹ Malcolm Fraser, "The United Nations Needs to do Better in Somalia", *International Herald Tribune*, Wednesday 4 November 1992, p. 8.

⁴⁰ "Rescue the Rescuer", *The Economist*, 12 June 1993, p. 17. In the aftermath of *Agenda for Peace*, there were signs of support for military credibility among United Nations member-states. Early indicators suggested that the United States agreed that the United Nations needed to maintain its credibility. Permanent Representative Albright perceived the requirement of consent as damaging to United Nations plausibility: "The UN's impartiality can be a key to diplomatic credibility; but it is of less help when military credibility is what is required." See Madeleine K. Albright, Testimony before the House Appropriations Subcommittee on Foreign Operations, 5 May 1994, United States Information Service, London, 9 May 1994, p. 2. An early statement by a Clinton administration official intimated that United States forces would be used as a last resort against organisations flouting United Nations peace efforts. See Martin Walker, "First Sign of New US Role", *The Guardian*, Monday 14 June 1993, p. 8. Resolution 868 (1993), in which the Security Council endorsed the Secretary-General to "take forward" the "security measures" recommended in *Agenda for Peace*, was adopted in response to attacks against peacekeepers, and threatened that such attacks "may require the Council to consider measures it deems appropriate." See Security Council Resolution 868 (1993) of 29 September 1993. However, it seems that in the light of recent peacekeeping experience, this support of United Nations military credibility among its member-states was short-lived.

Member-States: "A UN that intervenes with...too little effect will quickly lose the wherewithal to intervene at all."⁴¹

The critics of this position argued that the replacement of consent with enforcement by the United Nations was either undesirable or unfeasible and urged the perfection of existing mechanisms of conflict termination rather than wasting political resources on radical departures. Critics highlight the absurdity of using force to impose peace on parties who are not inclined to participate:⁴² "Force is a notoriously inefficient instrument...[when] used to pacify and rule. Consequently, the ability to achieve military destruction does not indicate a corresponding ability to exercise political control or influence over other actors or events."⁴³ Furthermore, the complexity of civil wars makes the prerequisite of consent essential and peace-enforcement impossible,⁴⁴ because "the participating factions are so numerous and unaccountable that identifying potential enemies becomes a major problem and negotiation a nightmare...There is no hope that if one of the parties reneges on the agreement and resumes hostilities, the peace force can somehow overwhelm them and restore the status quo."⁴⁵ Other critics observe that "[i]t is an axiom that durable, peaceful solutions cannot be imposed by outsiders, however powerful"⁴⁶ and that United Nations' success is contingent upon the support and consent of the belligerents and local population.⁴⁷ The likely failure of experiments in peace-enforcement were predicted to "greatly diminish [peacekeeping's] initial acceptability...[to] the potential consumers of peacekeeping."⁴⁸ Peace-enforcement's opponents offer more than cynical criticism, however.

⁴¹ "Binding the World", *The Economist*, 2 October 1993, p. 16.

⁴² John Gerard Ruggie, "Wandering the Void: Charting the UN's New Strategic Role", *Foreign Affairs*, Vol. 72, No. 5, November/December 1993, p. 28.

⁴³ Thakur, *op. cit.*, 1987, p. 134.

⁴⁴ Malcolm Rifkind, "Peacekeeping or Peacemaking? Implications and Prospects", *RUSI Journal*, Vol. 138, No. 2, April 1993, p. 5.

⁴⁵ John MacKinlay, "Powerful Peacekeepers", *Survival*, Vol. 32, No. 3, May/June 1990, p. 243.

⁴⁶ Sir Anthony Parsons, "The United Nations in the Post-Cold War Era", *International Relations*, Vol. 11, No. 3, December 1992, p. 193.

⁴⁷ Mats R. Berdal, "Fateful Encounter: The United States and UN Peacekeeping", *Survival*, Vol. 36, No. 1, Spring 1994, p. 44; see also Diehl, *op. cit.*, 1989, pp. 173-188.

⁴⁸ James, *op. cit.*, 1990, p. 368.

They argue for a more pragmatic utilisation of the opportunities presented by the end of the Cold War, urging modest reforms, the rectification of existing problems, and the perfection of current conflict termination techniques rather than bold experiments and ambitious proposals.⁴⁹

The debate on current and desirable United Nations conflict termination capabilities can be justifiably characterised as "...the product of aspiration, focussing largely on what is theoretically desirable rather than on what is politically and practically feasible."⁵⁰ Furthermore, much of the debate has concentrated on expanding and updating the military aspects of what is predominantly a political activity.⁵¹ This thesis attempts to fill these gaps by investigating the United Nations' various interactions with insurgent movements for the sources of differing levels of viability. Thus the investigation undertaken by this thesis agrees with the approach of the opponents of peace-enforcement who urge sober reflection on capabilities and roles rather than the generation of euphoric conjectures on desirable mechanisms as the new structure of the post-Cold War world emerges.

1.4: Extending Paradigms: A Theoretical Base

The analysis of an unexplored relationship must either develop its own theoretical structure, or extend and adapt an existing theory to the requirements of the new area. A theoretical basis is essential to a study of how the factors of interaction affect different outcomes: "By a theory the significance of the observed is made manifest. A theory arranges phenomena so that they are seen as mutually dependent; it connects otherwise disparate facts; it shows how changes in some phenomena necessarily entail changes in others."⁵² The majority of international relations theory is developed for, and alludes primarily to States. Yet the world

⁴⁹ See for an excellent summary of these views, David Cox, *Exploring An Agenda For Peace: Issues Arising From the Report of the Secretary-General*, (Ottawa: Canadian Centre for Global Security, 1993).

⁵⁰ Berdal, *op. cit.*, 1993, p. 9.

⁵¹ Augustus Richard Norton and Thomas G. Weiss, "Rethinking Peacekeeping", in Rikhye and Skjelsbaek, *op. cit.*, 1990, p. 29.

⁵² Kenneth N. Waltz, *Theory of International Politics*, (Massachusetts: Addison-Wesley Publishing Company, 1979), pp. 9-10.

continues to change, and the end of the Cold War has stimulated a proliferation of relevant actors in world politics and a deepening density of the global system.⁵³ While international organisations have attracted a growing number of theoretical writings, sub-State groups have been virtually ignored by theorists, despite the fact that "In terms of shaping the postwar world, guerrilla warfare, in its revolutionary and counter-revolutionary forms, has been as least as influential as nuclear weapons."⁵⁴ The fact that both international organisations and sub-State groups have begun to impact directly on the international system qualifies them as important actors, and begs the attention of the paradigms of international relations.⁵⁵ It is a condition of international relations theory that it "must often struggle to catch up with changing realities."⁵⁶

The nature of the United Nations' and insurgent movements' actions and relations in the international system are not sufficiently unusual to require the development of a new theory, but rather fit comfortably within the neorealist paradigm. The concentration of realism on the motivations of power, self-interest, and security are more applicable to the United Nations and insurgents, actors in a war environment, than the other paradigms of international relations. Neorealism also enables the research design adopted to "rel[y] on structural attributes of the international system to generate predictions and provide a basis for explaining outcomes of international politics."⁵⁷ For neorealism, the key structural determinant of behaviour in the international system is anarchy, which requires its actors to rely on self-help as their principle of action and survival: "To achieve their objectives and maintain their security, units in a condition of anarchy...must rely on the means they can generate and the arrangements they can make for themselves."⁵⁸ Neorealism thus allows the analyst to deductively focus on the actors' *interests*

⁵³ James N. Rosenau, *The United Nations in a Turbulent World*, (Boulder: Lynne Rienner Publishers, 1992), p. 23.

⁵⁴ Fred Halliday, "'The Sixth Great Power': On the Study of Revolution and International Relations", *Review of International Studies*, Vol. 16, No. 3, Summer 1990, pp. 208-9.

⁵⁵ Alan James, "The Realism of Realism: The State and the Study of International Relations", *Review of International Studies*, Vol. 15, 1989, pp. 222-3.

⁵⁶ Alexander L. George, *Bridging the Gap: Theory and Practice in Foreign Policy*, (Washington, D.C.: United States Institute of Peace Press, 1993), p. 107.

⁵⁷ George, *op. cit.*, 1993, p. 109.

⁵⁸ Kenneth N. Waltz, "Anarchic Orders and Balances of Power", in Keohane (ed), *op. cit.*, 1986, p. 108.

and *capabilities* as the motivations for their actions. It also allows the isolation and evaluation of the effects of interactions and contexts on the unit's actions: "Under different systemic conditions [units] will define their self-interest differently. For instance, where survival is at stake efforts to maintain autonomy may take precedence over all other activities, but where the environment is relatively benign, energies will also be directed to fulfilling other goals."⁵⁹

The particular nature of the relations between the United Nations and insurgent movements strongly suggests the operation of realist precepts. The brevity of their contact entails that they exert little of the interdependent influence comparable to that exercised by States through their economic and informational links,⁶⁰ and even through diplomacy and war. The analytical model developed in this thesis relies on this fact to speculate that because there is no way for the United Nations and the insurgent movement to positively influence the direction of each others' policy, the viability of their interaction must depend on the coincidence of their interests, perceptions and behaviours. Furthermore, the high stakes involved in the interaction for both participants means that their interests will be strongly held, will determine their behaviour, and will to a large extent be affected by external conditions. Thus the operation of neorealism allows this analysis to concentrate on the United Nations and the insurgent movements' interests, as determined by self-help and their environment, to examine the sources of effectiveness or inefficiencies in their interactions.

In examining the security-related interactions between the United Nations and insurgent movements, this thesis can also be relatively sure that each views the other and their relations in realist terms. The United Nations is for its Member-States a security mechanism through which they act to address the insurgent movements that they see as significantly destabilising; while insurgent movements are belligerents or ex-belligerents which can not rely on any higher authority to protect their interests as they interact with the international community and other less benign entities. An insurgent movement, in taking up arms against the State, absents itself from the State's sovereign guardianship, and thus exposes itself to the self-help logic of the

⁵⁹ *ibid.*, p. 194.

⁶⁰ See Robert O. Keohane and Joseph S. Nye, *Power and Interdependence: World Politics in Transition*, (Boston: Little, Brown and Company, 1977), pp. 8-9.

anarchical international system. Realism dictates that the most basic interest for an insurgent movement is self-preservation, primarily against the vengeful State; this also entails wariness of other interlocutors. It entails that an insurgent movement must rely on its own capabilities to order and achieve its objectives. This situation generates the reliance of insurgent movements on their own version of *raison d'etat*: a realist appraisal of factors and goals, and a reliance on a conception of self-interest as the guide to policy and action.⁶¹ It is these considerations that determine insurgent movements' prosecution of war and peace, and that determine their approach to their interaction with the United Nations.

Realism informs the actions of the United Nations in a different way. Its interests, capabilities and initiatives are determined by the level of agreement between its Member-States' conceptions and pursuit of their self-interest. Its approach to an interaction with an insurgent movement is thus based on its Member-States' common conception of the urgency of the security threat it represents and the best method of dealing with the threat. United Nations Member-States have a basic interest in preserving the present society of States, and their position as "the principle actors in world politics, and the chief bearers of rights and duties within it."⁶² This system and its stability is basic to Member-States', and particularly the Great Powers', pursuit of their other goals.⁶³ These States are, therefore, continually concerned with perpetuating their exclusive club against the inevitability of change, and the United Nations has functioned as one of the mechanisms of a constant "process of disequilibrium and adjustment."⁶⁴ The homogenising tendency of international politics⁶⁵ motivates the United Nations' more status quo-oriented Member-States to see them as interlopers, "a challenge to the privileged position of States in world politics, or their right to enjoy it"⁶⁶ in international

⁶¹ Henry A. Kissinger, *Diplomacy*, (New York: Simon and Schuster, 1994), pp. 58-70.

⁶² Hedley Bull, *The Anarchical Society: A Study of Order in World Politics*, (Basingstoke: Macmillan, 1977), p. 17.

⁶³ Carr, *op. cit.*, 1970, p. 82.

⁶⁴ Gilpin, *op. cit.*, 1981, p. 13.

⁶⁵ Raymond Aron, *Peace and War: A Theory of International Relations*, trans. Richard Howard and Annette Baker-Fox, (London: Weidenfield and Nicholson, 1980), pp. 378-381.

⁶⁶ Bull, *op. cit.*, 1977, p. 17.

politics, and to want to return them to the domestic realm. As nuclear weapons and other factors increasingly preclude Great Power conquests of territory, insurgent movements by effect and demonstration increasingly represent the sole threat to the territorial integrity and viability of States.⁶⁷ Jealousy of their sovereign prerogatives also motivates States to act to "maintain their monopoly of violence and deny the right to employ it to other groups."⁶⁸ These security-based considerations, along with domestic and other pressures on Member-States, and the principles of the Organisation, determine the motivations of the United Nations in its relations with insurgents.

Realism also defines the limits of the United Nations' capabilities to carry out its policies in its interaction with insurgent movements by explaining its Member-States' motivations for acting multilaterally and demonstrating that its actions are constrained by the levels of agreement between their conceptions of the Organisation and their self-interest. Neorealism explains the systemic constraints on State action;⁶⁹ an increasingly important consideration for international action is legitimacy. Its requirements operate as a constraint on Great Power actions, particularly those concerned with preserving their interests and conceptions of order: "The Great Powers...have a problem of securing and preserving the consent of other States to...their managerial functions, [which have to be] accepted clearly enough by a large enough proportion of the society of States to command legitimacy."⁷⁰ States have turned to the United Nations, with its unique universality of membership and responsibility for international peace and security, as a method of legitimating their interventions to maintain regional stability. Multilateralism, as a mechanism for the "equitable sharing of both cost and commitment"⁷¹ also allows States to minimise their sacrifices to international stability, while providing them with a convenient scapegoat if the intervention runs into difficulties.

⁶⁷ Kenneth N. Waltz, "The Emerging structure of International Politics", *International Security*, Vol. 18, No. 2, Fall 1993, p. 53.

⁶⁸ Bull, *op. cit.*, 1977, p. 19.

⁶⁹ Waltz, *op. cit.*, 1979, pp. 121-2.

⁷⁰ Bull, *op. cit.*, 1977, p. 228.

⁷¹ George Bush, "Aggression in the Gulf: A Partnership of Nations", Delivered at the United Nations General Assembly, New York, 1 October 1990, *Vital Speeches of the Day*, Vol. 62, No. 1, October 15, 1990, p. 3.

The requirement of multilateralism carries its own inherent constraints on the effectiveness of action. Concerted and sustained United Nations action is dependent on the level of agreement between its Member-States on the goals and methods of the initiative. Its Member-States' support in turn, is based on their conceptions of self-interest and view of the Organisation. Each different threat and response generates its own ad hoc coalition within the auspices of the United Nations; each coalition is distinctive in terms of membership, resourcing, goals, and resolution. Because "alliances are organized against a perceived threat,"⁷² the participants' perceptions of the nature of the threat determines their commitment to the coalition and their cohesion. Member-States act through the United Nations when they judge it to be a more efficient way to advance their self-interests, but their collaboration "occurs only in ways strongly conditioned by the structure of anarchy."⁷³ The anarchic system, and their sovereign prerogatives, bases the commitment of the Member-States of the United Nations contingent on whether they see their self-interests as being advanced by the Organisation's actions. Realism thus dictates that the diplomatic consensus underpinning a United Nations initiative is inherently fragile, and based on the vagaries of each coalition members' agreement, which, based on the perceptions of threat and self-interest, can change at any time. This inevitably restricts the scope and nature of United Nations action. These realist and neorealist precepts enable this analysis to examine the effect of United Nations and insurgent behaviour, as determined by interests, motivations, and environmental stimuli, on interactions of varying viability.

As a neorealist analysis, this study is based on a number of assumptions. Foremost is the assumption that the actors define their interests primarily in terms of power and security goals. This is based on the calculation that theirs is foremost a relationship based on security concerns in a former or current war environment. Another assumption is that their behaviour, on the continuum between war and peace, is determined by their political interests. Finally, a major assumption is that the protagonists' behaviour is rational. The assumption of rationality is necessary for the understanding of behaviour by allowing the analyst to investigate continuities:

⁷² Waltz, "The Emerging Structure of International Politics", *op. cit.*, 1994, p. 75.

⁷³ John Gerard Ruggie, "Continuity and Transformation in the World Polity: Toward a Neorealist Synthesis", in Keohane (ed), *op. cit.*, 1986, p. 134.

"only if human actions form some pattern can they ever be forecast or the relations between them subject to analysis."⁷⁴ Rationality allows observed behaviour to imply intention: "explanation consists of showing what goal the [actor] was pursuing when it acted and how the action was a reasonable choice, given the [actor's] objective."⁷⁵ This allows the analysis to assume that the behaviour under investigation is "motivated by a conscious calculation of advantages, a calculation that is in turn based on an explicit and internally-consistent value system."⁷⁶ It also allows the analysis to speculate on how interactions, changes in external conditions, and other stimuli can affect behaviour by assuming that the protagonists will modify their behaviour when the benefits of doing so outweigh the costs, and when a change in behaviour would be more beneficial than maintaining a previous position. The actors' rationality is, however, necessarily bounded imperfect information, restricted resources and time, and a lack of a full appreciation of possible courses of action.

1.5: Arguments and Hypothesis

Regarding the interaction of the United Nations and insurgent movements as units in an anarchical system through the prism of neorealism allows the postulation of several arguments which lead to a hypothesis that will be tested through the ensuing analysis. It emerges that insurgent movements' situations are determined by their use of war against the State, and that they are forced to be self-reliant for the promotion of these interests and for their own security. Their form of influence and power within the system relies on their war-making ability,⁷⁷ which is confined to within their conflict region. The United Nations' approach is determined predominantly by the interests of its Member-States, and the agreement between them as they form ad hoc alliances to deal with each threat. United Nations cohesion is affected by the nature of the threat, the amount of commitment to a solution, and inevitably the progress of the

⁷⁴ Anthony Downs, *An Economic Theory of Democracy*, (New York: Harper and Row Publishers, 1957), p. 4.

⁷⁵ Graham T. Allison, *Essence of Decision: Explaining the Cuban Missile Crisis*, (Boston: Little, Brown and Company, 1971), p. 13.

⁷⁶ Thomas C. Schelling, *The Strategy of Conflict*, (New York: Oxford University Press, 1960), p. 4.

⁷⁷ Some insurgent movements, such as Unita, have fledgling diplomatic networks, but these carry little weight.

initiative. The United Nations' motivation is to terminate or dampen the civil war, and possibly to reintegrate the insurgency back into the domestic system. The sources of United Nations' influence rest on its legitimacy, the support of international law, and its diplomatic contacts.

As developed more fully in Chapter Three, these factors combine to produce the conclusion that the United Nations and insurgent movements lack the means to exercise a positive influence on each other's policy. This is compounded by the brevity of their contact, and its security-based nature, which causes them to consider their interests even more vital. The combination of these arguments suggests that the more the United Nations' and insurgent movement's approaches to their interaction coincide, the more efficient their interaction will be. On the other hand, when these approaches clash, the seriousness of the stakes will tempt either the United Nations or the insurgent movement to resort to negative influence, or compulsion, to alter the other's approach to the interaction in its favour. This in turn will undermine the consensual nature of the interaction, either decreasing its effectiveness or ending the interaction. This line of reasoning suggests the hypothesis that between the United Nations and insurgent movements, *concurring approaches produce more optimal interactions than divergent approaches*. It is to testing this hypothesis against the evidence of recent interactions that this study is devoted.

1.6: Methodology of Analysis

The form of analysis chosen is determined by the nature of the problem and the evidence available. Explaining varying levels of effectiveness across a class of relationships using reports of behaviours and events calls for a methodology that looks for continuities in the causes of the various outcomes, while enabling comparisons between and within cases. A methodology relates the hypothesis to the evidence, by contesting that "wherever and whenever the combination of preconditions, necessary and sufficient, occurs, then the event in question will occur."⁷⁸ The analysis must apply the evidence critically to the hypothesis: "Every genuine *test*

⁷⁸ Charles Reynolds, *The Politics of War: A Study of the Rationality of Violence in Inter-State Relations*, (New York: St. Martin's Press, 1989), p. 34.

of a theory is an attempt to falsify it, or refute it. Testability is falsifiability."⁷⁹ The methodology selected for this study is developed from the hypothesis and its supporting arguments by generating a framework of indices that are designed to measure the extent of agreement between the United Nations' and the insurgent movement's approaches to their interaction. Those indices that are selected are those that are predicted to have the greatest influence on the viability of the interaction, based on the argument that "any set of variables that differentiates...systems in a manner corresponding to the observed differences of behaviour...can be considered as explaining these patterns of behaviour."⁸⁰ The indices are selected by the criterion that "The superiority of the experimental method derives from its ability to logically remove as causes those variables that are not part of the hypothetical relationship under investigation."⁸¹ Only the key variables are chosen because of the need for parsimony: "a model that explains everything explains nothing. If it does not simplify, it cannot explain."⁸² Having been derived from the neorealist paradigm, this research design inevitably selects some aspect of the relationship to emphasise over others, depending on the paradigm and its assumptions. Other factors, such as the influence of personalities, national characteristics, psychological dynamics and personal identities will inevitably impact on any interaction involving human beings. However, the need for parsimony, and the neorealist paradigm, while acknowledging the operation of these and other factors, contends that other, system-determined forces have a more important impact.

The framework of indices, which is fully developed in Chapter Three, allows the testing of the hypothesis across a range of interactions differing in goals, scale, size, and length, by assessing whether similar levels of agreement between the United Nations and the insurgent movement's approaches produce similarly effective interactions, and whether less effective interactions are characterised by clashing approaches. The framework thus measures the effect

⁷⁹ Karl R. Popper, *Conjectures and Refutations: The Growth of Scientific Knowledge*, (London: Routledge and Kegan Paul, 1963), p. 36.

⁸⁰ Theodore W. Meckstroth, "'Most Different Systems' and 'Most Similar Systems': A Study in the Logic of Comparative Inquiry", *Comparative Political Studies*, Vol. 8, No. 2, July 1975, p. 133.

⁸¹ John P. Frendreis, "Explanation of Variation and Detection of Covariation: The Purpose and Logic of Comparative Analysis", *Comparative Political Studies*, Vol. 16, No. 2, July 1983, p. 257.

⁸² Jonathon Bendor and Thomas H. Hammond, "Rethinking Allison's Models", *American Political Science Review*, Vol. 86, No. 2, June 1992, p. 318.

of the coincidence of approaches, as the dependent variable, on the optimality of the interaction, the outcome. When applied to the evidence, this framework will support the hypothesis if the most viable interaction were attended by the highest coincidence of approaches, and will refute the hypothesis if it demonstrates that a viable interaction occurred between two clashing approaches, or that agreeing approaches resulted in a dysfunctional interaction. The direction and differential impact of these indices allow a fuller evaluation and comparison of the relative impact of the various motivations on the actors' behaviour and interaction across and within the cases. The application of the framework to the data consists of a procedure of searching for the operation and influence of each indicator in the cases selected, and comparing the effect of the factor with the outcome of the conflict termination process. This procedure also yields broader insights into the interaction between the United Nations and insurgents, concerning the motivations of the participants, the appropriateness of their methods, the organisational dynamics of the actors, and the impact of personality and environmental factors.

The research design utilises the comparative method, one of the basic social scientific methods of discovering empirical relationships among variables and between variables and outcomes. To do this, a comparative analysis devises "...a strategy for conducting post hoc research that seeks to control potentially confounding variables through careful case selection and matching."⁸³ The use of an analytical tool to comparatively examine a broad range of data yields potentially more significant insights of wider applicability than a minutely-detailed case study, because

Basic to scientific evidence (and to all knowledge-diagnostic processes including the retina of the eye) is the process of comparison, or recording differences, or of contrast. Any appearance of absolute knowledge, or intrinsic knowledge about singular isolated objects, is found to be illusory upon analysis.⁸⁴

⁸³ Frensdreis, *op. cit.*, 1983, p. 255.

⁸⁴ Donald T. Campbell, "'Degrees of Freedom' and the Case Study", *Comparative Political Studies*, Vol. 8, No. 2, July 1975, p. 179.

The conclusions derived from comparative analysis are also potentially more applicable to other, similar relationships, and even to a limited extent, to some allied or less analogous cases.⁸⁵

1.7 The Organisation of the Study

The structure of this thesis is arranged around the application of the research design to contemporary empirical data to comparatively determine the validity of the hypothesis. Before this is attempted, however, Chapter Two sets the study within the context of the history of the United Nations and its relations with insurgent movements since its inception. It isolates the political trends determining these relations through the history of the Organisation, and assesses how the end of the Cold War has affected these forces. It sets the limits of the ensuing analysis by contending that in the post-Cold War era, the United Nations' Member-States have seen insurgent movements not as potential allies in a global ideological struggle, as during the Cold War, but as moderate-level security concerns to which some sort of response had to be formulated. Chapter Three follows from this new context of United Nations-insurgent interaction. From neorealist precepts, it forms a theory of the logic of insurgent action and the determinants of United Nations capabilities. From this basis, it develops a framework of indices for measuring the coincidence of the United Nations and the insurgent movement's approaches to their interaction, and explains how the operation of each of these variables will impact on the interaction of the hypothesis is valid.

The remainder of the thesis applies this framework of approach indices to several cases within three types of United Nations-insurgent interaction. The three types of interaction, each examined in a separate chapter, are mediation, peacekeeping, and election monitoring. They have been selected from a range of United Nations activities in civil wars, including observer missions, humanitarian aid missions, economic reconstruction, reorganising security forces, and infrastructure rebuilding, all of which feature some level of contact between the United Nations and insurgent movements. The three interaction types selected, however, offer within the space available, the best opportunity to study the most sustained, observable, and diverse interactions

⁸⁵ *ibid.*, p. 180.

between the United Nations and insurgent movements. Chapter Four applies the framework to three cases where the United Nations engaged in mediation in wars involving insurgent movements. Chapter Five tests the framework against five peacekeeping relationships, while Chapter Six applies it to two cases of election monitoring. The conclusion combines the results of all of the studies to assesses the validity of the hypothesis according to this evidence, and discusses the other findings and practical applications of the study.

2: POLITICAL-HISTORICAL CONTEXTS

As an international security organisation in a world of sovereign States, the United Nations' relations with insurgent movements are profoundly influenced by the configurations of dissension and accord among its Member-States. Many of the United Nations' motives in its relations with insurgents after the Cold War cannot be properly understood without first exploring its ontogeny as shaped by the cycles and realignments in the post-War international system. This chapter identifies the major trends and structures of international politics that have affected the United Nations' relations with insurgent groups during and after the Cold War. The chapter begins by appraising the effect of the antagonism between the superpowers and of the politics of decolonisation on the United Nations, causing it to evolve into an increasingly radical and exclusive Third World forum. These forces significantly affected United Nations' policy and actions towards national liberation movements and other insurgent groups. The second part of the chapter surveys how the end of the Cold War has changed the way the international community views insurgent movements, and how this has altered the United Nations' stance towards interacting with them. The third part characterises the post-Cold War reorientation of States' perceptions and motives for acting through the United Nations, especially for addressing insurgent movements that affect them. The chapter concludes with a brief examination of the current status of international law regulating United Nations' contacts with insurgents, giving special attention to the jurisprudential changes to international law wrought by the new post-Cold War activism of the Security Council.

2.1: Cold War Trends Affecting the United Nations

The birth and development of the United Nations organisation coincided with the outbreak and rigidification of the Cold War cleavage. The intense enmity between two States vastly superior to all others in nearly all indices of power, possessing nuclear weapons, and with mutually-exclusive global interests, and the slow polarisation of most other States around these superpowers, was bound to effect the development and functioning of an international collective security organisation based on cooperation and consent. The basis of the antagonism between the United States and the Soviet Union lay in the implicit challenge that each State's motivating

ideology posed to the ideological foundations of the other's socio-economic system. The American conviction that totalitarian and democratic traditions were incompatible and prone to conflict was given post-War specificity by identifying Soviet communism as totalitarianism's most dangerous manifestation: a superpower which combined an autocratic tradition, a paranoid obsession with an inherently hostile world, and a messianic compulsion to overturn the status quo.¹ The Soviet Union, in turn, felt it had to protect itself against a capitalist-imperialist world that had repeatedly demonstrated its hostility to the existence of a "more advanced stage of socio-economic development" in its midst.²

The foreign policy of each superpower consequently became conditioned by the existence and actions of its ideological rival. Their conviction that the antagonism of the opposing system precluded any compromise cast their foreign policy solely in terms of national security, resulting in military and economic build ups. Their conception of national security was globalised not only by advances in military and communications technology, but also by the evangelising zeal of both ideologies. The nuclear stalemate diverted superpower conflict into converting and securing allies and proving the superiority of their own developmental model.³ Thus the Cold War was fought in phases: firstly of position, in which action was taken to exclude rival involvement in regions considered vital to national security; and then of movement, where new partners to be enlisted against the enemy were vigorously sought.⁴ As the world hardened into two opposing blocs, foreign policy lost its nuance, flexibility, and compromise in a precarious bipolar balance where gains or losses of allies were seen in zero-sum terms.⁵

¹ "X" (George F. Kennan), "The Sources of Soviet Conduct", *Foreign Affairs*, Vol. 25, No. 4, July 1947, pp. 566-582.

² Isaac Deutscher, *Stalin A Political Biography*, (Harmondsworth: Penguin Books, 1970), pp. 485-491.

³ Christer Jonsson, *Superpower: Comparing American and Soviet Foreign Policy*, (London: Frances Pinter, 1984), p. 108.

⁴ Charles W. Kegley Jr., and Gregory A. Raymond, "Alliances and the Preservation of the Postwar Peace: Weighing the Contribution", in Charles W. Kegley (ed), *The Long Postwar Peace: Contending Explanations and Projections*, (New York: Harper Collins, 1989), p. 277.

⁵ Henry A. Kissinger, "Central Issues of American Foreign Policy", in Henry A. Kissinger (ed), *American Foreign Policy*, (3rd ed.) (New York: WW Norton and Company Inc, 1977), p. 56.

Meanwhile, a parallel rivalry was developing in the post-War world: a burgeoning global movement of former colonies and anti-imperialist insurgents against European domination and colonisation of Asia, Africa and Latin America. This movement resulted from the congruence of several forces after the Second World War: the exhaustion of the European imperial powers by the world wars; the successful military challenge to European dominance by Japan, a non-Western State; the rise of European-educated indigenous colonial elites dedicated to the ideals of liberty and self-government; and the rise of two avowedly anti-imperialist superpowers chastened by the wartime idealism embodied in the Atlantic Charter.⁶ The process of decolonisation introduced a new type of actor onto the international stage: the national liberation movement. This label by no means included all insurgent movements, but was reserved for particular groups that exhibited certain characteristics. Those groups endorsed internationally as national liberation movements embodied the strictly-defined concept of self-determination propounded by ex-colonial States. This was that the right to self-determination existed only for those peoples ruled by a geographically-removed imperial centre - the so-called "salt water rule" of colonialism - or those denied political rights by a white, or racially-distinct minority.⁷ By the mid-1960s, the label of "national liberation movements" was to apply only to insurgent organisations of in Palestine, southern Africa, and the Portuguese colonies.

As the process of decolonisation released more States and national liberation movements into the international system, bipolar rivalry moved into the third world, with each superpower defining its position *vis-a-vis* the new anti- and post-imperialist forces in the developing world. Several factors led to the entanglement of colonial and post-colonial conflicts in the Cold War: national liberation movements' espousal of ideals of social revolution as well as political independence; their search for models of social and economic development; growing regional confrontations between newly independent States; and superpower rivalry for bases, resources

⁶ D. K. Fieldhouse, "Decolonisation", in Andrew Mack, David Plant and Ursula Doyle (eds), *Imperialism, Intervention and Development*, (London: Croom Helm, 1979), p. 47.

⁷ A. Rigo Sureda, *The Evolution of the Right to Self-Determination: A Study of United Nations Practice*, (Leiden: A. W. Sijthoff, 1973), p. 101.

and allies.⁸ These two major trends of cleavage and alignment in the post-War era - capitalism/communism and imperialism/decolonisation - were to overlap but never completely merge in a way that produced a pattern of confrontation in the international system that was to influence the United Nations' policy towards insurgent movements during the Cold War.

The United States' primary motivation for involvement in the decolonising world was its perception of a threat from a rival system which was intent upon forcible expansion. It based this conviction on Soviet ideological pronouncements and establishment of client regimes in its Eastern European sphere of influence. Such a Soviet drive would threaten the American desire to secure global peace and security through the establishment and support of an homogeneous international system of peaceful democracies.⁹ The United States, realising that the costs of a direct military confrontation with the Soviet Union would far outweigh its benefits, conceived the policy of containment, whereby its military and economic predominance would be used to check Soviet thrusts into the non-Communist world, securing an internal modification of the aggressive totalitarian system by frustrating its external drives.¹⁰ For the United States, the defence of these ideological boundaries¹¹ was predicated on the need to build up the economic, social and political health of the non-Soviet world against Communist subversion, on the assumption of a direct correlation between economic health, psychological self-confidence and the capacity for self-defence against externally-sponsored internal challenges.¹² Containment thereby committed the United States to the policy of supporting the tenure and stability of status quo power structures and regimes in the post-War non-Communist world.

⁸ Fred Halliday, *Cold War, Third World: An Essay in Soviet-U.S. Relations*, (London: Hutchinson Radius, 1989), pp. 27-8.

⁹ Walter C. Clemens Jr., "The Superpowers and the Third World: Aborted Ideals and Wasted Assets", in Charles W. Kegley Jr. and Pat McGowan (eds), *Foreign Policy USA/USSR*, (Beverly Hills: Sage Publications, 1982), p. 114.

¹⁰ John Lewis Gaddis, *The United States and the End of the Cold War: Implications, Reconsiderations, Provocations*, (New York: Oxford University Press, 1992), pp. 27-8; 39.

¹¹ Christer Jonsson, "The Ideology of Foreign Policy" in Kegley and McGowan (eds), *op. cit.*, 1982, p. 105, suggests that the Truman doctrine became a globalised Monroe Doctrine, with the boundaries drawn along ideological rather than geographical or hemispheric lines.

¹² John Lewis Gaddis, *The Long Peace: Inquiries Into the History of the Cold War*, (New York: Oxford University Press, 1987), p. 41.

By contrast, Soviet foreign policy elected to extend support to those anti-imperialist insurgents and newly-independent States that were challenging the status quo power structures in the decolonising world. The Soviet Union saw itself as a power that had sustained severe internal war damage, yet faced a hostile State system alone. Soviet foreign policy was therefore driven by the dual objectives of restraining the West's power and influence while seeking allies against Western expansion by promoting the spread of the Soviet political and economic model. Frustrated in Europe by the Truman doctrine, Marshall aid and containment, and alarmed by its encirclement by United States allies, Strategic Air Command bases and intelligence installations, the Soviet Union, under the doctrine of "peaceful coexistence" launched a counter-encirclement drive aimed at securing influence in the decolonising world. Khrushchev and his successors stressed that peaceful coexistence between States was subordinate to proletarian internationalism, and did not preclude vigorous Soviet support for the global class struggle, at that time being waged by pro-independence insurgents against European empires. The Soviet thrust into the third world was designed to maintain its foreign policy momentum and demonstrate the continued revolutionary vitality of its ideology by backing these anti-colonial insurgents.¹³ Soviet ideologues duly classified national liberation movements as one of the three main revolutionary forces in the world, to be led by the Soviet Union as the Leninist revolutionary vanguard State.¹⁴

Soviet strategists reasoned that the Soviet Union had sufficient community of interest with anti-imperialist national liberation movements, most of which were fighting North Atlantic Treaty Organisation States,¹⁵ to form the basis of an alliance.¹⁶ Soviet propaganda was brought into line with this new policy direction, frequently issuing statements against imperialism and

¹³ Joseph L. Noguee and Robert H. Donaldson, *Soviet Foreign Policy Since World War II*, (4th ed.), (New York: Macmillan Publishing Company, 1992), p. 166.

¹⁴ Galia Golan, "Moscow and Third World National Liberation Movements: The Soviet Role", *Journal of International Affairs*, Vol. 40, No. 2, Winter/Spring 1987, p. 303.

¹⁵ Alvin Z. Rubinstein, *Soviet Foreign Policy Since World War II: Imperial and Global*, (3rd ed.), (Glenview, Illinois: Scott, Foresman and Company, 1989), p. 314.

¹⁶ Noguee and Donaldson, *op. cit.*, 1992, p. 166.

proclaiming solidarity with the colonised. Soviet bloc support for national liberation movements took the form of selective and cost-effective arms transfers, training, and financial and diplomatic assistance.¹⁷ It was hoped that the transition to power of Soviet-backed national liberation movements during decolonisation would win the Soviet Union a string of allies in the developing world, who would deny the capitalist system access to raw materials, thereby throwing it back upon its own scarce resources and eventually triggering the prophesied "world capitalist crisis". Following this strategy, Soviet policy and presence was gradually globalised, with each new third world ally providing bases for the further expansion of the Soviet presence.¹⁸

As soon as it had recovered from the traumas of its own revolutionary wars and the Korean war, the People's Republic of China emerged as a major alternative sponsor of wars of national liberation in the developing world. Originally it supported the Soviet Union's initiatives towards insurgents, but as the Sino-Soviet split deepened, and Chinese ideologues bitterly denounced "the betrayal of global people's revolutions" by the "Khrushchevite revisionists" in Moscow, China embarked on a vigorous and independent program of support for national liberation movements. The Chinese recast their foreign policy priorities in order to form an international alliance to oppose not only United States imperialism, but also Soviet revisionism, which were increasingly experiencing detente and accord on the global status quo.¹⁹ China saw the volatile decolonising and developing world as offering it the greatest opportunity to advance these foreign policy objectives at the least cost. It participated in the Bandung Conference in 1955, the Afro-Asian People's Solidarity Conference in 1958, and has promoted itself as the champion of the rights of third world States ever since.²⁰ Chinese strategy in the third world was

¹⁷ Galia Golan, *The Soviet Union and National Liberation Movements in the Third World*, (Boston: Unwin Hyman, 1988), pp. 268-270.

¹⁸ V. Kubalkova and A. A. Cruickshank, *Marxism and International Relations*, (Oxford: Clarendon Press, 1985), p. 86.

¹⁹ Peter Van Ness, *Revolution and Chinese Foreign Policy: Peking's Support for Wars of National Liberation*, (Berkeley: University of California Press, 1971), p. 15.

²⁰ China is now a member of the Non-Aligned Movement, and remains committed to championing the rights of the third world against imperialism and neo-imperialism, most prominently within the United Nations Security Council.

formulated by Defence Minister Lin Piao in September 1965, when he described Western democracies as "the cities of the world", and the developing States as "the rural areas of the world", which would ultimately encircle, besiege, and overthrow "the cities" in a global revolution.²¹ China singled out national liberation struggles against imperialism and neoimperialism in the underdeveloped world as the single most important aspect of the world revolution, because they represented the most opportune way to confound and starve the innately aggressive forces of imperialism.²² Beijing's material, training, and propaganda support for national liberation movements developed in competition with Moscow's, and Chinese pronouncements of the virtues of supporting "progressive" over "reactionary" contestants for State power rationalised a policy of supporting those movements competing with Soviet-backed groups.²³ As Sino-Soviet foreign policy competition intensified, so the amount of support flowing to the movements they sponsored increased. China, then, although not admitted to the United Nations until November 1971, was to play a significant role in United Nations-insurgent relations during the Cold War

The United States' response to both the Chinese and Soviet challenges was to extend containment into the third world. American foreign policy assumed communism to be monolithic and centrally-directed, and relied upon a successor State's ideology to predict its foreign policy behaviour. The coming to power of each new Soviet- or Chinese-backed anti-colonial insurgency was seen as a direct threat to national security by President Kennedy, among others: "I know full well that every time a country, regardless of how far away it may be from our own borders,...passes behind the Iron Curtain, the security of the United States is thereby threatened."²⁴ The Kennedy administration launched a comprehensive system of aid to States in the developing world in tandem with a policy of assistance for counter-insurgency for non-

²¹ Van Ness, *op. cit.*, 1971, p. 16.

²² Bruce D. Larkin, *China and Africa, 1949-1970*, (Berkeley: University of California Press, 1971), pp. 187-9.

²³ Previously to 1964, Chinese policy advocated even-handed support of competing national liberation movements. Following the Sino-Soviet split, it rejected pro-Moscow movements (such as the ANC, which included the pro-Soviet SACP), in favour of groups that came to be seen as Chinese-backed - PAC, ZANU, Unita, Coremo, SWANU. The PAIGC obtained both Soviet and Chinese support and aid.

²⁴ John F. Kennedy, quoted in John Lewis Gaddis, *Strategies of Containment: A Critical Appraisal of Postwar American National Security Policy*, (Oxford: Oxford University Press, 1982), p. 211.

communist regimes as part of the doctrine of flexible response. Concern with upholding the status quo thereby made the United States' response to insurgents one of opposition, and American intervention took the form of coups d'etat or calibrated anti-insurgent military aid to support non-communist regimes.²⁵ Evidence of overt and covert United States intervention against progressive forces served to strengthen the image of the United States in the third world as a reactionary gendarme, and seemed to many to vindicate the Soviet Union's charges that it was indeed in the vanguard of the forces of imperialism.²⁶

This policy, and the advance of communist movements in China, Korea, and throughout South-East Asia, was ultimately to lead to the United States' protracted and painful embroilment in Vietnam, which provoked critical domestic and international assaults on the morality of an American foreign policy that appeared to behave in the developing world in a way that would not be tolerated within the United States or the Western Alliance.²⁷ "Vietnam Syndrome" crept into United States foreign policy, draining American self-confidence, weakening Presidential authority and inhibiting American resolve. This was accompanied by a growing confidence in Soviet foreign policy: Brezhnev's long military build up to parity had neutralised the American nuclear deterrent and globalised the reach of Soviet conventional forces, enabling more daring, overt and extensive Soviet bloc intervention in the developing world.²⁸ As more and more Soviet clients came to power in the developing world, the newly confident USSR began to extend the Brezhnev Doctrine into the third world, intervening more and more frequently to protect the tenure of Moscow-aligned administrations.²⁹

²⁵ Walter C. Clemens Jr., "The Superpowers and the Third World: Aborted Ideals and Wasted Assets", in Kegley and McGowan, *op. cit.*, 1982, p. 118.

²⁶ Amos Yoder, *The Conduct of American Foreign Policy Since World War II*, (New York: Pergammon Press, 1986), p. 127.

²⁷ Henry A. Kissinger, *The White House Years*, (Sydney: Hodder and Stoughton, 1979), pp. 230-9.

²⁸ Zbigniew Brzezinski, *The Grand Failure: The Birth and Death of Communism in the Twentieth Century*, (New York: MacDonald, 1990), pp. 27-37.

²⁹ Stephen S. Rosenfeld, "The Guns of July", *Foreign Affairs*, Vol. 64, No. 4, Spring 1986, p. 700.

The pendulum of superpower involvement with insurgents soon swung back, however. By the mid-1970s, an increasing number of Soviet allies had come under attack from indigenous anti-communist national liberation movements in Afghanistan, Mozambique, Angola, Nicaragua, Ethiopia and Cambodia, forcing Cuba, Vietnam and the Soviet Union to adopt the reactionary counter-insurgency role.³⁰ The new, assertive Reagan administration sought to exploit indigenous resentment and the long Soviet supply lines to the third world³¹ at minimum cost and risk by selectively extending aid in the form of advances in weapons technology such as the Stinger surface-to-air missile to anti-communist insurgents.³² This policy enabled the United States to assume the offensive in the third world, aiming to "roll back" Soviet influence by toppling its client regimes from within. The Reagan Doctrine was a success: the Soviet Union was forced into a corner, expending increasingly scarce resources to support an unpromising array of unpopular client regimes while being increasingly criticised by the anti-imperialist movement with which it had hitherto found a common, anti-Western cause. By the mid-1980s both superpowers had established a problematic record with insurgent movements.

2.2: The Cold War's Impact on the United Nations

These trends in the post-War international system - superpower rivalry, bitter ideological competition, nuclear stalemate, decolonisation, promotion of or opposition to insurgents, the competition for allies, bases and resources - all were to have a profound effect upon the fledgling United Nations organisation. All of the patterns of conflict and affiliation hitherto identified were carried into the security forums of the United Nations and subsequently determined the way in which the organisation was to act towards insurgent movements.

The architects of the United Nations Charter, mindful of the failures of the League of Nations, were determined to create an effective collective security organisation of universal State membership, which acted on majority decision rather than unanimity and which imposed

³⁰ Francis Fukuyama, "Gorbachev and the Third World", *Foreign Affairs*, Vol. 64, No. 4, Spring 1986, p. 720.

³¹ Curtin Windsor, "From Reagan Doctrine to Detente", *Global Affairs*, Vol. 3, No. 1, Winter 1988, p. 55.

³² Coral Bell, *The Reagan Paradox: American Foreign Policy in the 1980s*, (Aldershot: Edward Elgar, 1989), p. 105.

an obligation on member States to comply with its collective security actions as a condition of membership. The cornerstone of this system of collective security was a Security Council with a permanent core of five great powers and a rotating membership of ten³³ non-permanent seats. This organ was entrusted with primary responsibility for maintaining international peace, for which it was given unprecedented flexibility regarding the range of collective security instruments at its disposal, ranging from mediation, to the application of mandatory sanctions and the use of force.³⁴ The Charter required the concurrence of all five permanent members with substantive Security Council actions³⁵ as an attempt to place the ultimate responsibility for keeping the peace on the five great powers that had the capacity to do so, to force the Security Council to only adopt resolutions in concordance with the interests of the great powers and compatible with United Nations capabilities, and to prevent it from becoming a forum in which the great powers adopted futile or dangerous resolutions against each other.³⁶ The veto was a symbol of great power control over the collective security instrument of the United Nations, making the organisation's effectiveness dependent on great power unity and the agreement of their conceptions of national and international security.

The development of Cold War rivalry among the Security Council's permanent members meant that the great power unity upon which the United Nations collective security regime was predicated never materialised. The close relations between the other permanent members - the United States, the United Kingdom, France and Nationalist China - meant that the Soviet Union had viewed the organisation with distrust since its inception. Its suspicion was partly based on its experiences with the League of Nations, having been first disbarred from membership of that organisation by Britain and France, and then expelled in December 1939 for its invasion of Finland, having watched Germany, Italy and Japan escape virtually unpunished for their

³³ The Security Council was originally designed with six non-permanent seats, but this was enlarged to ten non-permanent seats by Charter amendment on 17 December 1963, entering into force on 31 August 1965 to reflect the expanding membership of the United Nations and the need for a more equitable geographic representation on the Council.

³⁴ United Nations Charter, Chapters V, VI and VII, Articles 23-51.

³⁵ Article 27(3).

³⁶ Charles L. Robertson, *International Politics Since World War II: A Short History*, (New York: John Wiley and Sons Inc., 1966), p. 37.

aggression.³⁷ Stalin's acquiescence to membership in the United Nations therefore was based on the desire to avoid the stigma of non-participation in an organisation dedicated to the preservation of peace, but was conditional upon possession of a veto over Security Council action to prevent the United Nations becoming an anti-Soviet alliance.³⁸ In contrast, the United States saw the United Nations as a new normative force to ensure the preservation of an international order and the promotion of objectives closely corresponding to American foreign policy interests. As the Cold War developed and bipolarity encompassed more and more States, the superpower members of the Security Council began to construe most issues in international politics as affecting their vital interests. These perceptions led the great powers to attempt to use the United Nations' collective security mechanism to secure their own conceptions of global security through their suggestion for resolving crises. Inevitably, their conception of security imperatives differed and opposing permanent members would block the suggested United Nations resolution on the basis that it was inimical to their interests.

The new United Nations organisation was not long spared the manifestation of Cold War antagonism in the form of vetoes over the Security Council's ability to respond to threats to international peace and security. A series of disputes involving the permanent five were brought to the attention of the Security Council in early 1946 that established the pattern of vetoes and accusation and counter-accusation that were to last until the Cold War's end. On 19 January 1946 Iran, encouraged by the United States and United Kingdom, complained of the continued presence of Soviet troops in its northern region of Azerbaijan. In retaliation, the Soviet Union and the Ukrainian SSR on 21 January brought separate but coordinated complaints about the interference of British troops in the internal affairs of Greece before the Security Council. Then on 4 February, Lebanon and Syria demanded the withdrawal of French troops from their territory. The Soviet Union cast its first veto on this issue, vetoing it on the grounds that it didn't go far enough in indicting British and French imperialism. The mechanics of Security Council deadlock were thereby established early: Soviet-sponsored resolutions would fail to achieve the required two-thirds majority from the Council's Western members (termed the "hidden veto" by

³⁷ Rubinstein, *op. cit.*, 1989, pp. 310-1.

³⁸ Noguee and Donaldson, *op. cit.*, 1992, pp. 93-4.

Soviet diplomats), while the Soviet veto prevented the adoption of the resolutions supported by the Western majority.³⁹

Within a year of its genesis, then, the United Nations Security Council had become relatively deadlocked as an instrument of collective security.⁴⁰ Many of the problems stemmed from the novelty of the forum: rather than a closed meeting of great power leaders resembling Cairo, Teheran, Yalta or Potsdam, it was a highly public debating chamber in which diplomats advocated national positions. No tradition of prior consultation or confidential pre-negotiation of resolutions had developed, and the Security Council's members had not yet conceived of it as a forum for negotiating consensual solutions.⁴¹ Permanent representatives became conditioned by experience and instruction to adopt a conflictual rather than a consensual approach to Security Council debate.⁴² Nevertheless, positive trends were developing. One of the most promising moves toward cooperation came in the doctrine of abstention, whereby a voluntary abstention by one of the permanent five was not considered as a veto, thus diminishing the rigours of the principle of great power unanimity.⁴³ However, abstention in and consensual action by the Security Council was rare, but did nevertheless occur. Both opposing blocs regarded their influence within the Security Council as of paramount importance. The deadlock against the admission of new members into the United Nations was driven by the intense awareness by each bloc of the crucial importance of voting numbers in all of its bodies.⁴⁴

³⁹ K. P. Saksena, *The United Nations and Collective Security: A Historical Analysis*, (Delhi: D.K. Publishing House, 1974), p. 53.

⁴⁰ Even though severely hampered by Cold War divisions, the Security Council did still manage to make an impact on global security, issuing important resolutions such as 242 (1967) and 338 (1973) on the Arab-Israeli conflict, dispatching peacekeeping operations, and fostering discussions between opposing States, such as the United States and the Soviet Union during the Cuban Missile crisis in October 1962.

⁴¹ Evan Luard, *A History of the United Nations Volume 1: The Years of Western Domination 1945-1955*, (London: Macmillan, 1982), p. 97.

⁴² Richard Peck, "Socialisation of Some Permanent Representatives in the United Nations: Some Evidence", *International Organisation*, Vol. 33, No. 3, Summer 1979, pp. 370-5.

⁴³ Saksena, *op. cit.*, 1974, p. 79.

⁴⁴ Leland M. Goodrich, *The United Nations*, (London: Stevens and Sons Ltd., 1960), p. 89.

The gridlock within the Security Council resulted in a partial breakdown in the United Nations' collective security machinery as it had been designed by the drafters of the Charter. The first casualty of the veto and the lack of great power agreement on objectives and routes to international security was the central precept of collective security: the automatic obligation to protect any and all victims from any and all aggressors in all situations. The veto made Security Council action to protect the peace selective, dependent upon the identity, strategic importance, and affinities of the victims and aggressors.⁴⁵ The paralysis of the United Nations' collective security system resulted in the growth of its other mechanisms of conflict prevention and containment. Primary among these were its roles as both a diplomatic forum and mediator, as the dormancy of its military ability gave rise to the maturation of its political skills. The Security Council after 1965 began to adapt to these realities, and work together more closely to prevent the Great Powers' marginalisation compared to the third world-dominated General Assembly. They adopted the "consensus procedure", whereby decisions would be negotiated among the members of the Security Council, and periodic meetings and an activist President became regular features of the Council's procedure.⁴⁶ It remained gridlocked on the issue of insurgent movements, however, as the Security Council as a forum did not escape the developing world's determination to confront the Western alliance over decolonisation and development.⁴⁷ Another political adaptation was peacekeeping, the ultimate combination of multilateral military forces and political-diplomatic skill deployed to facilitate a military disengagement and eventually a mediated solution.

Despite mutual accusations to the contrary, superpower obstructionism within the Security Council did not imply their opposition to the organisation itself: both blocs quickly realised the diplomatic and propaganda opportunities existing in the gridlocked body, and were thus unwilling to damage or withdraw from the organisation. The West, with its predominant majority, saw the United Nations as an organ for securing international legitimacy and justification for actions taken in pursuit of Western foreign policy objectives. The Soviet bloc,

⁴⁵ Saksena, *op. cit.*, 1974, pp. 361-2.

⁴⁶ Richard Hiscocks, *The Security Council: A Study in Adolescence*, (London: Longman, 1973), pp. 103-110.

⁴⁷ *ibid.*, pp. 102-3.

by contrast, watched the growth of third world membership at the United Nations with interest and conceived a more aggressive strategy of using the United Nations as a propaganda forum for isolating the West from the rest of the world.⁴⁸ Both sides saw control of, and propaganda coups within the United Nations as important weapons in their Cold War struggle. As a centre of international interest and attention, it was a publicity opportunity not to be missed, a "...perfect, highly publicised forum...where the machinations of antagonists could be denounced, appeals for justice proclaimed, and the righteousness of one's own cause declared to the world."⁴⁹

Both camps placed great importance on sponsoring controversial resolutions, since the publicity given the debating positions and the stigma of vetoing an attempt to preserve international security would reinforce accusations of the opposition as an alliance of aggressor-imperialists. A favoured tactic of Security Council members was to convene a meeting at short notice or at an inconvenient time and introduce without prior warning a resolution calculated to be unacceptable to the opposition.⁵⁰ Consequently, in its first decade, while the Security Council passed 110 resolutions, its permanent members vetoed 79 draft resolutions. As the Security Council became increasingly hostage to obstructionism and cheap propaganda victories, the United Nations and the international community in general became decreasingly reliant on it as a body. There inevitably ensued a steady decline in the number and importance of issues brought before the Security Council for resolution.⁵¹

One consequence of the failure of the Security Council as an effective instrument of international security was its members' resort to action outside of the United Nations to safeguard their security and national interests. The first State to realise this was the Soviet Union, which had never been under the impression that the United Nations could be a factor in its national security. It acted unilaterally in Eastern Europe, Greece and Iran to attempt to secure

⁴⁸ Rubinstein, *op. cit.*, 1989, p. 329.

⁴⁹ Luard, *op. cit.*, 1982, p. 93.

⁵⁰ Sydney D. Bailey, "The UN Security Council: Evolving Practice", *The World Today*, Vol. 43, No. 3, March 1978, p. 101.

⁵¹ H. G. Nicholas, *The United Nations As a Political Institution*, (5th ed.), (Oxford: Oxford University Press, 1975), p. 100.

buffer States around its exposed borders. These indicators of Soviet behaviour threatened the basis of the Truman administration's internationalist foreign policy in the United States. By not utilising the United Nations, and openly flouting its principles, Soviet unilateralism threatened disillusion with multilateralism and the rule of international law and a revival of isolationism among the American electorate.⁵² This threat to its internationalist foreign policy was a realistic security threat to the United States, and it reacted to Soviet probes by responding outside of the United Nations framework itself. It is significant that the first crisis in the Security Council, and the first signs of American unilateralism in the shape of the Truman doctrine, occurred over Soviet bloc support for communist insurgents in Greece in 1947. The realist underpinnings of the resulting strategy of containment implied a rejection of the internationalist commitment underlying action through the United Nations, and were anathema to the philosophy of collective security.

This lack of credibility and confidence in United Nations collective security led to a proliferation of regional defence and alliance pacts outside of the United Nations.⁵³ The "pactomania" of the first post-War decade⁵⁴ professed to be a formalisation of the Charter's Article 51 right to individual or collective self-defence and its Chapter VIII accommodation of regional arrangements. The creation of regional defence pacts had the cyclical effect of intensifying, reinforcing and spreading the East-West division in international politics by polarising regional antagonisms, which resulted in even more extensive antagonism in the United Nations.

The other consequence of the marginalisation of the Security Council was the shift in emphasis to the General Assembly. During the United Nations' first decade the preponderant Western membership⁵⁵ in the organisation led the West to use its natural majority in all of its

⁵² Gaddis, *op. cit.*, 1987, pp. 29-30.

⁵³ Eric Stein, "The United Nations and the Enforcement of Peace", *Michigan Journal of International Law*, Vol. 10, No. 1, Winter 1989, p. 307-8.

⁵⁴ The North Atlantic Treaty Organisation (4 April 1949) and the Warsaw Pact (14 May 1955) faced each other in Europe; further The South East Asia Treaty Organisation (8 September 1954), the Baghdad Pact (24 February 1955) and the Australia, New Zealand, United States treaty (1951) extended the treaty system around the world.

⁵⁵ Out of the 51 original members of the United Nations, 5 were communist.

organs to control action within the United Nations and to try to enhance the power and prestige of the organisation it controlled. The Soviet bloc, in contrast, aware of its minority position, opposed attempts to empower the United Nations and played down its legitimacy and mandate.⁵⁶ The Western alliance, finding its actions frustrated by the Soviet veto in the Security Council, abandoned that organ for the consideration of important matters, and increasingly relied on the General Assembly, where the absence of any unanimity requirement allowed the weight of its numbers to prevail.

The Western majority gradually moved the consideration of security issues to the General Assembly through a variety of devices: the interim, or little assembly, the use of Emergency Special Sessions, and the Uniting for Peace resolution. The Article 12 restriction of General Assembly competence to only consider those issues not currently being considered by the Security Council was circumvented by using a procedural vote to remove it from the Security Council agenda, and later using a variety of semantic differences between the title of the issue on the Security Council agenda and its title on the General Assembly agenda to imply that the General Assembly was considering a different aspect of the problem. The increase in General Assembly agenda size, the importance of the issues on its agenda, and the frequency of its meetings began to blur the distinction between the Security Council and the General Assembly. The Western alliance, and particularly the United States, viewed this reactivation of the United Nations as a new mandate to shape and preserve the status quo: "At the peak of its power, the United States, confident of its support by the 'mechanical majority', viewed the United Nations as the epitome of the new statecraft and championed a normative approach based on the Charter. That posture, at the time, generally conformed to American foreign policy interests."⁵⁷ Confident of its majority, and free of the threat of a Soviet veto, the West further abandoned the search for consensual solutions and spurned any attempt to accommodate the interests of the minority in its General Assembly resolutions.

⁵⁶ Luard, *op. cit.*, 1982, p. 94.

⁵⁷ Stein, *op. cit.*, 1989, p. 306.

The sovereignty of United Nations members, however, meant that this Western predominance was achieved at the expense of the credibility and binding power of the resolutions adopted. The empowerment of the General Assembly, continued with the adoption of the Uniting for Peace resolution during the Korean crisis in November 1950.⁵⁸ This procedure, which would be used again and again as crises paralysed the Security Council,⁵⁹ established General Assembly competence to consider matters of international peace and security by allowing any matter to be relocated from the Security Council to an Emergency Special Session of the General Assembly on 24 hours notice with a vote of any seven Security Council members or the majority of United Nations members.⁶⁰ Uniting for Peace "amounted to a formal expression of disillusionment with the Security Council."⁶¹ It served to further promote the control of the United Nations by the Western majority, and was vigorously criticised as an *ultra vires* Charter amendment by the Soviet bloc, which refused to be bound by its ensuing resolutions.⁶² As even the majority realised this fact, even it began to take United Nations resolutions less seriously. Luard observes that "...UN policy was essentially *declaratory*: it consisted of statements of ideal end-situations rather than in any effective exploration of the means which might secure them."⁶³ The rise of General Assembly competence further reinforced the evolution of the United Nations into a forum of confrontation and denunciation rather than an instrument for crafting mutually-acceptable solutions to international problems. The inability of the General Assembly to issue binding resolutions affected the nature of its security mandate. In place of securing Security Council-ordered enforcement resolutions, the

⁵⁸ General Assembly Resolution 377A(V) of 3 November 1950.

⁵⁹ The Uniting for Peace resolution was used during the Suez crisis in 1956, again in 1967 after the 6-day war, and again in 1973 after the October war.

⁶⁰ The main provision of the Uniting for Peace resolution reads: "If the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary."

⁶¹ Hiscocks, *op. cit.*, 1973, pp. 290-4.

⁶² See Dean Acheson, *Present at the Creation: My Years at the State Department*, (New York: Norton, 1969).

⁶³ Luard, *op. cit.*, 1982, p. 274.

Western alliance made do with using its General Assembly dominance to obtain legitimisation for its actions in support of its interests.

At the commencement of the United Nations' second decade, the static patterns of East-West confrontation were already being eclipsed by a rapid and unforeseen growth in the number of Member States of the United Nations. The wave of decolonisation had begun to release large numbers of post-colonial States into the international system. For these new States, inexperienced in domestic administration and statecraft, lacking strong senses of national identity, and desperately poor and underdeveloped, United Nations membership was a primary goal. Stanley Hoffman characterises the importance of United Nations membership to the security of post-colonial States:

...the organs of the United Nations have given a solemn endorsement to the nation-state (even to the mini-state) and have wrapped the rights and privileges of the Charter around the frail and shivering new nations, thus promoting a kind of pluralist and equalitarian legitimacy which inhibits considerably the more blatant moves the superpowers could be tempted to make in their relations with weaker states.⁶⁴

The expansion of United Nations membership to near universality breathed new life into it. Its fora, particularly the General Assembly, became an accurate reflection of the newly emergent international community, and began to be used to address truly global concerns. The weight of these new members irreversibly changed the composition of the United Nations. It was no longer controlled by a majority of predominantly wealthy, industrialised States preoccupied with their security *vis-a-vis* the Soviet bloc. The members of the new majority in the United Nations were poor, non-white, ex-colonies, determined to end all manifestations of the colonialism against which each of them had recently prevailed, and to achieve parity in wealth, industrial capacity and physical security with the developed world. This majority thus had a built-in propensity to support and protect national liberation movements, once the movements had demonstrated the appropriate right to legitimate self-determination against colonial or certain white or racial supremacist regimes.

⁶⁴ Stanley Hoffman, "International Organization and the International System", *International Organization*, Vol 24, No. 3, 1970, p. 396.

For most of the new post-colonial majority in the United Nations, the possession of a vote of equivalent weight to the great and middle powers in the General Assembly was arguably one of their most potent foreign policy instruments. They were not long in realising their similarities in both situation and general objectives, sharing "...both a sense of vulnerability as latecomers to the world stage and high expectations. To most, shelter in...numbers seemed preferable to isolation in an uncertain environment dominated by former colonial powers."⁶⁵ The rationale for solidarity among the weak, post-colonial States derived from their critique of bipolarity in the international system. At Bandung, Indonesia in April 1955, they established the Non-Aligned Movement as an alternative to bipolar confrontation, promoting peace and coexistence while acting multilaterally to eradicate colonialism and rectify the underdevelopment of the third world. Having defined its common interests and common philosophies, and negotiating agendas for action at regular meetings, the Non-Aligned Movement began to appreciate the advantages of solidarity in the General Assembly.

The new majority inherited the mechanisms of enhanced authority and competence given to the General Assembly by its previous controlling majority. It also fully exploited its power over the Assembly's "specific responsibilities for approving the UN budget,...apportioning expenses among members, and establishing 'such subsidiary organs as may be necessary'⁶⁶ [giving] the Non-Aligned majority vast leverage over the UN organisational structure."⁶⁷ With each passing year, the Non-Aligned majority used its growing experience of parliamentary diplomacy and its membership of General Assembly committees to assert more and more control over the General Assembly agenda, inserting items of interest and importance to the developing world for General Assembly consideration. The Non-Aligned Movement left little to chance, defining its priorities at closed, tri-annual meetings outside New York, and determining "how, when, and at what level they should be taken up by the larger body."⁶⁸ The third world majority, like the Western majority before it, was also concerned with

⁶⁵ Richard L. Jackson, *The Non-Aligned, the UN and the Superpowers*, (New York: Praeger, 1983), p. 18.

⁶⁶ Article 22.

⁶⁷ Jackson, *op. cit.*, 1983, p. 133.

⁶⁸ *ibid.*, pp. 167-8.

enhancing the authority of the United Nations, and within the United Nations organisation, of the General Assembly which it controlled.⁶⁹

By the end of the 1960s, the Non-Aligned majority had become frustrated by the stemming of the tide of decolonisation against the issues of South Africa, Namibia, Rhodesia and Palestine, and their lack of progress in development in comparison with the industrialised world. This led to a radicalisation of third world policy, objectives and philosophies.⁷⁰ The oil crisis and the Non-Aligned summit in Algiers in 1973 highlighted this radicalism, as well as increasing pressure on the membership to vote as a bloc and conform to Non-Aligned positions on issues before the General Assembly.⁷¹ A fundamental position was the support of anti-Western bloc national liberation movements: this was the second of the five conditions of Non-Aligned Movement membership.⁷² The Non-Aligned majority's antagonism was mainly directed towards the Western alliance which it viewed as militaristic, neo-imperialist, Eurocentric, monopolistic of wealth and development, and supportive of the remaining colonialist or racist regimes: Israel, South Africa, Rhodesia and Portugal.⁷³ The Non-Aligned movement began to use the mechanisms of the Uniting for Peace resolution and the convening of Emergency Special Sessions to reclaim issues of importance from the great power-controlled Security Council, to highlight Western opposition, and to give greater publicity to the issues discussed.⁷⁴ The first issues dealt with in this manner are indicative of the priorities of the General Assembly majority: Palestine in 1980, Namibia in 1981, and the Golan Heights in 1982.

The Soviet Union, long on the defensive against the Western permanent majority, began to see the propaganda and alliance opportunities presented by the anti-Western turn at the United

⁶⁹ Goodrich, *op. cit.*, 1960, p. 58.

⁷⁰ The exemplar of the new anti-colonial radicalism in the third world was Frantz Fanon, *The Wretched of the Earth*, (London: Penguin Books, 1967).

⁷¹ Jackson, *op. cit.*, 1983, pp. 27-8.

⁷² *ibid.*, p. 42.

⁷³ Peter Willetts, *The Non-Aligned Movement: The Origins of a Third World Alliance*, (London: Frances Pinter, 1978), pp. 114-5.

⁷⁴ Jackson, *op. cit.*, 1983, pp. 135-6.

Nations. The Soviet position at the United Nations went onto the offensive, supporting Non-Aligned positions on anti-colonialism and economic justice in order to exacerbate the growing antagonism between the first and third worlds.⁷⁵ This was an inspired diplomatic strategy, whereby the Soviet Union could expend less of its resources by courting a bloc to net a disproportionately large result in isolating the West, while the United States continued to expend huge resources in the futile attempt to translate aid into voting loyalty.⁷⁶ Soviet solidarity with the third world was based on more than just an anti-Western orientation: it also was struggling to achieve economic and industrial parity with the West and was permanently hungry for Western technology, currency and credits.⁷⁷ Aware of the Non-Aligned suspicion of the superpowers, the Soviet Union increasingly lobbied the Movement through its clients, particularly Cuba. By the early 1980s, this strategy resulted in an over 75% coincidence in Non-Aligned and Soviet bloc voting in the General Assembly, moving that body increasingly against Western interests and heightening Western alienation from the United Nations.⁷⁸ For the Soviet Union, this fortuitous reliance led it increasingly towards the pursuit of its foreign policy interests through the United Nations and international law; particularly the promotion of anti-Western revolution in the third world.⁷⁹

The congruence of Non-Aligned majority and Soviet policies on national liberation, and the logic of parliamentary diplomacy⁸⁰ at the United Nations combined to make the vigorous support of anti-Western national liberation movements a dominant priority of the United Nations and its committees. The method of ensuring group voting cohesion from issue to issue in the General Assembly was to establish linkages between the issue under consideration and broader

⁷⁵ Noguee and Donaldson, p. cit., 1992, p. 177.

⁷⁶ A number of empirical studies have found no correlation between trade and aid and voting loyalty at the United Nations. See Eugene R. Wittkopf, "Foreign Aid and United Nations Votes: A Comparative Study", *American Political Science Review*, Vol. 67, No. 3, September 1973, pp. 868-888.

⁷⁷ Kubalkova and Cruickshank, *op. cit.*, 1985, p. 144.

⁷⁸ Jackson, *op. cit.*, 1983, p. 140.

⁷⁹ Kubalkova and Cruickshank, *op. cit.*, 1985, p. 175.

⁸⁰ Lawrence S. Finkelstein, "The Politics of Value Allocation in the United Nations System", in Lawrence S. Finkelstein (ed), *Politics in the United Nations System*, (Durham: Duke University Press, 1988), pp. 6-8.

points of agreement and solidarity for the group of which the caucused party is a member. These broader points of agreement, or "super-issues" were essential to the dominance of the majority in any United Nations body.⁸¹ The Non-Aligned Movement's mobilising super-issues have been identified as anti-colonialism, anti-racism, self-determination and economic and political sovereignty for third world States.⁸² The third world bloc also gained cohesion from economic issues during its formulation of a policy establishing the New International Economic Order, but a common Non-Aligned experience of colonialism⁸³ made anti-Western bloc colonialism a primary point of reference around which States formed their policy towards issues before the United Nations.

The repeated usage of the voting bloc and its super-issues imparted a rigidity of policy among the Non-Aligned: the difficulty of renegotiating an issue or position to the satisfaction of all members of a bloc the size of the Non-Aligned⁸⁴ meant that it minimised attention on issues over which it was divided and concentrated on issues of agreement. For this reason, the issues of decolonisation came to dominate the General Assembly agenda more and more. Its presence as a super-issue and a point of reference became established in the United Nations through "foundation documents": General Assembly resolutions which were to be repeatedly cited as precedent for later action, quoted, and reaffirmed in later resolutions.⁸⁵ The most prominent of these was General Assembly Resolution 1514 (XV),⁸⁶ *The Declaration on the Granting of Independence to Colonial Countries and Peoples*, which defined colonialism as a denial of human rights and the right to self-determination, and thus contrary to the Charter. Through reference to this and other foundation documents, the General Assembly majority could pursue

⁸¹ Arend Lijphart, "The Analysis of Bloc Voting in the General Assembly: A Critique and Proposal", *American Political Science Review*, Vol. 57, No. 4, December 1963, p. 904.

⁸² Bruce M. Russett, "Discovering Voting Groups in the United Nations", *American Political Science Review*, Vol. 60, No. 2, June 1966, pp. 336-7.

⁸³ Although some prominent members, such as Yugoslavia and some Latin American countries had no recent experience of colonialism.

⁸⁴ Glenn H. Snyder and Paul Diesing, *Conflict Among Nations: Bargaining, Decision Making and System Structure in International Crises*, (Princeton: Princeton University Press, 1977), p. 351.

⁸⁵ Jackson, *op. cit.*, 1983, p. 170.

⁸⁶ General Assembly Resolution 1514(XV) of 14 December 1960.

its anti-colonial agenda reinforced by the legitimacy of United Nations auspices and international law.

The support of self-determination against Western-supported colonialism served two purposes for the General Assembly majority: as a super-issue imparting group solidarity on other issues, but also as a mandate to support the cause of national liberation movements fighting for self-determination against Western-supported regimes. The national liberation movements to be supported were determined primarily by their anti-Western bloc credentials by the Non-Aligned Movement, the Organisation of African Unity, and the Arab League. Commitment to the overthrow of regimes outside of Europe that were friendly to the West became the primary criterion of United Nations support for a national liberation movement, often regardless of its popular support.⁸⁷ The rise of militant national liberation movements in Palestine and Southern Africa in the 1960s caught the attention of the General Assembly, which expanded United Nations action from applying pressure against the incumbent regimes to also vigorously supporting the national liberation movements opposing them. In a series of General Assembly resolutions,⁸⁸ black-white symbolism and references to "alien domination" were used to extend anti-colonialism to the broader issue of anti-racialism, thus linking the Southern African and Palestine issues under a single super-issue.

As the numbers, confidence and cohesion of the United Nations' Non-Aligned majority grew over time, its support for approved national liberation movements became more and more comprehensive. It began as resolutions supporting the legitimacy of the struggle of national liberation movements opposing the South African, Rhodesian, Israeli, and Portuguese-administered regimes.⁸⁹ The Non-Aligned Movement, the Organisation of African Unity and

⁸⁷ Jackson, *op. cit.*, 1983, p. 171.

⁸⁸ General Assembly Resolution 2649 (XXV) used the term "alien domination" for the first time to link the Southern African and Palestine issues in the same resolution; Resolution 3175 (XXVII), 17 December 1973 alluded to "all...peoples...under foreign occupation"; Resolution 3151 G (XXVIII) condemned "the unholy alliance between Portuguese colonialism, South African racism, Zionism, and Israeli imperialism"; and Resolution 3324 E (XXIX) condemned relations between South Africa and Israel.

⁸⁹ See for example General Assembly resolutions 3294 (XXIX) (1974), 2787 (XXVI) (1971), 1663 (XVI) (1961), 33/38 (1978), 34/100 (1979) and Security Council resolutions 312 (1972), 277 (1970), 288 (1970), 314 (1972).

the Arab League, so convinced that the national liberation movements they supported were the legitimate representatives of their oppressed peoples, and so committed to universality of membership in international organisations, then moved to issue observer status to these movements, and full membership to some.⁹⁰ Following the granting of independence to the Portuguese colonies, the Non-Aligned Movement concentrated on advancing the Southern African and Palestinian liberation movements that it supported. It began to use its predominance in the General Assembly and its committees to secure these national liberation movements access to the United Nations' forums and to provide them with material and moral support in waging their struggles.

The liberation movements supported by the Non-Aligned Movement were those approved by the Organisation of African Unity and the Arab League: South Africa's African National Congress (ANC) and Pan Africanist Congress of Azania (PAC); Namibia's South West African People's Organisation (SWAPO); Rhodesia's Zimbabwe African People's Union (ZAPU) and Zimbabwe African National Union (ZANU), and the Palestine Liberation Organisation (PLO). The first task that the Non-Aligned majority set about was gaining these groups access to the United Nations fora so they could personally lobby the world community on behalf of their struggle. The General Assembly repeatedly proclaimed itself in favour of the participation of its approved national liberation movements in the work of the organisation, being "*Convinced* that the participation of the national liberation movements [recognised by the Organisation of African Unity and the Arab League] helps to strengthen international peace and security."⁹¹ Against the objections of Western States that the United Nations is an organisation of States and that granting access to national liberation movements implies recognition of statehood, the Non-Aligned majority argued that they were indeed States in the making. A commonly cited precedent for prematurely granting recognition to States was early United Nations practice, at Dumbarton Oaks and San Fransisco, where countries such as India were granted membership prior to full independence:

⁹⁰ The Palestine Liberation Movement and the South West African People's Organization were both granted full membership of the Non-Aligned Movement.

⁹¹ This statement appears regularly in the preamble of General Assembly resolutions 35/167 of 15 December 1980, 37/104 of 16 December 1982, 39/76 of 13 December 1984, 41/71 of 3 December 1986, 43/160B of 9 December 1988, 45/37 of 28 November 1990, and 47/29 of 25 November 1992.

That amply demonstrated the general trend towards conferring on entities other than States the same rights and duties as States, because of the functions of those entities. They should accordingly have the same privileges and immunities as States, since those privileges and immunities were functional in purpose.⁹²

The PLO was to gain the most spectacular access to the United Nations. For a number of years representatives of the PLO had travelled to United Nations headquarters as members of various Arab States' missions; however on 14 November 1969 the General Assembly's Special Political Committee authorised the PLO to speak in its session without special authorisation, implying recognition of that organisation by the Committee.⁹³ The campaign of particularly Algeria and the Arab League intensified over the next years, culminating in a concerted push for PLO representation in the United Nations in 1974. This began with a letter from 56 States to the Secretary-General on 11 September 1974 requesting the inclusion of a separate item entitled "The Question of Palestine" on the General Assembly's agenda. When this item was considered by the General Assembly on 14 October 1974, it adopted resolution 3210(XXIX),⁹⁴ which recognised the PLO as "the principle party" to the question of Palestine and the "representative of the Palestinian people", inviting it to participate in General Assembly deliberations on the question of Palestine.⁹⁵ This resolution also invited Yasser Arafat to speak to the General Assembly; his famous "gun and olive branch" speech was delivered on 13 November. On 22 November 1974, the General Assembly further adopted resolution 3237(XXIX),⁹⁶ which

⁹² Statement by Mr Hamad, Permanent Representative of the United Arab Emirates to the United Nations in a debate of the Sixth (Legal) Committee of the General Assembly on the resolution relating to the observer status of national liberation movements recognised by the Organization of African Unity and/or by the League of Arab States, *General Assembly Official Records, A/C.6/35/SR.74*, 1982, p. 14.

⁹³ United Nations Department of Public Information, *Yearbook of the United Nations*, (New York: United Nations, 1969), p. 234.

⁹⁴ Adopted by roll call vote 105 to 4 with 20 abstentions.

⁹⁵ General Assembly resolutions affirming the inalienable rights of the Palestinian people and the preeminent position of the PLO as their representatives were adopted annually thereafter; see for example General Assembly resolutions 31/20 of 24 November 1976; 32/40A of 2 December 1977; 33/28A of 7 December 1978, 34/65A of 29 November 1979, 35/169A of 15 December 1980, 36/120D of 10 December 1981; and 37/86A of 28 April 1982.

⁹⁶ Adopted by recorded vote of 95 to 17 with 19 abstentions. The United Kingdom, Australia, the Netherlands, Belgium, Canada and Denmark expressed reservations during the debates on resolutions 3210(XXIX) and 3237(XXIX) on the grounds that only representatives of states should participate in General Assembly debates.

granted permanent observer status to the PLO in the Assembly's work and in all international conferences under its auspices.

The General Assembly further enhanced the PLO's diplomatic status with resolution 3375(XXX) of 10 November 1975,⁹⁷ which called for the invitation of the PLO to participate in all efforts, deliberations and conferences on the Middle East held under United Nations auspices on an equal footing with the other parties.⁹⁸ Resolutions 3236(XXIX)⁹⁹ and 3375(XXX)¹⁰⁰ asserted that the PLO was indispensable in all efforts, deliberations and conferences on the Middle East. Consequently when Egypt and Israel concluded a separate peace at Camp David in 1979, the General Assembly reacted with resolution 34/65B, condemning the Camp David accords on the grounds that they had been concluded outside United Nations auspices, ignoring its Charter, its resolutions, and without PLO participation, and declaring that the accords had no validity "insofar as they purported to determine the future of the Palestinian people and the occupied territories."¹⁰¹

The precedent established by the General Assembly began to spread the PLO's access to other United Nations Organs. On 3 July 1975, the Economic and Social Council, in accordance with its rules of procedure, invited the PLO to participate without a vote in all its deliberations of concern to the PLO.¹⁰² In November 1975 the PLO was invited to participate without a vote in the Security Council's consideration of the Question of Palestine against the opposition of the United States. France, Italy and the United Kingdom abstained, expressing reservations that the PLO had been invited under Security Council rule of procedure 37, which implied statehood to the PLO.¹⁰³ The extension of the Security Council invitation to the PLO over the same

⁹⁷ Adopted by roll call vote 101 to 8 with 25 abstentions.

⁹⁸ United Nations, *Yearbook of the United Nations*, (New York: United Nations, 1975), p. 242.

⁹⁹ 22 November 1974.

¹⁰⁰ 10 November 1975.

¹⁰¹ General Assembly resolution 34/65B of 29 November 1979, adopted 75 to 33 with 37 abstentions.

¹⁰² United Nations, *Yearbook of the United Nations*, (New York: United Nations, 1975), p. 242.

¹⁰³ United Nations, *Yearbook of the United Nations*, (New York: United Nations, 1976), p. 229.

opposition and abstentions occurred January and June 1976, October 1977, July 1979, and March 1980 "in accordance with past practice" of the Security Council, rather than under reconsideration of the rules of procedure.¹⁰⁴

Of the other national liberation movements supported by the United Nations, only SWAPO approached the PLO's level of access to United Nations bodies. Its access route was similar to the PLO's: participation in the General Assembly's Council for Namibia eventually led to its invitation to participate as an observer in the work of the Special Political Committee in June 1973.¹⁰⁵ In the same year the General Assembly recognised SWAPO as the "sole authentic representative of the Namibian people".¹⁰⁶ By resolution 3295(XXIX)¹⁰⁷ the General Assembly allocated financial support of SWAPO adequate to allow it to maintain permanent representation in New York City. Then in 1976, the General Assembly adopted resolution 31/152¹⁰⁸ granting SWAPO observer status at the General Assembly, in all conferences convened under the auspices of the General Assembly and other organs of the United Nations.

The other national liberation movements supported by the General Assembly were not to achieve the formalisation or level of access to United Nations bodies as the PLO and SWAPO. They became regular participants in the deliberations of the General Assembly's Special Committee on Apartheid, and on the recommendation of this Committee, became observers in the discussions of the Special Political Committee in 1974.¹⁰⁹ Formal observership in the plenary sessions of the General Assembly were to elude them however: they were confined to making statements to General Assembly debates on South Africa.¹¹⁰ While not granting them observer status, the General Assembly did confer on them other indirect forms of recognition. Its

¹⁰⁴ United Nations, *Yearbook of the United Nations*, (New York: United Nations, 1980), p. 456.

¹⁰⁵ General Assembly resolution 2980(XXVII) of 14 December 1972 adopted 98 to 4 with 24 abstentions.

¹⁰⁶ General Assembly resolution 3111(XXVIII) of 12 December 1973, adopted 107 to 2 with 17 abstentions.

¹⁰⁷ 13 December 1974 adopted 102 to 6 with 14 abstentions.

¹⁰⁸ 20 December 1976, adopted 94 to 12 with 24 abstentions.

¹⁰⁹ United Nations, *Yearbook of the United Nations*, (New York: United Nations, 1974), p. 123.

¹¹⁰ United Nations, *Yearbook of the United Nations*, (New York: United Nations, 1976), p. 122.

resolutions regularly reaffirmed the ANC and PAC and ZANU and ZAPU as the authentic representatives of the people of South Africa and Zimbabwe respectively.¹¹¹ Further prestige and status were given to the PAC and ANC when the General Assembly's Credentials Committee repeatedly refused to recognise the credentials of the South African representatives since 1970 on the grounds that they did not represent the people of South Africa.¹¹² This position was reaffirmed by the plenary in 1975. General Assembly resolution 3411G (XXX) reaffirmed "...that the racist regime of South Africa [was] illegitimate and had no right to represent the people of South Africa [and that the] national liberation movements...were the authentic representatives of the overwhelming majority of those people."¹¹³ Invitations to the PAC, ANC, ZANU and ZAPU were also extended by the Security Council to participate in its deliberations on South Africa, but the invitations were firmly issued under rule 39 of its Rules of Procedure covering invitations to non-governmental organisations.¹¹⁴

All of these liberation movements were voted copious amounts of moral, material and financial assistance by the General Assembly to complement their various levels of recognition. Their main forms of moral support came in the form of expressions of solidarity and resolutions legitimating their armed struggle against the illegal regimes of their opponents.¹¹⁵ The Non-Aligned majority argued that these resolutions were not in fact contrary to the Charter's prohibition of the use of armed force, but rather a vindication of its Article 51 right to self-defence against "the permanent aggression of colonialism."¹¹⁶ It was the incumbent colonialist regimes that were seen as "situations...that had led to international friction, and, if continued, might endanger international peace and security",¹¹⁷ rather than the insurgents, whose "peoples'

¹¹¹ See General Assembly resolutions 3411G (XXX) of 10 December 1975, 31/6I of 9 November 1976, 31/154A of 14 December 1976 and 34/93I of 12 December 1979.

¹¹² United Nations, *Yearbook of the United Nations*, (New York: United Nations, 1974), pp. 106-7.

¹¹³ General Assembly resolution 3411G (XXX) of 10 December 1975, paragraph 5.

¹¹⁴ United Nations, *Yearbook of the United Nations*, (New York: United Nations, 1974), pp. 109-110.

¹¹⁵ See General Assembly resolutions 3111 (XXVIII) of 12 December 1973, 3324C (XXIX) of 16 December 1974, 3295 (XXIX) of 13 December 1974, 3411 B, C, and D (XXX) of 28 November 1975, 31/6I of 9 November 1976, 33/38 of 13 December 1978, 37/69 of 9 December 1982 and 38/39 of 5 December 1983.

¹¹⁶ Caroline Thomas, *New States, Sovereignty and Intervention*, (Aldershot: Gower, 1985), pp. 10, 65-66.

¹¹⁷ General Assembly resolution 1663 (XVI) of 28 November 1961.

struggle for their emancipation and liberation from colonial and other forms of subjugation and oppression...contribut[ed] to the strengthening of international peace and security..."¹¹⁸ The belligerents were called on to accord captured national liberation movement cadres status as prisoners of war under the 1977 Geneva Protocols.¹¹⁹ The General Assembly attempted to tip the scales militarily in favour of these national liberation movements by repeatedly appealing for States and organisations to render them appropriate military assistance,¹²⁰ while, in the case of South Africa, the Security Council applied mandatory arms sanctions against the incumbent government.¹²¹

A variety of forms of material and financial assistance were extended to these national liberation movements by the United Nations. With its control of the budget of the Organisation, the General Assembly majority was free to determine the amount, purpose and route of United Nations funding to national liberation movements. As well as regularly passing resolutions requesting all States and organisations to expand their assistance to these liberation movements,¹²² it apportioned large parts of the organisation's budget for assistance to these liberation movements. In the Fifth (Financial) Committee, the Non-Aligned Movement's predominant numbers enabled it to repeatedly vote generous amounts of assistance to its approved liberation movements. A major form of direct United Nations assistance was the financing of permanent offices adjacent to United Nations headquarters in New York for the PLO, SWAPO, ANC and PAC,¹²³ and the defraying of the costs of these movements attending

¹¹⁸ General Assembly resolution 34/100, *The Implementation of the Declaration on the Strengthening of International Peace and Security*, of 14 December 1979.

¹¹⁹ See General Assembly resolution 36/172A of 17 December 1981.

¹²⁰ See for example General Assembly resolutions 3324C (XXIX) 16 December 1974, 33/183K of 24 January 1979, 35/206J of 16 December 1980, 37/69A of 9 December 1982, 37/233A of 20 December 1982, 38/17 of 22 November 1983, 38/39 of 5 December 1983, 40/46I of 13 October 1985, and 42/75 of 7 November 1987.

¹²¹ Security Council resolution 418 (1977) of 4 November 1977 called on all states to cease provision to South Africa of arms and related materiel of all types. This was the first time in the Organisation's history that such action had been taken by the United Nations under Chapter VII against a member state.

¹²² See for example General Assembly resolutions 35/227A-J of 6 March 1981, 36/52 of 24 November 1981, 36/121A of 10 December 1981, 36/172A of 17 December 1981, 37/69A of 9 December 1982, 37/134 of 17 December 1982, 37/233A of 20 December 1982, and 38/51 and 38/36A of 1 December 1983.

¹²³ Under General Assembly resolutions 35/206J of 16 December 1980, 36/172A of 17 December 1981, 37/233C of 20 December 1982 etc. An example of the costs of financing these offices in New York City is supplied by the

relevant conferences under United Nations auspices.¹²⁴ However, most United Nations assistance to national liberation movements was funnelled through a variety of other United Nations organs. Most prominent among these was the United Nations Development Program (UNDP), whose expenditures on national liberation movements between 1987 and 1991 were US\$17 million¹²⁵ on such projects as education and training, airlifting food supplies, health assistance, vocational assistance for cadres, telecommunications, agriculture, and land development.¹²⁶

A large amount of United Nations material and financial assistance for national liberation movements was channelled indirectly through United Nations agencies' assistance to refugees or oppressed peoples. Having recognised these national liberation movements as the legitimate representatives of their people, and having sought their advice in United Nations forums as to how to assist the liberation struggle, the General Assembly consequently gave these movements a controlling voice as to how these humanitarian funds would be spent. Often UNDP aid for the education, health and feeding of refugees was directed to these movements, many of whom controlled the refugee camps in neutral States, usually coinciding with guerrilla training bases. Other United Nations Agencies indirectly funding these national liberation movements included UNICEF (aid for children in refugee camps); UNESCO (development of multiethnic, multicultural programs for South Africa); UNCHS (Habitat) (construction of housing and infrastructure); UNIDO; UNCTAD; WHO; UNRWA and UNHCR.¹²⁷ A number of Western countries objected to such humanitarian aid being channelled through national liberation movements; the overruling of these repeated objections was to contribute to the

Fifth Committee's 1983 budget. One year's support of the ANC offices cost the Organisation US\$ 248,200. *General Assembly Official Records, A/C.5/38/53*, pp. 1-2.

¹²⁴ An example of the amounts spent every year by the General Assembly on defraying these national liberation movements' conference and travel costs is illustrated by the total for the ANC in 1983 of US\$ 507,100. *General Assembly Official Records, A/C.5/38/53*, pp. 5-8.

¹²⁵ United Nations, *Yearbook of the United Nations*, (New York: United Nations, 1992), p. 96.

¹²⁶ For a typical breakdown of UNDP assistance to national liberation movements, see for example *United Nations Development Program Official Records*, Governing Council Twenty-sixth session "Assistance to Colonial Countries and Peoples During 1978: Report of the Administrator", DP/362, 23 March 1979.

¹²⁷ United Nations, *Yearbook of the United Nations*, (New York: United Nations, 1991), pp. 123-126.

United States' repeated defaulting on its payments to the United Nations during the Reagan administration.

The United Nations lent its considerable publicity potential to these liberation movements in the provision of organisational and propaganda assistance. The General Assembly and its various Committees voted for countless resolutions directing the United Nations Department of Public Information (UNDPI) to publicise the plight of the peoples on behalf of whom the approved national liberation movements were fighting. The UNDPPI published and disseminated a wide range of reports, posters, stamps, commercials aired on United States television, teaching aids and other publicity material directly or indirectly supporting the causes of the United Nations' approved national liberation movements. In addition, the PLO and SWAPO, under General Assembly resolution 43/160A had all of their communications relating to the sessions and work of the General Assembly issued and circulated as official documents of the General Assembly and under United Nations symbols.¹²⁸ In 1977, the General Assembly established a Special Committee on Palestinian Rights within the Secretariat to give maximum publicity to the plight of Palestinians and to organise the observance of 29 November each year as the International Day of Solidarity With the Palestinian People.¹²⁹ In these ways, United Nations support enabled these movements to maintain a constant and high level of international attention on their struggle.

The extent to which United Nations support of its approved national liberation movements assisted them in achieving their objectives is difficult to quantify. Twenty years after the first admission to observer status at the United Nations of a national liberation movement, Zimbabwe has changed to majority rule, Namibia has achieved independence, South Africa has held its first multi-racial, democratic elections, and the PLO has signed a declaration of principles for peace with the Israeli government. Certainly United Nations support of national liberation movements gave them a range of advantages: lobbying access to a forum of world governments, an international identity, an influence on United Nations positions on their

¹²⁸ General Assembly resolution 43/160A of 9 December 1988.

¹²⁹ General Assembly resolution 32/40B of 2 December 1977.

problems, the material, financial military and organisational resources to mount sophisticated guerrilla and diplomatic campaigns against the incumbents, and their public identification with mobilising issues such as racial discrimination, refugees and human rights.

While the material and diplomatic resources directed to these movements was great, the United Nations' major assistance was in the diplomatic field. The imparting of an international personality on a national liberation movement "...had opened new horizons permitting the consolidation of...[its] international status, the broadening of the international recognition accorded to it, and the expansion of support for its cause."¹³⁰ It also enabled the national liberation movement to influence the international community's perception of its problem and subsequently the approach to its solution. For example, once able to work within the Organisation, the PLO was able to help change the way the United Nations perceived the Palestinian problem from an issue of refugees to one of the denial of rights to self-determination.¹³¹

Involvement with the United Nations not only changed the views of the international community. It changed the national liberation movements themselves and the direction in which they waged their campaigns: "...through their delegations at the United Nations, [national liberation movements] became absorbed in a socialisation process that favoured the achievement of a solution...by diplomatic rather than violent means."¹³² As SWAPO's standing acceptance of peace efforts attests, United Nations' advocacy of an equal role for liberation movements in peace talks or peace initiatives ultimately committed it to a diplomatic track, rather than the continued pursuit of an unequal military struggle with its adversary.¹³³ When assessing the contribution of United Nations assistance to these national liberation movements' objectives, it

¹³⁰ Statement by a PLO representative after General Assembly resolutions 3236 (XXIX) and 3237 (XXIX) of 22 November 1974 had recognised the PLO as the sole legitimate representative of the Palestinian people. United Nations, *Yearbook of the United Nations*, (New York: United Nations, 1975), p. 242.

¹³¹ United Kingdom Foreign and Commonwealth Office, *The United Nations: Does the Rhetoric Matter? A Case History: Palestine 1947-1983*, Foreign Policy Document No. 223 (London: HMSO, October 1983), p. 5.

¹³² Kemal Kirisci, *The PLO and World Politics: A Study of the Mobilization of Support for the Palestinian Cause*, (London: Frances Pinter, 1986), p. 143.

¹³³ See Security Council resolutions 435 (1978) of 29 September 1978 and 566 (1985) of 19 June 1985.

should not be forgotten that the solutions arrived at in Namibia, Zimbabwe, South Africa and Israel were predominantly reached by diplomatic means.

While United Nations support for its approved national liberation movements has been generous and extensive, there are other national liberation movements that have sought similar assistance but failed to secure the same levels to United Nations attention or promotion. Peoples suffering similar levels of deprivation of the right to self-determination as did formerly Namibians, black South Africans, Zimbabweans and Palestinians but without the requisite characteristics to unify and mobilise the Non-Aligned majority in the United Nations have been either actively opposed or denounced, or ignored, or given lukewarm moral encouragement.

An instructive example of a national liberation movement that has received at best weak endorsement by the United Nations is Fretilin of East Timor, fighting against the annexation of a formerly independent State¹³⁴ by Indonesia since December 1975. According to standards established by the United Nations itself,¹³⁵ Indonesia has committed an act of colonialism and aggression against the East Timorese people. The original military invasion was conducted by a State of different racial origin to the Timorese, who had recently exercised their right to self-determination from their Portuguese colonisers. Furthermore, the continued occupation has been characterised by severe deprivations of human and political rights: "There is always fear. We lack the freedom to speak, to walk where we want, to have different opinions. If people talk, they know they will be interrogated. They will be tortured."¹³⁶ Fretilin, supported by various former Portuguese colonies, has mounted a guerrilla campaign and a diplomatic campaign for the independence of East Timor from Indonesian occupation.

¹³⁴ East Timorese independence had formerly been granted by Portugal on 28 November 1975, when a provisional East Timorese government proclaimed the establishment of the Democratic Republic of East Timor. Fifteen states had recognised the state of East Timor after its independence.

¹³⁵ See for example General Assembly resolution 1514 (XV) of 14 December 1960, *The Declaration on the Granting of Independence to Colonial Countries and Peoples*, which states that alien subjugation and domination and colonialism, including the denial of rights on the basis of racial background are contrary to the Charter, the Universal Declaration of Human Rights and a threat to international peace and security. The United Nations Charter, Article 2(4) orders that "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

¹³⁶ Carlos Ximenes Belo, Bishop of Dili, quoted in Philip Shenon, "Brutality and Suspicion Reign in a Tormented Paradise", *The Guardian*, Saturday 24 April 1993, p. 16.

Among other forums, the United Nations is lobbied annually by Fretilin representatives.¹³⁷ Fretilin's inability to mobilise support for its cause at the United Nations is best explained by the nature of its opponent rather than by any characteristic of the movement or its cause. Indonesia is a strong founder-member of the Non-Aligned Movement and ASEAN, a major oil-exporter, an ex-colony and a developing country. Not only does the anti-Western decolonisation super-issue not fit Indonesia, but any potential State supporters of East Timor's independence must realise that criticism of Indonesia threatens to split the Non-Aligned Movement. Neither can Fretilin find allies in the West: during the Cold War the Suharto regime proved a redoubtable anti-communist bulwark in South-East Asia. With the fourth-largest population in the world, Indonesia is a promising market and also boasts an abundance of raw materials. Strategically, it controls the Ombai-Wetar straits connecting the Pacific and Indian oceans.¹³⁸

Through its few State supporters¹³⁹, Fretilin was often granted the right to make statements before the General Assembly and Security Council in their consideration of the situation in East Timor, but the resolutions and measures adopted by these bodies have been generally weak and declaratory. A typical General Assembly resolution on East Timor "Reaffirms the inalienable right of the people of East Timor to self-determination and independence and the legitimacy of their struggle to achieve that right,"¹⁴⁰ while rejecting "the claim that East Timor has been integrated into Indonesia, inasmuch as the people of the territory have not been able to exercise freely their right to self-determination and independence."¹⁴¹ The

¹³⁷ Joan T. Seymour, Special Assistant to the Under-Secretary-General, Department of Political Affairs, told the author in an interview conducted on 11 March 1994 at United Nations Headquarters, New York City, "Mr Ramos-Horta [the international representative for Fretilin's CNRM] is here to appeal to the Decolonisation Committee and anyone else who will listen every year. But there are few who will listen."

¹³⁸ Carmel Budiardjo and Liem Soci Liong, *The War Against East Timor*, (London: Zed Books, 1984), pp. 7-10.

¹³⁹ Fretilin's regular supporters at the United Nations during the Cold War included the former Portuguese colonies, Mozambique, Angola, Guinea-Bissau, Cape Verde, and Sao Tome and Principe, the Soviet bloc, Nicaragua, Zimbabwe, and Portugal.

¹⁴⁰ General Assembly resolution 33/39 of 13 December 1978.

¹⁴¹ General Assembly resolution 32/34 of 28 November 1977.

only form of General Assembly action in support of Fretilin has been to authorise the Special Committee on the Granting of Independence to Colonial Countries and People to dispatch a visiting mission to observe the situation in East Timor¹⁴² and then to repeatedly call on the government of Indonesia to grant the body admission to East Timor.¹⁴³ The Security Council similarly adopted resolutions "*Call[ing]* upon the Government of Indonesia to withdraw without delay all its forces from [East Timor]" and "*Request[ing]* the Secretary-General to send urgently a special representative to East Timor for the purpose of making an on-the-spot assessment of the situation and of establishing contact with all the parties...concerned..."¹⁴⁴ Virtually ignored by the international community, after nineteen years of guerrilla struggle and diplomatic effort, Fretilin has advanced little along the road to achieving its objectives. These were generally the impediments faced by national liberation movements that were unable to gain access to or the assistance of the United Nations for their struggles.

Insurgent movements that most often incur United Nations opposition are those that advocate secession or irredentism from an existing State. Because of the territorial rather than national conception of the State embraced by multi-ethnic ex-colonial States, most States comprising the Non-Aligned majority are sensitive to the potentially disintegrative tension between their artificial, ex-colonial borders, and the belief that the State should be the expression of an ethnically-homogeneous group.¹⁴⁵ The maintenance of territorial integrity has become important for the member States of the United Nations, which champion the international legal principle of *uti possidetis*, that boundaries existing at the assumption of statehood are not subject to change. Consequently, insurgents advocating secession, irredentism or other changes to international borders are either ignored or opposed by the United Nations. Spurned secessionist

¹⁴² General Assembly resolution 33/39 of 13 December 1978.

¹⁴³ General Assembly resolution 32/34 of 28 November 1977.

¹⁴⁴ Security Council resolutions 384 (1975) of 22 December 1975 and 389 (1976) of 22 April 1976.

¹⁴⁵ Stanley Hoffman, "The Problem of Intervention", In Hedley Bull (ed), *Intervention in World Politics*, (Oxford: Clarendon Press, 1984), p. 14.

movements include the various Kurdish independence movements,¹⁴⁶ the Eritrean Liberation Front, and the Biafran independence movement during the Nigerian civil war.

The United Nations has also actively opposed secessionist movements. When in November 1983 Turkish Cypriot leaders issued a declaration creating an independent State in Northern Cyprus, the Security Council reacted with resolution 514 (1983) in which it classed the announcement a threat to international peace and security, deplored the declaration and pronounced it invalid and called for its withdrawal.¹⁴⁷ The most active United Nations opposition to a secessionist movement came in the form of enforcement action against Katangan separatists in the Congo in 1962, where the Security Council, "*Completely rejecting* the claim that Katanga is 'a sovereign independent nation'" adopted resolution 169 (1961) "*Authoriz[ing]* the Secretary-General to take vigorous action, including the use of the requisite measure of force..."¹⁴⁸ to end the secession. Beginning on 28 December 1962, ONUC launched Operation Grand Slam which destroyed and dispersed the Katangan military forces and ended the secession.

2.3: The End of the Cold War and the United Nations

Thus through the Cold War paralysis on Great Power control of the United Nations and its sheer weight of numbers, the Non-Aligned majority was able to gain control of the General Assembly and thereby determine United Nations' policy towards insurgents. However, the end of the Cold War was to re-establish Great Power commitment to and control of the United Nations' security instruments, and consequently alter the Organisation's policy towards insurgents.

¹⁴⁶ The establishment of UN safe havens for Kurds in Northern Iraq under Security Council resolution 688 (1991) can not in any but the most liberal sense be construed as supporting the establishment of an independent Kurdish state. See Julie Flint, "World Turns Its Back As Kurds Die Quietly", *Independent on Sunday*, 22 August 1993, p. 12; and David Hirst "Kurds Build Their State in the Shadow of Saddam", *The Guardian*, Friday 12 February 1993, p. 11.

¹⁴⁷ Security Council resolution 541 (1983) of 18 November 1983, adopted 13 to 1 with 1 abstention.

¹⁴⁸ Security Council resolution 169 (1961) of 24 November 1961.

Prior to the thaw in superpower relations that was to precede the end of the Cold War, the United Nations was becoming an increasingly radicalised and irrelevant actor in international politics. The era during which the Non-Aligned majority controlled the actions of the United Nations through its control of the General Assembly produced Great Power alienation from the Organisation as a whole, and consequently the marginalisation of the United Nations as an actor in international politics. The anti-Western focus of the Non-Aligned-Soviet bloc alliance meant that it was the States of the Western alliance that were first to question the value and relevance to their national interests of such a hostile body. The confrontationalism and propagandization of General Assembly debates meant that often resolutions were debated and voted on not so much to authorise consensual action as to embarrass and isolate the Western minority.¹⁴⁹ Beginning with the tenure of Secretary of State Kissinger and Ambassador Moynihan, the United States had begun to adopt the policy of accepting the majority as hostile and vigorously defending its interests.¹⁵⁰ The adoption of General Assembly resolutions so patently contrary to United States interests began to prompt opposition towards the United Nations among the important, and previously internationalist, sectors of the American electorate: industry and big business, Jewish groups, the media, human rights activists and labour unions.¹⁵¹ General Assembly radicalism, and Security Council deadlock, consequently began to have the effect of turning against the organisation the group of its wealthiest and most powerful members.

The United States began to oppose and then withdraw its support from an increasing number of United Nations institutions and actions which it saw as opposed to United States interests. According to Ambassador Kirkpatrick, the United Nations interests were no longer compatible with United States interests,

¹⁴⁹ Goodrich, *op. cit.*, 1960, p. 59.

¹⁵⁰ See Henry A. Kissinger, *Years of Upheaval*, (Boston: Little, Brown and Company, 1982), Chapter X, and Daniel Patrick Moynihan, *A Dangerous Place*, (London: Secker and Warburg, 1979).

¹⁵¹ Toby Trister Gati, "The UN Rediscovered: Soviet and American Policy in the United Nations of the 1990s" in Robert Jervis and Seweryn Bailer (eds), *Soviet-American Relations After the Cold War*, (Durham: Duke University Press, 1991), p. 207.

...the language of the UN was no longer the language of democracy...self-determination didn't mean self-determination. It meant aligned with the Soviet bloc...National liberation movements, very especially, meant small groups using violence to move countries into the Soviet bloc.¹⁵²

It began by withdrawing from the Soviet bloc-dominated ILO, then from UNESCO, and threatened to leave the IAEA over the ban on Israeli participation. It refused to sign the Law of the Sea Treaty, did not recognise the ICJ jurisdiction or ruling against it on Nicaragua, and declined to participate in the 1987 Special Session on Disarmament and Development. It began to attack the Soviet bloc and President Reagan made more speeches to the General Assembly than any other President, admonishing the Non-Aligned-Soviet bloc majority for subverting the original ideals of the United Nations.¹⁵³ Generally, the United States and other members of the Western alliance "...became uncooperative at the UN, seldom supporting multilateral approaches to international security, and opposing UN involvement in US spheres of influence, while at the same time practicing aggressive unilateralism."¹⁵⁴

One way in which the alienation of the Western bloc, and particularly the United States, manifested itself was in the form of the withholding of its financial contributions. Through Charter Articles 17 and 19, the General Assembly controlled the finances and the level of each member's contribution. The Non-Aligned majority thereby had the power to make the richest States pay for the initiatives - often inimical to the rich States' interests - that it was pursuing through the United Nations. The United States began by objecting to certain uses of United Nations funds, particularly the channelling of UNDP and other agencies' aid through national liberation movements.¹⁵⁵ These were followed by warnings that if United Nations aid to national liberation movements continued, the United States would consider withholding its

¹⁵² Jeane J. Kirkpatrick, "Projecting and Protecting U.S. Interests in the United Nations: U.N. Strategy and Its Relations to U.S. Foreign Policy", *Vital Speeches of the Day*, Vol. 54, No. 8, 1 February 1988, p. 229.

¹⁵³ See President Reagan's address to the General Assembly of 26 September 1983, *General Assembly Official Records*, A/38/PV.5.

¹⁵⁴ Thomas G. Weiss and Meryl A. Kessler, "Moscow's UN Policy", in Frederic J. Fleron Jr., Erik P. Hoffmann and Robbin F. Laird (eds), *Contemporary Issues in Soviet Foreign Policy From Brezhnev to Gorbachev*, (New York: Aldine de Gruyter, 1991), p. 734.

¹⁵⁵ See for example the explanation of the United States vote on General Assembly resolution 33/147 of 20 December 1978.

contributions to the programs assisting those organisations.¹⁵⁶ In 1985 the United States Congress passed the Kassebaum Amendment, requiring the administration to reduce United States contributions from 25% to 20% of the United Nations budget unless it introduced weighted voting on budgetary matters, and the Gramm-Rudman-Hollings Deficit Reduction Act requiring across-the-board cuts in federal spending, including United Nations contributions. The Reagan administration enthusiastically complied, leading to a protracted financial crisis at the United Nations throughout the 1980s.

Following its anti-insurgent involvements in Angola, Afghanistan, Nicaragua and Cambodia, the Soviet bloc also became an object of attack in the General Assembly. The Non-Aligned majority had long been suspicious of Soviet attempts to co-opt it to gain advantages in the East-West conflict, particularly during the crisis over Dag Hammarskjold's authority over the Congo operation.¹⁵⁷ Furthermore, the growing development crisis in the third world prompted the majority increasingly to include the Soviet bloc in the industrialised world in its campaign against global wealth distribution. This growing rift became open hostility after the invasion of Afghanistan and the Vietnamese embroilment in Cambodia. China exploited this image of the Soviet Union, constantly reinforcing the message that the Soviet Union was just another imperialistic Great Power along with those in the Western alliance.¹⁵⁸

While the General Assembly's one-State-one-vote rule empowered the weaker States within the United Nations, their use of this majority to propel the Organisation in directions inimical to the interests of the more powerful States in the international system had the effect of decreasing the relevance and influence of the United Nations on world politics. Great power frustration with their loss of control of, and alienation from, the United Nations prompted them to activate and use regional organisations and pursue unilateral action to secure their own visions

¹⁵⁶ See for example the United States' explanation of its vote on General Assembly resolution 37/69A of 9 December 1982.

¹⁵⁷ Brian Urquhart, *Hammarskjold*, (New York: Alfred A. Knopf, 1973).

¹⁵⁸ Rubinstein, *op. cit.*, 1989, p. 328.

of world order.¹⁵⁹ The withdrawal of great power support deprived the United Nations of its plausibility as a security institution:

...without American support there seemed little strength behind the Charter claim of the prohibition of force. With the 'normative retreat' by the United States,...the UN's claim to the role of centralised peace enforcement lost any reality.¹⁶⁰

Great power opposition to activism of the organisation also influenced the choice of less assertive Secretary-Generals after Dag Hammarskjöld,¹⁶¹ and their exercise of tighter controls over Secretary Generals' authority.¹⁶² Great power alienation and withdrawal of support, in turn, led to third world frustration with the ineffectiveness of the United Nations, and even greater hostility toward the great powers for their uncooperativeness.¹⁶³

A reprieve from marginalisation and eventual fading into obscurity came for the United Nations with Mikhail Gorbachev's reorientation of Soviet foreign policy objectives, and the peaceful ending of the Cold War. By the time of Gorbachev's accession to power, the indicators of the erosion of Soviet global power and prestige were unmistakable: the slow bleeding of its military establishment by its counter-insurgency commitments, the signs of the growing disparity between Soviet and Western military technology,¹⁶⁴ and the increasing acuteness of the stagnation of the Soviet economy. Gorbachev's "new thinking" rejected the previous Soviet obsession with military security in favour of a concept of national security that addressed political and economic security as well as military. In order to concentrate on restoring the

¹⁵⁹ John Norton Moore, "The Role of Regional Arrangements in the Maintenance of World Order", in Cyril E. Black and Richard A. Falk (eds), *The Future of the International Legal Order: Volume III: Conflict Management*, (Princeton: Princeton University Press, 1971), p. 129.

¹⁶⁰ Stein, *op. cit.*, 1989, p. 312.

¹⁶¹ Amos Yoder, *The Evolution of the United Nations System*, (New York: United Nations, 1989), p. 68.

¹⁶² Nicholas, *op. cit.*, 1975, p. 195.

¹⁶³ Luard, *op. cit.*, 1982, p. 366.

¹⁶⁴ Examples of the superiority of Western military technology over Soviet weapons abounded in the early 1980s: the vulnerability of its helicopter gunships to Stinger and Redeye missiles in Afghanistan, Nicaragua and Angola, the unblemished record of the Israeli airforce in the Bekaa Valley, and the panic caused by the Strategic Defence Initiative among the Soviet military industrial complex.

Soviet Union's economic and political security, Gorbachev sought to relieve the pressure on Soviet foreign policy by reducing its areas of conflict with the West, limiting the drain on Soviet resources of supporting client regimes, and extricating itself from regional conflicts.¹⁶⁵

Gorbachev saw a rejuvenated, universally-supported United Nations as an ideal way of easing relations with the West and China, extricating the Soviet Union from regional conflicts while saving face and preventing concomitant Western advances, and substituting United Nations aid for its aid to its third world clients.¹⁶⁶ The General Secretary accordingly published a ground-breaking article in *Pravda* in September 1987 which referred to the United Nations as the "main universal security body" and advocating the activation and strengthening of its conflict resolution and peacekeeping roles.¹⁶⁷ Beginning with the Forty-third General Assembly session in 1988, the Soviet Union began to advance proposals on strengthening the political and preventive role of peacekeeping; solving the finance crisis through a variety of funding schemes (including the payment of Soviet debts); expanding the United Nations role in mediation and conflict resolution; and a revival of the Military Staff Committee to create standing United Nations military and naval forces.¹⁶⁸ This change in the Soviet conception of the United Nations role was enormous: from having been suspicious of any expansion of power or prestige of the organisation, it had become one of the biggest supporters of its reactivation and the establishment of a central role for it in international politics.¹⁶⁹

Another change in Moscow's United Nations policy was its voting alignments. Rather than continuing to slavishly vote with the Non-Aligned majority, the Soviet Union began to

¹⁶⁵ Roger E. Kanet and Garth A. Katner, "From New Thinking to the Fragmentation of Consensus in Soviet Foreign Policy: The USSR and the Developing World" in Roger E. Kanet, Deborah Nutter Miner and Tamara J. Resler (eds), *Soviet Foreign Policy in Transition*, (Cambridge: Cambridge University Press, 1992), p. 129.

¹⁶⁶ G. R. Berridge, *Return to the UN: UN Diplomacy in Regional Conflicts*, (Hampshire: Macmillan, 1991), p. 31.

¹⁶⁷ Quoted in Alan James, "The United Nations", in David Armstrong and Eric Goldstein (eds) *The End of the Cold War*, (London: Frank Cass, 1990), p. 184.

¹⁶⁸ Weiss and Kessler, *op. cit.*, 1991, pp. 730-1.

¹⁶⁹ A tangible indicator of the importance of a strong United Nations to Soviet objectives was Gorbachev's promotion of Vladimir Petrovsky, the Head of the Department of International Organisations in the Soviet Foreign Ministry since 1979, to the post of Deputy Foreign Minister. See Berridge, *op. cit.*, 1991, p. 26-7.

identify itself more with the concerns of the industrialised States, and among these, adopting a role as a leader and prophet of multilateralism.¹⁷⁰ Gorbachev's version of multilateralism emphasised an interdependent global conception of security:

Democratisation also means the inclusion of all States in the solution of the most important problems of our time. The time has passed when a handful of great powers decided for the whole world...without heeding the multivoiced world...

¹⁷¹

For Soviet foreign policy, regional conflicts in the third world no longer represented opportunities for encircling the capitalist world, but rather as threats to global stability and prosperity.¹⁷²

The change in Soviet policy towards the United Nations coincided with and prompted a thaw in the Western alliance towards the United Nations. The States of the European Community had begun to extend their belief in multilateralism and interdependence into growing support of the United Nations.¹⁷³ The Europeans had begun to put pressure on the United States to resume cooperating at the United Nations: they were not prepared to make up defaulted United States payments, and were frustrated and anxious over its unilateral actions, such as the bombing of Tripoli. Within the United States as well, internationalist pressures had begun to mount: the uncooperative, belligerent image was beginning to damage the United States' global interests and to isolate it diplomatically. It had also achieved many of the objectives of its dissension policy at the United Nations; for example in the areas of budget reform and weighted voting on financial matters.¹⁷⁴ Policy-makers realised that certain objectives could not be as easily secured outside of the United Nations. The conspicuous failure

¹⁷⁰ Weiss and Kessler, *op. cit.*, 1991, p. 733-4.

¹⁷¹ Mikhail Gorbachev, "Foreign Relations - U.S.S.R.: The Democratization of World Politics", *Vital Speeches of the Day*, Vol. 54, No. 14, 1 May 1988, p. 420.

¹⁷² Berridge, *op. cit.*, 1991, p. 30.

¹⁷³ Rosemary Foot, "The European Community's Voting Behaviour At the United Nations General Assembly", *Journal of Common Market Studies*, Vol. 17, No. 4, June 1979, pp. 351-2.

¹⁷⁴ The main reforms were included in General Assembly resolution 41/213 of 19 December 1986.

of the MNF II peacekeeping force in Lebanon provided perhaps the best example of the benefits of intervention through the United Nations.¹⁷⁵

The accession of George Bush, a former United Nations permanent representative, to the Presidency, and his coordination and legitimization of the extraordinary success of the Gulf War through the United Nations,¹⁷⁶ led to the reorientation of United States foreign policy around Bush's vision of a "new world order":

...a partnership of nations that transcends the Cold War; a partnership based on consultation, cooperation and collective action, especially through international and regional organisations; a partnership united by principle and the rule of law and supported by an equitable sharing of both cost and commitment; a partnership whose goals are to increase democracy, increase prosperity, increase peace and reduce arms.¹⁷⁷

The decline of the influence of the Cold War on action within the United Nations had an effect additional to the renewed cooperation of the Great Powers: other coalitions of the Cold War began to break up as well. The end of the Cold War had this effect particularly on the Non-Aligned majority, which with its decline in cohesion, also lost its more dogmatic, radical ideology.¹⁷⁸ The Non-Aligned Movement's June 1994 summit in Cairo witnessed the decline of anti-colonialism as a super-issue and the mobilisation of concern over development issues.¹⁷⁹

The end of the Cold War and the changes it wrought to the international system led most States to re-evaluate the United Nations as a mechanism through which to advance their security

¹⁷⁵ Berridge, *op. cit.*, 1991, p. 35.

¹⁷⁶ See Bob Woodward, *The Commanders*, (New York: Simon and Schuster, 1991), Part Two for an account of the Bush administration's use of the United Nations to mobilise and piece together an international force for Operations Desert Shield and Desert Storm, and to gain international legitimacy for action against Iraq.

¹⁷⁷ George Bush, "Aggression in the Gulf: A Partnership of Nations", *Vital Speeches of the Day*, Vol. 57, No. 1, 15 October 1990, p. 3.

¹⁷⁸ Sir Brian Urquhart, "Peacemaking, Peacekeeping and the Future", *The John W. Holmes Memorial Lecture, 1989*, (Ontario: York University, 1989), p. 31.

¹⁷⁹ Kim Murphy, "Non-Aligned Reshuffle Their Goals in World Where East Meets West", *The Guardian*, 1 June 1994, p. 11.

interests. On one level, having to confront a world that had lost its familiar structures, States naturally gravitated towards consultation and cooperation through the only international organisation with almost universal membership, and on whose diplomatic fora they had relied on during the most compelling crises of the Cold War. On a more practical level, States based their renewed use of the United Nations on a variety of practical considerations based on their capabilities, liabilities, and the nature of security concerns in the post-Cold War world. The demise of the threat of a global, Great Power war, possibly involving nuclear weapons, being provoked by ideological and geopolitical competition, realigned States' security priorities. In the absence of definite security threats, areas of chronic instability rose to prominence among the security concerns of States. This change in focus reoriented the international community's, and ultimately the United Nations', position towards insurgent movements. Sub-State belligerents began to be selected for attention by the United Nations Member-States not on the basis of their usefulness in an ideological struggle, but when States saw them as problems to be eliminated or contained. This new perception of insurgent movements, along with Member-States' new motivations for acting through the United Nations, has wrought a reorientation of the Organisation's approach to these groups.

After the Gulf War, the majority of security concerns that have preoccupied the United Nations have been civil wars. Insurgents have come to be perceived by United Nations Member-States as linked with these disturbances to international peace. Civil wars pose almost no direct threat to the security of the wider international community. Insurgent movements therefore lack the threat to compel a major response from States other than those they are at war with. For a number of reasons, however, the international community sees a need to address certain civil wars, and to deal with their insurgent movements on the occasion that they adversely affect the interests of States, particularly the Great Powers.

A predominant motivation for the desire to terminate non-threatening civil wars is when they endanger either the closer cooperation or the maximisation of a mutual-benefit relationship among States. This concern has been paramount in the early aftermath of the Cold War. During the Cold War, a number of civil wars in the developing world had been sponsored by the opposing blocs as a method of waging proxy war. As the Great Powers developed a new

commitment to international cooperation, a number of regional and civil wars continued, whose perpetuation posed a obstacle to closer and more beneficial interaction. They saw the existence of formerly sponsored insurgencies in regions of interest as poisoning their increasingly cordial relations. Examples of such conflicts - Angola, Cambodia, Mozambique, El Salvador, Nicaragua and Namibia - littered the international landscape after the Cold War. It was thus in the interest of States affected by civil wars in this way to expend some effort on defusing and terminating them. In the eyes of a fickle international community, insurgent movements overnight came to be seen not as opportunities but as embarrassments.

A more nebulous motivation is the concern to preserve the structure and stability of the international system from challenges to its units and organisation. On a basic level, insurgent movements threaten the cohesion and viability of the States that they are challenging. States committed to the preservation of the international status quo, therefore, see them as disturbances to their underlying concern to "preserve the nation-state as the very foundation of international life."¹⁸⁰ The fact that the basis of most new civil wars has been ethnic chauvinism, particularly in formerly totalitarian States of central and eastern Europe, indirectly threatens most members of the international community. In a world in which there are only a handful of mono-ethnic States, concerns have been raised about the demonstration effect of ethnic conflict in other regions. The emotive power of inter-ethnic conflict further threatens to polarise third party States into supporting opposite sides of the conflict. The genocidal strategies of "ethnic cleansing" often pursued by ethnic nationalists stimulate international refugee flows on purpose. In an increasingly overcrowded world, these massive displacements of humanity can pose very real threats to those States and regions that grant them asylum.¹⁸¹ Those insurgent movements that pose these sorts of threats also attract the attention of the international community.

Civil wars and their insurgent movements pose the danger of detonating wider conflicts by inviting opportunistic interventions as well. Compounding the dangers posed by the

¹⁸⁰ Boutros Boutros-Ghali, "UN Multilateralism: A Cure for Ugly New Nationalisms", *International Herald Tribune*, 22 August 1993, p. 6.

¹⁸¹ Apart from the strain they place on a state's resources and infrastructure, refugees can contain criminal elements and belligerents determined to use contiguous refugee camps as bases from which to continue the struggle.

profusion of civil conflicts as possible sparks for international conflicts is the multipolar nature of the post-Cold War world, deprived of the bipolar superpower competition which acted to restrain regional conflicts during the Cold War. Mearsheimer predicts that through unrestrained competitive intervention, these great powers will magnify the threat of civil wars to international security:

It is likely that the great powers that dominate the new multipolar world will intervene in the third world...[their] power projection capabilities...will not reach great power levels but that limit in reach will be compensated for by the increase in the number of major powers will be active in the third world.¹⁸²

The Iraqi invasion of Kuwait provided the international community with a sobering example of the new pattern of threat to international security: the attempt of middle powers to fill regional power vacuums; aggression without warning and the attempt to hide behind a *fait accompli*; the accessibility of sophisticated military technology; the use of external adventurism by internally unstable regimes; and the vulnerability of resource centres to expansionist middle powers.¹⁸³

The retreat of global superpower involvement in containing regional conflicts has left the international community with a different security problem: the maintenance of stability in a multipolar world which contains a profusion of power vacuums and civil wars. President Bush was one of the first to realise this threat "to the entire world's vision of our future. It threatens to turn the dream of a new international order into a grim nightmare of anarchy in which the law of the jungle supplants the law of nations."¹⁸⁴ For the international community, national security is no longer able to be protected so easily by preparing against a small number of conceivable threats; the contemporary threats to security are more numerous, if less compelling, and often unable to be foreseen. Status quo States concerned with reorienting their security apparatuses have begun to link "vertical" security, security within States, to "horizontal" security, security

¹⁸² John J. Mearsheimer, "Disorder Restored", in Graham Allison and Gregory F. Treverton (eds), *Rethinking America's Security: Beyond Cold War to New World Order*, (New York: W.W. Norton and Company, 1992), p. 234.

¹⁸³ Gaddis, *op. cit.*, 1992, pp. 205-6.

¹⁸⁴ George Bush, "Aggression in the Gulf", *Vital Speeches of the Day*, Vol. 57, No. 1, 15 October 1990, p. 4.

between States.¹⁸⁵ States which are undergoing civil wars are regarded as "weak States", whose domestic instability threatens to diffuse into the international system: "The present international system contains more States on the weak than on the strong end of the spectrum, and thus has a massive element of international insecurity built into itself."¹⁸⁶ In the new era, in which States must be protected as much from internal attack as from external aggression, all insurgent movements can potentially be seen as dangers that need to be dealt with.

Finally, States can be motivated to intervene in civil wars by the pressure applied to their leaders by domestic public opinion. The increasing brutality of civil wars has been matched by the international media's growing efficiency at graphically reporting the gruesome details. Thus, although human suffering and genocide in civil wars pose some threats to international security, such as triggering refugee flows and possible punitive State interventions on behalf of the persecuted, it is predominantly through public opinion that human rights abuses stimulate States' actions: "[p]rosperous, peaceful societies cannot ignore the horrors of hunger and genocide...nor can they accept the relaxed cynicism of diplomats and historians, for whom these horrors are seen as inevitable..."¹⁸⁷ The media conveys the atrocities of mass murder, ethnic cleansing and rape in selected civil wars to Western publics with a horrifying immediacy that is calculated to command attention. The communications revolution, by stimulating concern and revulsion among Western electorates, thereby applies pressure on Western policy makers to act to restore and preserve human rights within these civil wars. Humanitarian demands on foreign policy-makers can thus cause States to concentrate their attentions on insurgent movements whose wars have stimulated such altruistic demands among their domestic electorates.

The lengthening post-Cold War record of United Nations humanitarian intervention demonstrates the prevalence of this factor as a stimulus to States' altruistic responses through the

¹⁸⁵ Fred Halliday, "'The Sixth Great Power': On the Study of Revolution and International Relations", *Review of International Studies*, Vol. 16, No. 3, Summer 1990, p. 219.

¹⁸⁶ Barry Buzan, *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era*, (2nd ed), (New York: Harvester Wheatsheaf, 1991), p. 155.

¹⁸⁷ Pierre Hassner, "Beyond Nationalism and Internationalism: Ethnicity and World Order", *Survival*, Vol. 35, No. 2, Summer 1993, p. 60.

Organisation.¹⁸⁸ This motivation for United Nations intervention has been carefully fostered by the leaders of its principal Member-States as a method of sustaining public support for maintaining force levels and preserving a global role after the decline of tangible Cold War threats to national security: "Our humanitarian actions nurture the...public's support for our engagement abroad."¹⁸⁹ Recent Security Council resolutions, and significantly resolutions 688 (1991) on Iraq, 794 (1992) on Somalia, and 749 (1992) on Bosnia, have begun to establish the doctrine that massive deprivations of human rights in civil war situations that threaten international peace and security are a legitimate concern of the United Nations. Concern with promoting the humanitarian regime led the Security Council in June and August 1992 to authorise UNPROFOR II to ensure the delivery of humanitarian aid under the enforcement provisions of Chapter VII.¹⁹⁰

However, constraints exist on the unlimited interventions in support of human rights, mainly in the form of opposition from the developing world. As ex-colonial States jealous of their sovereignty, many view assertive multilateral interventions in support of a normative vision of order developed by the West as showing disturbing aspects of neo-imperialism. China, recently admitted to the Non-Aligned Movement, has emerged as a leading voice of dissent against conceptions of multilateral intervention to shape a "new world order". At the Security Council Heads of State Summit, Chinese premier Li Peng voiced Chinese opposition to the proposals advanced for United Nations activism, warning that China will consistently oppose all external interventions in the internal affairs of sovereign States "using human rights as an excuse."¹⁹¹ Within and outside of the United Nations, third world concern has been voiced over the possibility of future imperialistic interventions by the United Nations or the great powers

¹⁸⁸ Jack Donnelly, "International Human Rights: A Regime Analysis", *International Organization*, Vol. 40, No. 3, Summer 1986, pp. 605-7.

¹⁸⁹ Anthony Lake, "From Containment to Enlargement", *Vital Speeches of the Day*, Vol. 60, No. 1, 15 October 1993, p. 17.

¹⁹⁰ Security Council resolutions 762 (1992) of 30 June 1992 and 770 (1992) authorised the use of "all means necessary" to ensure the delivery of humanitarian supplies in Bosnia.

¹⁹¹ Quoted in Tad Daley, "Can the UN Stretch to Fit Its Future?", *The Bulletin of Atomic Scientists*, Vol. 48, No. 3, April 1992, p. 42.

being justified by the need to protect human rights.¹⁹² Another constraint exists in the perils confronted by humanitarian missions, which often enter conflict environments whose volatility takes a heavy toll on the intervening force. Public altruism has been demonstrated to evaporate quickly in the face of casualties, making the potential political costs of such interventions a powerful restraint on their unlimited use.¹⁹³

These stimuli of international attention on civil wars, by their non-compelling nature, have caused the affected Member-State also respond repeatedly to these situations through the United Nations. States affected by insurgent movements and their civil wars have overwhelmingly addressed them through the mechanisms of the United Nations and other multilateral bodies, not because of a new-found commitment to world government, but because the United Nations represented the most convenient and efficient response to these challenges among the range of foreign policy options open to them. The reasons for States' choice of multilateral responses to security concerns over unilateral responses are two-fold: to retain international legitimacy, and to share the costs and liabilities of interventions in civil wars. The success of the Western and Middle Eastern States in using the United Nations to legitimate and share the expenses of the Gulf War, which secured their own interests, in the early aftermath of the Cold War, acted on a wide range of foreign policy establishments as a timely lesson on the advantages of multilateralism in the post-Cold War era.

States interact in a system which has experienced the extraordinary growth and acceptance of certain principles of international order and legality over the last fifty years. The advance of these principles of State behaviour can justifiably be seen as the growth of a regime:

¹⁹² Peter J. Fromuth, "The Making of a Security Community: The United Nations After the Cold War", *Journal of International Affairs*, Vol. 46, No. 2, Winter 1993, pp. 359-360.

¹⁹³ The most dramatic evaporation of altruistic domestic support for a humanitarian mission occurred in the United States after the casualties in the Bakhara Market in October 1993. The political costs of that operation are still being felt within the United States and the United Nations.

Principles may change for a number of reasons,...because of the emergence of new demands and of different expectations of behaviour. If these demands and expectations prevail and agreement on new principles can be achieved, the regime "grows".¹⁹⁴

Among the principles that command almost universal lip-service are those of sovereign inviolability and the illegitimacy of intervening in the domestic affairs of a sovereign State.¹⁹⁵ These principles have become even more sacred in the wake of decolonisation, and make the interventions of status quo States in civil wars to further their own interests questionable, and doubly so for Western Great Powers.¹⁹⁶ If such actions are sanctioned by the international community through the United Nations, the *motive* for intervening is justified in terms of the global good. If the intervention is implemented by an Organisation primarily dedicated to international peace and security using broadly multilateral forces from non-Western States as well, the *form* of the intervention is legitimised in terms of its non-partisan nature. If the objectives of the intervention are agreed upon by an international forum, the *interests* of the initiative are internationally endorsed in terms of the most appropriate resolution. And finally, if the conduct of the operation is accountable to the United Nations, the *method* of intervention is the responsibility of all. Multilateral response through the United Nations is thus a method for States to legitimate interventions into civil wars to promote their interests.

Coordinating their responses to the civil wars that affect them also allows States to spread the costs of launching the initiative, while still deriving the same benefits of terminating or containing the conflict as they would through a unilateral intervention in which they bore all expenses. Among governments forced to cut defence and foreign policy expenditures by publics demanding to see the domestic benefits of the "peace dividend" of the end of the Cold War, an

¹⁹⁴ Ernst B. Haas, "Regime Decay: Conflict Management and International Organizations, 1945-1981", *International Organization*, Vol. 37, No. 2, Spring 1983, p. 217.

¹⁹⁵ These principles by no means command universal obedience; overt and covert interference in the domestic politics of other states remains a common feature of the international system, especially with the growth of intelligence communities in nearly all states. Yet a measure of the growth of this regime is the growing proportion of covert interventions and the need for states to justify overt interventions in terms other than the national interest.

¹⁹⁶ A good example of these concerns is the rumblings of discontent in Africa on the eve of the Unified Task Force's intervention into Somalia, despite its somewhat multilateral form. These misgivings among African states were subdued by the essentially altruistic, humanitarian intent of UNITAF.

opportunity is irresistible to share the cost of intervening with other States, and to "hide" the expenses of the initiative among already existing contributions and commitments to the United Nations. It is not only material costs that can be defrayed by the United Nations, however. Political costs of intervention in civil wars, especially if this involves the military, can also be minimised multilaterally. Luttwak argues that changes in the demographic character of modern, postindustrial societies which result in families producing less children, "all of whom are expected to survive, and each of whom represents a larger share of the family's emotional economy" exponentially increases the political costs of casualties to the governments that dispatch the operation, and act as a powerful constraint on States' action.¹⁹⁷

The political costs of intervention, particularly using the military, are more easily borne if they are justified as part of a peacekeeping mission and fulfilment of the country's obligations to international peace and security. United Nations peacekeepers are calculated to attract less casualties than other forms of intervention.¹⁹⁸ These multilateral missions have also been used by governments to defend their military establishments against demands for even greater cut-backs. Acting through the United Nations also defrays political costs by providing States with a convenient scapegoat to blame if the intervention runs into trouble or fails. Thus, for States unwilling to pay dearly to secure their interests by addressing the less compelling concerns represented by civil wars and their belligerents, coordinating their actions through the United Nations, as a way of making the action legitimate and cost-effective, has emerged as an accessible solution. However, not all such interventions are directed by the affected States through the United Nations. As recent American intervention in Haiti demonstrated, other concerns may override the desire to legitimate action and defray costs to the same extent through the United Nations, and mandate a more unilateral response to certain non-compelling concerns.

The new willingness, particularly by the Great Powers, to advance more of their security interests through the United Nations is attested to by the greater amount of business addressed

¹⁹⁷ Edward N. Luttwak, "Where Are the Great Powers?", *Foreign Affairs*, Vol. 73, No. 4, July/August 1994, pp. 23-8.

¹⁹⁸ A sobering lesson of this fact is the disparity between the fatalities borne by the UNIFIL and the MNF II operations in Lebanon, the latter being driven out by a bomb attack on a United States marine base in Beirut in 1983, which killed 243 peacekeepers.

by the Security Council, the increase in the number of security initiatives, especially peacekeeping operations, dispatched by the United Nations, and the increased efficiency with which especially the Security Council functions. The majority of security concerns addressed by the United Nations after the Cold War have been dealt with through the Security Council, reflecting not only the importance of its Great Power Permanent Five in determining its security responses, but also the Permanent Five's new willingness to utilise the Security Council and the United Nations. As the sole remaining superpower, the United States is currently aware of the need to act multilaterally for several reasons. As the Gulf War demonstrated, the United Nations lends legitimacy and deflects criticism from United States' action to protect its national interests. As the State to which others in trouble turn, the United States is aware that action through an international organisation will "share among nations the costs and effort of pursuing peace."¹⁹⁹ The initial post-Cold War American willingness to commit itself to supporting the United Nations has cooled, after a unilateralist, conservative reaction to a number of peacekeeping failures has advocated a decreased commitment and reliance on the United Nations.²⁰⁰ The United States does, however, continue to play an active role in the Security Council and the United Nations.

For the Russian Federation, retaining the Soviet Union's permanent seat,²⁰¹ the United Nations offers an opportunity to remain engaged in global affairs while preserving resources, attention and effort for internal regeneration and asserting its interests in "the near abroad".²⁰²

¹⁹⁹ Bill Clinton, "Reforming the United Nations: The United States Intends to Remain Engaged and Lead", Speech delivered to the 48th Session of the United Nations General Assembly, 27 September 1993, *Vital Speeches of the Day*, Vol. 60, No. 1, 15 October 1993, p. 12.

²⁰⁰ Specifically the "Peace Powers Act", which advocates reducing by one-third the United States financial contributions to the United Nations, the prohibition of placing American troops under foreign command, requiring Congressional approval for the dispatch of American troops on peacekeeping missions, and the ability to defray the costs of unilateral actions in support of United Nations actions against the American financial contribution to the Organisation.

²⁰¹ Strictly speaking, the succession of the Soviet Union by the Russian Federation to the Security Council is an unauthorised and illegitimate Charter amendment; the Soviet Union's position as a permanent member of the Security Council is explicitly in Article 23. Such amendments, according to Article 108, need to be voted through by two-thirds of the General Assembly and ratified by two-thirds of all United Nations members, including all of the permanent members of the Security Council.

²⁰² Andrei Kozyrev, "Russia: A Chance for Survival", *Foreign Affairs*, Vol. 71, No. 2, Spring 1992, p. 11.

So too with the other members of the Security Council. France and the United Kingdom, conscious of their shrinking global reach and increasingly preoccupied with European integration, advocate action through a reinvigorated United Nations as a way of telescoping their influence on global affairs. China, remains on the periphery, criticised for its human rights record, and suspicious of the Security Council as a "Great Power club".²⁰³ Yet its desire to maintain its influence in the newly activist Security Council, as the voice of the developing world, and as a restraint on neo-imperialist tendencies, is demonstrated by its growing commitment to peacekeeping, from which it had formerly stood aloof, its payment of accumulated and current peacekeeping contributions, its joining of the Special Committee on Peacekeeping Operations, and its dispatch of Chinese troops on peacekeeping missions such as UNTAC in Cambodia.²⁰⁴ Neither have the non-permanent members been able to impede the Council's renewed utilisation, either because they are supportive of its policies, or unable to effectively oppose them. Previously able to wield a "sixth veto" by denying the nine affirmative votes necessary to pass a Security Council resolution through its members holding seven non-permanent seats,²⁰⁵ the Non-Aligned Movement has been both unable and unwilling to mobilise a cohesive bloc against the wishes of the majority in the Security Council.

After the Cold War, the Security Council has become the central instrument in the United Nations for the preservation of international security as its founders intended. No longer a forum for confrontation and propaganda, the Security Council is treated by its members as a mechanism to be used to advance their common security interest in global stability. Many of the procedures of co-operation, such as the consensus procedures and periodic meetings, were developed in the latter stages of the Cold War, as the Security Council began to mature out of what Hiscocks aptly terms its "adolescence".²⁰⁶ Most prominent in this process has been the

²⁰³ Henry A. Kissinger, "Balance of Power Sustained" in Graham Allison and Gregory F. Treverton, *Rethinking America's Security: beyond Cold War to New World Order*, (New York: W.W. Norton and Company, 1992), p. 239.

²⁰⁴ James, *op. cit.*, 1990, p. 185.

²⁰⁵ Sir Crispin Tickell, "The Role of the Security Council in World Affairs", *Georgia Journal of International and Comparative Law*, Vol. 18, No. 3, Winter 1988, p. 308.

²⁰⁶ Hiscocks, *op. cit.*, 1973, pp. 103-110.

willingness of the Permanent Five to assume their role as the cooperative guarantors of international security. The majority of the Security Council's business is now pre-negotiated in informal, closed session consultations between the Permanent Five. These meetings, where Security Council policy is hammered out, are not preceded by the circulation of an agenda, no records of the consultations are kept, no statement is issued at their conclusion, and they escape mention in the Secretariat's voluminous records.²⁰⁷ Public Security Council sessions have become little more than a forum for committing to the formality of a vote resolutions that in their provisions and text have been negotiated before hand to secure consensus or at the very least non-opposition and abstention among Security Council members. This new efficiency reflects the new business-like attitude of the Great Powers, which have begun to see the United Nations as an effective foreign policy tool, to be used soberly.

The decline of bloc politics in the international system has been reflected inside the Security Council by a new flexibility of policy options and a narrower conception of the national interest:

There is an element of recognition that some people have more at stake in a place than others...there is a kind of acceptance that you shouldn't barge around in places where there isn't a major interest involved.²⁰⁸

Rather than viewing regional conflicts and civil wars as opportunities for the advancement of national security at the expense of the rival system, the Permanent Members conceive of their national security as being secured by ensuring general global stability through the United Nations among other mechanisms:

...the national interest in practically all these issues for any country...is very modest...But there is a collective interest which is the United Nations that is what the Charter lays down for the Security Council and within the Security Council it gives certain rather clear responsibilities to the five permanent members simply because of their continuance, because of the fact that they're always there.²⁰⁹

²⁰⁷ Berridge, *op. cit.*, 1991, p. 5.

²⁰⁸ Interview with Sir David Hannay, United Kingdom Permanent Representative To The United Nations, New York City, 29 March 1994.

²⁰⁹ *ibid.*

Pragmatism has thus replaced ideology as the determinant of policy within the post-Cold War Security Council.

The end of the Cold War has also removed the constraints on the Secretary-General's range of action. The United Nations' founders conceived the role of the Secretary-General as a major and dynamic international diplomat, wielding influence and prestige commensurate with the rank of the foremost civil servant of a vigorous international security institution, and able to take personal initiatives towards solving international disputes.²¹⁰ The first two Secretary-Generals, Lie and Hammarskjold, were activists, both incurring the wrath of various of the permanent members over different Cold War incidents.²¹¹ Soviet non-cooperation with Hammarskjold during the 1960 Congo operation led to a crisis in the office of the Secretary-General. The Secretary-Generals that succeeded Hammarskjold, Thant, Waldheim and Perez de Cuellar, all adopted a less assertive role, and consequently the stature and authority of the office declined. The effect of the end of the Cold War on the reactivation of the office of the Secretary-General is most obvious by observing the actions of the previously-quiescent Perez de Cuellar after 1987. The prominent role played by the Secretary-General and his Special Representatives in the resolution of the conflicts in Afghanistan, the Iran-Iraq war and El Salvador displayed an assertiveness and initiative inconceivable during the earlier Cold War years. The selection of the outspoken Boutros Boutros-Ghali as the sixth Secretary-General further demonstrates the proactive role envisaged for the Secretary-General by the post-Cold War United Nations.²¹² The enhanced role of the Secretary-General and his Special Representatives has been used extensively by the Organisation in its interactions with insurgent movements.

²¹⁰ Luard, *op. cit.*, 1982, p. 343.

²¹¹ Lie angered the United States and the Western alliance over his advocacy of awarding the Security Council seat to Communist China and then alienated the Soviet Union over his support for the United Nations' role in Korea; Hammarskjold first offended France and the United Kingdom over the Suez crisis, and then the Soviet Union over the Congo.

²¹² For assessments of the forceful and often abrasive diplomatic style of Boutros-Ghali, see Michael S. Serrill, "Under Fire", *Time*, 18 January 1993, pp. 14-6, James Bone, "Abrasive Secretary-General Attempts Charm Offensive", *The Times*, Saturday 2 January 1993, p. 10, and Elaine Sciolino and Paul Lewis, "UN's Chief Turns Out to be US's Chief Antagonist", *International Herald Tribune*, Monday, 18 October 1993, p. 5.

2.4: United Nations-Insurgent Interactions and International Law

To complete this examination of the new United Nations policy towards insurgents, it is necessary to survey the status of United Nations interventionism in international law. International law exists as a set of authoritative parameters governing the transactions of States in international relations. It claims jurisdiction over the relations between the Member-States of the United Nations,²¹³ over States' relations with the insurgents and incumbents in civil wars, and over the behaviour of the combatants in civil wars. This brief survey examines the nature of international law, before investigating the state of the law governing external relations with belligerents in internal wars, and the status of legal obligations on contemporary insurgent movements.

International law is an horizontal legal system between formally equal participants in the international system which implement norms of self-help and restraint. Consequently, it forms a loose corpus of prescriptive norms, rules, and principles which do not form a coherent system, although some rules are recognised as taking precedence over others.²¹⁴ The international law between formally equal autonomous units derives from considerations of necessity and consent.²¹⁵ States utilise international law for a variety of purposes in their relations with each other: as a parameter for State behaviour in competitive and conflictual interactions,²¹⁶ as a rhetorical justification for their own actions or to censure other States' behaviour,²¹⁷ and for the moderation of conflict by shifting it from the highly-charged political to the more objective legal plane. When applied to the intervention of outside bodies in civil wars, and the conduct of the participants in those wars, international law attempts to regulate behaviour to within a

²¹³ Mainly through the ratification of the provisions of the United Nations Charter, and the subsequent resolutions adopted by the Organisation.

²¹⁴ Richard Little, *Intervention: External Involvement in Civil Wars*, (London: Martin Robertson, 1970), p. 20.

²¹⁵ Hans J. Morgenthau, *Politics Among Nations: The Struggle for Power and Peace*, (4th ed) (New York: Alfred A. Knopf, 1967), pp. 266-7.

²¹⁶ William D. Coplin, *The Functions of International Law: An Introduction to the Role of International Law in the Contemporary World*, (Chicago: Rand McNally and Co., 1966), pp. 17-25.

²¹⁷ James Fawcett, *Law and Power in International Relations*, (London: Faber and Faber, 1982), p. 118.

recognised and accepted set of standards and norms, for reasons of order, stability, and principles of humanity.

In traditional international law, the intervention of outside actors in civil wars was heavily regulated by considerations of sovereignty. The 1949 Geneva Conventions on the regulation of behaviour in wars imposed a number of preconditions that needed to be satisfied before a civil war qualified as a war in international law, while earlier conventions regulated the behaviour of outside States towards the combatants according to their recognition of the status of the belligerents.²¹⁸ Depending on the recognising States' perception of the success of the insurgency, the insurgents could be classified on a scale between rebellion and belligerency, with the highest level of recognition implying acknowledgment of the insurgents' status as contestants for power, rather than merely as lawbreakers.²¹⁹ The recognition of belligerency carried an obligation of neutrality for external States.²²⁰ Such formal recognition, however, has rarely been accorded since the Second World War.²²¹ The predominant form of recognition during the Cold War, as we have seen, was a moral endorsement by sympathetic States and international organisations which conferred a form of "government in exile" status to national liberation movements fighting alien or racist regimes.²²² In this way, recognition became a form of partisan intervention that could be used to help or hinder insurgents,²²³ and was actively sought by insurgents as a source of support, bases, and legitimacy.²²⁴ These conventions on

²¹⁸ Adam Roberts and Richard Guelff, *Documents on the Laws of War*, (Oxford: Clarendon Press, 1982), pp. 159-326.

²¹⁹ Rosalyn Higgins, "Internal War and International Law", in Cyril E. Black and Richard A. Falk (eds), *The Future of the International Legal Order*, Volume III Conflict Management, (Princeton: Princeton University Press, 1971), p. 88.

²²⁰ Hersch Lauterpacht, *Recognition in International Law*, (Cambridge: Cambridge University Press, 1947), p. 48.

²²¹ Helmut Freudenschuss, "Legal and Political Aspects of the Recognition of National Liberation Movements", *Millenium*, Vol. 11, No. 2, Summer 1982, p. 117.

²²² Higgins, "Internal War and International Law", *op. cit.*, 1971, p. 104.

²²³ Richard A. Falk, "Introduction", in Richard A. Falk (ed), *The International Law of Civil War*, (Baltimore: The Johns Hopkins Press, 1971), p. 14.

²²⁴ George Modelski, "The International Relations of Internal War" in James N. Rosenau (ed), *International Aspects of Civil Strife*, (Princeton: Princeton University Press, 1964), p. 17.

intervention have changed in response to the changes in international politics brought by the end of the Cold War.

A corollary of the fact that international law is based on, and derives its authority from, trends in the practice of interstate relations,²²⁵ is that the changes in interstate relations caused by the end of the Cold War have wrought parallel changes in international law. Changes in the behaviour of States, particularly the great powers, are quasi-legislative, and harden into accepted doctrine when cited as precedent for repeated actions of these types.²²⁶ So the post-Cold War United Nations activism, itself based on new patterns of accord and cooperation among its Member-States has caused changes in the international law of intervention in civil conflicts. In this way, usage and precedent of new justifications for intervention by the political organs of the United Nations are developing into legal rules which are or will be accepted as legally binding and legitimate by the majority of members of the Organisation.²²⁷ The new collegiality and secrecy of the Security Council has resulted in less discussion of the legal bases of United Nations action, and the need for prompt action has often overridden the extensive consideration of legal and jurisdictional issues.²²⁸ However, it is through its actions, and its consistent reference to the same motivations and justifications for action that, "...the UN is unfolding itself before our eyes, and is now emerging as a true judge, setting forth the law and endeavouring to enforce it..."²²⁹

The growing perception among the international community that internal wars represent threats to international peace and security, and are thus legitimate subjects of international

²²⁵ Hedley Bull, *The Anarchical Society: A Study of Order in World Politics*, (London: Macmillan, 1977), p. 143.

²²⁶ R. J. Vincent, *Nonintervention and International Order*, (Princeton: Princeton University Press, 1974), pp. 375-6.

²²⁷ Rosalyn Higgins, *The Development of International Law Through the Political Organs of the United Nations*, (London: Oxford University Press, 1963), p. 5.

²²⁸ N. D. White, *Keeping the Peace: The United Nations and the Maintenance of International Peace and Security*, (Manchester: Manchester University Press, 1993), pp. 27, 42-3.

²²⁹ Francois Mitterand, "The Rule of Law", speech delivered to the 45th Session of the United Nations General Assembly, 24 September 1990, *Vital Speeches of the Day*, Vol. 57, No. 1, 15 October 1990, p. 5.

concern,²³⁰ have begun to restrict considerations of sovereignty and impulses towards moral endorsements of insurgent movements as alternative governments.²³¹ The requirement of safeguarding international order has thus overridden other conventions of international law regarding recognition in civil wars. However, some States continue to aid and abet insurgent movements out of sympathy and for strategic reasons, in defiance of international convention. Nevertheless, after the Cold War, a different set of international preferences govern recognition and intervention by the United Nations organisation in civil wars: considerations of regional stability, humanitarian concerns, and the desire to prevent the fragmentation of States.²³²

The most significant of these changes that the new United Nations interventionism is causing to international law is through its reinterpretation of its own Charter's Article 2(7) which States:

Nothing in the present Charter shall authorise the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

This Article is the most explicit limitation on the reach of United Nations action and jurisdiction contained in the Charter, intended as a safeguard against the encroachment of the Organisation on the sovereignty of its Member-States. By definition, United Nations involvement in a civil war constitutes intervention in the internal affairs of a State and thus contravenes Article 2(7). However, the United Nations has the ability to change international law through interpreting and reinterpreting its own Charter,²³³ and its actions after the Cold War have constituted a reinterpretation of Article 2(7).

²³⁰ Evan Luard, "Civil Conflicts in Modern International Relations", in Evan Luard (ed), *The International Regulation of Civil Wars*, (London: Thames and Hudson, 1972), p. 19.

²³¹ Richard A. Falk, "Janus Tormented: The International Law of Internal War", in Rosenau (ed), *op. cit.*, 1964, p. 208.

²³² Rosalyn Higgins, "International Law and Civil Conflict", in Luard, *op. cit.*, 1972, pp. 174-5.

²³³ Higgins, *op. cit.*, 1963, pp. 4-5.

Because Article 2(7) is the greatest Charter restriction on United Nations competence, its interpretation plays a major part in determining the expansiveness or narrowness of the Organisation's mandate for maintaining international peace and security. During the Cold War when the Great Powers were suspicious of the United Nations and concerned to limit its mandate in their proxy wars, the Article was accorded a more expansive interpretation. However, the end of the Cold War and the interest of the international community in stabilising, eliminating and resolving civil conflicts through multilateral institutions has necessitated a more restrictive reinterpretation of Article 2(7). The Article has been mainly redefined through the principle of domestic jurisdiction which is subjective and contains a high degree of interpretability.²³⁴ As when during the Cold War the Security Council veto determined the permissibility of United Nations intervention,²³⁵ so after the Cold War, the lack of vetos and the presence of Security Council solidarity has caused the main restrictions to the application of domestic jurisdiction. The extent to which the inviolability of the domestic jurisdiction of States has been restricted by recent Security Council practice can be seen by the weapons of mass destruction plank of resolution 687(1991) which permits the international community to permanently monitor the Iraqi military-industrial complex in the interests of the safety of the international community, and resolution 748(1992) imposing an embargo on Libya in order to compel it to hand over two of its citizens for trial on charges of terrorism.²³⁶

The main determinant of the activation of United Nations intervention in domestic conflicts is the identification that therein exists a threat to international peace and security. Article 39 of the Charter empowers the Security Council to "determine the existence of any threat to the peace, breach of the peace, or act of aggression and...to maintain and restore international peace and security." Recent practice has established the precedent that once a civil war is found to threaten international peace and security under Article 39, it becomes a matter of international concern and no longer lies within the domestic jurisdiction of the State.²³⁷

²³⁴ Leland M. Goodrich and Edvard Hambro, *Charter of the United Nations: Commentary and Documents*, (2nd ed), (London: Stevens and Sons Ltd., 1949), pp. 113-4.

²³⁵ *ibid.*, p. 106.

²³⁶ Fromuth, *op. cit.*, 1993, pp. 354-5.

²³⁷ White, *op. cit.*, 1993, p. 58.

Consequently, United Nations intervention in such a situation to "maintain and restore international peace and security" is not prohibited under Article 2(7). A survey of post-Cold War Security Council resolutions reveals that most that initialise United Nations involvement in civil war situations contain within their preambles a paragraph noting the threat to international security represented by the conflict.²³⁸ This practice has led to the gradual acceptance in the corpus of international law that civil wars are international wars, even if they are not interstate wars.²³⁹

The other mechanism used to activate United Nations involvement in civil wars without falling foul of Article 2(7) is that the parties invite the United Nations to help them resolve the conflict. This has also become a common precursor for United Nations intervention. Most often the invitation occurs in the form of a peace accord signed by the belligerents, the provisions of which include the use of the United Nations to monitor the implementation of the agreement. Security Council resolutions initialising involvement on these grounds contain reference to the relevant peace agreement, and the Security Council's endorsement and support for the peace process.²⁴⁰ Thus either a determination of a threat to international peace and security or an invitation implied in a peace agreement for the United Nations to oversee its implementation are the two methods used by the United Nations to legally intervene to resolve civil wars in the post-Cold War world.

International law also confers rights and imposes obligations on the belligerents in civil wars. Article 3 of the 1949 Geneva Conventions conferred, once certain prerequisites had been satisfied, legal combatant status on sub-State belligerents, and thereby extended to them the protection of the laws of international war, as well as requiring them to observe the parameters

²³⁸ For example, see Security Council resolutions 733 (1992) of 23 January 1992, 743 (1992) of 21 February 1992, 749 (1992) of 7 April 1992, 775 (1992) of 28 August 1992, 808 (1993) of 22 February 1993, and 814 (1993) of 26 March 1993.

²³⁹ Heather A. Wilson, *International Law and the Use of Force by National Liberation Movements*, (Oxford: Clarendon Press, 1988), p. 1.

²⁴⁰ See Security Council resolutions 644 (1989) of 7 November 1989, 650 (1990) of 27 March 1990, 668 (1990) of 20 September 1990, 690 (1991) of 29 April 1991, 696 (1991) of 30 May 1991, 717 (1991) of 16 October 1991, 747 (1992) of 24 March 1992, 782 (1992) 13 October 1992, 797 (1992) of 16 December 1992, 818 (1993) of 14 April 1993, 832 (1993) of 27 May 1993, and 888 (1993) of 30 November 1993.

of international standards of combatant behaviour.²⁴¹ Recognising that the guerrilla tactics employed by modern insurgents preclude openly carrying arms and displaying badges of allegiance, Article 44 of the 1977 Geneva Additional Protocol I extended legal recognition to guerrilla combatants.²⁴² Protocol II of the same conventions placed definite responsibilities for the humane conduct of war and treatment of non-combatants on insurgents and incumbents.²⁴³ The international community has grown increasingly attentive to the tactics used by combatants in civil wars, as the recent activation of international war crimes actions against the belligerents in the wars in the former Yugoslavia attests.²⁴⁴ Furthermore, the international community has at times shown itself willing to intervene against regimes using unsavoury tactics against insurgent populations, as Security Council 688 (1991) and Operation Provide Comfort for the Kurds in Northern Iraq showed.

However, these standards of combatant behaviour are mostly ignored by civil war belligerents, and are rarely enforced by the international community. A survey of contemporary insurgents attests to the extent to which these international regulations are ignored. All of the insurgent movements examined in this study have used, to varying extents, terrorism against their opponents and the civilian population, with a growing number using techniques of genocide, mass rape, population transfers, and perpetuation of famine conditions, particularly in ethnic or tribal conflicts. In the final analysis, insurgent movements, the "objects" of international law, pay little attention and feel little obligation to the standards and rules that have been negotiated between States, the "subjects" of international law.²⁴⁵ The most common enforcement mechanism in international law is the sanction of reciprocity, whereby most States

²⁴¹ See Harry Eckstein (ed), *Internal War: Problems and Approaches*, (New York: Free Press, 1964).

²⁴² As long as arms were openly carried and used during engagements and insignia or identification devices were displayed during the preparation for the attack and the action. See Roberts and Guelff, *op. cit.*, 1982, pp. 411-413.

²⁴³ *ibid.*, pp. 449-458.

²⁴⁴ A number of leaders and combatants among the Bosnian Serbs and the Krajina Serbs have been indicted by the international community on war crimes charges. See "Serb War Trial", *The Times*, 15 October 1994, "Genocide Trial Opens", *The Times*, 21 October 1994; and Caroline Moorhead, "Nations Struggle Against Catalogue of Abuse", *The Independent*, 11 June 1993.

²⁴⁵ Wilson, *op. cit.*, 1988, p. 8.

observe international law because "its breach would incur a reciprocal response."²⁴⁶ Insurgent movements are little troubled by considerations of reciprocity or international censure: their tactics are determined by the consuming nature of their struggle and the realism this fosters. Neither are States likely to intervene to uphold these standards of conduct. In these ways, then, realism overshadows and modifies the precepts of international law, with respect to international intervention in civil wars, as well as in the conduct and motivations of the insurgent movements.

It can be seen from examining the international currents that determine the United Nations' approach to civil wars, and the way its Member-States view insurgent movements, that the end of the Cold War has wrought important changes. Insurgent movements are no longer so much ideological opportunities as irritants and concerns; while the United Nations is less a forum for propaganda and deadlock as a mechanism enabling the minimisation of the costs of addressing the non-compelling, but insistent security concerns of civil wars. An understanding of these forces informs the further analysis of United Nations actions involving insurgents. It is to the analysis of the post-Cold War United Nations' relations with insurgents that this study will now turn.

²⁴⁶ Higgins, *op. cit.*, 1963, p. 8.

3: A FRAMEWORK FOR ANALYSIS

To analyse and compare the relationships between the United Nations and insurgent movements, the important criteria that determine the nature of their interactions have to be isolated. The basis on which these analytical criteria are selected is determined on a deductive basis from the theoretical approach of this study. This chapter develops two sub-arguments from neorealist precepts: one on the logic of insurgent action, the other on the determinants of United Nations initiatives. It follows that when these approaches interact, each side's commitment to its interests, and inability to alter the other's approach, mandates that a pre-existing coincidence in their approaches will optimise the outcomes of the interaction for both. This logic suggests the hypothesis tested in this thesis, that between the United Nations and insurgent movements, concurring approaches produce more optimal interactions than divergent approaches. The third part of this chapter develops a mechanism for testing this hypothesis by constructing an analytical framework of seven indices for measuring the extent of agreement between the United Nations and the insurgent movement's approaches to their interaction and relating these to the optimality of the interaction. When this framework is applied to cases later in the study, the influence of the variables on the interactions will be evaluated to determine the validity of the hypothesis.

3.1: The Logic of Insurgent Action

This analysis is based on the contention that despite the many differences among the insurgent movements with which the United Nations interacts, all share common features that impart a certain logic on their actions rendering their relations suitable for social scientific generalisation and analysis. The most basic property shared by insurgent movements is that they employ violence against the State and other groups within society. They use force in the pursuit of an increase in political power, or to effect a change in the structure, control, composition, or extent of the political system of the State. The often ethnically-based nature of most contemporary civil wars imbues the violence employed by their insurgent movements and

incumbents with added savagery and intractability.¹ The downfall of Soviet bloc authoritarian power structures, combined with resource and population pressures in the developing world, has prompted the rise of ethnic and tribalist chauvinism, and the outbreak of a rash of insurrectionist, irredentist, or secessionist conflicts after the Cold War. These conflicts demonstrate similar patterns of violence: as opportunistic leaders exploit ethnic resentments to gain power, pressures are formed within the group to gain control of the State, the guarantee of ethnic predominance and survival, and exclude all other groups from power.² This prompts a parallel response among the other ethnic groups, which feel the need to mobilise and compete for State power or else be dominated and possibly destroyed by the ethnic group that seizes control of the State. A classical security dilemma develops among the ethnic groups: as each group acts to increase and protect its own security and decrease its vulnerability to attack, other ethnic groups interpret its actions as building an offensive capability and take similar measures. As the original group responds reciprocally, an arms race and intensifying cycle of hostilities ensues.³ These pressures make contemporary insurgent movements highly dependent on violence to advance their interests and protect themselves, a condition with important ramifications for their actions towards the United Nations.

Insurgent violence also confers certain prerogatives of the international system on an insurgent movement. Once it has declared war on the State, the insurgent movement becomes literally outlawed, absenting itself from the sovereign protection of the State. As the hostilities intensify, the incumbent government begins to treat the war as an interstate war, using the army rather than the police force to try to restore internal control. These ramifications expose the insurgent movement to the logic of the international system. International law partially recognises this fact by recognising, subject to the conditions laid down under Article 3 of the Geneva Conventions,⁴ the admissibility of belligerent status for sub-State groups at war, and

¹ See John Chipman, "Managing the Politics of Parochialism", *Survival*, Vol. 35, No. 1, Spring 1993, pp. 143-170.

² Joseph Rothschild, *Ethnopolitics: A Conceptual Framework*, (New York: Columbia University Press, 1981), pp. 4-5.

³ Barry Posen, "The Security Dilemma and Ethnic Conflict", *Survival*, Vol. 35, No. 1, Spring 1993, pp. 28-31.

⁴ Under the 1949 Geneva Conventions, Article 3, belligerent status could be conferred, depending on the level of hostilities, on irregular troops, providing they carried a recognisable badge of allegiance, a chain of command,

bestowing some of the prerogatives and attributes of international actors on the insurgent group.⁵ A corollary of its international personality is that the insurgent movement is exposed to the anarchy of international politics, with its attendant requirement to be self-reliant in securing its interests.⁶

Self-reliance in an anarchic system confers motivations on insurgents' action similar to those of States. Because the consequences of incompetence in pursuing self-interest in international politics are domination and destruction, units promote their interests with an urgency and conviction less commonly found in hierarchical systems.⁷ The most basic motivation of States in a self-help system is physical survival and continued viability: "In anarchy, security is the highest end. Only if survival is assured can [units] safely seek such other goals as tranquillity, profit, and power."⁸ Insurgent war confers on its perpetrators an even greater incentive to protect themselves. Unlike a State that wages war, an insurgent movement has no pre-existing recognised antebellum territorial area to withdraw into upon defeat or capitulation, thereby avoiding total destruction. Insurgent war is thus partly based on a political calculus with the physical survival of the group at stake: "[insurgents] have nothing to gain and everything to lose by giving up. In fact, once the banner of revolution has been raised and blood has been shed, it is no easy matter to give up. The rebels begin to fight for whatever reason; they continue

openly carried their weapons, and complied with the laws of war. Protocol II to these Conventions of 1977 modified these conditions for civil wars and liberation struggles, enabling belligerent status to be extended to insurgents with an identifiable chain of command, significant control of territory, and the ability to carry out sustained military operations and comply with the laws of war. See Heather A. Wilson, *International Law and the Use of Force by National Liberation Movements*, (Oxford: Clarendon Press, 1988).

⁵ Christopher O. Quaye, *Liberation Struggles in International Law*, (Philadelphia: Temple University Press, 1991), pp. 29-30.

⁶ See Hedley Bull, *The Anarchical Society: A Study of Order in World Politics*, (Basingstoke: Macmillan, 1977), pp. 46-51.

⁷ Kenneth N. Waltz, *Theory of International Politics*, (Massachusetts: Addison-Wesley Publishers, 1979), pp. 93-105.

⁸ Kenneth N. Waltz, "The Structure of Anarchy" in Robert O. Keohane, *Neorealism and Its Critics*, (New York: Columbia University Press, 1986), p. 127.

because they must."⁹ In simple terms, self-reliance for survival means that if resistance costs less than defeat or negotiating peace, an insurgent movement will continue to fight.¹⁰

The threat of annihilation upon defeat is made greater by the total nature of the incumbent's response to the insurgent's challenge to its existence and authority. For the State, an insurgent challenge not only threatens its existence: it contests its sovereign authority over the extent of its territory and population, the legitimacy of its monopoly on the use of force, and its prerogative to represent the State internationally. A violent internal challenge also weakens and divides the State; often insurgencies become conduits for hostile third party intervention. The incumbent takes the insurgent challenge very seriously, and commonly prosecutes a brutal counter-insurgent war against the rebel forces and their supporters. Insurgents and their supporters, as contestants for legitimate authority in the State, reject the State's protections, "recognising no legitimacy save that created by their own aspirations."¹¹ In the eyes of the incumbent power-holders, insurgents have committed treason and are duly subject to the application of punishments and measures differently categorised than those for other offences by nature of the seriousness of their challenge to the existing order.¹² Furthermore, a military challenge to the State often prompts a limited abandonment of some of the guarantees of civil government by the incumbent,¹³ often triggering a militarisation of the State's opposition to the insurgency and its attendant emphasis on total victory and subjugation of opponents. Since they often use the guerrilla tactic of provoking a brutal government reaction,¹⁴ the insurgent movement's reliance on self-help for its security must often also be extended to protecting its supporters from the collateral damage of government counter-insurgency operations. Insurgent movements' self-help obligations in an anarchical system, and the urgency and logic of the total

⁹ Robert Taber, *War of the Flea: A Study of Guerrilla Warfare Theory and Practice*, (St. Albans: Paladin, 1970), p. 45.

¹⁰ Andrew M. Scott, *Insurgency*, (Chapel Hill: The University of North Carolina Press, 1970), p. 20.

¹¹ Michael Howard, *The Causes of Wars and Other Essays*, (London: Temple Smith, 1983), p. 34.

¹² L.J. MacFarlane, *Violence and the State*, (London: Nelson, 1974), p. 76.

¹³ See Paul Wilkinson, *Terrorism and the Liberal State*, (Basingstoke: Macmillan, 1986), pp. 81-92.

¹⁴ Che Guevara, *Guerrilla Warfare*, (Harmondsworth: Penguin, 1961), p. 13.

war they wage, makes the maintenance of their existence a fundamental interest and motivation for action.

Anarchy also requires that a unit is self-reliant for the pursuit of its other interests. Their violent opposition to the State excludes them from the ability to appeal to any superior body with the ability or obligation to provide for the interests of the group. Insurgent movements take up arms for a variety of reasons and continue to wage the war to secure a range of objectives. By definition, an insurgent movement's use of violence against the State is waged for political reasons. These political goals can range from the desire to seize control of the administration of the State, to excluding other groups from the ability to shape or control the State, to exempting a group from the jurisdiction of the State, to a general improvement of social, economic or political conditions for a sector of society. Insurgents, like any other political actors, have numerous interests - strategic and tactical, overt and covert, primary and secondary - of varying levels of importance and influence.¹⁵ These interests are not ordered by a fixed hierarchy of importance; rather "[e]very action involves a trade-off, and the effort to achieve one objective inevitably involves costs with respect to some other desired goal."¹⁶ The relative importance of an insurgent movement's interests are determined by the constellation of environmental opportunities and constraints it confronts at that time, and each action is the result of a rational calculation and compromise between its diverse concerns. As units in an anarchical, self-help system, then, insurgent movements' concern to promote their own interests and ensure their security determines their behaviour.¹⁷

Insurgent movements are distinguished from other opposition groups by their use of violence, among other diplomatic and propaganda methods, to pursue their interests. Often the option for violence has been chosen as a result of the frustration of the disaffected groups' attempts to achieve the desired changes through the political system; it can also be a response to a real or perceived threat to the group's survival. Once it has directed violence subversively

¹⁵ Julian Lider, *On the Nature of War*, (Farnborough: Saxon House, 1977), p. 92.

¹⁶ Robert Gilpin, *War and Change in World Politics*, (Cambridge: Cambridge University Press, 1981), p. 19.

¹⁷ Waltz, *op. cit.*, 1979, p. 105.

against the State, however, its illegality deprives it of the ability to advance its interests within the political system of the State. Neither can the insurgent movement rely on the State which it opposes, or any higher authority, for protection. It becomes, like States, self-reliant for its protection on its ability to wage war or mobilise international protection for itself.¹⁸ An insurgent movement that renounces war deprives itself of its one of its reliable means of self-help and abandons itself to the brutal logic of domination and destruction. The abandonment of war, nevertheless, can secure the insurgent movement's interests or forestall dangers that it has not been able to secure through war. Often a willingness to end hostilities grants an insurgent movement significant influence. Insurgents' mechanisms of influence thus represent a continuum of options between total war and total peace. However, its anarchic situation ensures that an insurgent movement will not choose to discontinue its war if this entails the loss of a realistic method of gaining political power or exposes it to the possibility of physical destruction.

The violence used by insurgents is therefore closely bound to their political interests, and as such follows Clausewitz's maxim:

War is nothing but a continuation of political intercourse with a mixture of other means...this political intercourse does not cease by the war itself,...it continues to exist, whatever may be the form of the means which it uses, and...the chief lines on which the events of the war progress, and to which they are attached, are only the general features of policy which run all through the war until peace takes place.¹⁹

Thus the use of violence by insurgents reflects the passion with which their political objectives are pursued, and a reaction to the inability to achieve them by other means: "...the use or threat of physical force is the most elementary way of asserting power and controlling one's environment."²⁰ Insurgent violence, then, "...is an instrument of policy; it must necessarily bear

¹⁸ A recent example of this is the Kurds in northern Iraq in the aftermath of the Gulf War, who, unable to protect themselves from Iraqi brutality, secured United Nations endorsement and international enforcement of their own "safe area".

¹⁹ Carl von Clausewitz, *On War*, (trans. Anatol Rapoport), (Harmondsworth: Penguin, 1982), p. 402.

²⁰ Howard, *op. cit.*, 1983, p. 8.

its character, it must measure with its scale: the conduct of war, in its great features, is therefore policy itself..."²¹ The obverse side of the political nature of the decision to prosecute insurgent war is that any decision by insurgents to terminate the war must also depend on their political calculations.

As an instrument of an interest group's policy, the military thrusts of insurgent war are directed towards targets instrumental to the attainment of political objectives. Insurgent tactics are thus supremely opportunistic, in seeking to exploit existing and create new weaknesses in the government's control of the State and society.²² A corollary of the opportunistic, political nature of the war, is that insurgent policy is therefore essentially pragmatic in terms of the conduct of war and peace. The actions of war are determined by the belligerents' intentions towards each other at any given stage in the fighting, an interaction that Schelling views as an extension of the political negotiation process:

War is always a bargaining process, one in which threats and proposals, counterproposals and counterthreats, offers and assurances, concessions and demonstrations, take the form of actions rather than words, or actions accompanied by words...The critical targets in such a war are in the mind of the enemy as much as on the battlefield; the state of the enemy's expectations is as important as the state of his troops; the threat of violence in reserve is more important than the commitment of force in the field.²³

As their one means of influence and self-help then, insurgent movements will manipulate their waging of war and peace and their selection of tactics in a way designed to influence not only their enemies, but all of their interlocutors, in such a way as to advance their interests. Insurgent behaviour thus reflects the political interests they are pursuing in their interaction with the actor affected.

²¹ Clausewitz, *op. cit.*, 1982, p. 410.

²² Charles Reynolds, *The Politics of War: A Study of the Rationality of Violence in Interstate Relations*, (New York: St. Martin's Press, 1989), p. 218.

²³ Thomas C. Schelling, *Arms and Influence*, (New Haven: Yale University Press, 1966), pp. 142-3.

This highly political nature of insurgents' conduct of war and peace dictates an intimacy in relations between military means and political objectives often greater than in interstate war. Not only does "...the political cause of [the] war [have] a great influence on the manner in which it is conducted,"²⁴ but the influence is reciprocated, dictating that the political objectives are tailored to a level achievable with the military capabilities available to the insurgents.²⁵ In this way, political calculations and objectives are profoundly influenced by the conduct and fortunes of the war:

As war...is dominated by the political object, therefore the value of that object determines the measure of the sacrifices by which it is to be purchased...As soon...as the required outlay becomes so great that the political object is no longer equal in value, the object must be given up, and peace will be the result.²⁶

Insurgent political objectives, then, are not set, but respond to the stage and success of the war, depending on the ideology, interests, and cohesion of the movement. Insurgent movements' interests vary in degrees of importance and negotiability. Primary among their compelling concerns are survival, enduring ideological interests, and basic demands. Their unique vulnerabilities therefore make their commitment to peace contingent on their security and their evaluation that it represents a realistic method of advancing their political interests. In this way, the configuration of the insurgent movement's fortunes, environment, and interlocutors, which determine the opportunities and constraints it confronts at any stage, will influence the ordering of its priorities and regulate its behaviour as a method of attaining its interests which arise from a rational calculation and compromise between its diverse concerns.

The influence of environmental and self-help considerations on insurgent movements' behaviour is not modified or constrained by the prerogatives imposed by international society that regulate State behaviour. They escape the sobering influence of international opinion or constituent preferences:

²⁴ Clausewitz, *op. cit.*, 1982, p. 400.

²⁵ Raymond Aron, *Peace and War: A Theory of International Relations*, (trans. Richard Howard and Annette Baker Fox), (London: Wiedenfield and Nicholson, 1966), p. 25.

²⁶ Clausewitz, *op. cit.*, 1982, p. 125.

Governments are very sensitive to what public opinion and what other governments as well as the heads of certain powerful international agencies think of their actions because they're the people that they have to live with if not depend on in the future. A guerrilla group which may have some other interest, which may in some cases be mercenary in character, is less interested in that kind of consideration. So you don't have the normal type of leverage.²⁷

This fact carries important ramifications for the dynamics of relations between insurgent movements and other international actors. It entails that States and international organisations cannot exert to the same level their interdependent diplomatic, economic, or security links through which pressure can be exerted on insurgent movements.

This has important consequences for the dynamics of United Nations' interactions with insurgent movements. The mechanisms of influence open to the United Nations - legitimacy, moral suasion, Member-States' obligations according to the Charter, custodianship of international law, and diplomatic contacts - are less effective against insurgents. Insurgent movements are excluded from United Nations membership²⁸ and thus are not bound by the provisions of its Charter, including the renunciation of the use or threat of force to obtain their objectives in relation to States.²⁹ Similarly, it is only United Nations Member-States that are bound by Security Council decisions: insurgent acquiescence can only be obtained through the conclusion of special agreements. Often their actions are clandestine, making attribution difficult and blame hard to assign. This absence of parameters or constraints on insurgent behaviour makes the Organisation's interaction with them problematical. While the recognition of insurgents as belligerents gives them a right of veto over the entry, operations and tenure of United Nations interventions,³⁰ the international community lacks the means to ensure their

²⁷ Alvaro de Soto, Political Adviser to and Special Representative for the United Nations Secretary-General, quoted on BBC News and Current Affairs, "Revolution on the 37th Floor", *BBC Radio 4*, 22 April 1993, 8 p.m.

²⁸ Permanent observer status for insurgent movements such as the PLO and SWAPO does not imply the privileges and responsibilities of full membership.

²⁹ The prohibition on the use or threat of force is contained in Article 2(4) of the Charter.

³⁰ Ramesh Thakur, *International Peacekeeping in Lebanon: United Nations Authority and Multinational Force*, (Boulder: Westview Press: 1987), p. 124.

accountability for fulfilling the obligations to which they have agreed.³¹ Neither does the "hostage effect", which grants immunity to United Nations missions by inducing hosts to guarantee the safety of the peacekeepers or face the indignation of the United Nations membership,³² operate with full influence on belligerents that are not United Nations members.

The logic of insurgent action is thus determined by self-interest and environmental stimuli in an anarchic system, reliance on war and peace as means of influence, and a lack of conduits of positive influence for the international community. The confrontation of an international organisation of States with a sub-State organisation thus gives rise to a singular relationship of limited influence and brevity of interaction. The United Nations' leverage over State behaviour is lost on sub-State organisations that do not acknowledge the prerogatives imposed by international society regulating State behaviour. Conversely, sub-State organisations, which by virtue of their lack of sovereign status are disbarred from United Nations membership, can exercise no determining influence on the Organisation's resolutions or actions. Even if they are admitted as observers,³³ insurgent groups have little influential power over the direction of policy, having no voting, financial contributions, or membership assets with which to bargain and gain support. This lack of mutual influence, as well as insurgents' military commitment to the objectives of power and survival, profoundly influences the approach of insurgents to interactions with United Nations missions charged with containing or terminating the conflict.

³¹ D. W. Bowett, *United Nations Forces: A Legal Study of United Nations Practice*, (London: Stevens and Sons, 1964), pp. 79-83.

³² John MacKinlay, *The Peacekeepers: An Assessment of Peacekeeping Operations at the Arab-Israeli Interface*, (London: Unwin Hyman, 1989), p. 222.

³³ Of the insurgent movements examined in this thesis, UNITA and the FMLN have attended Security Council debates without being able to participate. The Khmer Rouge was able to attend as the representative for Cambodia before the Paris Accords and then after the accords as part of the rotating SNC arrangement of representation as a member-state under Rule 37 of the Security Council's Provisional Rules of Procedure, but was never a member of the Security Council at these times and thus never had a vote. None of the other groups have been present at Security Council debates, although British Permanent Representative to the United Nations Sir David Hannay has assured the author in correspondence that "...individual Council members, whether in New York or in capitals, have been lobbied by them." Thus the influence of insurgents on the United Nations' formal decision-making machinery can be said to be negligible.

3.2: The Determinants of United Nations Initiatives

The motivations and capabilities of the United Nations' approach to interacting with an insurgent movement are determined by factors different from those influencing insurgent movements' approaches. The interests of the United Nations' approach to the interaction are determined by the agreements among its Member-States, as determined by their relative influence within the Organisation,³⁴ adapted to the normative aspirations of the Organisation. Its capabilities in promoting these interests reflect the dependence of United Nations action on the agreement of its Member-States, the fragile nature of which inhibits the commitment and influence of the mission to obtain its objectives.

United Nations' initiatives emerge from the process of interaction and compromise between its sovereign Member-States, each striving to promote its internally-defined interests through the Organisation for a variety of reasons. Those interests they pursue through the United Nations are interests that are better served for the State through collaboration. Coordinating their actions multilaterally, we have seen in Chapter Two, allows United Nations Member-States to respond to the security concerns of civil wars that are not compelling enough to deserve large political and material sacrifices, but are sufficiently serious to require some form of response. A United Nations response that coincides with these interests allows States to defray the expenses of such an initiative, while participation in multilateral actions in support of universalist ideals such as peace and stability and human rights is much more politically justifiable for governments than unilateral interventions in pursuit of naked self-interest.³⁵ Similarly, the United Nations can be conveniently blamed for any failures or casualties arising from the intervention. Action through the United Nations utilises its universality of membership, and majority decision making procedures, to bestow a legitimacy on the intervention which stems from the validity of the "...universal principals that are invoked rather than national special

³⁴ Obviously the Security Council's Permanent Five and the other great powers or significant regional powers in the Organisation determine its policy to a greater extent than the less influential or concerned States.

³⁵ Not just domestically: compare the international reactions to President Reagan's actions in support of American interests in Libya in 1986, with international reactions to President Bush's actions in support of American interests in Kuwait in 1990-1991.

interests."³⁶ Inis Claude observes that the United Nations has evolved as the foremost repository of collective legitimation, "a dispenser of politically significant approval and disapproval of the claims, policies and actions of States."³⁷ It is worth noting, however, that the influence of United Nations collective legitimation extends only as far as its authority is accepted. The body's authority over non-members and non-State organisations is considerably less than over its Member-States. The United Nations' possession of legitimacy and its moral suasion, then, has little effect on insurgent movements.

Action through the United Nations in support of their interests imposes constraining requirements on the nature of the response Member-States are able to direct towards the civil war of concern. United Nations action, in order to gain the endorsement and legitimacy of its membership, should be consistent at a basic level with the established and prevailing purposes of the Organisation. Being an Organisation of States, however, it does innovate to set new precedents that can contradict previous doctrine.³⁸ Nevertheless, much of the rationale for United Nations intervention in civil wars "derives its impetus from the urge to avoid war; and assumes that war should be and can be prevented."³⁹ United Nations' policy towards civil wars are to some extent informed by its Organisational convictions and Member-States' concurrence on the causes of war and how it can be prevented or terminated.⁴⁰ These convictions define the Organisation's approach to each individual conflict, and govern its attempts to influence the conflict's outcome.⁴¹ The United Nations' three basic convictions on the nature of post-Cold War civil wars are, first, that war is an illegitimate method of gaining political power. This is based on belief in the legitimacy of Western ideals of popular endorsement of governments,

³⁶ Thakur, *op. cit.*, 1987, p. 147.

³⁷ Inis L. Claude Jr., "Collective Legitimation as a Political Function of the United Nations", *International Organization*, Vol. 20, No. 3, 1966, p. 367.

³⁸ For example, the changes in the importance and applicability of sovereignty, as discussed in Chapter Two. See also Rosalyn Higgins, *The Development of International Law Through the Political Organs of the United Nations*, (London: Oxford University Press, 1963).

³⁹ Claude, *op. cit.*, 1965, p. 198.

⁴⁰ *ibid.*

⁴¹ Alan James, *The Politics of Peacekeeping*, (London: Chatto and Windus, 1969), p. 7.

which inform the basic philosophy and structure of the United Nations,⁴² and its prohibition of war as a method of gaining foreign policy objectives.⁴³ This leads the United Nations to devote its energy to at least attempting to stop the fighting first, regardless of the context or goals of the war, and often indifferent to the terms of or conditions obtaining after the ceasefire.⁴⁴ This assumption also dictates that the solution to the war advocated by the United Nations will, irrespective of the demands or ideology of the belligerents, be based on an advocacy and assumed acceptance of Western ideals of universal suffrage, majority government, power sharing, civil-military separation, and the peaceful adjustment of claims.

The United Nations' second conviction on the nature of civil war is that any solution or outcome arrived at must preserve the State's sovereignty and territorial integrity. It is adamant that the organisation is not prepared to suffer the balkanisation of its members as a result of an epidemic of civil wars:

...the UN seeks to preserve the nation-state as the very foundation of international life...And subnational, ethnic or tribal factions cannot expect to undermine the political unit in which they exist while claiming the privileges of a sovereign nation-state.⁴⁵

This conviction dictates that any solution endorsed by the United Nations must have the outcome of a single legitimised government with full control over a unified, centralised, and territorially whole State.⁴⁶ The third conviction on the nature of civil wars is that they are

⁴² A cursory glance at the Charter demonstrates the founding of the organisation on the ideals of Western democracy: the preamble begins with "We the people of the United Nations..."; its endorsement of human rights; its bestowal of sovereign equality on its members, and its techniques of parliamentary diplomacy and decision by majority vote.

⁴³ Article 2(4).

⁴⁴ Sydney D. Bailey, *How Wars End: The United Nations and the Termination of Armed Conflict 1946-1964 Volume I*, (Oxford: Clarendon Press, 1982), p. 2.

⁴⁵ Boutros Boutros-Ghali, "UN Multilateralism: A Cure For Ugly New Nationalisms", *International Herald Tribune*, 21 August 1993, p. 6.

⁴⁶ The obvious exception to this case lies in the former Yugoslavia, and the recognition and admission to membership of all of its former constituent units. As will be discussed below, in the examinations of United Nations mediation attempts with the Bosnian Serbs, however, this anomaly in United Nations attitudes was caused by extreme discord among its most powerful and influential members on the nature and preferred outcome of the war.

disputes over non-divisible or scarce commodities. This causes the United Nations, as a guarantor of international peace and security, to offer peaceful negotiation as a substitute to war for the adjustment of claims by making "available a variety of peaceful substitutes for the technique of violence, and to encourage - if not insist upon - their utilisation by the parties to the disputes."⁴⁷

In addition to these three basic convictions, action through the United Nations also entails the operation of a variety of lesser considerations that operate only in some circumstances during interactions with insurgent movements. Although not universally held among Member-States, belief in popular support as the measure of domestic legitimacy can lead to an impulse from sections of its membership not to endorse or legitimise groups that lack popular support. Similarly, advocacy of the laws of war can influence United Nations approaches to insurgent movements and other belligerents that have perpetrated extensive war crimes through terrorism, civilian targeting, and genocide. It has also shown itself prepared to hold insurgents accountable for their actions in wartime, as witnessed by Security Council resolutions 764(1992)⁴⁸ and 808(1993),⁴⁹ reminding the Bosnian belligerents of their obligations under the laws of war and establishing a war crimes tribunal. The United Nations has also refused to endorse the claims of ethnic chauvinism, and actively supported the viability of multiethnic States. Often the Member-States of the United Nations are concerned with upholding these normative standards in the very conflicts they are seeking to terminate through the United Nations. This inevitably impacts on the Organisation's approach to its interaction with insurgent movements.

These considerations, and the underlying motive of advancing Member-States' interests, dictate that the United Nations' approach to relations with insurgent movements is nearly always normative in terms of advocating its own preferred solution, rather than being problem-solving

⁴⁷ Inis L. Claude, Jr., *Swords Into Ploughshares: The Problems and Progress of International Organization*, (London: University of London Press Ltd., 1965) p. 200.

⁴⁸ Security Council Resolution 764(1992) of 13 July 1992.

⁴⁹ Security Council Resolution 808(1993) of 22 February 1993.

and based on an appreciation of the belligerents' grievances and objectives.⁵⁰ With its self-image as the bestower of legitimacy in the international system, and its suppositions on the nature of civil wars as threats to post-Cold War stability, the organisation attempts to secure particular solutions to these conflicts, using its inventory of conflict termination and containment mechanisms. This means that in the United Nations-insurgent relationship under examination, the insurgents are not the only party approaching conflict termination with interests. It is these interests that determine the United Nations' approach to, and behaviour towards the insurgent movement during their interaction.

The collaboration of States to pursue these interests through the United Nations, however, "occurs only in ways that are strongly conditioned by the structure of anarchy."⁵¹ States' self-reliance in the international system makes them jealous of their sovereignty of action, a fact that has important ramifications for United Nations' capabilities. They are concerned to retain strict control over United Nations actions, by making all initiatives dependent on their endorsement and resourcing, because "In the measure that an international organisation is effective, it is bound to impair the freedom of action of its members."⁵² While United Nations membership and ratification of its Charter entails the formal agreement of its Member-States to sacrifice some of their sovereignty and freedom of action in return for the benefits of membership, the sovereignty assumed by the United Nations is so limited that it remains incapable of positive action without the agreement and consent of the majority of its Member-States. It is from this basic logic that the tension between expectations and abilities arises: "The unanswerable question is whether institutional endeavours should be geared to the requirements posed by the objective situation, or to the possibilities offered by, and limited by the political situation."⁵³

⁵⁰ John W. Burton, "The History of International Conflict Resolution", in John W. Burton and Edward Azar (eds), *International Conflict Resolution: Theory and Practice*, (Sussex: Wheatsheaf Books, 1986), p. 45.

⁵¹ John Gerard Ruggie, "Continuity and Transformation in the World Polity: Toward a Neorealist Synthesis", in Robert O. Keohane (ed), *Neorealism and Its Critics*, (New York: Columbia University Press, 1986), p. 134.

⁵² Hans J. Morgenthau, *Politics Among Nations: The Struggle for Power and Peace*, (5th ed), (New York: Alfred A. Knopf, 1978), p. 481.

⁵³ Claude, *op. cit.*, 1965, p. 96.

A corollary of the high degree of Member-State control over its actions is that the United Nations is unable to act on issues other than those few on which a majority of its members agree. Its procedure of taking decisions by majority vote mandates that the United Nations' political capabilities are dictated by the popularity of its objectives. The popularity of these objectives is determined for each Member-State by its own perceptions of national interest, conception of international order, ideology, philosophy on the mandate of international organisations, and degree of contentment with the status quo, as well as the highly individual way in which each State conceives of the problem at hand. Any multilateral action, therefore, must be based on a delicate diplomatic balance of agreement: "In practice, U.N. multilateralism can work only if all nations share a common perception of a danger, are willing to run the same risks and agree on a common strategy."⁵⁴ Agreement between Member-States differs from issue to issue as well as fluctuating over time.⁵⁵ Any decision that is arrived at runs the risk of either universal endorsement of a resolution that has been negotiated down to extreme declaratory vagueness, or a precise mandate for concerted action that is seen as illegitimately serving sectional interests.

It is to the negotiation of a response that avoids these extremes that United Nations Member-States devote their energies in mustering support for initiatives on civil wars. Not every Member-State of the United Nations is interested in every problem, or becomes involved in every action. Most of the Organisation's decision-making on civil wars is located within the Security Council, and initiated by the Permanent Five, reflecting the oligopoly of an international system in which the Great Powers determine the form and structure of the system.⁵⁶ The inverse relationship between broadness of support for an initiative and the effectiveness and precision of its implementation, has imparted a particular logic on the mobilisation of support within the Organisation, and the Security Council in particular. Each initiative of the United Nations is the result of a different ad hoc coalition of those Member-States that are most concerned with the problem it addresses or the solution it proposes. An

⁵⁴ Henry A. Kissinger, "Recipe for Chaos", *Washington Post*, 9 August 1993, p. 19.

⁵⁵ Alan James, "The United Nations", in David Armstrong and Eric Goldstein (eds), *The End of the Cold War*, (London: Frank Cass, 1990), p. 186.

⁵⁶ Gilpin, *op. cit.*, 1981, p. 29.

international organisation such as the United Nations is an ideal forum in which to "activate potential coalitions in world politics."⁵⁷ These ad hoc coalitions demonstrate some of the logic of alliances. The members of the Security Council each have their own interests and conceptions of international order which are invoked to varying degrees by different civil wars, and which determine their active interest, rather than benign acquiescence, in the United Nations response.⁵⁸ The nature of the coalition is thus determined by the nature of the threat and the response proposed, and the divisibility of the rewards of concerted action.⁵⁹

The selection of coalition partners is driven by a number of considerations. Initially, those partners are chosen that show a sufficient level and community of interest to support and contribute to the initiative. Legitimacy and the ability to use the United Nations for this function also requires that the coalition include any other significant States with interests, perhaps even interests essentially antagonistic to the coalition's, in the conflict and its outcome.⁶⁰ As partners are collected, the coalition leaders may use private, non-collective side-payments to subsidise rewards, or compensate the disadvantages of a particular response for the concerned coalition member.⁶¹ Even if the benefits of the action are positive-sum, and benefit the entire community of States, ad hoc United Nations coalitions are subject to their own "minimax principle", whereby its participants create a coalition just large enough to ensure an effective response.⁶² Member-States are aware that with increasing coalition size comes decision making rigidity and policy dilution as an increasing number of divergent interests have to be accommodated. Within the United Nations, therefore, it is rational to increase the coalition size, and thus the legitimacy

⁵⁷ Robert O. Keohane and Joseph S. Nye, *Power and Interdependence: World Politics in Transition*, (Boston: Little, Brown and Company, 1977), p. 36.

⁵⁸ Interview with Sir David Hannay, United Kingdom Permanent Representative to the United Nations, New York City, 29 March 1994.

⁵⁹ Arthur A. Stein, *Why Nations Cooperate: Circumstance and Choice in International Relations*, (Ithaca: Cornell University Press, 1990), pp. 28-34.

⁶⁰ This consideration was obviously manifest in the creation of the Western Contact Group coalition for Bosnia, which includes some diametrically opposed interests.

⁶¹ For a full discussion on side payments and the divisibility of outcomes, see Mancur Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups*, (Cambridge: Harvard University Press, 1965).

⁶² William H. Riker, *The Theory of Political Coalitions*, (New Haven: Yale University Press, 1962), pp. 32-3.

of the initiative, to just below a level where additional members will moderate the initiative or decrease the flexibility of action required for effectiveness.

The cohesion of United Nations coalitions, so crucial to the effectiveness of the action, is also dependent on the nature of the threat. The non-compelling threats posed by civil wars cause the coalitions underlying United Nations' relations with insurgent movements to be extremely fragile. Any alteration in conditions on the ground or within the mission will impact on members' interests and policy, affecting their commitment to the operation, and thereby disrupting the diplomatic consensus underlying the initiative. Member-States are also much less concerned about the effects of their actions on ad hoc United Nations coalitions than their other alliances. Defaulting on temporary United Nations coalitions is more easily done, because nothing more than a temporary alliance of expediency over a relatively minor concern is at stake. Furthermore, the breakdown of these alliances will not significantly harm the United Nations structure, which will survive to be used again in similar circumstances.

Often, however, a coalition will modify its objectives to preserve alliance cohesion and commitment, if a particular initiative experiences difficulties. These coalitions "provide their members with considerable "breathing space" for reaching some form of agreement on the purposes of the alliances,"⁶³ often opting for a less optimal response that still carries significant rewards. A desire to resolve a civil war can thus be downgraded to a policy of containing and de-escalating by a pragmatic coalition that would rather be content with a less optimal outcome than expend further resources on the initiative.⁶⁴ Particularly when the problem is not urgent, States will accept a compromise response that allows them to opt for solutions that require the minimum commitment of resources by them to the multilateral effort:

⁶³ Ole R. Holsti, P. Terrence Hopmann and John D. Sullivan, *Unity and Disintegration in International Alliances: Comparative Studies*, (New York: John Wiley and Sons, 1973), pp. 74-5.

⁶⁴ This conception of a continuum of responses available to the United Nations in civil war situations, calculated to the political requirements of the situation, is proposed by Alan James, "Internal Peacekeeping: A Dead End for the UN?", *Security Dialogue*, Vol. 24, No. 4, December 1993, pp. 359-368.

States still prefer action which is low cost and has a limited degree of commitment. There is a tendency for the UN and its Member-States to rely on methods of remote control, including economic sanctions of doubtful efficacy, and on limited *ad hoc* responses to crises, including humanitarian operations and peacekeeping.⁶⁵

Often little provision is given for the actual implementation of the resolution, leading to criticism that the Security Council acts as though its resolutions are "self-executing".⁶⁶

These considerations of coalition cohesion carry major ramifications for the United Nations' capacity to secure its normative interests when interacting with belligerents. It is the resulting lack of the United Nations' ability to influence the behaviour of insurgent movements towards its preferred outcomes, that makes the effectiveness of its relations with these groups dependent on the agreement of their approaches to the interaction. Much of its lack of influence stems from its composition, and original orientation towards States. This has led to a poverty of knowledge of, and few mechanisms of influence over civil war situations:

A major problem for the United Nations is that international peace has often been endangered by the aspirations and actions of entities other than States, and that the Organisation is so constructed that its organs prefer to deal with states rather than with dissident political organisations, insurgent groups, liberation movements, communal minorities, and the like.⁶⁷

An Organisation constructed for the prevention of disputes between States, finds itself helpless when dealing with internal strife and its most capricious participants, the insurgent movements.⁶⁸

⁶⁵ Nicholas Hopkinson, *The United Nations and the New World Disorder: Wilton Park Paper 75*, (London: HMSO, 1993), p. 21.

⁶⁶ "General Boutros on Parade", *The Economist*, 31 July 1993, p. 50.

⁶⁷ Sydney D. Bailey, "The United Nations and the Termination of Armed Conflict, 1946-64", *International Affairs*, Vol. 58, No. 3, Summer 1982, pp. 20-1.

⁶⁸ Bailey, *op. cit.*, 1982, p. 469.

The United Nations possesses certain instruments of persuasion and coercion over most international actors. These have, however, limited effect on insurgent movements. The nature of its peacekeeping and peace-enforcement operations severely limit its ability to apply military force to coerce belligerents, particularly those involved in complex civil wars. The multilateral nature of a United Nations operation makes it unable to wield the level of military effectiveness that would be necessary to coerce an alteration in insurgent behaviour. The diverse quality, training, and equipment of national contingents in the peacekeeping force paralyses the United Nations' ability to operate as a coordinated military force, while the Organisation is ill-equipped to direct operations, possessing little military expertise and concerned more with administration than logistics or tactics.⁶⁹ Neither are the interests important enough for Member-States to judge it sufficiently worth while to expend significant material, military, and political resources to mount a multilateral military effort "concerned with matters beyond the limited horizons of their interests."⁷⁰ Coercion in a civil war entails all of the expense, casualties and political costs of counter-insurgency, a burden that neither the United Nations nor its Member-States are willing to bear.

Neither do the United Nations' mechanisms of persuasion have as much effect on insurgent movements as they do on States and non-governmental organisations. For reasons of expense and acceptability, the United Nations prefers to rely on non-military means of inducing actors to cooperate with its initiatives. Most basic among these is the moral suasion of the collective opinion of its Member-States:

...collective approbation is an important asset and collective disapprobation a significant liability in international relations...A State may hesitate to pursue a policy that has engendered the formal disapproval of the Assembly not because it is prepared to give the will of that organ priority over its national interest but because it believes that the adverse judgement of the Assembly makes the pursuit of that policy disadvantageous to the national interest.⁷¹

⁶⁹ Mats Berdal, "Whither UN Peacekeeping?", *Adelphi Paper 281*, (London: Brassey's and IISS, October 1993), p. 32.

⁷⁰ Claude, *op. cit.*, 1965, p. 97.

⁷¹ Claude, *op. cit.*, 1966, p. 375.

The publicisation of the non-cooperation of a belligerent party by a United Nations peacekeeping operation affects the accused party's position by influencing the opinion of its fighters and supporters; encouraging the resolution of its rivals, and providing opponents with propaganda material.⁷² However, the influence of United Nations' moral opinion has more effect on Member-States than on other entities.⁷³ Insurgent movements, locked in a total conflict for political power and obsessed by the self-preservation, will be little affected by considerations of United Nations approval or the publicity effect of their non-cooperation.

The other non-military mechanisms of influence possessed by the United Nations are also ill-suited to applying pressure to insurgent movements. These include sanctions, censure by resolution, the according or withholding of recognition, and the increase or discontinuation of aid or other assistance. The United Nations' ability to apply mandatory sanctions against a region or State⁷⁴ can furnish it with some leverage over States that continue to support or abet insurgencies. However, the direct application of sanctions or the interference with other interdependent links with the insurgent movements themselves are unlikely to affect insurgent movements to any significant extent, because their

...sources of supply and military equipment are always clandestine. The fact that they're clandestine means that the United Nations can't interdict them very successfully by normal legal means. So one can have one's doubts whether...[an] arms embargo on [an insurgent movement]...has very much effect, because people didn't go around the world saying they were selling arms to...[insurgents] in the first place.⁷⁵

Thus the United Nations is unable to exercise a significant amount of leverage to induce the other insurgent movements with which it interacts to adjust their behaviour to coincide with its own approach.⁷⁶

⁷² James, *op. cit.*, 1969, pp. 195-6.

⁷³ Claude, *op. cit.*, 1965, p. 218.

⁷⁴ According to Article 41 of the United Nations Charter.

⁷⁵ Interview with Sir David Hannay, United Kingdom Permanent Representative to the United Nations, New York City, 29 March 1994.

⁷⁶ Bowett, *op. cit.*, 1964, p. 76.

It thus transpires that insurgent movements' inability to influence United Nations approach to their interaction is matched by the United Nations' reduced influence on insurgents' behaviour towards its intervention. This unique logic of sub-State - super-State interaction suggests an important determinant for the viability of these interactions. Insurgents, obsessed with the use of force to gain power and protect themselves, while not possessing the advantages or limitations of States, are confronted by, but unable to influence an international organisation with presuppositions on civil conflict and its resolution, which they are unable to adjust. The United Nations, hampered by a divided and fragile peace mandate and lacking credible means of compulsion, is faced with sub-State organisations that recognise no compulsions or constraints on their behaviour other than their objectives and their security. When synthesised, these conclusions reveal that the United Nations and insurgent movements lack mutual influence or access for the adjustment of any differences in their approaches to their interrelations. This is compounded by the brevity and singularity of their contact, and the importance that each attaches to its interests. Consequently, when their approaches coincide, the benefits of their interaction will be optimised, but when their approaches clash, the seriousness of the stakes will cause one or both to resort to coercion to influence the other's behaviour in its favour, thus undermining the interaction's efficiency. This leads to the hypothesis that between the United Nations and insurgent movements, concurring approaches produce more optimal interactions than divergent approaches. The next section constructs a framework of indices for measuring the coincidence of approaches and its effect on the viability of interactions, and will thus allow the empirical testing of this hypothesis.

3.3: United Nations-Insurgent Interaction: A Framework for Analysis

The indices selected to comprise this framework are based on considerations arising from the determinants of United Nations' and insurgent movements' interests as determined by their situational constraints and capabilities. The most important variables have been selected, according to the need for explanatory power based on the amount of influence of each on the interaction, and the need for parsimony. Of the seven indices selected, the first four determine the extent of the coincidence of the approaches, while the last three qualify the level or extent of

the operation of these factors on the approaches of the actors studied. The application of the framework to the data consists of a procedure of searching for the operation and influence of each framework indicator in the cases selected to compare the effect of the coincidence between the United Nations' and the insurgent movement's approaches with the efficiency of their interaction. The impact of these factors will be compared between different cases, and between different types of United Nations-insurgent interactions. Thus the influence of the framework indices on the interaction in the direction hypothesised will determine the validity of the hypothesis. In this way, realism, and the model deduced from it, allows the analysis of the dynamics and continuities across a range of diverse relationships between the United Nations and insurgent movements.

3.3.1: Objectives

Political objectives form the most basic determinant and component of any actor's approach to a political interaction. All behaviour during the interaction is oriented to securing or promoting these interests. Therefore, the foremost framework indicator of the concurrence between the United Nations' and the insurgent movement's approaches to their interaction is the measurement of the compatibility of their objectives. The hypothesis suggests that the closer the complementarity of the United Nations and the insurgent movement's goals in the interaction, the more productive and mutually satisfactory their encounter will be. This relationship is suggested by the preceding analysis which identifies the mutual lack of leverage and influence between the United Nations and insurgents. This means that they have no means of bargaining to adjust their expectations and goals, and thus the viability of their interaction has to rely on essential, pre-existing compatibility between their objectives. It also means that conversely, if their objectives are opposed, the effectiveness of their interaction will be reduced, and both will be less satisfied with its outcomes. Total agreement between actors in a civil war environment is almost impossible, however. A viable interaction, nevertheless, should be based on complementarity between objectives that are common to both the United Nations and the insurgent movement, and to which both attach overriding importance. Both the United Nations and the insurgent movement will have differently prioritised objectives: long term and

transitory; compelling and secondary. Concurrence of long term, overriding objectives should yield greater optimality than agreement on transitory or less important interests.

The goals that the United Nations seeks to promote through its interaction with the insurgent movement are determined by the combination of the interests of the coalition of Member-States that sponsor the initiative. While an accommodation of their particular national interests takes place in the form of a negotiated compromise, generally their objectives are informed by predominantly the concerned Great Powers' conceptions of world order: "Great Powers contribute to international order...by exploiting their preponderance in such a way as to impart a degree of central direction to the affairs of international society as a whole."⁷⁷ These objectives are moderated and adjusted to be consistent with the United Nations' normative standards, to ensure the acceptability of the initiative to the remainder of the Security Council and the membership of the United Nations. The promotion of United Nations principles also makes the initiative more justifiable to the domestic opinion of the sponsoring coalition. Thus the United Nations' approach to civil wars is couched in terms of stopping the fighting, ending external interventions, protecting human rights, and rehabilitating the State and its control of its territory. The dynamics of the sponsoring coalition within the Security Council, however, can for reasons of expediency and cohesion, lead it to modify its expectations once its initial intervention runs into trouble. The objectives of a United Nations coalition will strongly determine the behaviour of the initiative during any interaction. These indicators will inform the analysis of the nature of the objectives promoted by the United Nations in each interaction with an insurgent movement, and will be used to assess an important component of the compatibility of their approaches.

Insurgent movements' objectives in interacting with the United Nations or any other actor are determined by its rational calculation of its options according to its self-interest and the opportunities and dangers confronting it. The requirement of self-help makes the insurgent movement dependent on its own power and abilities to advance its interests and control the

⁷⁷ Bull, *op. cit.*, 1977, p. 207.

influence of its environment.⁷⁸ Its exposure to anarchy makes the insurgent movement "self-regarding", in that it views all interactions and interlocutors in terms of opportunities to advance, or dangers to, its own internally-defined interests. This means that an insurgent movement's behaviour during an interaction with a United Nations mission will be based on its calculation of the opportunities or dangers posed by that interaction. The utility of the interaction will be maximised if the insurgent movement can advance its interests while the United Nations is promoting its objectives. These objectives need not be identical; they merely need to be compatible. The foundation of compatibility will usually rest on coinciding commitments to peace. The United Nations initiative may provide a benign environment and a chance to promote otherwise frustrated objectives.

An insurgent's abandonment of war will be informed by its interests, on the logic that "the outbreak of war and the outbreak of peace are essentially decisions to implement aims by new means."⁷⁹ Such a change in behaviour is ultimately linked to a group's objectives:

A decision to stop fighting is always closely linked in the minds of the parties to discernible progress towards a political settlement, and it may be taken for granted that one party, and often both, will be reluctant to stop fighting without some assurance that political demands will be met or at least given a fair hearing.⁸⁰

Insurgent movements often have a range of objectives, many of which are covert, and others which are publicised for reasons of propaganda and gaining support for the movement. At any time, the group's behaviour is determined by a rational trade-off between these interests, and the decision to prosecute war is taken at the expense of interests such as welfare and political participation.⁸¹ A more benign situation that offers the chance to promote its other interests can cause a reorientation of the trade-off, and affect a change in behaviour. Often peace terms which

⁷⁸ Paul Schroeder, "Historical Reality Vs. Neorealist Theory", *International Security*, Vol. 19, No. 1, Summer 1994, p. 116.

⁷⁹ Geoffrey Blainey, *The Causes of War*, (London: Macmillan, 1973), p. 248.

⁸⁰ Bailey, *op. cit.*, 1982, p. 2.

⁸¹ Gilpin, *op. cit.*, 1981, pp. 17-19.

seem to contradict the overt objectives of the movement are accepted because the continuation of the war threatened vital secondary considerations or had begun to damage its political progress.⁸² However, cooperative behaviour may also be a tactic used to gain time, either to build military strength, or to await the dissipation of the factors that compelled the insurgent movement to seek peace.⁸³ Thus the insurgent movement's calculations on the promotion of its interests inform its behaviour towards the United Nations. It is the compatibility of its reordered priorities and goals with those of the United Nations initiative that will indicate the basic compatibility of their approaches to their interaction.

3.3.2: Interaction Mechanisms

The second indicator determining the compatibility of the United Nations' and insurgent movements' approaches is the assessment of the level of agreement between them on the mechanism through which they interact. By controlling the dynamics of the interaction and the extent of influence exerted by the participants, the selection of the mechanisms of their interaction will determine the behaviour, tactics, and assessments of threats and opportunities of the United Nations initiative and the insurgent movement. Their agreement on interaction mechanisms is intimately linked with the compatibility of their objectives, by determining the extent to which each sees the presence of, and interaction with, the other as promoting or inhibiting the achievement of its own goals. Thus concurring levels of agreement on the mechanism of their interaction will contribute to the efficiency of the relationship between the United Nations and the insurgent movement.

The United Nations' assessment of the acceptability of the interaction mechanism is based on considerations of efficiency and parsimony. As the participant in the interaction that initiates the contact with the insurgent movement, and enters its environment, the United Nations to a large extent determines the form of their interaction. Its selection of the initiative is modified to some degree by consultations and considerations of the nature and interests of the

⁸² Scott, *op. cit.*, 1970, p. 84.

⁸³ Johan Jorgen Holst, "Enhancing Peacekeeping Operations", *Survival*, Vol. 32, No. 3, May/June 1990, p. 267.

belligerents and its past experience in dealing with civil wars, but ultimately reflects the goals that the sponsoring coalition wish to promote. Therefore, a major determinant of the selection of the interaction mechanism is its appropriateness for promoting the coalition's interests with respect to the civil war. These considerations are closely tied to the nature of their aims, and are assessed on their ability to terminate or contain the fighting, address some of the bases of the conflict, confront any other major concerns, and generally accomplish the most optimal outcome achievable. The selection of interaction mechanisms will also be determined by the parsimony of the sponsoring coalition, and what costs they are prepared to bear, based on their opinion of the seriousness of the concern, and their assessment of the minimum outlay required to address it. In these ways, the United Nations' satisfaction with the interaction mechanism selected will influence its behaviour and be used to determine its approach to its interaction with insurgent movements.

The insurgent movement's evaluation of the acceptability of the interaction mechanism introduced by the United Nations will be based on its considerations of whether it provides the group with a reasonable and safe method of promoting its interests. Since any United Nations initiative will be directed towards terminating or containing the war, the most basic determinant of the insurgent movement's assessment of the merits of interacting with it on these terms will be whether the abandonment of its war will help or harm the movement and its interests. Basic to an insurgent movement's adoption of peace is a rational decision to abandon war as the most efficient method of achieving its goals. For the insurgents, a decision to stop fighting is usually linked to a belief that peaceful methods will advance their interests more effectively than the continuation of the fighting. Therefore they will only accept and cooperate with interaction mechanisms that they calculate to have a positive impact on their position.⁸⁴ More importantly, they will only submit to a peace process that they see as giving them a reasonable chance of attaining their objectives and which will protect them if they don't succeed in gaining political power. In other words, the process must be seen by the insurgent movement as enabling it to either win power, share power, or lose and be guaranteed of security. To be acceptable to the insurgents, the interaction mechanism must grant a significant amount of control to them over

⁸⁴ James, *op. cit.*, 1990, p. 12.

the method of adjudicating between and adjusting the claims. They should also be assured about the extent of finality of the outcomes and the possibility of later peaceful adjustments. It is thus these considerations of expedience that determine an insurgent movement's acceptance of an interaction mechanism, and inform its approach to that interaction. The levels of acceptance by both the United Nations and the insurgent movement of the interaction mechanism will be used to measure the compatibility of their approaches, and be compared against the efficiency of their interaction.

3.3.3: Instrumentality

The third variable that will be used to assess the complementarity of the United Nations' and insurgent movements' approaches is the extent to which each sees the other's presence as instrumental to their initiative and the promotion of their interests. The selection of this indicator is based on the calculation that basic to the viability of any interaction is the parties' acceptance of each other's legitimacy and relevance as an interlocutor. Assessments of instrumentality by the United Nations and the insurgent movement, then, will be based on the recognition that the interests that they wish to promote will be more difficult or impossible to realise without the inclusion of the other, as a major actor, in the interaction designed to promote those interests. In a relationship of mutual lack of influence such as obtains between the United Nations and insurgent movements, the viability of the interaction will partly be a factor of mutual inclusion. It implies that the most effective will be consensual relationships, based on cooperation.

The United Nations' perceptions of the instrumentality of the insurgent movement will be based on several factors. Foremost are practical consideration that derive from the nature of the objectives its sponsoring coalition is seeking to promote, and the mechanism of interaction designed to secure those goals. Because these interests will be based on terminating or containing the conflict in question, assessments of the importance of the insurgent movement's inclusion in the peace initiative will be founded on the impact of the group and its ability to continue the war. This consideration recognises that any peace that ignores the wishes and participation of a major party to the conflict is doomed to disruption and ephemerality. By including the major belligerents, including the powerful insurgent movements, the chances of

the peace initiative is increased. The United Nations' selection of interaction mechanisms will also reflect its assessment of the instrumentality of the insurgent movement by defining the nature and extent of their intended contact. A moderating consideration on assessments of insurgent instrumentality will be opinions of acceptability in terms of international standards. Many of these standards are violated by insurgent movements: the laws of war, the prohibition of the use or threat of force, the prohibition of terrorism, and numerous human rights principles. Neither do many insurgent movements carry the support or endorsement of much of the population. The Member-States of the United Nations, motivated by cognisance of international standards, the purposes and principles of the United Nations, and the liberal public opinion of their own citizenry, often find it impossible to treat with, or endorse the position of the more objectionable disputants, particularly in civil wars. These influences determine the United Nations' calculation of the instrumentality of the insurgent movement to the promotion of its interests. By affecting the United Nations' approach to their interaction, this indicator will influence the efficiency of their interaction.

Insurgent movements' assessments of the instrumentality of the United Nations initiative are primarily motivated by calculations of the opportunities or dangers posed by their interaction. Again, this reckoning will be aware that the United Nations is concerned to promote peace or contain the war. Perceptions of United Nations instrumentality will therefore derive from the objectives of the insurgent movement, its belief that they can be more or less efficiently achieved by renouncing war and participating in the peace process, and its belief in the interaction mechanisms offered for the advancement of this process. Put simply, an insurgent movement will consent to a United Nations initiative if it feels the Organisation will be beneficial to it. Once the decision to abandon the war has been taken, a United Nations presence can be seen as a desirable verification presence, to protect the insurgent movement from the vengeful or unforeseen actions of its enemies once it has abandoned war, its one means of self-help. The promise of a United Nations presence in the resolution process can reduce suspicion and misgivings and facilitate the arrival of the parties at an agreement.⁸⁵ In addition, the insurgents appraisal of the interaction mechanisms will inform their judgements of

⁸⁵ James, *op. cit.*, 1969, pp. 92-3.

instrumentality, with its assessments of whether the mandate and powers of the United Nations initiative will be helpful or obstructionist to the promotion of its interests. If the insurgents see the United Nations' presence as either an obstacle to the achievement of their objectives, or an unwelcome intervention trying to cajole them into a disadvantageous peace, they will oppose the initiative. If they have placed such store in the advantages of the United Nations presence, the insurgents' assessments of its acceptability will also be based on whether it is of the appropriate size and nature to carry out its projected role: too weak or ill-equipped a force can be judged inadequate for the purposes intended. Thus the levels of belief in each other's instrumentality between the United Nations and insurgent movements will be used as a measurement variable to determine the compatibility of their approaches, on the reasoning that relations between parties that accept each others importance will be more efficient.

3.3.4: Impartiality

The fourth indicator used to measure the compatibility of the United Nations' and insurgent movement's approaches is the impartiality of the behaviour during the interaction. Given the complex nature of civil wars, and the importance with which both the United Nations and the insurgent movements hold their interests, it is natural that interacting parties will attempt to gain the maximum advantage from each situation they are offered to promote their interests.⁸⁶ Yet this predictable maximisation of interaction opportunities by all participants is different from manipulation or subversion of the relationships for ulterior motives. The importance of impartiality to the effectiveness of the interaction derives from the delicacy of any peace process, which obtains from the fact that any viable peace process involves the cumulative building of trust between the participants. The brevity and consensual basis of the interaction also make it vulnerable to partial behaviour by the participants. In a conflict or post-conflict environment, relations between units need to be conducted within certain limits; prejudicial behaviour, especially among former belligerents, will inevitably prompt a return to violence, their former means of self-help, thereby pushing the interaction back over the rubicon into warfare.

⁸⁶ James, *op. cit.*, 1994, p. 30.

A United Nations initiative that becomes doubtful of the motives or behaviour of an insurgent movement will necessarily modify its approach to that interaction in a way that decreases its ability to achieve optimal outcomes from the interaction: "Differing degrees of respect for the original agreement by the contending parties often makes it impossible and undesirable for the UN force to maintain neutrality by equidistance."⁸⁷ Differential rates of cooperation of disputants with peacekeepers can also prejudice its reporting and actions towards different parties.⁸⁸ An insurgent movement that does not keep its behaviour within the limits agreed, can, therefore, modify the approach of the United Nations, thereby destroying the confidence in, and viability of, the peace initiative. Insurgent impartiality, and United Nations assessments of their behaviour, is based on the movement's cooperativeness, openness, and responsiveness to the United Nations initiative, and any agreement that obtains between them. Impartiality is, therefore, based on the insurgent movement's level of acceptance of the interaction mechanism. If it fully endorses the mechanism as a promising way of promoting its interests, it will confine its behaviour with those terms, while it will be less inclined to scrupulously cooperate when dubious of the ramifications of a particular initiative. Impartiality, then, will be used to measure the conduciveness of an insurgent movement's approach to an effective interaction with the United Nations.

Insurgent movements entering a peace process increase their vulnerability by entering the political system and surrendering their ability to use violence for self-protection. Typically, then, they are very sensitive to the actions of the other participants with whom they interact, and wary of any actions that pose a danger to the movement or its supporters. If they accept the instrumentality of a United Nations presence, partly to protect them from attack and their interests from manipulation during this vulnerable time, their continued acceptance of that presence and participation in the interaction will derive partly from their assessments of the impartiality of the United Nations. Any evidence of United Nations' sympathy with or help from the groups' former enemies will cause the insurgent movement to modify its approach to the

⁸⁷ Holst, *op. cit.*, 1990, p. 269.

⁸⁸ James, *op. cit.*, 1990, p. 7.

interaction, thereby damaging its effectiveness. An third party is perceived as impartial if all participants assess its general preference for the others as not greater than for themselves.⁸⁹ This is a vital prerequisite of a cooperative interaction, because "...it is obvious that there will be no confidence in the supervisory system unless it is clear that personnel are impartial and independent."⁹⁰ A United Nations initiative that is perceived to be impartial facilitates the conflict termination process "...by providing credible evidence and assurance to all sides that the others are not breaking the rules."⁹¹ Its impartiality will also be assessed by the insurgent movement according to how faithful its actions are to the interaction mechanisms and any other agreements that obtain between them. Thus mutual assessments of impartiality between the United Nations and insurgent movements will be used to measure the conduciveness of their approaches to an efficient interaction.

3.3.5: Timing

The final three indicators measure not so much the compatibility of the United Nations' and insurgent movements' approaches to their interaction, as the motivations behind, origins of, and the extent of the operation of these variables. The factor of the timing of the interaction between the United Nations and the insurgent movement is used to characterise the insurgent movement's approach to the interaction. It allows this analysis to measure specifically its compatibility with the United Nations approach by measuring how committed it is to a peace initiative. Timing allows us to assess the fortunes of the war for the insurgent movement, and from there characterise its military calculus of the relative advantages of war and peace. This is based on a realist calculation that only environmental pressures influencing a unit's calculation of an ability to promote its self-interests or the proximity of a threat to its self-defence will influence a change in behaviour as momentous as the abandonment of insurgent warfare. The measurement of the effect of timing on the interaction's effectiveness makes use of Zartman's concept of "ripeness", or those military conditions characterised by "mutual or painful

⁸⁹ James, *op. cit.*, 1969, p. 37.

⁹⁰ Bailey, *op. cit.*, 1982, p. 291.

⁹¹ Johan Jorgen Holst, "Support and Limitations: Peacekeeping From the Point of View of the Troop-Contributors", in Rikhye and Skjelsbaek (eds), 1990, p. 111.

stalemates marked by recent or impending catastrophe; [when] both parties' efforts at unilateral solutions...are blocked and bilateral solutions...are conceivable."⁹²

This analysis will assess the conflict at the time of the interaction for its proximity to this condition of a stalemated war with a high attrition rate, and from there making the calculation that the insurgent movement will make a rational judgement that it will gain more and lose less by acceding to the United Nations initiative rather than continuing to fight.⁹³ The circumstances of civil wars, and the sluggish nature of the United Nations' decision making and conflict termination machinery, means that its peace efforts are most often applied to wars that are protracted and belligerents whose positions are hardened.⁹⁴ Such a prolonged military struggle is a means for the belligerents to reach an agreement on their relative power, and therefore, their bargaining strength: "In essence the very factor which ma[kes] the enemies reluctant to continue fighting also persuade[s] them to negotiate. That factor [is] their agreement about their relative bargaining position."⁹⁵ As a general rule, a willingness to negotiate will be taken to increase or decrease in inverse proportion to success on the battlefield: consistent military failure will raise an insurgent movement's receptiveness to peace terms, while military success will lead to the expansion of goals and the hardening of the belligerent bargaining position.⁹⁶ This analysis will thus inform its assessment of the level of compatibility of the insurgent movement's approach to the United Nations' by examining the dynamics of the conflict at the time of the interaction, on the basis that insurgents will be more eager to abandon a war they are losing for a viable peace process, but will reject any peace initiative at variance with its military impetus, that threatens to freeze disadvantageous positions, or offers an unacceptable outcome.

⁹² I. William Zartman, *Ripe for Resolution: Conflict and Intervention in Africa*, (New York: Oxford University Press, 1989), p. 10.

⁹³ Blainey, *op. cit.*, 1973, p. 122.

⁹⁴ Claude, *op. cit.*, 1965, p. 218.

⁹⁵ Blainey, *op. cit.*, 1973, p. 114.

⁹⁶ Scott, *op. cit.*, 1970, p. 84.

3.3.6: Support and Isolation

The sixth indicator in the framework allows the analysis to gauge with greater accuracy the impact of both actors' approaches on the efficiency of their interaction. The measurement of involved Member-States' levels of support for the United Nations initiative informs the analysis of the amount and extent of influence the international community is prepared to exercise on behalf of this initiative. Attention to the insurgent movement's degree of isolation from former supporters in the international community allows the study to examine the insurgent movement's ability to promote and defend its own interests during the interaction. The sponsorship of insurgent movements by States is the one interdependent relationship that can modify the original logic underlying the interaction of the United Nations and insurgent movements. The exertion of positive influence in either direction during an interaction is thus a mitigating factor on the otherwise compelling logic of the mutual lack of influence between the United Nations and insurgent movements. This variable allows the analysis to inform its assessment of the compatibility of the approaches of the United Nations and insurgent movements with considerations of how strongly each is able to advance its interests during the interaction with the other. Support and isolation are thus mitigating factors on the need for the complementarity of approaches: some disagreements in approaches can be reconciled in favour of the participant wielding the greater influence over the other, courtesy of its supporters in the international community.

The extent of support for a United Nations initiative by its Member-States is an indicator used to measure the authority with which the approach it takes is pursued during the interaction. This measurement informs this assessment of not only the capabilities of the initiative, but more importantly of the extent of the international community's influence over the insurgents that allows it to promote the United Nations' interests with much greater effectiveness during its interaction with the insurgent movement. Support for the United Nations initiative will be measured by the willingness and efforts of its members to use their individual or collective influence on insurgent movements which they currently or previously sponsored, to promote the sponsoring coalition's interests. Conversely it will also be gauged by their assent to abstaining from involving themselves in the conflict with any agenda other than the United Nations'. Such

concerted pressure can have a considerable affect on the success of the peace process: "If enough members of the Council are determined that the fighting shall stop and are prepared to use diplomatic and other forms of persuasion and pressure to that end, then it is certainly possible eventually to make the Council's decision effective."⁹⁷ On the other hand, the effectiveness of the conflict termination can be undermined if an important member of the United Nations and the international community dissents from the majority position on the civil war, regards the United Nations as intruding into its sphere of influence, and instead backs one of the belligerents to continue fighting despite the peace initiatives.

The extent of an insurgent movement's isolation informs the analysis of the ability or inability of the group to influence the United Nations' approach to be more compatible with the achievement of the insurgent movement's goals. External support and encouragement of an insurgent movement will increase its intransigence and inspire it to increase its demands. Conversely, isolation or desertion by an international backer will decrease not only the resources, but the confidence of the movement. This factor inevitably affects insurgent movement's calculus of the costs of war and peace, and isolation is more likely to increase its receptiveness to peace overtures. In addition to cutting off support, erstwhile backers can advance the peace process by using the leverage of years of contact and support to pressure former insurgent clients towards peace:

...because it happens that the superpowers have been very ready to conceive of themselves as having some general responsibility for world order, internal disputants have additionally found themselves under considerable pressure to settle...the UN Security Council [as]...guardian of world order...has shown a willingness to get involved in a variety of situations, cajoling, pushing and sometimes threatening parties towards the negotiating table.⁹⁸

An important consideration to be taken into account when assessing the impact of this factor on insurgents is the size and influence of the actor supporting an insurgent movement: a great or regional power's support will be more confounding to the peace process than that of a small

⁹⁷ Bailey, *op. cit.*, 1982, p. 111.

⁹⁸ James, "The Problems of Internal Peacekeeping", *op. cit.*, 1994, pp. 27-8.

State or another insurgent group. In these ways, the support or isolation of the United Nations and the insurgent movement will be measured and used as a variable modifying the impact of the other indicators measuring the compatibility of their approaches. This indicator mediates the earlier relationships by providing that a degree of incompatibility of approaches can still result in a viable interaction through the potential influence of third party States on the interaction.

3.3.7: Cohesion

The final framework indicator also measures the capabilities of the United Nations and the insurgent movement to advance their interests through their interaction. It qualifies the impact of the concurrence of their approaches on the efficiency of their interaction by warning the analysis that the internal cohesion of each actor affects its viability and effectiveness in promoting its interests through the interaction in different ways. This variable takes note of the various internal structural and factional interest constraints or advantages that affect the United Nations mission's and the insurgent movement's behaviour. It further informs the analysis of the influence of the compatibility of their approaches on the efficiency of their interaction with an indicator of the ability of each to promote and protect its interests in the interaction. Levels of cohesion also affect the changing priorities of objectives and the impartiality of the behaviour of the United Nations and insurgents, thereby exerting a modifying influence on the relationship between the concurrence of approaches and the efficiency of the interaction.

The cohesion within the United Nations, and particularly among its sponsoring coalition, informs the analysis of the capabilities and confidence of the initiative, and moreover the conviction with which the initiative promotes the interests of the sponsoring coalition. The cohesion within the Security Council is a measure of the coincidence of interests among its Great Power backers: as "a gathering of sovereign States, and therefore what it can do is circumscribed by the common ground that exists between them...from case to case and also from one period to another."⁹⁹ Another determinant of cohesion is that the extent to which the members of the supporting coalition see the Organisation as the best way of advancing their

⁹⁹ James, "The United Nations", *op. cit.*, 1990, p. 186.

interests with respect to the conflict at hand. The appearance of United Nations' cohesion is also important to the success of its initiatives, both in its effects on its own members and on the disputants. The recent track record of the United Nations is an important factor in the decisions of its Member-States to support its subsequent ventures: "[there is] a direct relationship between the performance of the UN as an institution and the willingness of Member-States to commit resources and political capital to enhance its peacekeeping activities."¹⁰⁰ Higher levels of cohesion behind the operation enable more concerted actions, and greater effectiveness in promoting United Nations interests.¹⁰¹ The cohesion of the coalition formed within the Security Council to address concerned States' interests relating to the conflict also determines the conviction with which the United Nations initiative holds and advances its interests. A coalition exhibiting a high level of agreement and determination to advance a certain set of interests will be more concerned that they are secured by the initiative, despite the level of efficiency of its interaction with the belligerents. A coalition without such agreement, such as one forced to include a number of disparate interests for reasons of legitimacy, will find its cohesion further damaged when the United Nations initiative experiences difficulties; and in this case a less efficient interaction will cause the coalition to moderate its expectations and opt for a less optimal outcome.

The amount of cohesion within the insurgent movement enhances the analysis of the insurgent movement's approach to the interaction by informing the assessment of its intention with an appraisal of its capability to act on that intention. Excessive factionalism and disagreement with the peace process can be damaging to its peaceful pursuit of the insurgent movement's objectives. Extremist factions, opposing the leadership's commitment to peace and compromise, may launch attacks against the delicate structures and guarantees of trust that form the start of any peace process, and thus destroy the peace by provoking the retaliation of former opponents against the whole movement. Factionalised or decentralised insurgent movements can also find it difficult to enforce compliance with the terms of peace agreements on all of their cadres, further destroying the trust and mutual advancement of the peace process. So cohesion

¹⁰⁰ Berdal, "Wither UN Peacekeeping?", *op. cit.*, 1993, p. 5.

¹⁰¹ Bailey, *op. cit.*, 1982, p. 111.

and centralised direction in an insurgent movement is contributive to the complementarity of its approach to the United Nations' peace initiative. The measurement of levels of cohesion within both the United Nations and insurgent movement allows for the examination of their conduct as it relates to the other factors determining their intentions and approaches, and can also explain seeming contradictions between stimuli, intentions and behaviours.

The seven indicators identified of the compatibility of United Nations' and insurgent movement's approaches to their interaction are thus arranged into an interrelated framework. This enables the ensuing analysis to apply them to the evidence of such interactions in a way that can not only select the important indicators of behaviour, but can produce a coherent assessment of the influence of the level of compatibility of the approaches on the effectiveness of the interaction. It allows a comparison of these assessments between a variety of cases differing in types of interaction, levels of commitment, and forms of contact. The framework of indices will be applied to interactions between the United Nations and seven insurgent movements after the Cold War: Unita, the Bosnian Serbs, the Khmer Rouge, the FMLN, Renamo, the Nicaraguan Contras, and the SNC-SNA. Each of the ensuing chapters will apply the framework to a number of cases in each of a different class of United Nations-insurgent relationship: mediation, peacekeeping, and election monitoring. The cases analysed in each chapter are selected on the basis of the existence of that class of relationship between the United Nations and the insurgent movement, and the level of efficiency of the interaction. The level of compatibility between approaches measured by the framework indices on each of the cases can thus be compared between interactions that were similarly efficient, between similarly dysfunctional interactions, and between viable and unviable interactions. In this way, the analysis will test the validity of the hypothesised relationship between the United Nations and insurgent movements after the Cold War.

4: MEDIATION

Mediation initiatives offer an opportunity to study one of the earliest phases of interactions between the United Nations and insurgent movements.¹ As a sustained interaction between sub-State and super-State actors, a mediation relationship should be affected by the logic of mutual lack of influence, and the subsequent determinants of optimal interactions, that this analysis is based on. This chapter assesses the extent to which this logic affects United Nations mediation efforts with insurgents after the Cold War. To do this, it initially applies the framework of approach indicators, developed in Chapter Three, to the modalities of United Nations mediation, to demonstrate how each indicator operates in the mediation context. This mediation framework is then consecutively applied to three different cases of United Nations mediation with insurgent groups after the Cold War. The interactions selected - the FMLN, the Khmer Rouge, and the Bosnian Serbs - are chosen because they exhibit differing degrees of success and failure and a range of differing attributes of varying impact on the mediation relationship. The objective of this analysis is to compare the sources of viability and dysfunction among these mediation relationships according to the framework variables in order to determine the validity to mediation of the hypothesis, that between the United Nations and insurgent movements, concurring approaches produce more optimal interactions than divergent approaches.

4.1: Mediation: A Framework for Analysis

Mediation, whether international or internal, is a voluntary, peaceful intervention² designed to affect the conflict situation towards a peaceful resolution.³ A mediator enters the dispute to establish, as an intermediary, a non-military channel of interaction between the

¹ Prior contacts with the conflicts may have been made by the United Nations, such as the dispatch of a fact-finding mission, overtures to the combatants, and even expressions of concern. However, none of these preliminary moves can be regarded as constituting a concerted effort on behalf of the Organisation to terminate the war.

² United Nations Office of Legal Affairs Codification Division, *Handbook on the Peaceful Settlement of Disputes Between States*, (New York: United Nations, 1992), p. 40.

³ Jacob Bercovitch, "International Mediation: A Study of the Incidence, Strategies and Conditions of Successful Outcomes", *Cooperation and Conflict*, Vol. 21, No. 3, 1986, p. 156.

disputants to attempt to substitute negotiation for warfare as a method of apportioning the disputed commodities at the base of the conflict.⁴ As "the nature and form of mediation in international relations changes over time as new forms and innovations are developed and become accepted by members of international society", the responsibilities for mediation are increasingly shifting onto multilateral actors.⁵ Among contemporary multilateral actors, the United Nations' unique combination of profile, status, scope, and legitimacy make it increasingly the international organisation sought as mediator in internal conflicts.⁶ Article 33 of the United Nations Charter requires disputants to seek a mediated solution to their conflict, while Articles 34 and 36 grant the Security Council the mandate to recommend the application of mediation to a dispute. This has developed into an obligation: according to Secretary-General Boutros-Ghali, "If a Member-State is asking for the assistance of the United Nations and the mediation of the United Nations, I believe that it is a duty of the United Nations to intervene."⁷

The role of mediator for the United Nations has fallen to the office of the Secretary-General and his Special Representatives.⁸ The accessibility and neutrality of the office of the Secretary-General means that sub-State organisations can interact with the Secretary-General "...on the understanding that his good offices are completely non-prejudicial and do not in any way depend on a prior solution of such issues as recognition or legitimacy of the status of any party."⁹ The Secretary-General's office further has at its command all of the diplomatic

⁴ Vivienne Jabri, "The Western Contact Group as Intermediary in the Conflict over Namibia", in C. R. Mitchell and K. Webb (eds), *New Approaches to International Mediation*, (New York: Greenwood Press, 1988), pp. 103-4.

⁵ C.R. Mitchell and K. Webb, "Mediation in International Relations: An Evolving Tradition", in *ibid.*, p. 5.

⁶ Other multilateral actors involved in recent mediation include the European Union and the Organisation of Islamic Conference in the former Yugoslavia, the Organisation of African Unity in Somalia, ASEAN in Cambodia, the Roman Catholic Church in Mozambique and ECOWAS in Liberia.

⁷ Boutros Boutros-Ghali, quoted in Ian Black, "Britain Still Firm on Bosnia After Talks With UN Leader", *The Guardian*, 26 October 1994.

⁸ Paul E. Mason and Thomas F. Marsteller Jr., "U.N. Mediation: More Effective Options", *SAIS Review*, Vol. 5, No. 2, Summer/Fall 1985, pp. 272-3. The Secretary-General was originally conceived by the United Nations' founders to be a "super diplomat", with President Roosevelt advocating the title of "World Moderator" for the position.

⁹ Vratislav Pechota, *The Quiet Approach: A Study of the Good Offices Exercised by the United Nations Secretary-General in the Cause of Peace*, (New York: United Nations Institute for Training and Research, 1972), p. 48.

resources of the United Nations Organisation, greatly enhancing the information access¹⁰ and influence available to its mediation efforts.¹¹ This broad access to international actors also gives the Secretary-General the ability to coordinate his own mediation efforts with those of other third parties. As the mediation of the United Nations in disputes involving insurgents is proliferates, the Secretary-General must often substitute for his personal intervention his chosen Special Representatives, who assume the powers and attributes of the office of the Secretary-General in their capacity as mediators, and execute their assignments under the authority of the Secretary-General as granted by Article 101 of the Charter.

Mediation is a form of conflict termination intervention in which the mediator has high control over the process, but low control over the outcome of the mediation.¹² While "[a]s currently constituted, the United Nations [as a mediator] has...little real political leverage. Its promises and threats lack credibility,"¹³ the insurgent movement enters an interaction in which its mechanisms of influence have little impact on the mediator. This mutual lack of influence suggests that it is appropriate to apply the framework for analysis to mediation relationships between the United Nations and insurgent movements. This section prepares the framework for this by demonstrating how each of the framework indices - objectives, interaction mechanisms, instrumentality, impartiality, timing, support and isolation, and cohesion - determines the United Nations' and insurgent movements' approaches to the mediation interaction. As modified, this mediation framework will then be applied to selected mediation interactions.

4.1.1: Objectives

The compatibility of objectives between the United Nations and insurgent movements is as important to the viability of mediation as it is to other stages of their interaction. As in any

¹⁰ The recently-created Office for the Research and Collection of Information (ORCI) also provides United Nations mediators with vital information on the conflicts and their contestants.

¹¹ Pechota, *op. cit.*, 1972, pp. 69-70.

¹² Jacob Bercovitch, "The Structure and Diversity of Mediation in International Relations", in Jacob Bercovitch and Jeffrey Z. Rubin (eds), *Mediation in International Relations: Multiple Approaches to Conflict Management*, (Basingstoke: Macmillan, 1992), p. 8.

¹³ Saadia Touval, "Why the U.N. Fails", *Foreign Affairs*, Vol. 73, No. 5, September/October 1994, p. 45.

other interaction, parties entering mediation will be pursuing their own objectives through the mediation process. The mediation relationship is highly consensual: it is non-coercive in process, and the extent to which former belligerents are bound by its result depends on their satisfaction with the outcomes.¹⁴ For this reason, any enduring mediation outcome will necessarily be based on the acquiescence to, and therefore the substantive satisfaction of the parties' objectives. Yet the mediator, by its presence, will be attempting also to achieve objectives, in the form of agreement reached, from the mediation interaction. The consensuality of the interaction, and the ease of withdrawal from the process, suggests that if the mediators' interests clash with those of the insurgent movement, the interaction will either break down or produce a sub-optimal result. A more effective mediation interaction, on the other hand, will arise from a situation in which the interaction allows both mediator and insurgent movement to advance their interests through negotiation. The concurrence of common and overriding objectives should yield a more effective mediation interaction and a more enduring agreement than a mediation that satisfies transitory or secondary objectives at the expense of ignoring interests which are conflicting, but more important. Essential objectives that are more complementary, then, should produce a more optimal mediation interaction.

The United Nations' objectives as it mediates are determined by its Member-States' wishes and by its own institutional preferences. Member-State wishes usually emerge from the process of compromise and collective decision making. These instructions to United Nations mediators emerge either informally or through resolutions on the Organisations' opinion of the principle on which the resolution should be based. The Secretary-General's and Special Representative's "brief" is the outcome of a negotiated compromise among an ad hoc coalition of interested United Nations Member-States, particularly the Great Powers of the Security Council's Permanent Five. In advocating particular terms of conflict settlement, the concerned Member-States seek to promote their own interests and conceptions of world order. These objectives are modified by cognisance to the United Nations' normative standards and assumptions on civil wars.¹⁵ United Nations mediators' objectives are therefore usually based on

¹⁴ Bercovitch, "Structure and Diversity of Mediation", in Bercovitch and Rubin, *op. cit.*, 1992, p. 4.

¹⁵ A former Special Representative to the Cyprus conflict stated: "[Any settlement] must be consistent with the provisions of the United Nations Charter, of which the following in particular seems relevant: the purposes, principles and obligations relating to the maintenance of international peace and security, the peaceful settlement of

a need to end the civil war in question, and alleviate human suffering, using mediation to reach an agreement on an alternative to fighting to apportion the disputed commodities at the base of the conflict. They usually seek to restore to a unified government, legitimated by popular support, the territorial integrity and sovereignty of a formerly divided State. These instructions are issued in the form of resolutions advocating particular terms of settlement, or as instructions passed on through the Secretary-General, the Secretariat, and the diplomatic environment of the mediator.

To be compatible with the United Nations mediators', the insurgent movement's objectives must in some way be consistent with the abandonment of war as a method of promoting its interests. Yet this does not mean surrender: in a viable interaction, the mediation process represents for the disputants the continuation of their struggle to achieve their objectives and maintain their security by another, non-military means. The insurgent movement is still concerned with promoting the optimal combination of its interests and maintaining its physical survival. It follows that disputants will only enter a mediation process that offers them the opportunity of securing to some extent their objectives, and that their interest in reconciliation depends on the attractiveness of the solution proposed.¹⁶ A decision to enter mediation will be based on either a rational calculation that these objectives can be more efficiently secured peacefully; or it can arise from a reordering of the objectives and a prioritising of less martial interests. Without this willingness to contemplate a peace process, a mediation interaction with the United Nations will not make progress. When mediating with insurgents, whose objectives are central to their existence, it is impossible to mediate away or adjust diametrically clashing objectives. Thus the viability of the mediation interaction depends on the compatibility of the objectives which the United Nations and insurgent movements bring to the mediation interaction.

disputes, respect for human rights and fundamental freedoms, recognition of the sovereign equality of member-states, abstention from the threat or use of force against the territorial integrity or political independence of any state, and respect for treaty obligations not in conflict with those of the member-states under the Charter." See Rosalyn Higgins, *The Development of International Law Through the Political Organs of the United Nations*, (London: Oxford University Press, 1963), pp. 6-12.

¹⁶ Samuel G. Amoo and I. William Zartman, "Mediation by Regional Organizations: The Organization of African Unity in Chad", in Bercovitch and Rubin, *op. cit.*, 1992, p. 132.

4.1.2: Interaction Mechanisms

Mediation is a form of interaction that carries its own distinctive dynamics, based on the give and take of the negotiation process. When the United Nations chooses this mechanism as a method of stopping or containing the fighting and securing its other interests is determined by various requirements of the conflict situation, efficiency, and parsimony. Having chosen such a consensual mechanism, United Nations mediators are heavily reliant on mediation techniques to reconcile the positions of the disputants, thereby securing the optimal outcome of the interaction. These strategies are influenced by the nature and modalities of the conflict. Mediators use their detachment from the conflict to break up the conflict dynamic and reach a creative solution: "Redefining the issues in conflict, or finding a formula for its resolution or management is the key to its termination, with the parties frequently needing help in finding a solution hidden in the morass of bad relationships or in constructing a solution from the pieces of the conflict itself."¹⁷ A mediator, through providing a non-military form of interaction between the disputants, is able to provide alternative perceptions and costings of the conflict: "Parties involved in a conflict...are not likely to have sufficient knowledge either of the sources of their conflictual relationships, or of the options available to resolve them. In the absence of adequate knowledge, there can be no accurate costing of policies, or of the consequence of behaviours."¹⁸

The most basic mediation strategy is to find a mediating framework that addresses the disputants' concerns and to which the parties agree, based on their perception of being able to secure their objectives through that formula. Basic to an appealing mediating framework is devising a general formula which alters the parties' terms of reference towards the dispute from a zero-sum equation to a mutually-benefiting trade-off of items of differing value.¹⁹ This is the technique of deductive negotiation, whereby a general framework is established governing an agreed-on definition of the conflict and the general principles susceptible to agreement, followed

¹⁷ Saadia Touval and I. William Zartman, "Introduction: Mediation in Theory", in Saadia Touval and I. William Zartman, *International Mediation in Theory and Practice*, (Boulder: Westview Press, 1985), p. 12.

¹⁸ John Burton, *Conflict: Resolution and Prevention*, (Basingstoke: Macmillan, 1990), pp. 6-7.

¹⁹ I. William Zartman and Maureen Berman, *The Practical Negotiator*, (New Haven: Yale University Press, 1982), p. 13.

by negotiations to work out the details of the agreement.²⁰ Often the deductive method leaves residual disagreements on which no agreement can be reached; if such matters are minor they can be moved past and marked for later negotiation.²¹ Disagreements can also be papered over in the interests of the broader settlement using Kissinger's formulation "constructive ambiguity", or the use of vague or equivocal language to disguise conflicting interpretations or positions.²² The mediator can also build deadlines into the mediation framework and use these along with international interest in the process to induce concessions and ensure continued cooperation.

An insurgent movement accepting mediation as its mechanism of interaction with the United Nations must regard the initiative as a viable and safe way of advancing its interests. Often the genuine acceptance of mediation by an insurgent movement signals a desire to end the conflict and use non-military means to distribute the disputed commodities.²³ Once this commitment to peace has been made by the disputants, the mediation process becomes "...an extension and continuation of the parties' own conflict management efforts."²⁴ The belligerents, by inviting or agreeing to mediation, agree on the need for a negotiated solution and acknowledge the need for a third party to help them achieve an agreement. Mediation is a more attractive option for suspicious former belligerents than other peace initiatives, because it is non-binding, and the disputants can explore the options and consequences of demands and concessions and make conditional commitments in a non-coercive forum.²⁵ Mediation grants the disputants the most control over the process of resolution, thereby allowing them to safeguard their interests by threat of withdrawal and non-cooperation.²⁶ Insurgents' genuine

²⁰ Zartman and Berman, *op. cit.*, 1982, pp. 89-113.

²¹ Fred Charles Ikle, *How Nations Negotiate*, (New York: Harper and Row Publishers, 1976), pp. 16-18.

²² See Henry Kissinger, *Years of Upheaval*, (Boston: Little, Brown and Company, 1982), pp. 816-846.

²³ Hugh Miall, *The Peacemakers: Peaceful Settlement of Disputes Since 1945*, (Basingstoke: Macmillan, 1992), p. 110.

²⁴ Bercovitch, "The Structure and Diversity of Mediation in International Relations", in Bercovitch and Rubin, *op. cit.*, 1992, p. 4.

²⁵ Miall, *op. cit.*, 1992, p. 87.

²⁶ Indarjit Rikhye, "Critical Elements in Determining the Suitability of Conflict Settlement Efforts by the United Nations Secretary-General" in Louis Kriesberg and Stuart J. Thorson (eds), *Timing and De-Escalation of International Conflicts*, (Syracuse: Syracuse University Press, 1991), p. 59.

commitment to mediation will be based on their belief that it is a method that will be at that moment more effective than war for the securement or salvaging of their objectives: "The parties must be shown that it is the negotiation process that is the way through their problem."²⁷ They must trust the confidentiality of the mediation, which allows them to explore options without having to publicly justify these positions, and creates a rational, non-propagandised atmosphere for negotiations.²⁸ Commitment to the mediation process means that the belligerents must be prepared, as part of the process, to re-evaluate their policies and objectives and compromise. A rigid adherence to original goals by any party is highly destructive to any mediation process, and belies any protestations of agreement to mediation. However, once genuine acceptance of mediation has been given by the parties and the United Nations, a peace momentum sets in, "...and a new dimension is thereby added to the dispute that is not under the control of the disputants."²⁹ In these ways, the viability of the United Nations-insurgent interaction partly depends on whether both see mediation as the best method of advancing their interests.

4.1.3: Instrumentality

As an essentially consensual activity, effective mediation requires the United Nations' and the insurgent movement's acceptance of each other as a legitimate and relevant interlocutors during the mediation. For the United Nations, viable peace talks must include all of the major belligerents in the civil war. The United Nations' acceptance of the participation of the insurgent movement is tempered by considerations of its organisational standards. Often insurgent movements' opposition to the State, lack of popular endorsement, and unsavoury military and human rights practices makes them unpopular participants in the peace process for mediators and other belligerents. The United Nations' decisions on the participation of insurgent movements in peace talks is more heavily determined by realist considerations, however. It is aware that for a mediated solution to have any meaning, all major disputants need to be party to

²⁷ Colosi, "A Model for Mediation and Negotiation", in Sandole and Sandole-Staroste, *op. cit.*, 1987, p. 93.

²⁸ Sir Anthony Parsons, "The U.N. and International Security" in G.R. Berridge and A. Jennings (eds), *Diplomacy at the U.N.*, (London: Macmillan, 1985), p. 52.

²⁹ Puchala, "The Secretary General and His Special Representatives", in Rivlin and Gordenker, *op. cit.*, 1993, p. 86.

the negotiations and the final agreement. A major pressure towards recognising the instrumentality of the insurgent movement to the mediation process is the desire of the United Nations and the other belligerents for peace, and their recognition that the insurgents, as a major belligerent, exercise a veto over an effective solution. The only way to secure insurgents' cooperation in the peace process is to include them in the process.³⁰ In this way, negotiations "arise from a double veto, wherein both parties can block a negotiated solution if it does not satisfy them, but can also prevent a unilateral solution from taking place if it excludes them."³¹ For an effective mediation interaction, the insurgents' negotiators, once included in the mediation, need to be recognised as legitimate spokespeople for their movement and have or be able to access positions of decision-making power.³²

Essential to the conduciveness of its approach to a viable mediation interaction is the insurgent movement's acceptance of the role and importance of the United Nations as a mediator. The parties' perceptions of its credibility is determined by their belief that the mediator is an independent, credible and knowledgeable actor who is prestigious and authoritative, with original ideas, access to information and resources, and who can act unobtrusively.³³ They must also trust the mediator's discretion. The prestige associated with the office of the Secretary-General and the United Nations Organisation are considerable, and the Organisation is often seen as more impartial than other possible third parties. The privacy of the Good Offices of the Secretary-General enable the relations with and between the disputants to occur in strict confidentiality, thereby deflecting public pressure, promoting a calm atmosphere, and allowing greater flexibility and creativity during the negotiations.³⁴ The United Nations can provide a discrete communication channel, which can be used to break a recognition and communication impasse, where the parties either don't recognise each other or where they refuse to negotiate

³⁰ Zartman and Berman, *op. cit.*, 1982, p. 58.

³¹ *ibid.*, pp. 57-8.

³² Bercovitch, "International Mediation: A Study of the Incidence, Strategies and Conditions...", *op. cit.*, 1986, p. 160.

³³ Jacob Bercovitch, "International Mediation: A Study of the Incidence, Strategies and Conditions of Successful Outcomes", *Cooperation and Conflict*, Vol. 21, No. 3, 1986, p. 163.

³⁴ Pechota, *op. cit.*, 1972, pp. 53-54.

directly.³⁵ A discrete mediation process also offers the belligerents a safe way of making concessions without risking their reputations or future bargaining positions.³⁶ Thus an insurgent movement's acceptance of the instrumentality of the United Nations as a mediator depends on its assessment of United Nations mediation as a viable way of promoting and protecting its interests.

4.1.4: Impartiality

The delicate nature of peace talks, and the vulnerabilities of their participants, makes their commitment to the mediation interaction depend on their trust of the process. As the embodiment of the process, and a safeguard against foul play, a mediator needs to be perceived as impartial if he or she is to preside over a viable mediation. Insurgents' judgements on the acceptability of a mediator are determined by their "*trust* in the prospective mediator and...perception that the potential mediator is independent of [their]...opponents."³⁷ The trust of the parties in the mediator and the framework can be used as a foundation for the building of trust between the parties.³⁸ Touval contends that to the belligerents, the ability of a mediator to provide an acceptable outcome is more important than his or her impartiality;³⁹ nevertheless, the ability to provide an acceptable solution implies a necessary amount of distance from the advancement of the adversary's objectives. Similarly an unbiased mediating formula developed by the mediator will also secure the parties' trust: "...the matter of *balance* - the formula must not be so favourable to the proposer as to be rejected by the other side, but not be so generous as to be suspect - is crucial to acceptance. Indeed, insuring a balance of interests in the formula is another way of indicating that it must be fair."⁴⁰ Thus a viable mediation will be based on an impartial mediator.

³⁵ Mason and Marsteller, *op. cit.*, 1985, p. 273.

³⁶ Zartman and Touval, "Conclusion", Touval and Zartman, *op. cit.*, 1985, p. 245.

³⁷ Stephens, "Acceptance of Mediation Initiatives", in Mitchell and Webb, *op. cit.*, 1988, p. 57.

³⁸ *ibid.*, p. 274.

³⁹ Touval, *op. cit.*, 1982, pp. 326-7.

⁴⁰ Zartman and Berman, *op. cit.*, 1982, p. 114. Italics in original.

Mediation, an activity based on the accumulation of conditional commitments, is most effective when the participants' actions and motives are transparent and have no ulterior motives.⁴¹ The impartiality of the insurgent movement's mediation behaviour, and its commitment to mediation, when matched by the commitments of the other parties, will lead to a more productive interaction. While they will naturally try to negotiate the best outcome from negotiations, sustained and deliberately partial behaviour by the insurgent movement will cause a breakdown in peace talks: "[b]y interfering with problem-solving, hostile and contentious behaviour reduces the likelihood that agreements will be reached or, if reached, that they will provide high joint benefit and thus be mutually satisfying."⁴² Using talks for strategic reasons, not intending to honour undertakings, stonewalling, gambits designed to exacerbate divisions within the international community or alleviating embargoes by confusing the mediation initiative, are all behaviours which will damage and disrupt the interaction. Insurgents' impartial behaviour is based on their acceptance of the mediation initiative, and their conviction that the problem "...can only be resolved jointly and when they...have the will to end an existing situation that they consider unacceptable."⁴³ Their commitment to the process and the final settlement is a measure of the durability of that settlement.

4.1.5: Timing

The timing of the mediation initiative, measured against the insurgent movement's military position at that time, is an important indicator of the insurgent movement's commitment to peace, and thus the compatibility of its approach with the United Nations mediators'. Belligerents' receptivity to mediation is determined by their calculations of their military position. This contention is based on the reasoning that an insurgent movement will be most amenable to peace overtures when the conflict enters a stagnant, painful stalemate, and the

⁴¹ Ikle describes mediation as "an exchange of conditional promises, by which each party declares that it will act in a certain way on condition that the other parties act in accordance with their promises." See Ikle, *op. cit.*, 1976, p. 7.

⁴² Zubek et. al., "Success in Mediation", *op. cit.*, 1992, p. 549.

⁴³ *ibid.*, p. 66.

group's position threatens to worsen. At this time, the insurgent movement will cease to contemplate unilateral solutions as realistic, and begins to see a negotiated, bilateral solution as the only way to salvage its interests and security.⁴⁴ Timing is a measurement of insurgents' perceptions: the parties must shift from a winning to a salvaging mentality. The insurgents, ever aware of the calculus of power and influence, often try to ensure that they do not enter negotiations from a position of weakness, and be faced with accepting the *diktats* of a more powerful opponent, by trying to improve their military situation or credibility prior to negotiations.⁴⁵ The timing of a mediation initiative is crucial to the tenability and leverage of the mediator: "the mediator's work is at the mercy of the evolution of the conflict, on a particular conjunction of forces that makes his efforts appear like an opportunity for the parties rather than a meddling distraction."⁴⁶ An intervention at the right point in a conflict can thus use the conflict dynamic at that stage as leverage to induce cooperation: "the existence of situational pressures is important for inducing the parties to make concessions. Hence the importance of the *timing*, and the circumstances of the mediation."⁴⁷ Bad timing of a mediation initiative can create obstacles to the resolution process, for example by making the position of one or more parties more intractable. The United Nations mediator must therefore be able to identify moments of ripeness in the patterns of conflict, escalation and stalemate in a conflict.⁴⁸

4.1.6: Support and Isolation

The amount of support provided to a United Nations mediator by the Organisation's Member-States is an indicator of the amount of leverage available to the mediator over the insurgents. Parallel pressure by States with influence over the insurgents can enable, to varying degrees, the interaction to overcome some incompatibilities between their approaches by

⁴⁴ I. William Zartman, *Ripe for Resolution: Conflict and Intervention in Africa*, (New York: Oxford University Press, 1989), p. 10.

⁴⁵ James O. C. Jonah, "The Military Talks at Kilometre 101: The U.N.'s Effectiveness as a Third Party", *Negotiation Journal*, Vol. 6, No. 1, January 1990, p. 54.

⁴⁶ Zartman and Touval, "Conclusion", in Touval and Zartman, *op. cit.*, 1985, pp. 264-5.

⁴⁷ Touval, *op. cit.*, 1982, p. 328. Italics in original.

⁴⁸ Zartman, *op. cit.*, 1989, p. 263.

allowing the United Nations and insurgent to modify each others' positions. The most important supporters for United Nations mediators are those States with links to the conflict that can exercise a facilitating influence on the belligerents. Ties to the parties can translate into leverage: "Theoretically, the more ties a mediator has with a party - the more disposable goods it possesses that the parties value - the greater the possibility of pressing the parties by suspending ties and withholding value."⁴⁹ With no mutual interdependent links, the United Nations must look to Member-States with these links to supply its leverage. This works in favour of the United Nations mediator when these States fully support the mediation, and are willing to use their ties with the belligerents to complement the mediator's efforts. A State that is willing to apply such leverage on behalf of the United Nations is putting its own relations with the belligerent on the line; this requires a high level of commitment to a mediated solution on behalf of that State. The Secretariat can coordinate this support through the appropriate permanent missions to the United Nations. Such mechanisms can also be used to coordinate the United Nations' mediation with other, parallel mediation initiatives.⁵⁰

Links with States enable insurgent movements to modify the United Nations' position when the State supports the insurgent movement rather than the United Nations mediation. Sustained campaigning on behalf of the insurgent movement by a member of the sponsoring coalition can reorient the United Nations' mediation objectives to be more compatible with the insurgents'. Conversely, an insurgent movement's isolation from former State supporters can be used to measure its commitment to peace, and the compatibility of its approach to mediation with the United Nations'. While an insurgent movement with a strong source of external supply and support is more likely to be confident of winning or continuing the conflict, and therefore be intransigent and unreceptive to a mediation initiative, a group deprived of external supporters on whom it depended will affect its military calculus to be more amenable to peace overtures. An insurgent movement whose former sponsors now strongly support the mediation initiative will be more inclined to cooperate with the mediation initiative. Measurements of support and isolation can in this way inform the comparison of the compatibility of approaches with the

⁴⁹ Touval and Zartman, "Introduction", in Touval and Zartman, *op. cit.*, 1985, p. 13.

⁵⁰ Pechota, *op. cit.*, 1972, p. 52.

effectiveness of the mediation, by taking into account mechanisms of influence between the United Nations and insurgent movements.

4.1.7: Cohesion

The cohesion of the Organisations behind both the mediators and the insurgent negotiators is an important indicator of the tenability of their approaches, the genuineness of their commitment, and the strength of their negotiating position. For an international organisation like the United Nations, the cohesion of the supporting coalition of its interested Member-States behind the mediation is a determinant of the authority and vigour of its mediation initiative: "the basic questions of interest and leverage which are the key to the understanding and the practice of mediation have to be answered in terms of the Member-States, not in terms of the Organisation: it also means that the question of *whether* to mediate becomes more important than the question of *how* to mediate."⁵¹ The coalition's cohesion derives from its members' commitment to the resolution of the conflict through mediation, their belief that a negotiated peace will serve their interests, and their willingness to make use of the United Nations' mediation machinery, rather than pursue unilateral or regional efforts.⁵² The mediators' confidence in pursuing an effective mediation strategy effectively, depends on their belief in the continuing support of the Member-States for their efforts. A divided membership encumbers a mediator: "Such discord undermines a coherent mediating position. It reduces a mediator's leverage and strengthens the hand of the disputants. It provides an opening for the disputant to divide both the mediator from his adversary and the mediators amongst themselves."⁵³ Furthermore, the insurgents' perception of United Nations' cohesion and determination affects how receptive and amenable the parties are to the mediation strategy.⁵⁴

⁵¹ Amoo and Zartman, "Mediation by Regional Organisations" in Bercovitch and Rubin, *op. cit.*, 1992, p. 131. Italics in original.

⁵² Mark N. Katz, "Mechanisms of Russian-American Conflict Resolution", *International Journal of Group Tensions*, Vol. 23, No. 1, 1993, p. 32.

⁵³ Touval, "Why the U.N. Fails", *op. cit.*, 1994, p. 54.

⁵⁴ Jonah, "The Military Talks at Kilometre 101", *op. cit.*, 1990, p. 68.

The tenability of the insurgents' approach to mediation is also affected by the cohesive support in their organisation for the leadership's entry into the mediation process. Any disunity or lack of cohesion makes negotiation difficult by depriving the parties' representatives of their authority and power to grant concessions.⁵⁵ The representatives of an internally divided disputant will be unable to make concessions to the opponents from fear that compromise will be used against them in the internal power struggle.⁵⁶ A leader with strong control of his or her organisation, however, will find it easier to compromise with the mediator and the other parties while convincing the party followers of the wisdom of the concessions. An agreement with a cohesive disputant will also be more likely to endure, because its followers will cooperate with the terms of the agreement as ordered by their leaders. Thus cohesion is a moderating variable on the effect of degrees of compatibility between approaches on the effectiveness of the mediation interaction.

In these ways, each of the framework indices will be used to measure the compatibility of United Nations and insurgent approaches and to compare them with the effectiveness of the mediation interaction. The hypothesised dependence of the mediation interaction on the compatibility of the United Nations' and insurgent movement's approaches derives from the limited influence they have over each other during mediation. The next two sections of this chapter apply the mediation framework to three recent incidences of United Nations mediation with insurgents. While there is some United Nations involvement in most contemporary mediations,⁵⁷ the cases examined here feature a predominant United Nations role. The cases examined - the FMLN, the Khmer Rouge, and the Bosnian Serbs - demonstrate a range of levels of optimality as well as variations in the operation of the mediation framework indices. In analysing and comparing the operation of these indices on the compatibility of approaches and their relationship to the viability of the mediation, this chapter will test, in a mediation context, the central hypothesis of this thesis: that between the United Nations and insurgent movements, concurring approaches will produce more optimal interactions than divergent approaches.

⁵⁵ Bercovitch, "The Conditions for Successful Mediation", *op. cit.*, 1991, p. 21.

⁵⁶ Zartman, *op. cit.*, 1989, p. 274.

⁵⁷ The United Nations often participates as an observer in mediations carried out by other bodies; often to advise the framers of the agreement on practical aspects of implementing a solution that the United Nations will be asked to oversee.

4.2: The FMLN: A Timely Success

In the early aftermath of the Cold War, the United Nations played a major role in mediating an end to the civil war in El Salvador. Since 1980, the Salvadoran government had been locked in a brutal struggle against a front of left-wing insurgents, the *Frente Faribundo Marti para la Liberacion Nacional* (FMLN). In October 1980, the FMLN formed, under Cuban sponsorship, from five groups rebelling against the right-wing military dictatorship of Jose Napoleon Duarte.⁵⁸ This resistance had its roots in the considerable opposition among intellectuals, trade unions, and the church, to the wealth disparities and the power of the military in Salvadoran society. Drawing on this protest, FMLN propaganda proclaimed itself as the vanguard of the opposition, committed to "the unification and leadership of the oppressed against the imperialist North Americans and the millionaire oligarches...combined with their followers and defenders."⁵⁹ The FMLN was convinced of the need for a violent anti-imperialist, anti-oligarchic and anti-capitalist struggle to bring about a socio-economic restructuring and erect a new, egalitarian society. While drawing on Marxism-Leninism, Maoism, and Castroism for its rationale, the FMLN was nevertheless pragmatic: "we do not convert the tenets of Marxism-Leninism into dogma that might isolate us from reality."⁶⁰ This pragmatism was born of the need to forge five groups and a multitude of support organisations into a common insurrectionary front.⁶¹ After the failure of its "final offensive" in January 1981 to spark a general insurrection in the cities and topple the government, its 6000-strong army retreated to the countryside to wage a Castroite guerrilla campaign supported by Soviet bloc, Cuban and

⁵⁸ The five core groups forming the FMLN were: the Communist Party of El Salvador (PCES), the Farabundo Marti Popular Forces of Liberation (FPL), the People's Revolutionary Army (ERP), the Armed Forces of National Resistance (FARN), and the Revolutionary Party of Central American Workers (PRTC). Close links were formed with other, non-military front and political organisations, such as the Democratic Revolutionary Front (FDR).

⁵⁹ From a Radio Venceremos broadcast, 7 December 1988, quoted in Christina Meyer, *Underground Voices: Insurgent Propaganda in El Salvador, Nicaragua and Peru*, (Santa Monica: RAND, 1991), p. 5.

⁶⁰ FMLN Commander Joaquin Villalobos, quoted in Yvon Grenier, "Understanding the FMLN: A Glossary of Five Words", *Conflict Quarterly*, Vol. 11, No. 2, Spring 1991, p. 56.

⁶¹ Given the wide-ranging differences between the components of the FMLN, from the violently Marxist ERP to the moderate, social democratic FDR, a great deal of effort has been expended by the FMLN leadership on creating consensus and control over all organisations. See Michael Radu, "The Structure of the Salvadoran Left", *Orbis*, Vol. 28, No. 4, Winter 1985, pp. 673-684.

Nicaraguan aid.⁶² It gained support among sections of the Salvadoran peasantry, and carved "liberated zones", over which it resisted government attempts to regain control, and where it gained quasi-sovereignty as a shadow government providing rudimentary public services, order, and commodities. Outside of these areas, its tactics were to concentrate on economic sabotage, particularly the electricity grid and other infrastructure, as well as oligarchic-capitalist interests, in order to undermine the government and mobilise the oppressed until a favourable correlation of forces allowed an FMLN seizure of power.⁶³ Nearly a decade of armed struggle did not bring these results, however. The FMLN's use of terrorism had alienated many Salvadorans, while massive United States support propped up a government that was steadily democratising. Meanwhile, the civil war had settled into a brutal stalemate, the horrors of which echoed around the globe, between the FMLN, the counter-insurgent Salvadoran army, and the sinister death squads.

Responding to growing calls to end the horror, the United Nations mediation effort followed a number of regional peace initiatives which, although unsuccessful, began to build a platform for eventual talks.⁶⁴ Following calls from the regional actors for direct United Nations involvement,⁶⁵ the Security Council directed the Secretary-General to apply his good offices to attempt to terminate the war in El Salvador.⁶⁶ Direct mediation by the Secretary-General and his Special Representative, Alvaro de Soto, began in January 1990. Over the next two years, the United Nations negotiators led the Salvadoran government of Alfredo Christiani and the FMLN to an agreement, signed in Mexico City on 16 January 1992, which committed the government to significant constitutional and socio-economic changes and reduction and purging of the armed

⁶² James Dunkerley, *The Long War: Dictatorship and Revolution in El Salvador*, (London: Junction Books, 1982), p. 168.

⁶³ Michael Radu and Vladimir Tismaneanu, *Latin American Revolutionaries: Groups, Goals, Methods*, (Washington: Pergamon-Brassey's, 1990), pp. 187-234.

⁶⁴ These initiatives began with the Contadora process in 1983 and continued through the Esquipulas agreements and various regional contact groups. These efforts were acknowledged and encouraged by the Security Council in Resolution 530 (1983) and the General Assembly in Resolution 38/10 (1983).

⁶⁵ In the Declaration of San Isidro Coronado in December 1989, the five Central American Presidents (Mexico, Guatemala, El Salvador, Honduras, Nicaragua and Costa Rica) appealed to the Secretary-General to facilitate talks between the Salvadoran government and the FMLN.

⁶⁶ Security Council Resolution 637 (1989).

forces in return for the FMLN's ceasefire, disarmament, demobilisation, and participation in the democratic process. By applying the mediation framework to the mediation with the FMLN, this section will illuminate the extent to which the complementarity of approaches between the United Nations mediators and the FMLN contributed to or otherwise affected the optimality of the process.

4.2.1: Objectives

The objectives of the United Nations mediators were determined both by the wishes of the Member-States and the internal standards and assumptions of the Organisation. The majority of the concerned membership wished to see an end to the conflict in El Salvador. Regional States were concerned and frustrated by the continuing threat that wars in El Salvador, Nicaragua and Guatemala posed to the internal stability of their own States, and the repellent effect that this instability had on investment and development in the region.⁶⁷ Many also resented the continuing external involvement in the affairs of Latin America. The Contadora process, advocating peace, an end to external intervention, and the economic benefits of stability and cooperation, began to assemble the eventual sponsoring coalition within the United Nations for a solution in El Salvador.⁶⁸ The election of Arias in Costa Rica and Cerezo in Guatemala added the Esquipulas group to the regional members of the coalition.⁶⁹ As they became more engaged in improving their bilateral relations, the superpowers joined the coalition, keen to remove Cold War thorns such as their proxy war in El Salvador from the continued growth of their cooperation. The United States, following the embarrassment of the Iran-Contra scandal, was keen to transform its relations with Central America into an overt involvement dedicated to cooperation and prosperity. The superpowers' commitment to the United Nations sponsoring

⁶⁷ See for example the Guatemala Peace Plan signed by Costa Rica, Guatemala, El Salvador, Honduras and Nicaragua of 7 August 1987, and the statements of the officials at the Summit, *Facts on File*, 14 August 1987, pp. 581-4.

⁶⁸ The Contadora group, of Colombia, Mexico, Panama, and Venezuela, joined by Argentina, Brazil, Peru and Uruguay formed in January 1983 into a pressure group for peace in Central America. Its efforts within the United Nations resulted in Security Council Resolution 530 (1983) and General Assembly Resolution 38/10 supporting the peace efforts in Central America and asking the Secretary-General to keep the Organisation informed of their progress.

⁶⁹ The Esquipulas Group, comprised of Costa Rica, Guatemala, El Salvador, Nicaragua, and Honduras, formed in August 1987 to cooperatively remove structural impediments to the resolution of the region's civil wars.

coalition became complete in August 1991, when Secretary of State Baker and Foreign Minister Besmertnykh urged the Secretary-General to become personally involved in mediating the Salvadoran conflict.⁷⁰ Britain, France, Spain and Germany, responding to popular concern over the wars in Central America, completed a comprehensive United Nations coalition with coinciding interests in resolving the civil war in El Salvador.

The United Nations' instructions to its mediators, as well as advancing the combination of its sponsoring coalition's interests, had to be tempered by the Organisation's institutional considerations and principles. Because the concern with resolving the civil war had to be reconciled with the United Nations' prerogative to uphold the sovereignty and territorial integrity of one of its Member-States, the partition of El Salvador between the contending parties was never countenanced. It was also vital to put an end to all external involvements in the Salvadoran civil war. A solution to the conflict that allowed the people of El Salvador adjudicate between the contending claims was a desirable outcome for a United Nations initiative. Thus, as representatives of the United Nations, the mediators advanced institutional objectives that coincided with the membership's wishes. They set out to terminate the hostilities and develop a formula for peacefully adjudicating the contending claims, distributing the disputed commodities, and establishing a single, legitimate, sovereign Salvadoran government.⁷¹

The objectives of the FMLN were determined by both its political goals and its military fortunes. As a Marxist insurgent movement, the FMLN was dedicated to overthrowing the Salvadoran government and seizing power in order to address "the structural causes of war":⁷² primarily the concentration of wealth, influence and property in the hands of a small elite. As its military position and external sponsorship changed, the FMLN pragmatically altered its demands from complete revolutionary overthrow to the transformation into a more just

⁷⁰ This request was one of the subjects of a joint communique issued by the two on 1 August 1991.

⁷¹ United Nations Briefing Paper, "United Nations Observer Mission in El Salvador", DPI/1306/Rev.2, 31 October 1993, p. 27.

⁷² Quoted in Yvon Grenier, "Understanding the FMLN: A Glossary of Five Words", *Conflict Quarterly*, Spring 1991, p. 59.

Salvadoran society through the democratic process.⁷³ Specifically, it demanded admittance into a power-sharing government in order to oversee this transformation while ensuring the security of the movement and its followers.⁷⁴ Immediately prior to United Nations involvement, the FMLN dropped its insistence on power-sharing and acknowledged the centrality of the electoral process to the resolution of the conflict.⁷⁵ The FMLN was confident that it would form the government chosen by such an election, and that this would be a transitional stage on the path to socialism.⁷⁶

At the point of United Nations intervention, the FMLN had decided to abandon armed struggle and pursue its goals using peaceful methods. These peaceful methods, however, needed to offer the movement a significant chance of securing these goals, a level playing field on which to compete for power. A foremost condition for such a level playing field was for the FMLN the end of United States influence in El Salvador, and in particular, an end to United States sponsorship of the Salvadoran government: "that national sovereignty be restored and that...relations with the United States be reoriented on the basis of the unconditional respect of the right of self-determination and independence."⁷⁷ The FMLN's commitment to peaceful methods, however, was greatly tempered by its concern for the security of the organisation and the safety of its followers from the revenge of opponents within the government, armed forces and Salvadoran society. Central to the objectives of the FMLN was the reform of the Salvadoran armed forces and other paramilitary elements such as the death squads, which it identified as posing the greatest threat to its post-bellum security: "What use is there in talking about democratisation, cease-fires, political participation when the government continues waging a dirty war with its death squads against unarmed civilians?"⁷⁸ Close links between the

⁷³ David Holiday and William Stanley, "Building the Peace: Preliminary Lessons From El Salvador", *Journal of International Affairs*, Vol. 46, No. 2, Winter 1993, p. 418.

⁷⁴ Fransisco A. Alvarez, "Transition Before the Transition: The Case of El Salvador", *Latin American Perspectives*, Issue 56, Vol. 15, No. 1, Winter 1988, p. 83.

⁷⁵ Grenier, "Understanding the FMLN", *op. cit.*, 1991, p. 58.

⁷⁶ *ibid.*, pp. 55-6.

⁷⁷ Department of Social Sciences, Universidad de El Salvador, "An Analysis of the Correlation of Forces in El Salvador", *Latin American Perspectives*, Issue 55, Vol. 14, No. 4, Fall 1987, p. 446.

⁷⁸ Democratic Revolutionary Front (FDR) Communique, quoted in *Facts on File*, 30 October 1987, p. 799.

government, the ruling ARENA party, the army and the death squads,⁷⁹ prompted FMLN fears that their political candidates would be murdered and its followers intimidated.⁸⁰ The FMLN therefore insisted on a reduction and restructuring of the security forces to ensure its safety. So much importance did it place on this that the armed forces issue became central to the mediation and a major impediment to an agreement.⁸¹

Essential agreement prevailed between the objectives of the United Nations mediators and the FMLN at the time of the intervention of the United Nations into the conflict. Both were devoted to ultimately stopping the war and establishing a mechanism for the fair and legitimate resolution of the conflict. Any differences were in form and succession rather than substance: while the United Nations' first priority was to end the war, the FMLN was determined to preserve its military potential for as long as possible during the mediation process. It remained for the United Nations mediators to adapt to these minor differences and concentrate their efforts on creatively devising a formula that would eventually reconcile the demands of the Salvadoran government and the FMLN for an agreed process for adjusting their competing claims. The essential disagreement between the government and the FMLN was that while the government demanded the FMLN stop fighting and disarm before any political reforms were discussed, the FMLN remained determined to preserve its military potential until the necessary guarantees were in place to enable it to reintegrate into civilian society in full legality and safety.⁸² The United Nations mediators were able to overcome these opposing approaches by devising a formula to address both parties' concerns simultaneously, thereby tying them to the mediation process.

⁷⁹ The closest link emerged in 1987 with the revelation that Roberto D'Aubuisson, a wealthy land owner and founder and honorary President for Life of the ARENA party, was a leading member and organiser of the death squads, who as a major in the Salvadoran National Guard, had ordered the murder of outspoken archbishop of San Salvador, Oscar Arnulfo Romero.

⁸⁰ Thomas P. Anderson, "El Salvador's Dim Prospects", *Current History*, Vol. 85, No. 507, January 1986, p. 36.

⁸¹ See Report of the Secretary-General, "Central America: Efforts Towards Peace", Security Council Document S/22031, 21 December 1990, pp. 1-2.

⁸² United Nations, *El Salvador Agreements: The Path to Peace*, (New York: United Nations, 1992), pp. iv-v.

4.2.2: Interaction Mechanisms

The United Nations was strongly committed to the mediation process. Both the Security Council and the General Assembly had overwhelmingly advocated a mediated and peaceful solution to the conflict since the early 1980s.⁸³ Secretary-General Perez de Cuellar, himself Latin American, maintained a close interest in the conflict, maintaining close contacts with the regional governments and other actors such as the OAS. As his term of office drew to a close in 1991, he staked his reputation on mediating an end to the war in El Salvador. It remained for United Nations mediators to secure the commitment of the FMLN and the government to the mediation process as the way of resolving the conflict. Their method of achieving this was to devise a mediating formula that reconciled the parties divergent demands while promising both the opportunity to secure their objectives.

The FMLN had, due to various military, strategic and international factors, decided to eventually abandon war in favour of finding a peaceful way to secure its objectives. It did not, however, modify its objectives of attaining political power, effecting socio-economic change in El Salvador, and ensuring the safety of its cadres and supporters. The FMLN, therefore, entered mediation under United Nations auspices believing and assuring its rank and file that the peace talks were another route to victory over the government.⁸⁴ Convinced that the military path to imposing a unilateral solution had closed, the FMLN "...primarily viewed [a negotiated] settlement as its last, best hope for achieving fundamental societal and political reforms."⁸⁵ Both the FMLN and the government were thus committed to the negotiating process, hoping to secure the best possible conditions before an election that both parties were sure they would win by "...reaping the benefits of popularity from [their] role in ending the war..."⁸⁶ The FMLN was thus committed to peace talks, while preserving its military capability based on its belief in the

⁸³ See Security Council Resolutions 530 (1983) and 637 (1989) and General Assembly Resolutions 38/10 (1983) and 44/10 (1989).

⁸⁴ Joseph G. Sullivan, "How Peace Came to El Salvador", *Orbis*, Vol. 38, No. 1, Winter 1994, p. 85.

⁸⁵ Holiday and Stanley, "Building the Peace", *op. cit.*, 1993, p. 418.

⁸⁶ Linda Robinson, "Why Central America is Still Not Democratic", *SAIS Review*, Vol. 12, No. 2, Summer-Fall 1992, p. 89.

"correlation of forces" and its desire to ensure its safety from the armed forces and the death squads.⁸⁷

Once the government and the FMLN were committed to the mediation process, the problem for the United Nations mediators was to reconcile the FMLN's desire to preserve its military capacity until its political, economic and security demands had been met, with the government's refusal to begin serious negotiations before the FMLN had stopped fighting and disarmed. Mediators Perez de Cuellar and de Soto held a series of secret meetings with the FMLN and the government in early 1990, from which they produced a framework for negotiation which creatively addressed the concerns of both parties.⁸⁸ The Geneva framework and the subsequent Caracas Agenda compressed the political talks and the ceasefire issue into a two-stage process: the first resolving the issues of the armed forces, human rights guarantees, the judicial system, elections, constitutional, economic and social reforms and United Nations verification; the second creating security guarantees for the reincorporation of the FMLN into Salvadoran society.⁸⁹ These schedules also established a defined timetable incorporating a date and duration for a ceasefire.⁹⁰ The timetable for negotiations made creative use of deadlines to hasten agreement and minimise obduracy "by forcing the negotiating parties to confront potential blame for failed negotiations."⁹¹

Such blame was seen by both parties as damaging to election prospects. The mediation framework selected was largely deductive, seeking to build broad agreement on the important issues and then discussing outstanding items while steadily establishing the conditions for a ceasefire and demobilisation of both sides. The compromise between the FMLN's insistence on political settlement first and the government's insistence on ceasefire first was that while the

⁸⁷ Grenier, "Understanding the FMLN", *op. cit.*, 1991, pp. 62-3.

⁸⁸ Enrique Baloyra-Herp, "The Persistent Conflict In El Salvador", *Current History*, Vol. 90, No. 554, March 1991, p. 122.

⁸⁹ United Nations, *El Salvador Agreements*, *op. cit.*, 1994, pp. 1-6.

⁹⁰ Report of the Secretary-General, "The Situation in Central America: Threats to International Peace and Security", A/46/713; S/23256, 2 December 1991, pp. 1-2.

⁹¹ Sullivan, "How Peace Came to El Salvador", *op. cit.*, 1994, p. 84.

political agreements would be negotiated before the ceasefire, talks on the implementation of these agreements would follow the ceasefire.⁹² The Geneva Agreement also tied both parties to the mediation process, containing the undertaking of both not to abandon negotiations unilaterally.⁹³ In this way, the United Nations mediators, using an appropriate mediation formula, were able to secure the FMLN's commitment to the mediation mechanism to a level consistent with their own commitment and convictions.

4.2.3: Instrumentality

The United Nations mediators also saw the FMLN as necessary participants in the peace process. As one of the sides in the conflict, they realised that there could be no resolution without the agreement of the FMLN, and that the FMLN had an endless ability to disrupt a process from which it was excluded. The Security Council and General Assembly repeatedly called on the FMLN to cooperate with the mediation process,⁹⁴ and the mediators held preliminary secret talks with the movement prior to the start of the mediation initiative. Thus no ethical standards or Member-State expectations interfered in the United Nations mediators' relationship with the FMLN, and the movement's treatment as a legitimate and equal participant in the peace process contributed to its commitment and cooperativeness with the mediation.

The negotiations were built on the solid foundations of recognition: the belligerents recognised each other's importance and legitimacy in the peace process and the vital role played by the United Nations mediators. The government had, by the time of United Nations involvement, realised that it would be unable to govern El Salvador without first coming to terms with the FMLN, which it was unable to defeat, and which could play a disruptive role indefinitely. The FMLN recognised that in order to advance its objectives peacefully, it would first have to find an agreement with the government, which it had failed to overthrow. Both

⁹² Sullivan, "How Peace Came to El Salvador", *op. cit.*, 1994, p. 89.

⁹³ United Nations Department of Public Information, Press Release SG/SM/4426 of 4 April 1990.

⁹⁴ See for example Security Council Resolution 637(1989) and General Assembly Resolution 38/10.

belligerents separately urged a United Nations role in the mediation process.⁹⁵ The FMLN in particular stipulated United Nations involvement, wanting to negotiate, but being historically suspicious of other potential mediators: the United States-dominated OAS, and nervous of regional statesmen who had strong links with the Salvadoran government. By the time of his intervention, United Nations Secretary-General Perez de Cuellar had actively advocated a positive United Nations role in the peace process for over five years.⁹⁶ The United Nations Secretariat was repeatedly indispensable to the progress of the talks, formulating compromise solutions and proposals on such intractable issues as the armed forces, human rights, and land distribution.⁹⁷ The United Nations monitors from the ONUCA and ONUSAL forces were also vital to the progress towards agreement by reassuring both parties of the implementation and protection of their agreements.⁹⁸

The prestige, diplomatic expertise, and personality of Secretary-General Perez de Cuellar impacted heavily on the instrumentality of the United Nations to a mediated solution to the conflict. As his tenure as Secretary-General drew to a close, Perez de Cuellar became passionately committed to ending the Salvadoran civil war as a prestigious way to conclude his distinguished career. He became the prime mover and initiator of all United Nations action during the mediation, working tirelessly to secure resources, attention, and Member-State support for the negotiations. The mediation process showed marked acceleration and yielded greater results when the parties met face-to-face under the direct mediation of Perez de Cuellar or de Soto.⁹⁹ Perez de Cuellar's presence, as a Latin American, and commitment were vital to the dedication of the parties to the mediation and settlement of the conflict. Nearing the end of a second term as Secretary-General, Perez de Cuellar was able to draw on vast experience as a

⁹⁵ United Nations Department of Public Information, "The Peace Process in El Salvador and the United Nations: Fact Sheet 1", DPI/1149A-40697, 1 July 1991, p. 1.

⁹⁶ Stephen Baranyi and Liisa North, *Stretching the Limits of the Possible: United Nations Peacekeeping in Central America: Aurora Papers 15*, (Ontario: Canadian Centre for Global Security, 1992), pp. 8-9.

⁹⁷ See Secretary-General's Reports S/23222; S/23256; and S/22031.

⁹⁸ H.P. Klepak, "Peacekeeping in Central America", in David A. Charters (ed), *Peacekeeping and the Challenge of Civil Conflict Resolution*, (New Brunswick: University of New Brunswick, 1994), p. 90.

⁹⁹ Sullivan, "How Peace Came to El Salvador", *op. cit.*, 1994, p. 96.

mediator and diplomat, having completed extensive tours of duty in Europe and Latin America since joining the Peruvian foreign ministry in 1940. His experience in United Nations affairs was unparalleled, originating in his participation in the very first General Assembly in 1946, and on the Secretariat staff since 1975. His mediating style was also particularly well-suited to the needs of the Salvadoran belligerents. Predominantly quiet and retiring, Perez de Cuellar's reputation for confidentiality and integrity had become well known.¹⁰⁰ His inventiveness, intelligence, and energy in pursuing diplomatic solutions to conflicts and Organisational problems had remained undiminished for over a decade as Under-Secretary-General for Special Political Affairs and Secretary-General.¹⁰¹ Vowing to reach a negotiated solution before surrendering office at the end of 1991, Perez de Cuellar bent all of his skills towards mediating agreement. This culminated in a dramatic climax after midnight, 31 December 1991, at United Nations headquarters, when the clock was stopped on Perez de Cuellar's official retirement while the FMLN, the Salvadoran government, and the Secretary-General thrashed out the remaining obstacles to a solution. Perez de Cuellar's personal contribution to the peace agreement was acknowledged by his successor, Boutros-Ghali, at the official peace ceremony at Chapultepec, Mexico, in January 1992.

4.2.4: Impartiality

An important component of the United Nations' indispensability to the peace process was its perceived impartiality. Because of Latin America's history of interventions, other potential mediators, from the superpowers, regional States, and the OAS, were seen by one or both sides as irreversibly biased.¹⁰² The FMLN in particular was insistent on heavy United Nations involvement in mediation and verification, rather than accepting the original government proposal of making use of the Secretary-General's good offices.¹⁰³ The Security

¹⁰⁰ For an excellent appraisal of Perez de Cuellar's personality and diplomatic style, see G. R. Berridge, *Return to the UN: UN Diplomacy in Regional Conflicts*, (Basingstoke: Macmillan, 1991), pp. 12-15.

¹⁰¹ Examples of Perez de Cuellar's energy and initiative abound, from his fostering of the Security Council Permanent Five as a Contact Group, to the uncompromising insistence on even higher standards for the Organisation even after the spectacularly successful year of 1991, see Javier Perez de Cuellar, *Report of the Secretary-General on the Work of the Organization, 1991*, (New York: United Nations, 1991).

¹⁰² Klepak, "Peacekeeping in Central America", in Carters, *op. cit.*, 1994, p. 84.

¹⁰³ Baranyi and North, *op. cit.*, 1992, p. 24.

Council, when considering the issue of El Salvador, maintained an unbiased approach to the situation: Resolution 693 (1991) urged both sides to pursue negotiations urgently and flexibly; and Resolution 714 (1991) commended both parties for their flexibility and seriousness in the negotiations.¹⁰⁴ Both parties trusted the United Nations to draw up proposals for dealing with the most contentious issues: the armed forces, police and socio-economic modifications. The heavy involvement of the United Nations was used by both sides to monitor each other's fidelity to the mediation process, and as a safeguard against bad faith. The FMLN especially saw the United Nations mediation and verification as a safeguard and guarantee of its security and interests during and after its concessions. Heavy use of United Nations verification mechanisms for monitoring compliance with the agreements as they were reached was also recognised by Perez de Cuellar as a vital component of progress in the negotiations.¹⁰⁵ In May 1991, the United Nations established the United Nations Observer Mission in El Salvador to verify the agreements already reached between the parties, and monitor the human rights and security situation in support of further negotiations.¹⁰⁶ The mediators also used ONUSAL verification as one of the methods of tying the disputants to the mediation process; this mechanism was duly built into the Caracas framework for mediation.¹⁰⁷ The impartiality of the United Nations mediators, and the fidelity of the disputants to the mediation process reinforced the positive impetus of the negotiations.

The FMLN's behaviour in the negotiation process also contributed to the viability of its interaction with the United Nations mediators. Initially, the FMLN's reluctance to abandon its military capability until after a peace agreement was signed, and its use of insurgent violence to bolster its position during the negotiations, aroused the suspicion and anger of the government, and impeded the progress of the negotiations. The FMLN's decision to negotiate did not mean it was ready to surrender its military capacity immediately. True to its revolutionary ideology, the FMLN believed that success depended on a favourable correlation of forces, and was prepared

¹⁰⁴ Security Council Resolutions 693 (1991) of 20 May 1991; and 714 (1991) of 30 September 1991.

¹⁰⁵ United Nations Department of Public Information, ""The Peace Process in El Salvador", *op. cit.*, 1991, p. 3.

¹⁰⁶ See Security Council Resolution 693 (1991) of 20 May 1991; and Report of the Secretary-General, "Central America: Efforts Towards Peace", S/22494, 16 April 1991, pp. 2-5.

¹⁰⁷ *ibid.*, pp. 1-2.

to complement its negotiations with military actions designed to enhance its political leverage.¹⁰⁸ Throughout the negotiations the FMLN established a tradition of staging incisive military attacks against government targets on the eve of negotiating rounds in order to demonstrate its continuing potency. Its particularly successful 1989 general offensive gave the FMLN the confidence to fully participate in negotiations, having demonstrated its disruptive power, and able to trade its demonstrated military potential for significant concessions.¹⁰⁹ The mediator's use of a negotiating framework and timetables, however began to tie the FMLN ever deeper into serious negotiations. On 14 November 1991, the FMLN announced an indefinite ceasefire, and entered the final round of negotiations to end the civil war. Its growing commitment to negotiating a satisfactory peace agreement entailed a parallel growth in its cooperativeness and veracity in its negotiating behaviour. As the FMLN's impartiality increased, so did the efficiency of the mediation interaction.

4.2.5: Timing

The fatigue and stalled military momentum of the FMLN and the government by the late 1980s strongly determined their favourable response to the United Nations mediation efforts in the early 1990s. The civil war in El Salvador had settled into the recognisable pattern of a stalemated insurgency: the FMLN insurgents had proved unable to defeat or topple the government, while the government was unable to flush out and defeat the guerrilla forces. While the FMLN could stage impressive offensives such as that in 1989 which struck at the heart of San Salvador, the FMLN had no hope of militarily defeating the government's vast, American trained and supplied army. It had also become well aware that the Castroite model of popular revolution had failed to materialise, and that the guerrillas had been unable to spark a popular uprising.¹¹⁰ Prospects of such an uprising receded further and further as the government strove to address the socio-economic inequalities that had started the uprising.¹¹¹ The government's

¹⁰⁸ Grenier, "Understanding the FMLN", *op. cit.*, 1991, p. 63.

¹⁰⁹ Pamela Constable, "At War's End in El Salvador", *Current History*, Vol. 92, No. 572, March 1993, p. 107.

¹¹⁰ Grenier, "Understanding the FMLN", *op. cit.*, 1991, p. 54.

¹¹¹ Sullivan, "How Peace Came to El Salvador", *op. cit.*, 1994, p. 83.

steady self-legitimation through popular elections and peaceful transfers of power, and its crackdown on death squad activity further deprived the FMLN of support.¹¹² By 1989, then, the FMLN had realised that not only was it not winning the war, but that with each wartime month that passed, it was losing the popular support it would need to complete its democratic transformation of El Salvador. It saw that Salvadorans, dying, emigrating and getting poorer from the war, desperately wanted peace, and that popular support would accrue to any party advocating, pursuing and delivering peace.¹¹³ Beginning in 1987, the FMLN leadership made the decision to "humanise" the civil war and seek talks with the government and thereby seize power democratically.¹¹⁴ An examination of the FMLN's political-military circumstances shows the extent to which the FMLN needed to commit itself to peace talks, once it saw its interests and survival would be protected.

4.2.6: Support and Isolation

The civil war in El Salvador had become, by the early 1980s, a proxy war between the Superpowers, each supporting one of the belligerents. Each sides' dependence on this external assistance furnished the mediators with potent sources of leverage, depending on the cooperativeness of the Superpowers. The United Nations mediators found this cooperation forthcoming, and both Superpowers used their leverage to support the mediators and encourage flexibility in the belligerents. The United States, with the heaviest involvement in the conflict having supported the government with \$4 billion in aid over the 11 year conflict, exercised the greatest influence on both parties' willingness to compromise by creatively manipulating its aid levels in response to the parties' military and negotiating behaviour. The Bush administration apportioned \$85 million in aid to the Salvadoran government for fiscal year 1991, but withheld half of the funds, which were to be released only under certain conditions. The United States made clear that this potential aid was to be used as an incentive for the FMLN and the

¹¹² Jose Z. Garcia, "Democratic Consolidation in El Salvador", *Current History*, Vol. 87, No. 533, December 1988, p. 423.

¹¹³ Grenier, "Understanding the FMLN", *op. cit.*, 1991, p. 57.

¹¹⁴ FMLN/FDR, "Proposal of the FMLN/FDR", *Latin American Perspectives*, Issue 55, Vol. 14, No. 4, Fall 1987, pp. 481-486.

government to negotiate.¹¹⁵ The aid was released following FMLN uncooperativeness in the negotiations and increased military activity in early 1991. The FMLN soon realised that United States support of the government could be interdicted by its own cooperativeness in the peace process, thereby increasing its own relative strength and influence in the negotiations.¹¹⁶ The United States, as a close supporter of the government, was also able to furnish the FMLN with guarantees of ensuring government compliance with any agreements.¹¹⁷

The United Nations mediators also made use of the support of other actors that were prepared to use their influence with the parties towards an agreement. In August 1991, Perez de Cuellar requested that the United States and the Soviet Union write a joint letter urging concessions from the parties, a move which was to prove successful in breaking a deadlock.¹¹⁸ Another ad hoc group of interested States, calling itself the Four Friends of the Secretary-General, composed of Mexico, Venezuela, Colombia and Spain, formed to complement the mediators' efforts and urge both sides to come to agreement as quickly as possible.¹¹⁹ Vital external communication between the FMLN, the United Nations and the United States was handled through the parties' connections with the Four Friends.¹²⁰ The mediators also used the support of the general membership of the United Nations as a form of leverage on the parties to come to agreement by using United Nations headquarters in New York as the site for a crucial round of negotiations in September 1991. The combination of the interest and support of the entire international community, and the personal mediation of Perez de Cuellar worked to produce a timely agreement and created an impetus for the successful conclusion of the

¹¹⁵ *Facts on File*, 16 February 1990, p. 111.

¹¹⁶ Sullivan, "How Peace Came to El Salvador", *op. cit.*, 1994, p. 85.

¹¹⁷ *ibid.*, p. 95.

¹¹⁸ See S/22693, and Report of the Secretary-General, "The Situation in Central America: Threats to International Peace and Security", A/46/713 and S/23256, 2 December 1991, p. 3.

¹¹⁹ Sullivan, "How Peace Came to El Salvador", *op. cit.*, 1994, p. 86.

¹²⁰ *ibid.*, p. 87.

mediation effort.¹²¹ International support thus became crucial to the success of the United Nations mediators.

A vital factor in the FMLN's cooperativeness in negotiations and final adherence to the peace agreement was its growing isolation from international sponsors upon which it had formerly depended so heavily. For most of the war it had made use of the assistance of the Soviet Union, Cuba and Nicaragua, all of whom saw supporting the FMLN as advancing their objectives of spreading revolution through Latin America and tying the United States to a costly obligation to support the embattled Salvadoran regime. The end of the Cold War and Soviet new thinking in foreign policy began a process of receding Soviet interest and assistance to former clients in the developing world. Support declined for Cuba, Nicaragua, and ultimately dried up for the FMLN from all three sources. The Bush administration applied heavy pressure to the Soviet Union to stop all aid to the FMLN.¹²² Former supporters of the FMLN, notably the Soviet Union and Mexico,¹²³ became supporters of the mediation and used their leverage to pressure the FMLN to compromise. Regional States, particularly Costa Rica, Guatemala, Honduras, and Nicaragua, combined to condemn FMLN uncooperativeness, thereby intensifying its isolation, at crucial impasses in the negotiations.¹²⁴ The Four Friends of the Secretary-General at the July 1991 Iberoamerican Summit in Guadalajara sent a strong warning to Cuba to support the negotiations and stop aiding the FMLN.¹²⁵ Finally, the electoral defeat of the Sandanistas in Nicaragua in February 1990 completed the process of isolation of the FMLN that contributed to their dedication to the mediation process and adherence to the final peace agreement.

¹²¹ Report of the Secretary-General, "The Situation in Central America: Threats to International Peace and Security", A/46/713 and S/23256, 2 December 1991, p. 3.

¹²² At the U.S.-Soviet Malta Summit on 2-3 December 1989, and later in an hour-long telephone conversation on 7 December 1989, James Baker and Eduard Schevardnadze explored ways to completely isolate the FMLN from its suppliers, following Baker's demand that there would "be a political price to pay" if greater Soviet cooperation was not forthcoming. See *Facts on File* 15 December 1989, p. 926.

¹²³ FMLN headquarters was located in Mexico City.

¹²⁴ See for example their presidents' "Declaration on the Situation in El Salvador", A/45/906 and S/22032, pp. 17-19.

¹²⁵ Sullivan, "How Peace Came to El Salvador", *op. cit.*, 1994, pp. 93-4.

4.2.7: Cohesion

The mediators' position was strongly enhanced by the support of a large and cohesive United Nations supporting coalition which was eager to see a peace agreement reached in El Salvador. The civil war in El Salvador, as a central conflict of the Cold War, had by the late 1980s become a regional impediment to the growing detente of the Superpowers. Its removal became a primary concern of the increasingly cooperative international community. While the Reagan administration expressed some opposition to international intervention within its hemisphere, the Bush administration accepted the United Nations as the most acceptable mediator and possibly the only actor capable of finding agreement between the parties and thereby removing a thorn from relations with the Soviet Union. Security Council support for the mediators was unanimous, cohesive, and constant.¹²⁶ The parties' awareness of strong international support for the mediation process played an important role in their cooperation with and confidence in the negotiations.

The FMLN, as a loose umbrella organisation of five groups, needed to maintain its cohesion in order to be able to cooperate fully in the mediation. This was largely maintained through the groups' high level of ideological homogeneity,¹²⁷ and the FMLN's adoption of democratic centralism as a method of making and enforcing decisions.¹²⁸ Factional discontent was further forestalled during negotiations by including the leaders of the most influential groups in the negotiating team: Villalobos of the ERP, Schafik Handal of the PCES, Cienfuegos of FARN, and Martinez of the PRTC.¹²⁹ Nevertheless, internal criticism still occurred over what some factions saw as premature concessions on human rights and the armed forces questions, and repeatedly forced the FMLN negotiators to temporarily adopt intransigent positions.¹³⁰

¹²⁶ See for example Report of the Secretary-General, "Central America: Efforts Towards Peace", S/22031, 21 December 1990, p. 6, and Security Council Resolution 714 (1991).

¹²⁷ Grenier, "Understanding the FMLN", *op. cit.*, 1991, p. 53.

¹²⁸ Michael Radu, "The Structure of the Salvadoran Left", *Orbis*, Vol. 28, No. 4, Winter 1985, p. 677.

¹²⁹ *ibid.*, p. 681.

¹³⁰ Sullivan, "How Peace Came to El Salvador", *op. cit.*, 1994, p. 90.

Generally, FMLN negotiators and leaders managed to carry the bulk of their membership and support with them towards the peace agreement, a vital factor in the final agreement and the successful conclusion of the peace process.

The Salvadoran peace agreement emerged as the most successful mediated by the United Nations after the Cold War in terms of success, longevity, and implementability. Having applied the mediation framework to the process, it can be seen that important factors were in agreement, and whatever minor disagreements existed were able to be reconciled using a creative and active mediation strategy. The United Nations realised the necessity to mediate an end to the war, and was helped by a cohesive regional peace momentum, as well as superpower disengagement from El Salvador after the Cold War. The FMLN's recognition of its inability to spark a general insurrection, and its loss of support from its former State sponsors informed a rational decision by the organisation to become receptive to mediation and to countenance a growing commitment to a negotiated peace. Its determination to preserve its military potential reflected its realist determination to use its most potent instrument, guerrilla attacks, to assist its position during the negotiations, as well as its Marxist-Leninist belief in the need to base action on a favourable correlation of forces. Once the FMLN had taken the decision to abandon the war, its security became a paramount concern. Security, and its continuing military capability, became the major impediments to a mediated solution. Once peace, as an overriding objective had been agreed upon between the United Nations and the FMLN, both insurgents and mediators shared concurrent interests in finding a creative solution to these impediments. At this point, the prestige of the United Nations, and the skill and dedication of Perez de Cuellar and his Special Representative was instrumental in finding a creative mediation formula which overcame these problems. The mediators were also able to take advantage of existing peacekeeping forces in El Salvador to foster confidence in the process and build on already-monitored agreements. Thus, the impetus coming from the end of the Cold War, combined with existing peacekeeping mechanisms and a genuine commitment to a negotiated peace, made United Nations mediation appropriate to the Salvadoran civil war. These factors delivered a concurrence of approaches to the mediation interaction between the United Nations and the FMLN. At that time, the United Nations possessed the necessary skill, support and resources to take advantage of these factors, and negotiate a tenable and durable peace agreement for that ravaged country.

4.3: The Khmer Rouge and the Unravelling Paris Agreement

By the late 1980s, the Khmer Rouge had acquired a reputation as one of the most murderous and implacable contemporary insurgent organisations. Much of this infamy stems from revelations of its seizure of power and attempt to immediately create an equalitarian, agrarian society between 1975 and 1979. This experiment resulted in the death of over 1 million Cambodians from torture, murder, and starvation, while another 500,000 refugees fled the country. Deposed by a Vietnamese invasion in January 1979, the Khmer Rouge began a guerrilla war against the Vietnamese-installed regime from secure bases in the Cardamom mountains and over the Thai border, supplied by Chinese and Thai weapons and assistance. It soon found that, despite its genocidal reputation, its resistance to the Vietnamese invasion carried tangible diplomatic benefits and brought international support.¹³¹ Even though there have been recent admissions of past "mistakes" during its rule over Democratic Kampuchea,¹³² much of the Khmer Rouge's ideology betrays a continuity with the policies of that period: the anti-urbanism, anti-intellectualism, and anti-clericism, the closure of Cambodian society to external links, and the Cambodian chauvinism and xenophobia, particularly against the Vietnamese.¹³³ It remains committed to a violent, insurrectionary seizure of power, followed by an authoritarian restructuring of Cambodian society along radical agrarian, Maoist lines.¹³⁴

¹³¹ Such as the creation of the CGDK, the opportunity to occupy the Cambodian seat at the United Nations in rotation with the other resistance groups, and support by ASEAN, China, and Thailand. These aspects are dealt with in greater detail in the ensuing analysis.

¹³² See David P. Chandler, *Brother Number One: A Political Biography of Pol Pot*, (Sydney: Allen and Unwin, 1993), p. 174. These admissions are however usually rationalised as being attributable to corrupt members of the Khmer Rouge, or instigated by Vietnamese agents.

¹³³ See Christophe Peschoux, *Enquete sur les "nouveaux" khmers rouges: essai de debrouissailage*, (Paris, 1992).

¹³⁴ The determination of the Khmer Rouge leadership to preserve its military potential to seize power in Cambodia is attested by reports of Khmer Rouge defectors. See Nick Cumming Bruce, "Khmer Rouge Hit By Defections", *The Guardian*, 17 September 1993; and William Branigin, "'Number One' Still Pulls the Strings", *The Guardian*, 11 May 1993; and David Brunnstrom, "UN Warns of Khmer Rouge Threat", *The Independent*, 20 May 1993.

The Khmer Rouge leadership is intolerant of opposition, and ideological indoctrination, strict discipline, and brutal purges persist within the insurgent movement.¹³⁵ Its leadership, largely unchanged since 1978, gains cohesion from interlinking familial relationships, while retaining its supreme dictatorial power over the organisation, but remaining withdrawn and inaccessible to cadres or the outside world.¹³⁶ Tactically, the Khmer Rouge's estimated 15,000 guerrillas rely on Maoist tactics of rural warfare to establish liberated zones and isolate and attack the cities. The Khmer Rouge carved a liberated zone in north-west Cambodia, where it controlled the population with a brutal discipline and kept its army supplied with recruits, porters, and "supporters", and from which it financed its campaign by trading in the diamonds and hardwood common to the region. This fledgling sovereignty, along with its diplomatic support and access to international fora, bestowed on the Khmer Rouge the vestiges of a para-Statehood. The insurgent army is decentralised, but relies on ideological indoctrination, terror, and strict hierarchical discipline for control. Regional commanders enjoy a large amount of tactical initiative, while strategic direction is disseminated through attached and travelling political cadre.¹³⁷ While its military prowess perpetuated the war in Cambodia and gave rise to pressures to resolve the conflict, its uncompromising ideological rigour and commitment to the revolutionary seizure of power made the Khmer Rouge the most troublesome participant in the Cambodian peace negotiations and their subsequent implementation.

Although the United Nations was able to mediate a peace agreement between the warring Cambodian factions, the agreement was not honoured by the Khmer Rouge. The ephemerality of the Paris Agreement, and its lack of binding power on the Khmer Rouge, points to, among other problems,¹³⁸ a deficient mediation interaction leading to the agreement. By

¹³⁵ Michael Vickery, *Kampuchea: Politics, Economics and Society*, (London: Frances Pinter, 1986), pp. 34-5.

¹³⁶ David P. Chandler, *The Tragedy of Cambodian History: Politics, War and Revolution Since 1945*, (New Haven: Yale University Press, 1991), p. 238.

¹³⁷ Interview with Lieutenant-General John Sanderson, former UNTAC Force Commander, Canberra, 15 December 1993.

¹³⁸ There are numerous interpretations of the locus of the failure to commit the Khmer Rouge to the Cambodian peace process. While at times the implementation and compliance mechanisms are singled out, most assessments of the Cambodian peace process highlight the weaknesses in the original Paris Agreements and how they were arrived at as partially to blame.

applying the mediation framework to the Cambodian negotiations, this section will investigate the sources of these deficiencies in their interaction. The United Nations had been interested in promoting a solution to the Cambodian civil war since 1979, when the General Assembly reacted to the Vietnamese invasion by calling on the Secretary-General to follow the situation closely and exercise his good offices in a search for peace.¹³⁹ Upon taking office in 1982, Perez de Cuellar signalled close interest in the conflict by making his first visit as Secretary-General to Thailand and Vietnam over the question of Cambodia.¹⁴⁰ Based on this visit he reported to the General Assembly in 1982 that only a comprehensive political solution, achieved through genuine negotiations, would ultimately bring peace.¹⁴¹ He appointed his Special Representative for Humanitarian Affairs in South-East Asia, Rafeudin Ahmed, as his Special Representative to the Cambodian parties.

Based on his and Ahmed's discussions with the warring parties in Cambodia, Perez de Cuellar presented a report to the General Assembly in 1985 listing the main elements of a comprehensive settlement for Cambodia.¹⁴² These proposals formed the basis for the first peace conference attended by all the parties, hosted by Indonesia at the first and second Jakarta Informal Meetings (JIM) in July 1988 and February 1989. Subsequently the Permanent Five of the Security Council became actively involved in the peace process, convening a Peace Conference in Paris in July 1989. Although no agreement was reached, the conference launched an active search for a compromise solution. The formula for such a solution was furnished by Australian Foreign Minister Gareth Evans, who proposed a transitional United Nations administration in Cambodia in the lead up to national elections.¹⁴³ A second Peace Conference was held in Paris in October 1991, at which a peace agreement was signed, whereby the Khmer

¹³⁹ United Nations Department of Public Information, "Towards Peace in Cambodia", DP1091, September 1990, p. 1.

¹⁴⁰ Michael Haas, *Genocide by Proxy: Cambodian Pawn on a Superpower Chessboard*, (New York: Praeger, 1991), p. 187.

¹⁴¹ United Nations Department of Public Information, "Towards Peace in Cambodia", DPI/1091, September 1990, p. 1.

¹⁴² *ibid.*, p. 2.

¹⁴³ See Department of Foreign Affairs and Trade, *Cambodia: An Australian Peace Proposal*, (Canberra: Australian Government Publishing Service, 1990).

Rouge and the other parties agreed to cease fighting, surrender arms and demobilise while taking part in the Supreme National Council (SNC), a consultative body to the transitional United Nations administration (UNTAC), and participate in free multiparty elections. The agreement was to be short lived, however, as by July 1992 the Khmer Rouge had refused to comply with the agreement or cooperate with UNTAC. Although the elections were successfully held, the Khmer Rouge fights on against the elected government, unbound by any peace agreement.

4.3.1: Objectives

United Nations involvement in the Cambodian peace process was stimulated by the growth of a large and cohesive sponsoring coalition within the Organisation, largely agreeing on the shape of a solution to the Cambodian civil war that needed to be negotiated by United Nations mediators. Like El Salvador, the Cambodian civil war had long been a bone of contention and a proxy conflict between the Great Powers. A geopolitical struggle in Indochina between Vietnam, China, and the ASEAN countries, had overlapped with an ideological rivalry primarily between China and the Soviet Union, and to a lesser extent between the Soviet Union and Vietnam and the West. As the Cold War ended and East Asian economic growth soared, the Great Power rivalries in which Cambodia had been entangled began to thaw. The Soviet Union, keen to build more cooperative relations with China, the West and Asia, advocated resolving the Cambodian civil war as a method of removing it as an impediment to closer relations. Responding to the pressure of its Soviet client, as well as its own intervention fatigue and desire for economic investment from the region, Vietnam wanted to withdraw and resolve the civil war in its neighbour which had cost it so much, domestically and internationally. China had gained all of the diplomatic benefits from its involvement, but as its connection with the Khmer Rouge began to isolate it, it too began to see the benefits of resolving the war. The other members of the growing coalition also saw a need to include China in resolution initiatives, given China's independence of foreign policy, keen interest in the region, and leverage over the Khmer Rouge. The ASEAN States, and associated regional powers such as Australia, Japan, and India, desired the end of the conflict and instability in the region, agreeing with Thailand's Chatichai, who advocated turning Indochina "from a battlefield into a marketplace" upon coming to power in August 1988. France, the former colonial power, and Britain added their interest in seeing the

conflict resolved, as a way to extract themselves from their nominal sponsorship of the non-Communist resistance.¹⁴⁴ All of these interests agreed to a large extent, and coalesced around the Security Council's Permanent Five contact group, first activated to address the Iran-Iraq war, but increasingly concerned to resolve the Cambodian civil war. Among this broad and cohesive sponsoring coalition, France and Indonesia, as representatives of the Permanent Five and ASEAN, and as Co-Chairmen of the Paris Conference, emerged as the activators of United Nations initiatives for the resolution of the Cambodian conflict, quietly and ably supported by Perez de Cuellar and the Secretariat in the background.

The solution that this sponsoring coalition advocated was tailored in acting through the United Nations to be consistent with the principles and norms of the Organisation. These interests, first enunciated in Paris in January 1990, were that the fighting must stop, foreign forces must withdraw, no agreement by force of arms was acceptable, elections should be held to allow Cambodians the right to self-determination, the only lasting solution was through a comprehensive political settlement, and that the United Nations needed to play a strong role in the mediation and oversight of the agreement.¹⁴⁵ The objective that the United Nations sought through the peace process was the creation of a single, legitimate, and universally recognised Cambodian government by enabling "The Cambodian people to determine their own political future through free and fair elections organised and conducted by the United Nations in a neutral political environment with full respect for the national sovereignty of Cambodia."¹⁴⁶ It was further concerned to preserve Cambodian unity and territorial integrity, and to promote its

¹⁴⁴ Generally among the Western allies there was a desire to disassociate themselves from the brutal Cambodian civil war: Britain and other NATO powers had provided lethal military equipment to the resistance, while in the United States in late 1989, Congress pressured President Bush to stop aiding the Resistance and seek a political solution to the conflict.

¹⁴⁵ "Summary of the Conclusions of the Meeting of the Five Permanent Members of the Security Council on the Cambodian Problem, Paris, 15-16 January 1990", in Amitar Aharya, Pierre Lizée, and Sorpong Peou (eds), *Cambodia - The 1989 Paris Peace Conference: Background Analysis and Documents*, (New York: Kraus International Publications, 1991), pp. 487-8.

¹⁴⁶ Letter dated 30 August 1990 from the Permanent Representatives of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations Addressed to the Secretary-General, "The Situation In Kampuchea: Question of Peace, Stability and Co-operation in South-East Asia", A/45/472 and S/21689, 31 August 1990, p. 3.

sovereignty, independence and neutrality.¹⁴⁷ These objectives also included their wish to see "Cambodia...adopt a system of liberal, multiparty democracy and...promote and encourage respect for and observance of human rights and fundamental freedoms," as well as their stipulation of a "phased return to civilian life of all categories of forces of the Cambodian parties."¹⁴⁸ At a series of six meetings in Paris and New York in 1990, the Permanent Five drew these objectives and principles into a framework for a settlement covering five areas: transitional administration arrangements; transitional military arrangements; United Nations-verified elections, human rights protection; and international guarantees.¹⁴⁹ The closeness of the agreement of the coalition members imparted a certain rigidity on these principles, which none of the sponsors was prepared to alter. The United Nations mediators approached the mediation with this rigid framework, which they presented to the parties and relied on international pressure and negotiation to deliver the parties' agreement.¹⁵⁰ In this way, the concerted desire of the Permanent Five to secure a particular resolution to the Cambodian conflict was to determine the approach of the United Nations, and the reactions of the parties, to the mediation process.

The Khmer Rouge, the major Cambodian insurgent movement,¹⁵¹ obsessed with regaining sole power in Cambodia, and consumed with distrust of the other parties to the conflict, approached the talks seeking victory rather than resolution. It saw itself as the legitimate government of Cambodia, fighting to liberate the country from invading Vietnamese

¹⁴⁷ Letter dated 8 January 1991 From the Permanent Representatives of France and Indonesia to the United Nations Addressed to the Secretary-General, "The Situation in Cambodia", A/46/61 and S/22059, 11 January 1991, pp. 4-5.

¹⁴⁸ Letter dated 3 September 1991 from the Permanent Representatives of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations Addressed to the Secretary-General, "The Situation In Cambodia", A/46/418 and S/23011, 4 September 1991, p. 2.

¹⁴⁹ Letter dated 31 August 1990 from the Permanent Representatives of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations Addressed to the Secretary-General, "The Situation In Kampuchea: Question of Peace, Stability and Co-operation in South-East Asia", A/45/472 and S/21689, 31 August 1990, pp. 2-3.

¹⁵⁰ Pierre Lizee, "Peacekeeping, Peace-Building and the Challenge of Conflict Resolution in Cambodia", in *Charters, op. cit.*, 1994, p. 138.

¹⁵¹ The other Cambodian insurgent movements were Front uni national pour un Cambodge independant, neutre, pacifique et cooperatif (FUNCINPEC), and the Khmer People's National Liberation Front (KPNLF). The incumbent government referred to itself as the State of Cambodia (SoC).

forces in what it saw as an international, not civil, war.¹⁵² Consequently the Khmer Rouge's main objective was to obtain a withdrawal of Vietnamese forces and the creation of conditions permitting it to seize back power from the Vietnamese-backed government.¹⁵³ Agreement existed with the United Nations on the withdrawal of foreign forces, whereas agreement with the other objectives of the United Nations framework would depend on their conduciveness to the Khmer Rouge seizing sole power over Cambodia.

The Khmer Rouge's eventual agreement to the peace plan drawn up by the United Nations was based more on partial agreement and international pressure than on an enduring agreement of objectives with the Permanent Five. While the United Nations expected the resulting agreement to be binding and immutable, the Khmer Rouge, along with the other parties "...expected to develop and negotiate further the parameters of the settlement and the modalities of its implementation."¹⁵⁴ In order to turn the agreement into an opportunity to seize power, the Khmer Rouge needed to maintain its military potential and its control over its areas, cadres, and refugee camps, all of which would have been made impossible by the strict implementation of the United Nations framework.¹⁵⁵ The Khmer Rouge's goal in the negotiations was to create under the peace agreement conditions that would enable it to seize and maintain power in the aftermath of the war. Its domination of the other two insurgent movements, and its tactics of infiltration and military seizure of power thus dictated the solution to the conflict that it advocated throughout the talks. The Khmer Rouge maintained that the interim administration leading up to the elections should be based on a quadripartite division of power between the government and the three insurgent movements in all branches and levels of the government.¹⁵⁶

¹⁵² Lizee, "Peacekeeping, Peace-Making and the Challenge", in *Charters, op. cit.*, 1994, p. 137.

¹⁵³ "Declaration by Mr Khieu Samphan President of the Democratic Kampuchea Party and Vice-President of Cambodia in Charge of Foreign Affairs Condemning the Vietnamese Aggressions and Their Lackeys for Making an Attempt on the Life of His Royal Highness Samdech Norodom Sihanouk, President of Cambodia", A/45/220 and S/21253, 14 April 1990, pp. 2-3.

¹⁵⁴ Jarat Chopra, John MacKinlay and Larry Minear, *Report on the Cambodian Peace Process*, (Oslo: Norwegian Institute of International Affairs, 1993), p. 16.

¹⁵⁵ *ibid.*, p. 9.

¹⁵⁶ "Declaration by Mr Khieu Samphan President of the Democratic Kampuchea Party and Vice-President of Cambodia in Charge of Foreign Affairs Condemning the Vietnamese Aggressions and Their Lackeys for Making an Attempt on the Life of His Royal Highness Samdech Norodom Sihanouk, President of Cambodia", A/45/220 and S/21253, 14 April 1990, pp. 2-3.

This arrangement would have granted the Khmer Rouge a controlling interest in three quarters of the State administration, a position not justified by its battlefield position, but from which it could infiltrate and launch a military seizure of power in Cambodia before any elections could take place.¹⁵⁷ Achieving a quadripartite settlement, therefore, would enable the Khmer Rouge "...to subvert the government from within while attacking it from without."¹⁵⁸

The incumbent SoC government, however, adamantly opposed Khmer Rouge participation in an interim government, which, according to President Heng Samrin, would have been "tantamount to bringing war right into the heart of Phnom Penh."¹⁵⁹ Needing a compromise solution and wary of giving the Khmer Rouge too much power and legitimacy, the United Nations during and after the 1989 Paris Conference rejected the quadripartite proposal, advocating instead a transitional UNTAC administration and an SNC of limited power in which the Khmer Rouge had two votes in thirteen.¹⁶⁰ The transitional arrangement was inimical to the Khmer Rouge's seizure of power, as it would force the Khmer Rouge to disarm and contest a popular election, deprived of its legitimacy as a resistance movement, but handicapped by its genocidal reputation.¹⁶¹ These basic disagreements between United Nations and Khmer Rouge objectives were to translate into a short lived agreement that failed to bind the Khmer Rouge. Hence, it can be seen that the United Nations' and Khmer Rouge's objectives diverged: the United Nations wanted to implement a selection mechanism allowing Cambodians to choose their government, whereas the Khmer Rouge was determined to seize power.

¹⁵⁷ William S. Turley, "The Khmer War: Cambodia After Paris", *Survival*, Vol. 32, No. 5, September/October 1990, p. 442.

¹⁵⁸ Stephen J. Solarz, "Cambodia and the International Community", *Foreign Affairs*, Vol. 69, No. 2, Spring 1990, p. 33.

¹⁵⁹ Quoted in Nayan Chanda, "Civil War in Cambodia?" *Foreign Policy*, No. 76, Fall 1989, p. 33.

¹⁶⁰ Trisha Thomas, "Into the Unknown: Can the United Nations Bring Peace to Cambodia?", *Journal of International Affairs*, Vol. 44, No. 1, Spring 1990, p. 500.

¹⁶¹ Justus M. van der Kroef, "Cambodia: Toward the Fourth Indochina War", *Asian Thought and Society*, Vol. 14, Nos. 41-42, May-October 1989, p. 121.

4.3.2: Interaction Mechanisms

The United Nations, determined to stop the Cambodian civil war, needed first to end the fighting and the complex of interventions in the conflict, and obtain a basic agreement before undertaking more ambitious measures. To obtain this preliminary, it advocated the mediation of the Cambodian conflict. In this task, it was faced with the problem of committing the four suspicious warring parties, each with conflicting objectives and strategies, to the mediation process. Faced on one side with international pressure to secure peace in Cambodia, and on the other, intransigent and distrustful parties, the United Nations mediators needed to find a mediation formula to entice and tie the parties to the peace process. After extensive consultations, the Jakarta Informal Meetings, and the first Paris Peace Conference, it became clear to United Nations mediators that no common ground existed between the parties on the path to a peace agreement. The government disagreed with the resistance factions' holding of the Cambodian United Nations seat under the alliance named the Coalition Government of Democratic Kampuchea (CGDK). The government and the insurgent movements were also bitterly divided over the structure of an interim administration: the government wanted to run a caretaker administration, while the resistance wanted a dismantling of the SoC and the installation of the Khmer Rouge's quadripartite arrangement.

Faced with such diametrically opposed positions, the United Nations mediators decided that it was incumbent on them, as a disinterested third party, to find a compromise formula which would in turn be presented to the parties. The task of formulating a proposal away from the parties was taken on by Indonesia and France as the Co-Chairmen of the Paris Conference on Cambodia (PCC), the Permanent Five, the Co-Chairmen of the three PCC Committees, India, Canada, Malaysia, Laos, Australia and Japan, and Special Representative Ahmed at a series of meetings in 1990 and 1991. As a draft agreement on a comprehensive political settlement took shape, it was presented at various times to the Cambodian belligerents "...in order to inform them and to seek their understanding and support of the progress made so far."¹⁶² The draft agreement was finalised in Paris in November 1990, in addition to a framework for

¹⁶² "Press Statement of the Co-Chairmen of the Paris Conference on Cambodia", A/45/719 and S/21940, 10 November 1990, p. 2.

comprehensive settlement adopted earlier in August 1990.¹⁶³ Once the parties had agreed to the framework and formed the Supreme National Council (SNC), the mediators intended to reconvene the Paris Conference to secure the parties' accord to the draft agreement and work out a detailed plan of implementation.¹⁶⁴ At Jakarta in September 1990, the Cambodian disputants agreed to the framework for settlement and set up the SNC, thereby clearing the way for the reconvening of the Paris Peace Conference.¹⁶⁵ The United Nations mediation strategy for the Cambodian conflict was to formulate a solution without the participation of the parties, which then had to be pressed on to the parties for their agreement. This approach was necessitated by the clashing objectives of the parties and between the parties and the United Nations.

The mechanism formulated by the mediators to bypass disagreements between the parties over United Nations representation and the transitional administration, and to tie the parties to the mediation process, was the SNC. Including members of all the parties, the SNC would, during the transitional period between the ceasefire and elections, occupy the United Nations seat, be the repository of Cambodian sovereignty, and consult with the UNTAC transitional authority on the administration of Cambodia.¹⁶⁶ After the agreement of the parties to form the SNC, the mediators used it as a mechanism to tie them to the peace process by presenting all of their peace proposals to the SNC for negotiation.¹⁶⁷ They also used the SNC to attempt to commit the parties to the components of the peace agreement by inviting the SNC as

¹⁶³ Paris Conference on Cambodia, "Communique", A/45/829 and S/21985, 26 November 1990, pp. 2-3.

¹⁶⁴ Letter dated 30 August 1990 from the Permanent Representatives of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations Addressed to the Secretary-General, "The Situation In Kampuchea: Question of Peace, Stability and Co-operation in South-East Asia", A/45/472 and S/21689, 31 August 1990, p. 4.

¹⁶⁵ "Joint Statement of the Informal Meeting on Cambodia, issued at Jakarta on 10 September 1990", A/45/490 and S/21732, 17 September 1990, pp. 2-3.

¹⁶⁶ Letter dated 30 August 1990 from the Permanent Representatives of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations Addressed to the Secretary-General, "The Situation In Kampuchea: Question of Peace, Stability and Co-operation in South-East Asia", A/45/472 and S/21689, 31 August 1990, p. 7.

¹⁶⁷ See for example Letter dated 5 August 1991 from the Permanent Representatives of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations Addressed to the Secretary-General, "The Situation In Cambodia", A/46/340 and S/22889, 5 August 1991, p. 3.

a body to declare a ceasefire and an end to external military assistance,¹⁶⁸ and stipulating that the Agreement would become operational upon its signature at the Paris Conference by the members of the SNC.¹⁶⁹ While allowing the belligerents to negotiate the composition of the SNC, the mediators defined its functions and firmly delineated its subordination to UNTAC, and required that its "advice [be] consistent with the objectives of the comprehensive political settlement."¹⁷⁰

For the Khmer Rouge, dedicated to the radical agrarian, revolutionary Maoist tactics and philosophies developed over decades of guerrilla insurgency, the mediation of a compromise end to its insurgency was an alien concept. When confronted with the Permanent Five's peace plan, and pressured to agree and join the SNC, the Khmer Rouge disagreed fundamentally with the disarmament and election mechanisms of resolution it contained, seeing the danger this process posed to its aspirations and organisational survival. It was also dissatisfied with the SNC composition that was negotiated, which gave the SoC government six seats and each of the insurgent movements two.¹⁷¹ It further disagreed with the majority voting procedure and the lack of power of the SNC in the transitional arrangements. Under considerable international pressure, the Khmer Rouge finally acquiesced in the mediation process, but only as a gambit to temporarily deflect criticism and displeasure. It never intended to cooperate with either the letter or spirit of the Paris Agreements, but instead intended to exploit the structures of the Agreements to violently seize power for itself. Hence, despite finding a creative mediation formula, United Nations mediators could not overcome basic differences in objectives between the parties and with the United Nations, and were ultimately unable to permanently tie the Khmer Rouge to the peace process and the Agreement.

¹⁶⁸ "Final Communique of the Meeting of the Supreme National Council of Cambodia in Pattaya (Thailand)", A/46/271 and S/22740, 26 June 1991, p. 3.

¹⁶⁹ Letter dated 8 January 1991 from the Permanent Representatives of France and Indonesia to the United Nations addressed to the Secretary-General, "The Situation in Cambodia", A/46/61 and S/22059, 11 January 1991, p. 11.

¹⁷⁰ Letter dated 30 August 1990 from the Permanent Representatives of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations Addressed to the Secretary-General, "The Situation In Kampuchea: Question of Peace, Stability and Co-operation in South-East Asia", A/45/472 and S/21689, 31 August 1990, p. 8.

¹⁷¹ Ulrich Fuesser and Gerhard Will, "Cambodia: No Peace in Sight", *Aussenpolitik*, Vol. 42, No. 2, 1991, pp. 206-7.

4.3.3: Instrumentality

By the time of its substantive involvement, the United Nations was generally acknowledged by all of the parties as the mediator of choice for the Cambodian conflict. At a meeting in Paris in the aftermath of the first Paris Conference, "...common understanding was reached among all concerned, notably the Cambodian parties, on the need for the United Nations to have an enhanced role in dealing with the various aspects of the Cambodian settlement process."¹⁷² The parties recognised the United Nations as the most appropriate mechanism to tie together the many and often antagonistic international sponsors of the peace negotiations. The international community saw that the United Nations was the only body with sufficient prestige and acceptability to deal with all of the disputants and their diverse sponsors in what was an extremely complex mediation process. But the Khmer Rouge's acceptance of the United Nations as a mediator had no mitigating impact on the destructive impact on the viability of the mediation interaction of the Khmer Rouge's basic rejection of mediation and a negotiated peace: it saw the United Nations and the peace process as mechanisms to exploit for its ulterior motives of infiltrating the government to the extent that it could militarily seize power.

The acceptance of the Khmer Rouge in the peace process was problematical for both the SoC and for the United Nations. Successive revelations about the Khmer Rouge's genocidal policies while in power, which resulted in the death of between 800,000 and one million Cambodians out of a population of 8 million between 1975 and 1979, had led to a growing chorus of international condemnation of the movement by the late 1980s. China and the ASEAN States, as the main supporters of resistance to the Vietnamese presence in Cambodia, organised the CGDK in 1982, which provided the Khmer Rouge with a fig leaf of legitimacy by combining it with the other two democratic insurgent movements and allowed it to maintain the United Nations seat.¹⁷³ With the onset of serious peace negotiations, the facade of the CGDK

¹⁷² Letter dated 15 March 1990 from the Permanent Representatives of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations Addressed to the Secretary-General, "The Situation In Kampuchea: Question of Peace, Stability and Co-operation in South-East Asia", A/45/167 and S/21196, 16 March 1990, p. 3.

¹⁷³ Turley, "The Khmer War", *op. cit.*, 1990, p. 438.

and Khmer Rouge legitimacy became untenable, particularly as serious objections to Khmer Rouge participation were raised by the SoC and Vietnam.¹⁷⁴ Serious opposition to giving the Khmer Rouge any opportunity to regain power was growing within the United Nations itself, formally the most vociferous supporter of its resistance to the Vietnamese invasion. Successive General Assembly resolutions advocated the role of the United Nations in ensuring a "non-return to the policies and practices of the past."¹⁷⁵ United States Secretary of State James Baker summed up the growing consensus in the West when he stated "The United States strongly believes that the Khmer Rouge should play no role in Cambodia's future."¹⁷⁶

Notwithstanding its unsavoury reputation, the Khmer Rouge was included in the Cambodia mediation process as an equal participant. The mediators, the international community, and the other belligerents realised that as a major disputant, the Khmer Rouge had to be included in any peace settlement in order to forestall it from attacking such a settlement and perpetuating the civil war.¹⁷⁷ The exclusion of the Khmer Rouge from the peace process would also have alienated its strongest sponsor, China, thereby destroying international solidarity behind the peace process while enabling the Khmer Rouge to fight on indefinitely with a permanent external sponsor.¹⁷⁸ Eventually a formula was found to allow the easier inclusion of the Khmer Rouge in the peace process: Son Sen and Khieu Samphan nominally replaced Pol Pot and Ieng Sary as the leaders of the Khmer Rouge;¹⁷⁹ while a distinction was made by the international community between "leaders" and "followers" of the movement, with

¹⁷⁴ *ibid.*, p. 439.

¹⁷⁵ See General Assembly Resolution 43/19 (1988) and Letter dated 31 August 1990 from the Permanent Representatives of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations Addressed to the Secretary-General, "The Situation In Kampuchea: Question of Peace, Stability and Co-operation in South-East Asia", A/45/472 and S/21689, 31 August 1990, p. 15.

¹⁷⁶ James Baker III, "International Efforts for a Peaceful Cambodia", Washington D.C: Bureau of Public Affairs, U.S. Department of State, 30 July 1989.

¹⁷⁷ Michael Leifer, "Power-Sharing and Peacemaking in Cambodia", *SAIS Review*, Vol 12, No. 1, Winter-Spring 1992, p. 145.

¹⁷⁸ Solarz, "Cambodia and the International Community", *op. cit.*, 1990, p. 110.

¹⁷⁹ David P. Chandler, *Brother Number One: A Political Biography of Pol Pot*, (Boulder: Westview Press, 1992), pp. 179-184.

elements of the latter deemed acceptable participants in the negotiations.¹⁸⁰ This acceptance, however, had little impact on the Khmer Rouge's lack of commitment to negotiating an end to its insurgency.

4.3.4: Impartiality

United Nations mediators were not seen as completely impartial by the main parties to the conflict. The Khmer Rouge was wary of United Nations intentions based on the growing condemnation of the movement within the United Nations and opposition to its possible empowerment. The SoC was also suspicious of United Nations mediators, who it saw as responding to the will of the majority that had consistently refused to recognise it as the legitimate government of Cambodia while seating the Khmer Rouge.¹⁸¹ Both the SoC and the Khmer Rouge, however, were willing to deal with the Secretary-General and his representatives, and to a lesser extent the Permanent Five, rather than the condemnatory General Assembly.¹⁸² Thus while the United Nations impartiality was compromised, it was generally acceptable to the parties as a mediator.

While the Khmer Rouge maintained a facade of fidelity to the mediation process for reasons of expediency, the impartiality of its intentions during the mediation was extremely questionable. After years of adopting uncompromising positions, it had to be pressured into accepting an agreement that compromised its own objectives, and can thus be seen to have acceded to the mediation process while being ultimately dedicated to subverting and modifying the agreement to its own advantage. The Khmer Rouge intended to challenge and change the agreement on the ground once it came time to implement it, an purpose that was borne out by its post-agreement behaviour.¹⁸³ Thus while its mediation behaviour was innocuous and impartial, its intentions belied any genuine commitment to peace.

¹⁸⁰ Acharya, Lizée and Peou, *op. cit.*, 1991, p. xxxvi.

¹⁸¹ Haas, *op. cit.*, 1991, p. 187.

¹⁸² *ibid.*, p. 217.

¹⁸³ Chopra, MacKinlay and Minear, *op. cit.*, 1993, p. 16.

4.3.5: Timing

The United Nations mediation initiative chose a propitious military juncture at which to intervene in the Cambodian conflict. The Cambodian civil war had degenerated into a grim stalemate only punctuated by seasonal changes in military fortunes when the government-Vietnamese forces launched annual armour-based dry season offensives into Khmer Rouge strongholds in north-western Cambodia, followed by the cyclical Khmer Rouge retaking of its lost territory in the wet season each year. By the late 1980s, the Khmer Rouge had realised that it would never succeed in carving out a "Liberated Zone" in Cambodian territory, while the SoC recognised that it could never completely defeat such an experienced guerrilla movement with Thai sanctuaries and strong external support.¹⁸⁴ After the unilateral Vietnamese withdrawal in November 1989, all of the resistance factions launched a concerted attempt to win the war. Their failure to do this by February 1990 convinced all sides that a unilateral military solution was impossible against the existing correlation of forces.¹⁸⁵ The Khmer Rouge, now deprived of the anti-Vietnamese rationale, fighting factionalism in its own ranks, and militarily exhausted,¹⁸⁶ was faced with a weakening military position. With China and Thailand bound into the United Nations' efforts to end the war, it also faced losing its external sponsors. Its military position thus disposed the Khmer Rouge to be receptive to mediation overtures, seeing them as an opportunity to exploit, particularly as they offered it the chance to attempt to seize power against a different correlation of forces and from a less isolated position.

4.3.6: Support and Isolation

The war in Cambodia was intimately linked to overlapping regional and international rivalries which drove and supported much of its ferocity and intractability. As these external supporters ultimately resolved their bilateral differences, they provided much of the leverage that

¹⁸⁴ Turley, "The Khmer War", *op. cit.* 1990, p. 439.

¹⁸⁵ Haas, *op. cit.*, 1991, p. 215.

¹⁸⁶ Chopra, MacKinlay and Minear, *op. cit.*, 1993, p. 9.

was needed to bring the Cambodian disputants to agreement. The Soviet Union and Vietnam, the sponsors of the incumbent government, and China, Thailand and the ASEAN nations, who supported the Khmer Rouge, began to experience a detente in their relations based on wider political, ideological and economic trends.¹⁸⁷ These former sponsors, with close links to the parties, and a strong desire to stop the conflict, supported United Nations mediators with strong leverage to pressure the parties to agreement.¹⁸⁸

The United Nations mediation strategy of formulating a draft peace agreement with only limited contact with the parties, and then presenting it to the parties at a formal Peace Conference and cajoling the disputants' agreement, was based heavily on considerations of the extent and quality of this international support. All major external supporters of the parties were included in the conference, and provided strong pressure, in the form of both threats and side-payments, on the parties to accept the agreement.¹⁸⁹ Finally, all interested States agreed not to support the parties or take any action violating "the independence, sovereignty, territorial integrity and inviolability, neutrality and national unity of Cambodia."¹⁹⁰ The strength of the international support of the mediators was the major factor in enabling the United Nations to secure an agreement on the Khmer Rouge which had opposed objectives. The cohesion of the interested States also acted negatively, by convincing the coalition of its own potency and ability to pressure an agreement onto an unwilling party. The United Nations' and Khmer Rouge's approaches to the mediation interaction were too divergent to be compensated for by this leverage, however, and the need for such international pressure ultimately boded ill for the longevity of the resulting peace agreement.

¹⁸⁷ Apart from the end of the Cold War, perhaps the greatest influence on improving relations was growing east Asian economic success and the desire to normalise political relations in order to secure a greater volume of intra-regional trade. Thai Prime Minister Chatchai proclaimed on coming to office the desire to stop war in Indochina in order to turn it "from a battlefield into a market place."

¹⁸⁸ Lizee, *op. cit.*, 1994, p. 136.

¹⁸⁹ While such leverage from sponsors was often covert and thus hard to trace, its effect on changing intransigent positions is observable. The best example of public pressure used was by the Thai government, which threatened closing the Khmer Rouge refugee camps over the Thai border unless greater flexibility was shown by the Khmer Rouge. The loss of these camps, in terms of both sanctuaries and "supporters", would have been militarily devastating for the Khmer Rouge, which duly altered its stance on negotiations.

¹⁹⁰ "Framework for the Comprehensive Political Settlement of the Cambodia Conflict", A/45/472 and S/21698, pp. 18-20.

A major factor behind the Khmer Rouge's cooperation with the mediation process was its slowly evolving separation from its former major ally, China. China's increasing involvement with the sponsoring coalition and the Permanent Five initiative soon translated into a growing readiness to apply pressure to the Khmer Rouge to cooperate with the mediators. Chinese aid to the Khmer Rouge is estimated to have surpassed \$100 million per year by the end of the 1980s, including large-scale transfers of weapons, particularly artillery and missiles.¹⁹¹ Chinese support for the Khmer Rouge, based on opposition to Vietnamese influence in Indochina, had yielded significant diplomatic benefits for China, including the isolation of Vietnam, improved relations with Thailand and ASEAN, and increased Chinese influence with the West during the darkest days of the Second Cold War.¹⁹² Given its growing detente with both the Soviet Union and Vietnam, and the increasingly vociferous international criticism of the Khmer Rouge, Chinese support of the Khmer Rouge promised diminishing returns while risking international isolation.¹⁹³ The members of the European Union,¹⁹⁴ Thailand, and the United States began to pressure China to end its support for the Khmer Rouge and to use its influence to urge it to cooperate with the mediators.¹⁹⁵ Finally in August 1990 after a meeting of the Permanent Five in New York, Chinese Foreign Minister Qian publicly pledged to stop aiding the Khmer Rouge.¹⁹⁶ Although Chinese support is thought to have continued into 1991,¹⁹⁷ it diminished as China became more committed to ending the war. Its long time sponsorship of the group provided it and the United Nations with considerable leverage over the Khmer Rouge, and was instrumental in securing the agreement.¹⁹⁸

¹⁹¹ *New York Times*, 1 May 1990.

¹⁹² Gary Klintworth, "China's Indochina Policy", *Journal of Northeast Asian Studies*, Fall 1989, p. 26.

¹⁹³ Carol Umhoefer, "United Nations: Towards a U.N.-Sponsored Cambodian Solution", *Harvard International Law Journal*, Vol. 32, No. 1, Winter 1991, p. 279.

¹⁹⁴ In February 1990, a meeting of the European Union in Dublin voted to never again vote to seat the Khmer Rouge at the United Nations and called on China to stop aiding the group.

¹⁹⁵ Turley, "The Khmer War", *op. cit.*, 1990, p. 448.

¹⁹⁶ Haas, *op. cit.*, 1991, p. 287.

¹⁹⁷ Craig Etcheson, "The "Peace" in Cambodia", *Current History*, Vol. 91, No. 569, December 1992, p. 414.

¹⁹⁸ Charles McGregor, "China, Vietnam, and the Cambodian Conflict: Beijing's End Game Strategy", *Asian Survey*, Vol. 30, No. 3, March 1990, p. 273.

4.3.7: Cohesion

The support of the United Nations membership, and particular the unprecedented cohesion of the five permanent Security Council members behind the United Nations mediation effort, had a strong influence on their endeavours and on the final signing of the Paris Agreement by the parties. The Permanent Five had begun informal caucusing at the suggestion of Perez de Cuellar in 1985 in support of solutions in Afghanistan and the Iran-Iraq war. It was not until the failure of the 1989 Paris Conference that it became involved in seeking a solution to the Cambodian conflict, as the United States, the Soviet Union and China became concerned about its poisoning influence on their warming relations.¹⁹⁹ At successive meetings after 1990, the Permanent Five pledged "...to remain in close contact and to meet as necessary in order to sustain their efforts in search for a peaceful resolution of the Cambodian conflict."²⁰⁰ This Permanent Five support for a mediated solution naturally translated into regular Security Council support for the mediators,²⁰¹ and eventually for the framework for a comprehensive settlement²⁰² and the draft agreement.²⁰³ The Permanent Five regularly reiterated its calls on the Cambodian disputants to accept the agreement, be flexible in their negotiations,²⁰⁴ and join and cooperate in the functioning of the SNC.²⁰⁵ The cohesive pressure of a united international community behind the mediation effort thereby played a strong role in the decision of the parties to finally accede to the Paris Agreement.

¹⁹⁹ Haas, *op. cit.*, 1990, p. 190.

²⁰⁰ "Statement of the Five Permanent Members of the Security Council on Cambodia", A/45/671 and S/21908, 25 October 1990, p. 4.

²⁰¹ See Security Council Resolutions 668 (1990) of 20 September 1990, and 717 (1991) of 16 October 1991.

²⁰² Security Council Resolution 668 (1990) of 20 September 1990.

²⁰³ Security Council Resolutions 717 (1991) of 16 October 1991 and 718 (1991) of 31 October 1991.

²⁰⁴ See "Communique issued on 30 August 1991 by the Co-Chairmen of the Paris Conference on Cambodia and the Five Permanent Members of the Security Council", A/46/418 and S/23011, 4 September 1991, p. 3.

²⁰⁵ Co-Chairmen of the Paris Conference of Cambodia, "Communique", A/46/508 and S/23087, 27 September 1991, p. 3.

In yielding to an agreement that was nominally detrimental to its achievement of its objectives, the Khmer Rouge needed strong control over internal dissension. While its guerrilla bands are organised on a loose regional basis and there were reports of political rivalry within the upper ranks of the Khmer Rouge,²⁰⁶ it was able to maintain an impressive unity of direction throughout the peace process. This is undoubtedly due to its rigid power hierarchy and its use of terror for recruitment and discipline among its cadres and supporters. United Nations personnel engaged in negotiations with the Khmer Rouge were left with little doubt that all major decisions or concessions had to be cleared with the movement's top leadership.²⁰⁷ In this way, the Khmer Rouge was able to manage its temporary cooperation with a peace process that impeded its securement of its objectives.

While the United Nations mediators walked away from the 1991 Paris Conference on Cambodia holding a peace agreement which all the disputants had signed, they had not secured a resolution of the conflict or even a durable end to the Cambodian war. Within six months of the signing of the agreement, the Khmer Rouge had ceased to cooperate with attempts to implement its provisions. As is shown in Chapter Five, the Khmer Rouge was to renege on its vital commitment to disarm and demobilise its guerrilla army in June 1992, effectively withdrawing from the peace process to which it was signatory. From this position it began to stage a series of attacks against the process and the peacekeeping operation. The UNTAC peacekeepers that were sent in to implement the Paris Agreement lacked the capacity to force the Khmer Rouge's fidelity to the agreement, making it only too easy for the Khmer Rouge to renege on its agreement on the ground. It took no part in the May 1993 elections, the culmination of the process, and thereafter rejected all appeals from the Funcinpec-dominated government of national unity to participate in the government and political process. The Khmer Rouge fights on in the Cambodian jungles against the new government, unaffected by the peace process, unwavering in its determination to resurrect Democratic Kampuchea.

²⁰⁶ Craig Etcheson, "Civil War and the Coalition Government of Democratic Kampuchea", *Third World Quarterly*, Vol. 9, No. 1, January 1987, p. 200.

²⁰⁷ Interview with Lieutenant Colonel Damien Healey, Chairman of the UNTAC Mixed Military Working Group, 14 December 1993.

The interested Member-States within the United Nations approached the Cambodian mediation determined to secure a negotiated settlement to a war that had become embarrassing and irritating. The Permanent Five of the Security Council, particularly, were eager to explore the possibilities of their new cooperation, and keen to eradicate any hangovers from the Cold War that could jeopardise this cooperation. The Cambodian conflict presented an opportunity to satisfy both impulses. Furthermore, a solution would solve the problem of Cambodian representation by producing a universally-recognised Cambodian government from the four contending claimants. In confronting the Khmer Rouge, however, the United Nations mediators found a movement whose radical Maoist ideology spurned any genuine cooperation or compromise, whose organisational structure was based on isolation, control, and terroristic discipline, and whose only tactics were to subvert, attack, and overthrow. This was an insurgent group for whom agreements and undertakings were open to manipulation and interpretation, whose inviolability needed to be underwritten by force. Finding the United Nations' approach to mediation was not shared by the Khmer Rouge, the Permanent Five, intoxicated by its new-found cohesion, conceived of the mediation strategy of finding a formula for agreement, which the parties would then be pressured to sign. The strengths of the Cambodian mediation process, its timing, international support and cohesion, were subsequently relied upon to deliver an agreement through applying pressure to the disputants. In this way, diverging objectives were translated into discordant approaches to the mediation. This mediation strategy was entirely inappropriate for an insurgent movement as implacable as the Khmer Rouge. The Khmer Rouge allowed itself to be pressured into signing the agreement, believing it was a temporary compromise that could be renegotiated, by force if necessary, on the ground at a later date. The United Nations expected the agreement to be inviolable and not open to any reinterpretation. The Khmer Rouge's ultimate defaulting on its commitments demonstrated that an agreement can only be *forced* if it can be *enforced*. The Paris Agreement was to prove worthless for tying the Khmer Rouge to a resolution of the Cambodian conflict.

4.4: The Bosnian Serbs: Talking to the Wind

In March 1992, ethnic Serbs began a secessionist insurgency against the government of the Republic of Bosnia-Herzegovina,²⁰⁸ which had recently voted for independence from Yugoslavia by referendum,²⁰⁹ and been granted diplomatic recognition by the European Union, the United Nations, and most of the international community.²¹⁰ Fighting against being absorbed into a State dominated by other ethnic groups, the Bosnian Serbs embarked on a project of carving a "greater Serbia" from the constituent republics of the former Yugoslavia.²¹¹ The project of uniting the Serb diaspora into one ethnically-homogeneous State stemmed from memories of past massacres of Serbs at the hands of the Croatian *Ustashi* during the Second World War, and the Muslims during Ottoman rule.²¹² These goals were rationalised by Serbian nationalist leader Slobodan Milosevic's assertion that the boundaries of the republics in federal Yugoslavia were administrative, and that it was nations, rather than republics, that were sovereign.²¹³ The Bosnian Serbs felt betrayed by the international community, which they believed had consigned them to minority status and possible genocide in the newly independent republics. Their self-reliant resort to violence to correct the situation coincided with their nationalist self-image as a heroic, independent, tenacious, and virile people, perpetually struggling against adverse conditions.²¹⁴ The Bosnian Serbs, initially with the help of the Yugoslav National Army (JNA), were able to quickly seize and hold 70% of Bosnia, and link

²⁰⁸ Hereafter shortened to "Bosnia".

²⁰⁹ The referendum, which was held from 29 February to 1 March 1992, was boycotted by the 31% ethnic Serb population, and returned a 90% result in favour of independence.

²¹⁰ The United States and the European Union recognised Bosnia on 17 April 1992, and was accepted as a member of the United Nations on 22 May 1992.

²¹¹ This plan had originated during the Serbo-Croat civil war which had coincided with the Second World War. See Branka Magas, *The Destruction of Yugoslavia: Tracking the Break-Up 1980-92*, (London: Verso, 1993), p. 324.

²¹² It is estimated that over 400,000 Serbs were massacred by Croatian fascists and *Ustashi* during the Second World War.

²¹³ John Zametica, "The Yugoslav Conflict" *Adelphi Paper 270*, (London: IISS, 1992), p. 22.

²¹⁴ Hugh Poulton, *The Balkans: Minorities and States in Conflict*, (London: Minority Rights Publications, 1993), pp. 15-27.

these with Serbia and the Krajina region of Croatia.²¹⁵ In the areas they controlled, they carried out widespread policies of ethnic cleansing, to rid them of Muslims, Croats, and undesirable Serbs.²¹⁶ Adding to the international horror at their practices, Bosnian Serb forces established rape camps and waged systematic genocide, as much in revenge for historic grievances and catharsis against their collective inferiority complex as for any political or military reasons.²¹⁷ On 7 April 1992, the Bosnian Serbs proclaimed the independent "Republika Srpska", led by Radovan Karadzic and the 70-seat "parliament" at Pale, controlling the 70% of Bosnia-Herzegovina seized, and nominally responsible for the Bosnian Serb army.²¹⁸ The Bosnian Serb "republic" demonstrates all of the trappings of a proto-State, possessing a capital, a Parliament, a flag, a fledgling foreign ministry,²¹⁹ and providing protection, public services and amenities, and commodities to the population under its control.

The Bosnian Serb army (VRS) remains the strongest of the military forces in Bosnia, compensating for a personnel deficit with a predominance in heavy weapons, training, airpower, and technology.²²⁰ Much of this advantage originated from the JNA's bequeathing of 54,000 Serb JNA troops, most of its artillery, T-55 tanks, and Serb officers to the Bosnian Serb army after "withdrawing" from Bosnia in May 1992; and also from the Bosnian Serb capture of most of the 40% of Yugoslavia's armaments industry that had been based in Bosnia-Herzegovina; and the continued supply of material such as SA-2, SA-3 and SA-6 anti-aircraft missile systems

²¹⁵ For full accounts of the Bosnian civil war, see Noll Scott and Derek Jones (eds), *Bloody Bosnia: A European Tragedy*, (London: The Guardian and Channel Four Television, 1994); and Alex N. Dragnich, *Serbs and Croats: The Struggle in Yugoslavia*, (San Diego: Harcourt, Brace and Co., 1993).

²¹⁶ See Roy Gutman, *A Witness to Genocide: The First Inside Account of the Horrors of Ethnic Cleansing in Bosnia*, Shaftsbury: Element, 1993); and Salahi Ramadan Sonyel, *The Muslims of Bosnia: The Genocide of a People*, (Markfield: The Islamic Foundation, 1994).

²¹⁷ Mark Almond, *Europe's Backyard War: The War in the Balkans*, (London: Mandarin, 1994), pp. 267-70.

²¹⁸ Reports from peacekeepers have unanimously denied any respect for orders from Pale among Bosnian Serb troops in the field; agreements have to be negotiated with army commanders or local Serb forces. See Ian Traynor, "Bihac Sides Jostle Over Truce Terms", *The Guardian*, 26 November 1994.

²¹⁹ The diplomatic network is necessarily limited by the fact that no State recognises Republika Sprska.

²²⁰ The Bosnian Serb army commands 80,000 troops, 330 tanks, 800 artillery pieces, 20 fighter aircraft and 12 helicopters, compared with the Bosnian government army's 110,000 troops, 40 tanks, negligible artillery and no aircraft, and the Bosnian Croat army's 50,000 troops, 75 tanks, 200 artillery pieces, and 6 helicopters. See Michael Sheridan and Christopher Bellamy, "Hunkering Down for a Long, Long War", *The Independent*, 2 May 1995.

from Serbia and the Krajina as required.²²¹ This superiority has dictated the military tactics of conventional armour-led infantry thrusts, reliant on bombardment and blockade, the seizure of strategic roads and heights, command of the air, and the expulsion of potentially disruptive populations from "liberated" areas.²²² Its defence of long, unusually-shaped front lines has made the VRS somewhat vulnerable to guerrilla tactics by the Muslim-Croat federation, but its military predominance has allowed it to retain with relative ease the gains made in the first months of the war.²²³ The Bosnian Serb army is organised along decentralised, regional commands, tactically reliant on local initiative, with central commands slow and infrequent.²²⁴ It is led by General Ratko Mladic, a talented, radical Serb nationalist and former JNA general, whose success has built him an independent political base in Republika Srpska. He is ably supported by former JNA generals such as Mile Mrksic, Manojlo Milovanovic, and Dragomir Milosevic, and by gifted, brutal guerrilla commanders such as the infamous "Arkan". This military prowess, nationalist fervour, and self-righteousness, has made the Bosnian Serbs formidable interlocutors for United Nations mediators and peacekeepers.

The United Nations, concerned with the growing security and humanitarian threats of the war in Bosnia-Herzegovina and the destructive effect of the conflict on the cohesion of the international community, has been engaged in a frantic effort to mediate a solution since the beginning of the conflict in March 1992. To date, these efforts have been spectacularly unsuccessful. This lack of success points to a seriously dysfunctional mediation process, and ultimately the unsuitability of United Nations mediation for bringing an end to the conflict at present. The application of the mediation framework to the Bosnia negotiations will illustrate the location and extent of these problems in comparison to more successful efforts in El Salvador and Cambodia.

²²¹ John Pomfret, "U.N. Rejects Call to Hit Serb SAMs", *Washington Post*, 3 December 1994.

²²² Almond, *op. cit.*, 1994, pp. 270-1.

²²³ John Pomfret, "Bosnian Muslims Use New Tactics on Battlefields", *Washington Post*, 3 November 1994.

²²⁴ Phillipe Morillon, "U.N. Operations in Bosnia: Lessons and Realities", *RUSI Journal*, Vol. 138, No. 6, December 1993, p. 34.

In the first weeks of the war in Bosnia, the Security Council initiated the mediation process by requesting the Secretary-General to dispatch his Special Envoy²²⁵ to assist the peace efforts of the European Community.²²⁶ In this capacity, Special Envoy Cyrus Vance had already met with Moslem, ethnic Serb and ethnic Croat leaders in Sarajevo on 6 March 1992, obtaining their agreement to seek a peaceful settlement of their differences. By September 1992, the European Community and the United Nations established the International Conference on the Former Yugoslavia (ICFY) in London as a formal mechanism to coordinate their mediation efforts. Co-chaired by the United Nations Special Representative and the European Community Envoy, the ICFY consists of a Steering Committee and six Working Groups meeting in Geneva to "prepare the basis for a general settlement and associated measures,"²²⁷ in support of the efforts of the mediators. Thus United Nations mediators played a collaborative but significant role in efforts to mediate an end to the war in Bosnia.

4.4.1: Objectives

The ferocity and visibility of the war in Bosnia stimulated a wave of international horror and summoned visions of an anarchy that gave the lie to the much-vaunted "new world order". So much of the international response to the crisis has been dictated by States' domestic pressures to respond, but has been tempered by a reluctance to become heavily involved in the conflict. These conflicting impulses made interested States' response through the United Nations inevitable, as a way of legitimately responding, while minimising costs and liabilities. Eager to test their new security independence after the Cold War, the European Union States originally claimed the response to the crisis was the "hour of Europe". Acquiescing to a new stridency in German foreign policy,²²⁸ the members of the European Union recognised the sovereignty of the seceding Yugoslav republics, eventually carrying the United States and the United Nations

²²⁵ Perez de Cuellar had earlier appointed Cyrus Vance as his Personal Envoy to the Former Yugoslavia on 8 October 1991.

²²⁶ Statement by the President of the Security Council, 10 April 1992.

²²⁷ "Report of the Secretary-General on the International Conference on the Former Yugoslavia", S/24795, 11 November 1992, pp. 3-4.

²²⁸ Germany advocated recognising the seceding republics of the former Yugoslavia as a cheap way of stopping the hostilities.

reluctantly with them, and to some extent hastening the onset of hostilities. Seeing their attempts at conflict resolution fail, the European Union called for United Nations involvement in October 1991.²²⁹ The Europeans in the Security Council, headed by Britain and France in the Permanent Five, thereafter formed the core of the sponsoring coalition of United Nations mediation efforts. Most of the United Nations' mediation and peacekeeping initiatives have been instigated by these two States. Their perception of the Bosnian conflict as a civil war to be contained and resolved informed early United Nations decisions on Bosnia, and, as embodied by the large European contingents among the peacekeepers there, this perception remains the basis of official United Nations policy on Bosnia.

After initially acceding to European dominance in responding to the Yugoslav wars, the United States became involved with the activation of a United Nations response. Much of the disunity in the sponsoring coalition on Bosnia has stemmed from disagreements between the United States and the other coalition partners. The American position on Bosnia is determined by a different perception of the conflict, seeing the war in Bosnia as an international conflict, with the sovereignty of a United Nations Member-State threatened by external intervention.²³⁰ Initially the United States contemplated military intervention on behalf of the Bosnian government,²³¹ but thereafter acceded to the European position of containment, relief, and negotiations, in the interests of retaining unity with the Western Europe. The United States has declined to contribute peacekeeping forces to Bosnia,²³² a fact that became a source of acrimony with the Western Europeans as the United States began to advocate its policy of lifting the arms embargo on the Bosnian government and shifting the military balance in its favour using

²²⁹ After the failure of the European Union peace plan, France, the United Kingdom, Belgium and Austria requested United Nations involvement in resolving the Yugoslav wars on 18 October 1991.

²³⁰ American policy was originally defined by James Baker's June 1991 Belgrade speech, which advocated the continued existence of the state of Yugoslavia. However, once convinced to recognise the seceding republics, American Bosnia policy has been informed by legalistic considerations of sovereignty, and sensitive to domestic demands to respond meaningfully to the conflict.

²³¹ On 27-28 June 1992 President George Bush had a series of telephone conferences with Russia's Yeltsin, Britain's Major, and Canada's Mulroney on the possibility of a Gulf War-type multilateral enforcement action in Bosnia.

²³² As a compromise and a way to deflect divisions within NATO, United States Secretary of State Warren Christopher proposed the use of United States troops in a preventative deployment in Macedonia in a NATO meeting in Athens on 10 June 1993.

surgical air strikes.²³³ The Europeans, particularly the French, have also shown their annoyance at American reluctance to pressure the Bosnian government to accept various peace plans advocated by the United Nations. The dissenting American position has led to splits between the European coalition partners; Britain and France expressed their irritation when German Chancellor Kohl advocated lifting the embargo on the Bosnian government at a private European Union dinner on 21 June 1993 after correspondence with United States President Clinton.²³⁴ The American position has often agreed with that of the Islamic members of the sponsoring coalition, sympathetic to the largely Muslim Bosnian government, who advocate lifting the embargo and helping Bosnia defend its sovereignty.²³⁵

The other dissenting members of the sponsoring coalition are those States sympathetic to the Bosnian Serb position, particularly the Russian Federation and Greece. Closely interested in the conflict for geopolitical reasons, and connected with the Serbs through common religious links, Russia and Greece have contributed another series of diplomatic obstacles to any changes in United Nations policy in Bosnia, particularly those advocating punishing or pressuring the Serbs. The Western members of the coalition, particularly sensitive to preserving the tenure of the Yeltsin regime in Russia, have restrained their own initiatives to coincide with the Russian position.²³⁶ The Russian leadership, determined to dampen right-wing opposition, and to appear independent of Western policy in this traditional area of Russian influence, has repeatedly warned that Russia "would not allow attempts to solve the problems in Bosnia without

²³³ This acrimony has been particularly bitter between Britain, France and the United States, and is exemplified by French Foreign Minister Alain Juppe's pointed remarks on 27 May 1993: "I haven't agreed with the so-called division of labour between those who are in the sky and those who are on the ground. I wish that all of the Great Powers involved in the painful drama will assume their responsibility."

²³⁴ British and French frustration with Germany parallels their annoyance with the United States. They are aware that they acceded to German pressure to recognise the Yugoslav republics initially, and that Germany can respond freely to the internal pressures of right-wing groups and expatriate Croatians while fully aware that because of Nazi atrocities in the Balkans in the Second World War, German forces will never be invited to intervene in Bosnia, and thus will never be threatened by the positions the German government advocates.

²³⁵ This coincidence in positions has led to such anomalies as the 29 June 1993 Security Council vote on lifting the arms embargo against Bosnia, where the United States was supported by Iran and Libya in voting for the draft resolution, which failed to be adopted through a lack of votes. See "UN Council Blocks Arms for Bosnians", *New York Times*, 30 June 1993.

²³⁶ A good example of the operation of this consideration came on 12 April 1993, when the United Nations Security Council postponed a vote on strengthening sanctions against Serbia until after the 25 April referendum on the popularity of the Yeltsin government.

Russia."²³⁷ Hence, the number of the Great Powers with strongly-held interests in the Bosnian crisis, necessitated the creation of a large sponsoring coalition for United Nations initiatives on Bosnia. The extent of divergence between these States' positions, however, produced a limited and faltering response to the crisis. Much of the diplomatic activity and policy responses of the coalition have been motivated towards preserving the fragile coalition, a consideration that has deprived the United Nations response of its coherence and purpose.²³⁸

The United Nations' unique involvement in the origins of the wars in the former Yugoslavia entailed serious normative responsibilities for the Organisation towards the conflicts. Having in part prompted the conflict through recognising the breakaway republics, and watched with horror the ferocity of the wars, the United Nations had no alternative but to attempt to adhere to its normative principles in its efforts to end the war. On 18 May 1992²³⁹ Bosnia sought and was granted United Nations recognition of its sovereignty as an independent State after fulfilling the Carrington Arbitration Commission's requirement of two-thirds of its voters' support for independence in a referendum.²⁴⁰ This made it incumbent on the United Nations to uphold the sovereign prerogatives of Bosnia, "...which, as a State Member of the United Nations, enjoys the rights provided for in the Charter of the United Nations."²⁴¹ Foremost among these rights are "...the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina and the responsibility of the Security Council in this regard."²⁴²

²³⁷ President Yeltsin, quoted in *The Independent*, 15 February 1994.

²³⁸ In fact, one of the prominent features of Bosnia diplomacy has been the periodic meetings between, in particular, the United States, Russia, France, Spain and Britain, to negotiate joint strategies on Bosnia, such as that on 22 May 1993.

²³⁹ Security Council Resolution 775 (1992) of 20 May 1992.

²⁴⁰ The Bosnian referendum, held between 29 February and 1 March 1992, was boycotted by Bosnia's 31% ethnic Serb population. Of the remaining voters, 90% voted for Bosnian independence.

²⁴¹ Security Council Resolution 787 (1992) of 16 November 1992.

²⁴² See Security Council Resolutions 836 (1993) of 4 June 1993; 838 (1993) of 10 June 1993; and 859 (1993) 24 August 1993.

Having tolerated the breakup of the former Yugoslavia by the consent of its populations, the United Nations has invoked the international legal principle of *uti possidetis* in refusing to tolerate the further breakup of its constituent republics through the use of force: "Bosnia and Herzegovina should remain a sovereign, independent, integral and multi-ethnic State in which all parts of the population could live in peace in accordance with their respective cultures and traditions."²⁴³ Accordingly, the United Nations, the ICFY Co-Chairmen, and the mediators "...deemed it necessary to reject any model based on three separate ethnic/confessionally based States."²⁴⁴ This entails an explicit statement that the United Nations' "...primary objective remains to reverse the consequences of the use of force and to allow all persons displaced from their homes in the Republic of Bosnia and Herzegovina to return to their homes in peace."²⁴⁵

Any peace agreement acceptable to the United Nations, therefore, must include some measure of "...withdrawal of Bosnian Serb troops from territories occupied by force,"²⁴⁶ and the reversal of "...the practice of 'ethnic cleansing' [which] is unlawful and unacceptable, and will not be permitted to affect the outcome of the negotiations on constitutional arrangements for the Republic of Bosnia and Herzegovina,"²⁴⁷ and insists that all displaced persons be enabled to return in peace to their former homes."²⁴⁸ The objective of the United Nations is to secure a lasting solution to the conflict based on the principles of:

²⁴³ "Report of the Secretary-General on the New York Round of the Peace Talks on Bosnia and Herzegovina (3-8 February 1993)", S/25248, 8 February 1993, pp. 1-2.

²⁴⁴ "Report of the Secretary-General on the International Conference on the Former Yugoslavia", S/24795, 11 November 1992, p. 13.

²⁴⁵ Security Council Resolution 836 (1993) of 4 June 1993.

²⁴⁶ The Permanent Representatives of France, The Russian Federation, Spain, The United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations, "Joint Action Programme", S/25829, 24 May 1993, p. 2.

²⁴⁷ Security Council Resolution 787 (1992) of 16 November 1992.

²⁴⁸ Security Council Resolution 787 (1992) of 16 November 1992.

...immediate and complete cessation of hostilities; withdrawal from territories seized by the use of force and "ethnic cleansing"; reversal of the consequences of "ethnic cleansing" and recognition of the right of all refugees to return to their homes; and respect for the sovereignty, territorial integrity and independence of the Republic of Bosnia and Herzegovina.²⁴⁹

These basic principles have remained consistent in the various manifestations of peace plans which the mediators have advanced to the Bosnian disputants.

Although its negotiating strategies are ostensibly based on "...the views of the three [Bosnian] parties...on the structure of the future Bosnia and Herzegovina,"²⁵⁰ these basic United Nations objectives also strongly influence the negotiating position of the ICFY. The ICFY also rejects forced border changes, ethnic cleansing, and supports the sovereignty, integrity and independence of Bosnia.²⁵¹ The basic framework informing all peace talks in Bosnia are thus based on a synthesis of "...the principles of the Charter of the United Nations, the relevant decisions of the Security Council and the principles of the International Conference [on the Former Yugoslavia]."²⁵² The most important principles of the ICFY as negotiated at the London Conference are "...the need for a cessation of hostilities, the principle of a negotiated solution freely arrived at, [and] the unacceptability of the acquisition of territory by force or by 'ethnic cleansing'."²⁵³ The Security Council, in turn, fully supports the principles²⁵⁴ and mediation efforts of the ICFY.²⁵⁵ An important, but less mentioned objective of the United Nations and the ICFY, is to contain the fighting within Bosnia and prevent its spread into the unstable Balkan region. Such definite principles and objectives have had a determining effect on the strategies of the United Nations mediators in Bosnia.

²⁴⁹ Security Council Resolution 836 (1993), of 4 June 1993.

²⁵⁰ "Report of the Secretary-General on the International Conference on the Former Yugoslavia", S/24795, 11 November 1992, p. 13.

²⁵¹ *ibid.*

²⁵² "Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia", S/25221, 2 February 1993, p. 1.

²⁵³ Quoted in Security Council Resolution 859 (1993) of 24 August 1993.

²⁵⁴ "Statement by the President of the Security Council", S/24510, 2 September 1992.

²⁵⁵ Security Council Resolution 787 (1992) of 16 November 1992.

The objectives of the Bosnian Serbs are implacably opposed to those of the mediators and the other disputants. The Bosnian Serb position is based on the contention that

...as far as they are concerned the independent State of Bosnia and Herzegovina has never existed and does not exist [and]...that it is being forced by the international community to live within Bosnia and Herzegovina against its wishes.²⁵⁶

The Bosnian Serbs demand the same right to exercise self-determination as was extended to the former Yugoslav republics after the international community ignored their objections to Bosnia seceding from Yugoslavia.²⁵⁷ They refuse to live as minorities in States ruled by other ethnic groups. The solution they advocate is the acknowledgment of the incompatibility of the three main Bosnian ethnic communities and they accordingly "...continue to argue for Bosnia and Herzegovina to be divided into what would effectively be three separate States," defined by ethnicity.²⁵⁸ The Bosnian Serbs recommend partitioning Bosnia along the lines currently dictated by military holdings, which would award the Serb State over 70% of Bosnian territory. These Bosnian Serb areas, according to leaders Karadzic and Mladic, must be linked territorially and be cleansed of communities other than Serbs.²⁵⁹

Bosnian Serb military action took over 70% of Bosnia in the first six months of the war, and by the time the mediators presented a peace proposal to them based on the United Nations' principles, "...the reality on the ground was that Serb-held areas were already joined on the map; Serb military leaders would never sacrifice these links, which were a key element in their own plans."²⁶⁰ Any surrender of territory held is completely unacceptable to the Bosnian Serb military, led by General Mladic, who states that the lines of conquest "have been traced in

²⁵⁶ "Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia: Peace Talks on Bosnia and Herzegovina", S/25479, 26 March 1993, p. 4.

²⁵⁷ *The International Herald Tribune*, 9-10 July 1994.

²⁵⁸ *ibid.*

²⁵⁹ Quoted in *Facts on File*, 20 May 1993, Vol. 53, No. 2738, p. 361.

²⁶⁰ Noel Malcolm, *Bosnia: A Short History*, (London: Macmillan, 1991), p. 248.

Serbian blood and no one has the right to erase them."²⁶¹ The Bosnian Serbs want eventually to unite with Serbia and the Republic of the Krajina Serbs in Croatia, and further require their Republic to be contiguous with these territories.²⁶² They defend their claim to 70% of Bosnian territory for 31% of the pre-war Bosnian population by asserting that the Serbs in Bosnia are predominantly rural, and that the Muslims and Croats would retain the major cities and natural resources of the State.²⁶³ These objectives held by the Bosnian Serbs are diametrically opposed to the principles enunciated by the United Nations for ending the conflict: restoration of Bosnian sovereignty and unity, a reversal of ethnic cleansing, and a rejection of the territorial claims made as a result of military force and ethnic cleansing.

By the end of 1994, the United Nations mediators and the ICFY had presided over the tabling of three major attempts to define a mediation and settlement framework that reconciles the objectives of the Bosnian Serbs with the needs of the other parties to the conflict and the wishes of the international community: the Vance-Owen plan, the Serb-Croat proposal, and the Contact Group plan. The first framework advanced by mediators came in the form of a comprehensive settlement plan designed by United Nations envoy Vance and European Union envoy Owen. In an early attempt at compromise between clashing interests, the Vance-Owen plan proposed dividing Bosnia into ten ethnically-mixed cantons, each with built-in guarantees of power-sharing between all three ethnic groups and the respect of human rights. Although the plan's decentralisation of the State and explicit recognition of the three ethnic groups was an acknowledgment of Serb concerns about living in a Bosnian State, the cantonisation recommendation amounted to a direct rejection of the Bosnian Serb objective of ethnically partitioning Bosnia.²⁶⁴ The Vance-Owen plan explicitly forbade any prospect of international personality or unification with territories or States outside of Bosnia.²⁶⁵ The map drawn up by

²⁶¹ Quoted in *The International Herald Tribune*, 2 December 1993.

²⁶² *International Herald Tribune*, 9-10 July 1994.

²⁶³ Patrick Moore, "Bosnian Impasse Poses Dilemmas for Diplomacy", *Radio Free Europe*, Vol. 2, No. 14, 2 April 1993, p. 28.

²⁶⁴ "Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia", S/25221, 2 February 1993, p. 13.

²⁶⁵ "Draft Agreement Relating to Bosnia and Herzegovina", S/25050, 6 January 1993, p. 16.

Vance and Owen proposed the reduction of Bosnian Serb-held territory from 70% to slightly over 43%, including the vital northern Brcko corridor that links Serb territories in eastern and western Bosnia,²⁶⁶ as well as making a linking of Serb areas together and to the Krajina and Serbia virtually impossible.²⁶⁷ Given such fundamental disagreements between the Vance-Owen plan objectives and those of the Bosnian Serbs, then, it was not surprising that they repeatedly rejected the plan in its successive manifestations in January, April and May 1993.

Following the final rejection of the Vance-Owen plan, the Bosnian Serbs and Bosnian Croats advanced their own formula for peace in Bosnia. The plan proposed a confederation of three ethnically-defined constituent republics, while retaining many of the constitutional principles that had been established in the Vance-Owen plan.²⁶⁸ While based on the positions of two of the belligerents, the plan encountered the opposition of the United Nations and ICFY mediators, based on their own objectives for a peace settlement. They advanced several elements on behalf of the Bosnian government and Muslims that had to be included if the plan was to be successful. Their constitutional suggestions showed concern to preserve the sovereignty and integrity of the Bosnian State, while they were anxious to secure for the Muslims in the territorial divisions "...an equitable and economically viable share of territory, with guaranteed access to the Sava River and the Adriatic Sea."²⁶⁹ The international mediators remained adamant that an equitable share amounted to not less than 30% of Bosnian territory for the Muslim republic. Confederalism was objected to because "it would be seen as the first step towards secession."²⁷⁰ Rejecting all solutions that were incompatible with United Nations resolutions and principles, 58 of the 69 deputies in the Bosnian Parliament in September 1993 voted to reject the Serb-Croat plan.

²⁶⁶ "Next in Bosnia", *The Economist*, 23 January 1993, p. 19.

²⁶⁷ Malcolm, *op. cit.*, 1994, pp. 247-8.

²⁶⁸ "Report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia", S/26066, 8 July 1993, p. 4.

²⁶⁹ *ibid.*, p. 5.

²⁷⁰ "Report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia", S/26260, 6 August 1993, p. 3.

The international community mobilised to propose an alternative framework for settlement after the downfall of the Serb-Croat plan by forming a Contact Group comprised of the United States, Russia, the United Kingdom, France and Germany in London on 26 April 1994. Following the negotiation of the Muslim-Croat federation by United States envoy Charles Redman in February 1994, the Contact Group advanced a fresh peace plan based on this new alignment of forces. The plan proposed dividing Bosnia between the Muslim-Croat federation with 51% of the territory and the Bosnian Serbs with 49%.²⁷¹ The plan explicitly prohibited the possibility of the eventual unification of the Serb territories with Serbia. Not surprisingly, it was rejected by the Bosnian Serbs by the end of August 1994.²⁷² Once more they objected to surrendering nearly one-third of their 70% territorial holdings, particularly in the Brcko corridor and in eastern Bosnia around Jajce, Doboje, Sanski Most and Visegrad.²⁷³ Thus none of the three attempts to formulate a creative mediation strategy to reconcile the demands of the Bosnian Serbs with the other disputants and the United Nations could overcome the vast disagreements in objectives between the parties and with the United Nations.

4.4.2: Interaction Mechanisms

The United Nations' advocacy of "...the imperative need to find an urgent political solution for the situation in Bosnia and Herzegovina"²⁷⁴ followed closely on the outbreak of hostilities in Bosnia. The Steering Committee of the ICFY emphasised the importance of persevering with mediation when it warned of "The dangers of escalation of the conflict if the parties turn their backs on the search for negotiated solutions."²⁷⁵ Similarly to the Cambodian mediators, the ICFY proposed to deal with the problem of the strongly opposing positions of the disputants by directing its Working Groups to "prepare the basis for a general settlement and

²⁷¹ *International Herald Tribune*, 6 July 1994.

²⁷² *International Herald Tribune*, 31 August 1994.

²⁷³ *International Herald Tribune*, 9-10 July 1994.

²⁷⁴ Security Council Resolution 758 (1992) of 8 June 1992. See also Resolutions 770 (1992) of 13 August 1992 and 820 (1993) of 17 April 1993.

²⁷⁵ "Report of the Chairmen of the Steering Committee of the International Conference of the Former Yugoslavia", S/26066, 8 July 1993, p. 5.

associated measures"²⁷⁶ which would then be presented to the parties who would be encouraged and pressured to sign it. These have been developed in closer consultation with the "ideas and proposals advanced by the parties"²⁷⁷ than occurred in the Cambodian negotiations. The three frameworks developed so far have not managed to tie the belligerents, especially the Bosnian Serbs, to the mediation process. United Nations mediators have as a result resorted to reminding the parties of their previous commitments to peace: "...the decision to choose peace or war rests with you...You agreed to the principles of the International Conference adopted on 26 August. You committed yourselves that all parties should cease fighting and should engage actively in negotiations."²⁷⁸ The United Nations has also tried to pressure the Bosnian Serbs into becoming more flexible and accepting the peace plans through applying sanctions to Serbia²⁷⁹ and by issuing warnings and ultimatums.²⁸⁰ The Bosnian Serbs' unpunished defiance of all of these appeals, sanctions and ultimatums has enabled them to withhold their commitment to serious negotiations on the basis of the objectives advanced by the United Nations.

Having made and secured their military holdings by September 1993, the Bosnian Serbs became receptive to the idea of a negotiated peace based on their military gains. As they saw it, "[w]ith control of contiguous territory making it possible to travel from Belgrade to Banja Luka and beyond into Serb-held territory in Croatia without crossing a front line, the Serbs were in a position to seek a settlement in order to get international sanctions lifted."²⁸¹ Their serious adherence to the mediation process, however, was clearly contingent on the assumption that the

²⁷⁶ United Nations Department of Public Information, "The United Nations and the Situation in the Former Yugoslavia", Reference Paper, DPI/1312/Rev.2, March 1994, p. 27.

²⁷⁷ "Report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia", S/26233, 3 August 1993, p. 2.

²⁷⁸ Opening Statement of Cyrus Vance to the January 1993 Peace Talks in Geneva, quoted in "Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia", S/25050, 6 January 1993, p. 7.

²⁷⁹ Security Council Resolutions 757 (1992) of 30 May 1992 and 787 (1992) of 16 November 1992 apply sanctions to Serbia and Montenegro, explicitly linking the lifting of these sanctions to Serb co-operation with the peace plans.

²⁸⁰ "Bosnia Faces Ultimatum to Accept Peace Plan", *International Herald Tribune*, 6 July 1994.

²⁸¹ James Gow, "Towards a Settlement in Bosnia: The Military Dimension", *The World Today*, Vol. 50, No. 5, May 1994, p. 97.

peace settlement would reflect their military position and be a stage on the route to secession of the Serb areas and their integration into Greater Serbia.²⁸² Mediation proposals that reject these Serb conditions are viewed as "diktats" imposed on the Serbs by the international community and deserving rejection and non-cooperation.²⁸³ Bosnian Serb leader Karadzic has repeatedly warned ICFY mediators that if their conditions are not agreed to in the negotiations, the Serbs will continue to wage war in Bosnia.²⁸⁴ Contemptuous of the use of appeals, threats and sanctions to pressure them into unfavourable negotiations, Bosnian Serb military commanders boast that they have enough martial spirit and arms stockpiles to continue the war independently for another six or seven years.²⁸⁵ It can be seen that the Bosnian Serbs lack any serious commitment to the mediation initiatives offered by the ICFY, and that no amount of creative frameworks or pressure can tie them to a process that they see as harmful to their interests in its present and past manifestations.

4.4.3: Instrumentality

The complexity of the Bosnian war and its international ramifications have caused a deep confusion in the roles of the United Nations and the ICFY as mediators. The United Nations' admission and recognition of Bosnia-Herzegovina, its dedication to defend its sovereignty and unity, and its advocacy of the interests of the Bosnian government and Muslim population²⁸⁶ have made it more of an arbiter²⁸⁷ or a participant in the dispute than a suitable third party. As international opinion has steadily polarised over the war, and States have begun to advocate the positions of different belligerents, the United Nations and ICFY have become increasingly preoccupied with maintaining international unity at the expense of single-mindedly

²⁸² Malcolm, *op. cit.*, 1994, p. 249.

²⁸³ David B. Ottaway, "Bosnian Serbs Seem Poised to Spurn Partition Plan", *International Herald Tribune*, 19 July 1994.

²⁸⁴ Quoted in *Facts on File*, Vol. 52, No. 2712, 12 November 1992, p. 849.

²⁸⁵ Quoted in Malcolm, *op. cit.*, 1994, p. 243.

²⁸⁶ See especially the Co-Chairmen's reaction to the Serb-Croat peace plan "on behalf of the Muslim people", S/26066, 8 July 1993.

²⁸⁷ Zametica, *op. cit.*, 1992, p. 27.

searching for a solution to the conflict. As a result of these pressures, the importance of the presence of United Nations mediators to the peace process has been diminished. Rather than seeing it as possessing the ability to help them find a consensual solution, the opposing parties view the United Nations as one of the forces to be manipulated in the course of their struggle. The Bosnian government generally regards the United Nations as a protector and advocate, while the Bosnian Serbs see it as yet another opposing presence to be countered. The original choice of Cyrus Vance as United Nations mediator may have also been unfortunate.²⁸⁸ Vance, having served posts from Deputy Secretary for Defence in the Johnson administration to Secretary of State in the Carter administration, was seen more as a tool of antagonistic interests of the United States than as an impartial mediator by the Bosnian Serbs.²⁸⁹ Furthermore, Vance's extreme pacifism²⁹⁰ and legalism²⁹¹ seem to have rendered his personality ill-equipped to deal with the brutality of the Bosnian civil war or the hard *realpolitik* of its stakes. These perceptions and personality incompatibilities have had a very damaging effect on the United Nations' effectiveness as a mediator in Bosnia.

The United Nations, in turn has granted the Bosnian Serbs grudging recognition as an indispensable participant in the peace process. Since the first reports by the media and its own human rights rapporteurs,²⁹² the United Nations has regularly expressed horror at the practice of ethnic cleansing and condemned the Bosnian Serbs as its perpetrators.²⁹³ The Security Council has repeatedly denounced the practice of ethnic cleansing and expressed concern over its use in

²⁸⁸ Almond, *op. cit.*, 1994, p. 290.

²⁸⁹ Zametica, *op. cit.*, 1992, p. 67.

²⁹⁰ Vance resigned as Secretary of State when the Carter administration decided to go ahead with plans to rescue the hostages in Teheran with a commando raid.

²⁹¹ Kissinger describes Vance (positively) as "the epitome of a New York corporation lawyer" in *The White House Years*, (Sydney: Hodder and Stoughton, 1979), p. 256.

²⁹² "Report on the situation of human rights in the territory of the former Yugoslavia submitted by Mr Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, Pursuant to Commission Resolution 1992/S-1/1 of 14 August 1992", A/48/92 and S/25341, 26 February 1993, p. 7.

²⁹³ While the Serbs are not the only combatants practicing war crimes - the Croats and Muslims have both been documented as committing atrocities and acts of terror against civilians - they have received most of the international blame, as a consequence of being the largest perpetrators of ethnic cleansing.

"the pattern of hostilities by Bosnian Serb paramilitary units."²⁹⁴ Notwithstanding the Bosnian Serbs' unsavoury reputation, however, the United Nations mediators have been forced by recognition of their sheer military dominance to include the Serbs in the peace process as equal participants. Such prejudices necessarily have an adverse effect on the negotiating process however:

The *a priori* negative characterisation of one of the parties in a conflict is a sure disincentive for them even to appear at the bargaining table, and in turn can well provide the rationale for the other belligerents to refuse to participate in the process. Labelling has a powerful impact not only on the warring parties, but on the individuals and organizations designated to act as mediators.²⁹⁵

The less than complete acceptance of each other by the mediator and the major belligerent will inevitably exercise a negative influence on the progress of the negotiations.

4.4.4: Impartiality

While the United Nations and ICFY mediators have characterised their roles as that of "clarifying the issues"²⁹⁶ and as a "channel of communication to clarify ideas and proposals advanced by the parties during discussions,"²⁹⁷ the Organization's advocacy of definite objectives for the peace process and condemnation of the Serbs have affected its impartiality. Inevitably the United Nations' agenda has caused the Bosnian Serbs to view it as biased in favour of the government and the Muslim population. Neither is this perception mitigated any Serb belief that the United Nations as a mediator can provide an outcome that is acceptable to the Serbs. The Bosnian Serbs have instead adopted a self-image as a misunderstood, persecuted

²⁹⁴ Security Council Resolution 819 (1993) of 16 April 1993. See also Resolutions 787 (1992) of 16 November 1992 and 820 (1993) of 17 April 1993.

²⁹⁵ Edith S. Klein, "Obstacles to Conflict Resolution in the Territories of the Former Yugoslavia" in *Charters, op. cit.*, 1994, p. 161.

²⁹⁶ "Report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia", S/26066, 8 July 1993, p. 4.

²⁹⁷ "Report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia", S/26233, 3 August 1993, p. 2.

and embattled people standing up to a hostile international community.²⁹⁸ This has developed into anger and hostility towards the international community, as reported by UNPROFOR Commander General Morillon: "The Serbs denounced a plot of the whole world against their Nation, only guilty of continuing to assume its historic role of barrier of the Christian West against the spread of Islam."²⁹⁹ These feelings of victimisation have only been increased by international threats and sanctions.³⁰⁰ These perceptions of its impartiality have compromised the United Nations' acceptability and effectiveness in any peace negotiations with the Bosnian Serbs.

Neither have the Bosnian Serbs or the other parties remained faithful to the mediation process. During the Bosnia negotiations all parties have developed into a fine art the skill of using agreement, disagreement, temporising or tortuous haggling to manipulate the international community. The government enters and uses the mediation process as a means of securing and retaining Western involvement, while the Bosnian Serbs continue to flirt with peace proposals as the most likely way of limiting Western military intervention and exacerbating divisions within the international community.³⁰¹ The United Nations has also come to realise that agreement on paper rarely translates to compliance in the field: "Nor can intermediaries keep [the parties] to their word. Cease-fires are entered into in the full knowledge that they are not going to be fulfilled, and other pledges broken within hours of being made."³⁰² The parties have begun openly admitting their intentions to enter agreements for political reasons with no intention of implementing them: "We'll sign and then ignore the agreement. That's what everyone has done in this war so far."³⁰³ The Bosnian Serbs have consistently made their fidelity to mediation

²⁹⁸ Ruger Thurow and Tony Horwitz, "Paranoid and Vengeful, Serbs Claim Their War is to Right Old Wrongs", *Wall Street Journal*, 18 September 1992.

²⁹⁹ Phillipe Morillon, "U.N. Operations in Bosnia: Lessons and Realities", *RUSI Journal*, Vol. 138, No. 6, December 1993, p. 34.

³⁰⁰ Klein, "Obstacles to Conflict Resolution", in *Charters*, *op. cit.*, 1994, p. 160.

³⁰¹ "After Owen-Vance", *New Statesman and Society*, 7 May 1993, p. 5.

³⁰² "Report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia", S/26260, 6 August 1993, p. 2.

³⁰³ Bosnian government official, quoted in William Pfaff, "Really, the Only Bosnia Plan on the Table", *International Herald Tribune*, 9-10 July 1994.

contingent on the recognition of the right to self-determination of the areas that they control.³⁰⁴ Their use of referenda in their ethnically-cleansed areas to overwhelmingly reject the various peace plans by 96% majorities is an attempt to imbue their aspirations with a popular legitimacy as a counter to the condemnation of their intransigence by the international community.³⁰⁵ Such an insincere approach to mediation by all parties, but particularly the Bosnian Serbs, contributes strongly to the unviability of the mediation interaction.

4.4.5: Timing

The timing of the United Nations mediation intervention and the objectives it has advocated are at variance with the military situation on the ground in Bosnia. The timing of United Nations involvement was primarily motivated by an urgent need to stop the fighting and the human rights abuses rather than by considerations of the conduciveness of the military situation to peace talks.³⁰⁶ It believed that the only way of stopping the conflict and preventing its spread was to broker a comprehensive ceasefire and political agreement between the warring parties.³⁰⁷ United Nations mediators proposed an immediate "[t]emporary freezing of the military situation, pending agreement on return of forces to designated provinces."³⁰⁸ This, along with its other proposals, was completely at variance with the military momentum and position of the strongest party, the Bosnian Serbs. Supported and constantly resupplied from within Serbia, the Serbs quickly conquered and consolidated their hold on 70% of Bosnian territory.³⁰⁹ Their subsequent preponderance in heavy weaponry and defiance of international

³⁰⁴ Klein, "Obstacles to Conflict Resolution", in Charters, *op. cit.*, 1994, p. 158.

³⁰⁵ These efforts have been rejected by the mediators who point out that as a result of ethnic cleansing, "consultations with the populations involved could not be carried out fairly in the prevailing circumstances." See "Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia", S/25221, 2 February 1993, p. 2.

³⁰⁶ "Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia", S/25221, 2 February 1993, p. 2.

³⁰⁷ "Report of the Secretary-General on the New York Round of the Peace Talks on Bosnia and Herzegovina (3-8 February 1993)", S/25248, 8 February 1993, p. 2.

³⁰⁸ "Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia", S/25221, 2 February 1993, p. 27.

³⁰⁹ Malcolm, *op. cit.*, 1994, pp. 237-9.

threats and sanctions have enabled them to hold these gains with little threat of losing them to the Muslims or the Croats.³¹⁰ Bosnian Serb military predominance translated into a hardening of their bargaining position and an insistence on their demands.³¹¹ Attempts to blockade Bosnian-Serb held areas have had little effect, and even NATO airstrikes have been responded to by taking peacekeepers hostage and other measures, rather than modifying the basic Bosnian Serb conditions.³¹² Furthermore, the Serbs have realised that its inability to secure a settlement has paralysed the international community's action over Bosnia: with the implementation of each of its peace plans in mind, "it signalled to the Serbs that a large NATO force would be inserted into Bosnia not if the fighting continued, but only if it stopped."³¹³ A survey of the Bosnian Serbs' military position therefore shows the extent of the incompatibility of their approach to mediation with a United Nations that wishes them to concede territory and their right to independent Statehood or irredentism.

4.4.6: Support and Isolation

The war in Bosnia stands alone among contemporary conflicts for the widest and most diverse range of external interests and supporters of the warring parties. These connections with the parties, however, have not been used to provide the mediators with leverage because of the international community's own deep disagreements about the war and the solution to the crisis. The variety of agendas among the various external supporters of the parties has left United Nations mediators with very little cohesive support of their efforts. The tightening sanctions

³¹⁰ The best example of the Serbs' ability to maintain and increase their gains almost at will came during their response to the government breakout of the Bihac enclave in November 1994. They absorbed the Bosnian government 5th Army's offensive and counter-attacked in concert with the Krajina Serbs and Fikret Abdic's forces and made large gains in the Bihac enclave despite fierce 5th Army and other elements' resistance and against the threats of the United Nations and the limited air strikes of NATO.

³¹¹ The mediators reported that by March 1993 "the position of the Bosnian Serbs had hardened appreciably since the Geneva round of negotiations in January on many of the political aspects of an overall settlement." See "Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia: Peace Talks on Bosnia and Herzegovina", S/25479, 26 March 1993, p. 5.

³¹² See for example Michael Evans, "Airstrikes Expose Limits of West's Military Options", *The Times*, 24 November 1994.

³¹³ David Gompert, "How to Defeat Serbia", *Foreign Affairs*, Vol. 73, No. 4, July/August 1994, p. 40.

regime applied by Security Council Resolutions 757 (1992)³¹⁴ and 787 (1992)³¹⁵ and the appeals and pressures of various Great Powers³¹⁶ finally forced Serbia to condemn Bosnian Serb intransigence and institute a blockade of military supplies to the Bosnian Serbs, monitored by the United Nations.³¹⁷ States with ties to the Bosnian Serbs, such as Russia and Greece, have been willing to appeal for cooperation, but have adamantly opposed proposals by advocates of the Muslims to bring the Bosnian Serbs to the table with coercive action.³¹⁸ Despite these divisions, however, the mediators' efforts have been supported by a number of unilateral initiatives. Foremost among these was the engineering of the Muslim-Croat alliance by the United States in February 1994. Generally, however, the support rendered by the international community has been insufficient to make up for the other deep inconsistencies in the Bosnia negotiations.

The Bosnian Serbs' intransigence has also been supported by their imperfect isolation from external support. Despite the international arms embargo around the former Yugoslavia³¹⁹ and the tightening sanctions against Serbia and Montenegro,³²⁰ Bosnian Serbs continue to receive supplies and support from various sources. Military resupply for the Bosnian Serbs is smuggled through the porous Serbian border,³²¹ through Macedonia, the republic of the rump

³¹⁴ 30 May 1992.

³¹⁵ 16 November 1992.

³¹⁶ Beginning with the visit to Belgrade by Russian Deputy Foreign Minister Vassily Churkin in March 1993.

³¹⁷ *International Herald Tribune*, 13 September 1994.

³¹⁸ Russian warnings against aiding the Muslims have been often belligerent: in June 1994, Kozyrev warned secret shipments of arms to the Muslims could ignite a "new world war", see "Bosnia Arms Could Spark World War", *International Herald Tribune*, 15 June 1994; while European Powers, particularly Britain, France and Germany, have been equally blunt with French Foreign Minister Alain Juppe calling American plans to lift the arms embargo against the Muslims "an absurdity", see "America and Europe Clash Over Arms Ban", *Daily Telegraph*, 12 September 1994.

³¹⁹ Security Council Resolution 713 (1991) of 25 September 1991.

³²⁰ Security Council Resolutions 757 (1992) of 30 May 1992 and 787 (1992) of 16 November 1992.

³²¹ Diplomats and media sources have collected a growing corpus of circumstantial evidence the Slobodan Milosovic's regime is breaking its own embargo against the Bosnian Serbs. Observers have seen elite Serbian paramilitary units such as the Tigers operating in the Bihac pocket, the presence after the NATO airstrikes in the Krajina of advanced anti-aircraft missile systems probably of Serbian origin in Bosnian Serb-held territory, and have noted the sudden abundance of fuel and ammunition available to Bosnian Serb forces in late November-early

Yugoslavia with the lower international profile, from Greece through Macedonia, and through the Krajina region in Croatia. The Bosnian Serb counter-offensive from the Bihac pocket in November 1994 would have been impossible without comprehensive military resupply.³²² Furthermore, Russian diplomatic patronage has provided support for the Bosnian Serbs' intransigence and manipulation in negotiations.³²³ The Bosnian Serbs' confidence in Russian and Greek sympathy, support, and protection has undoubtedly buttressed their intransigence to all attempts to resolve the conflict in ways unfavourable to them. On the other hand, the Bosnian government's knowledge of American, Islamic, and general international sympathy with its cause, has made it much less amenable to Bosnian Serb demands. Thus although international support for parties to the conflict has had a negative effect on the cooperativeness of all parties, its most pronounced impact is on the Bosnian Serbs. Their sponsorship by major members of the coalition has allowed them to manipulate and weaken the United Nations' position, while confidently defending their own interests.

4.4.7: Cohesion

One of the greatest impediments to the mediators in Bosnia has been the lack of cohesion in the United Nations behind any one preferred solution or strategy. The numerous unanimous Security Council Resolutions supporting the mediators' efforts³²⁴ cannot hide the genuine divisions between strongly-held positions both within and outside of the Security Council. These divisions are only exacerbated by each development in the fighting.³²⁵ International disagreements over Bosnia actually predate the conflict, having stemmed from the

December 1994. See John Pomfret, "Belgrade Suspected of Breaking Its Embargo", *International Herald Tribune*, 10-11 December 1994.

³²² Snjezana Vukic, "Battle Over Bosnia "Safe" Zones", *The Independent*, 16 November 1994.

³²³ See "Bosnian Serbs Seek Map Change and Further Talks", *International Herald Tribune*, 22 July 1994.

³²⁴ See for example Security Council Resolutions 764 (1992) of 13 July 1992 and 908 (1994) of 31 March 1994.

³²⁵ Heightened tensions within the Contact Group have been noticeable on many occasions during changes in the tempo of the war; the most recent have occurred during the Muslim offensive and the Serb counter-offensive around the Bihac pocket in October, November and December 1994. See Michael Sheridan, "U.N. Takes Stock of Muslim Offensive", *The Independent*, 8 November 1994.

disputes over the recognition of the constituent republics of the former Yugoslavia.³²⁶ The underlying affiliations and agendas that drove this dispute between sovereignty and self-determination have endured to suffuse the positions of the Member-States of the United Nations over subsequent issues in Bosnia. At one level, some States support the various parties due to ethnic, cultural or religious ties: the Russians and the Greeks support the Serbs, the Turks and Islamic countries the Muslims, and the Germans and central Europeans the Croats. On the political level disagreements have arisen from clashes over the way in which States view the war: the United States sees it as a case of external aggression by a large against a small State, whereas the Europeans view it as a civil war driven by intractable ethnic antagonism. To date the European view has dictated the response: mediation, containment of the conflict, maintenance of the arms embargo, and a large peacekeeping presence. The lack of success of this policy has only served to heighten the dissent and frustration of supporters of the United States' strategy of withdrawing the peacekeepers and lifting the embargo.³²⁷ The Non-Aligned Movement has advocated launching a conventional multilateral intervention on behalf of the Bosnian government,³²⁸ while the Islamic Conference Organisation has repeatedly supported the Muslim population, held the West responsible for Serb military aggression, and threatened to unilaterally break the embargo and begin supplying the Muslims with arms.³²⁹ These deep and enduring divisions within the United Nations membership have hampered the ability of the mediators to find a solution in Bosnia.

As the United Nations, the ICFY and the Contact Group have had to increasingly devote their energy to diplomatically preserve their own fragile unity, their directives and support for the mediators have become both vaguer and weaker. Their inability to agree on the form of

³²⁶ Gompert, "How to Defeat Serbia", *op. cit.*, 1994, p. 37.

³²⁷ The United States' position has earned it some unlikely supporters at the United Nations, such as Iran, Libya, the Organisation of Islamic Conference and the Non-Aligned Movement, see Richard Bernstein, "U.N. Council Blocks Arms For Bosnians", *New York Times*, 30 June 1993.

³²⁸ This proposal was circulated in the Security Council in April 1993 and subsequently. See DPI, "Political Information Bulletin #3", 19 April 1993.

³²⁹ See "Communique of the OIC Special Ministerial Meeting of the Bureau of the Islamic Conference of Foreign Ministers Enlarged to the Members of the Contact Group and States Contributing Troops to the UNPROFOR", Islamabad, Islamic Republic of Pakistan, 13 July 1993, A/47/977 and S/26112, 19 July 1993.

military action needed to give the mediators leverage or to back up their own threats and warnings in the name of their own unity³³⁰ has deprived the mediators of the crucial tool of being able to offer side-payments or threaten punishments in order to induce the parties to cooperate. The combination of the embargo and the peacekeepers has placed an inertia on the mediators' position, with the peacekeeping presence giving the Serbs and the Europeans a veto over any change in international strategy to try to find a solution.³³¹ The lack of cohesion within the United Nations membership has also meant that none of the peace plans offered have been able to attract the strong international support that the mediators have needed so badly due to their differences in objectives with the Serbs.³³² It has also meant that attempts to induce cooperativeness by emulating the Salvadoran precedent of convening the peace talks at United Nations headquarters in New York have been unsuccessful.³³³ Unfortunately for the mediators, this lack of cohesion has been well appreciated by the Bosnian Serbs, who have cleverly stalled and manipulated the negotiations in order to derive the greatest benefits from international divisions.³³⁴ These divisions have made it possible for the Serbs to not cooperate with the mediators while escaping any serious consequences.

The Bosnian Serbs' own intractability is partly inspired by their likely inability to maintain their own cohesion behind any concessions or cooperation with the mediators that was not justified by military realities. The bitterness of the Balkan conflict has equated cooperation with betrayal: "...the expression of willingness to negotiate, the notion of compromise, and the

³³⁰ See Dan Williams, "Biding Time, Big Powers to Seek New Sanctions on Serbs", *International Herald Tribune*, 1 August 1994.

³³¹ Gompert, "How to Defeat Serbia", *op. cit.*, 1994, p. 38.

³³² This point was bitterly noted by Vance and Owen in their report to the Security Council after the downfall of the Vance-Owen plan. See "Report of the Co-Chairmen of the Steering Committee on the Activities of the International Conference on the Former Yugoslavia", S/26260, 6 August 1993, p. 2.

³³³ The most concerted attempt to use the New York locale was from 1-11 March 1993, chaired by Vance and Owen.

³³⁴ For example, Stoltenberg and Owen made the bitter observation in May 1993 that during American, Russian, British, French and Spanish meetings with the Bosnian parties in that month, "Unfortunately, the conception was conveyed...that the roll-back of the Bosnian Serbs was no longer a priority position on the international agenda," an impression diametrically opposed by that that the mediators had been assuring the parties was the case. See "Report of the Steering Committee of the International Conference on the Former Yugoslavia", S/26066, 8 July 1993, p. 3.

very idea of dialogue were often taken as treason."³³⁵ The Bosnian Serb leadership itself is beset by serious factionalism, a factor that has led to the paranoia, militarism and uncompromising position of the Serbs during negotiations.³³⁶ Any concessions, particularly over the surrender of captured territory, are vociferously opposed by hardline politicians, local Serb warlords, and the Bosnian Serb military led by General Mladic.³³⁷ The Bosnian Serb cadre and supporters are so internally divided that orders from the leadership are often ignored, without having "any consistent and tangible impact on the ground."³³⁸ These severe divisions among the Bosnian Serbs have led to a paranoid leadership making use of the "parliament" at Pale and referenda to make important decisions regarding the peace talks. Ultimately however, this lack of cohesion contributes to an uncompromising Serb position, and thereby impacts on the failure of the negotiations.

The extent of the dysfunction of the mediation interaction between the United Nations and ICFY mediators and the Bosnian Serbs corresponds strongly to the extent of divergence of their approaches to the mediation. The deep confusion and paralysis of United Nations attempts to end the conflict stem from the obsession with consensual action between its fundamentally disagreeing Member-States. These diverging positions arise from a number of impulses: different perceptions of the conflict, internal demands from public opinion, perceived responsibilities, and a variety of historical, ethnic, or religious ties. This chorus of dissent clashes directly with the other impulse of United Nations Member-States: to preserve new found Post-Cold War Security Council consensus and to further develop fledgling mechanisms of cooperation, such as the European Union Common Foreign and Security Policy and the Organisation for Security Cooperation in Europe, while dealing with the dangers of the wars of the former Yugoslavia. The obsession with preserving consensus among such a large and discordant group of Member-States has imbued United Nations mediation with an inflexibility and an incoherence that is compounded by its Organisational obligation to uphold the

³³⁵ Klein, "Obstacles to Conflict Resolution", in *Charters, op. cit.*, 1994, p. 153.

³³⁶ See Yigal Chazan, "Paranoia and Apathy Grip Pale", *The Guardian*, 8 November 1994.

³³⁷ Malcolm, *op. cit.*, 1994, p. 250.

³³⁸ Klein, "Obstacles to Conflict Resolution", in *Charters, op. cit.*, 1994, p. 154.

sovereignty and integrity of Bosnia-Herzegovina, one of its Member-States, and protect the rights of its citizens. These considerations have rendered the United Nations an inappropriate and partial mediator to the conflict.

The approach of the Bosnian Serbs to the mediation interaction conflicts so fundamentally to the United Nations' as to guarantee the failure of the interaction. Emotively inspired by nationalist, pan-Serb dreams, and determined to avoid being dominated by another ethnic group, the Bosnian Serbs' fear of domination and self-perception as fighting the whole world makes them unable to compromise. The strength of their military position, and their support from powerful, sympathetic States, reinforces their convictions and further strengthens their determination not to accede to United Nations demands to surrender their gains in a general peace agreement. Within sight of military victory, they see no need to compromise. The Bosnian Serbs' military and diplomatic tactics demonstrate a talented realism in their ability to play to their military and diplomatic strengths and attack the weaknesses of their opponents. They have repeatedly exploited the confusion of the United Nations and the divisions between its Member-States, profiting from the Organisation's impotence. Hence, the deepest disagreement between the Bosnian Serbs and the United Nations occurs over the basic objectives of the peace talks, with United Nations advocacy of Bosnian sovereignty and Serb rollback at odds with Serb irredentism and military position. It is from this basic division that the other disagreements follow: the Serb's military position makes them indisposed to the mediation mechanism and the presence of the United Nations, and suspicious of its impartiality. The United Nations, on the other hand, lacks the conducive military circumstances, the support, or the cohesion to advocate such a rigorous solution against a belligerent as implacable and powerful as the Bosnian Serbs. The framework and its hypothesis would therefore suggest that United Nations mediation has been inappropriate for the Bosnian conflict at this time.

4.5: Conclusion

The analysis of the mediation interactions between the United Nations and these insurgent movements can be seen to generally support the hypothesis that concurring approaches produce more optimal interactions than divergent approaches. During mediation, the closer the

compatibility of approaches as determined by the indices selected - objectives, interaction mechanisms, instrumentality, impartiality, timing, support and isolation, and cohesion - is seen to produce more optimal interactions. These indices operate in different ways and with different levels of impact during the mediation, however. A comparison of the effect of each of the cases in this mediation study illuminates some of these trends.

Compatibility of objectives emerges as the most important component for the viability of a mediation interaction and the tenability of its solution. Because of the low cost of participating in mediation, and the variety of negotiating gambits available, objectives remain the truest indicator of the interlocutors' approaches, by emphasising intentions over actual behaviour. Furthermore, the tenability of a mediated agreement rests on the disputants' commitment to honouring it; hence the satisfaction of fundamental interests and objectives is important. The substantial agreement between United Nations mediators and the FMLN stemmed from a number of factors. The United Nations was much more prepared to listen to the FMLN's interests and negotiate solutions to its concerns. The FMLN, on the other hand, was ultimately committed to ending its insurgency, and was prepared to be flexible over the peace terms. This substantial agreement and mutual understanding of objectives provided a strong foundation that guaranteed both the appropriateness of United Nations-FMLN mediation and the viability of the peace agreement. In comparison, the United Nations grew impatient with the Khmer Rouge and the other Cambodian disputants, and resolved to bypass further consensual negotiations in favour of finding a formula for a solution, and pressuring the parties into agreement. This objective contradicted the Khmer Rouge's approach, a problem that consigned the agreement to eventual defaulting by the Khmer Rouge. Its eventual cosmetic agreement was belied by its objective of seizing sole power, and its intention of exploiting and subverting the Paris Agreements. In Bosnia, the divided and paralysed United Nations has advanced a series of mediation formulas that conform to its own internal requirements and problems while rejecting the demands of the Bosnian Serbs. While they are prepared to negotiate, the Bosnian Serbs' objectives are so diametrically opposed to United Nations demands that a functional mediation on these terms is inconceivable. In both the Cambodian and Bosnian situations, such diverging approaches suggest that United Nations mediation was not appropriate at that time. Thus with regard to mediation, a coincidence of objectives between the parties and the mediator appears to

be the essential foundation of any successful agreement. Without this basic agreement, any mediation risks failing or producing a short-lived agreement.

While agreement to mediation carries such low risks that most belligerents will enter talks, actual commitment to the mediation mechanism to resolve the conflict correlates strongly with the viability of the interaction. Such commitment is contingent on the insurgent movement's satisfaction with the achievement of its objectives in the mediation relationship. Commitment is not a guarantor of success, however; much also depends on the appropriateness of the mediation procedure and formulas. The FMLN, committed to ending the war, readily agreed to United Nations mediation which it saw as aiding it and protecting its interests in its transition to a peaceful quest for power. The United Nations mediators, confronted by serious disagreements between the parties, and an FMLN determined to preserve its military potency, devised a creative mediation formula and deadline which was ultimately to lead to a viable agreement. The Khmer Rouge's commitment to mediation had to be forced because of its disagreement with the United Nations' objectives in the negotiations. Its eventual acquiescence was tactical, and the agreement was to have no power in guaranteeing its fidelity to the peace plan. The United Nations selected an inappropriate strategy for dealing with such an insurgent: by forgoing consulting mechanisms, it made it easy for the Khmer Rouge to revert to tactical submission. The Bosnian Serbs' negotiating position is clear, showing that its commitment to mediation is contingent on the talks reflecting their military position and irredentist objectives, rather than those advanced by the United Nations. The United Nations has been hampered by its rigidity and internal divisions from responding creatively to this Bosnian Serb position. Genuine agreement to mediation is thus highly important, and contingent on the prior coincidence of objectives.

A basic mediation interaction depends on each of the parties and the mediators accepting that the others are instrumental to the talks. As such, it is an indicator of little distinguishing power. However, when it is taken to denote the receptiveness of the mediating parties to each other's concerns, then its predictive power increases. In the El Salvador negotiations, the genuine efforts made to satisfy the concerns of the parties by the United Nations mediators, and the FMLN's fidelity to the timetable of the mediators, contributed strongly to the optimality of the

interaction. This was further strengthened by the abilities and prestige of Perez de Cuellar. In Cambodia, the United Nations mediators made only half-hearted attempts to inform their planning of a solution by consulting the wishes of the parties. Their concentration on pressuring the agreement onto all four parties reflected a belief in the instrumentality of their presence in a solution, but paid less attention to satisfying their concerns in the resolution plan. Nevertheless, it is not at all certain whether any amount of consultation would have induced the Khmer Rouge to comply with a compromise peace proposal. In the Bosnia talks, the irredentist interests of the Bosnian Serbs were rejected almost completely by the United Nations mediators. Thus while their presence was considered important in peace talks, and their acquiescence vital to the various peace plans, their basic demands were denied. Instrumentality, in terms of right of input, affects the viability of a mediation interaction.

Impartiality shows a correlation with the viability of the mediation interaction, but follows from objectives, mediation mechanisms, and instrumentality. In all three cases, the extent of impartiality of the insurgents' mediation behaviour tended to reflect how seriously they were negotiating an end to the conflict. The FMLN, concurring with the United Nations on the objectives of the peace process, the choice of the mediation mechanism, and the instrumentality of the mediators and their techniques, showed a basic behavioural commitment to the peace talks, even suspending military operations after a time. In this situation, the parties found the United Nations mediators to be impartial. The Khmer Rouge, which had different objectives and a different perception of the mediation process from the United Nations, adopted various gambits and techniques designed to show false acquiescence while covering its intentions to alter and exploit the agreement with force on the ground. The United Nations, with its strong advocacy of a plan with which it had reservations, incurred the suspicion of the Khmer Rouge. The Bosnian Serbs were convinced by United Nations advocacy of plans detrimental to their interests that a genuine cooperative mediation relationship with the mediators was unlikely. They duly used a number of techniques to reject the plans and manipulate the divisions within the international community. In this situation, the United Nations often seemed to be advocating the interests of the Bosnian Serbs' enemies.

Timing emerged as an inconsistent indicator for measuring the extent of an insurgent movement's commitment to peace and mediation. All three insurgent movements participated in peace talks despite divergent military fortunes. The FMLN's decision to enter mediation coincides with a stagnant and worsening political-military situation, and thus appears to have been a rational choice. The Khmer Rouge, similarly stalemated, however, showed no intention of negotiating with an intent to abide by the solution arrived at. It is likely that its radical ideology and rigid discipline modified its impulse towards giving up the stalemated struggle. The Bosnian Serbs' strong military position corresponds to their unwillingness to countenance adverse or compromise solutions. However, the strength of Serb nationalism and fear, and their David-against-Goliath self-perception, questions whether successive military reverses would actually translate into a receptiveness to a compromise peace.

Support and isolation, along with cohesion, form a group of factors that can be used by mediators to support or compensate for disagreements in objectives and the utility of mediation. With the FMLN, these three factors were used creatively by mediators to maintain a peace momentum that already existed due to coinciding objectives and agreement to mediation. With the Khmer Rouge, they were used by a zealous international community to force cooperation when these basic agreements did not exist. However, with the Cambodian negotiations, the strength of support and cohesion among interested United Nations Member-States, particularly the Permanent Five, led to a deluded belief that an agreement could be pressured onto unwilling parties. This was to usher in a solution that was still not to include the cooperation of the Khmer Rouge. With the Bosnian Serbs, deficiencies in these three factors have merely reinforced their ability to defy mediation initiatives. Their defiance has been encouraged by support from significant interested powers, while they have exploited the divisions among Member-States to their own advantage. Support and isolation and cohesion are thus important facilitating factors for mediators.

In mediation, then, coinciding objectives are the basic indicator of the viability of the interaction. Coincidence here leads to agreement to the mediation mechanism, and can be supported and partly compensated for by isolation and support and cohesion of the parties and mediators. Instrumentality, impartiality, and timing have a subtler role that is more dependent on

the agreement of these other framework factors. This suggests that the mediation relationship is indeed subject to the forces governing United Nations relations with contemporary insurgent groups. In situations where an insurgent movement shows an interest in a compromise peace that is concurrent with the United Nations', mediation is seen to be an appropriate intervention. When such complementarity does not exist, however, the United Nations lacks the ability to compel an agreement and then ensure that the insurgent movement honours it. Having thus examined mediation relationships, it is to other aspects of this relationship that the next chapters turn.

5: PEACEKEEPING

With peacekeeping, the United Nations enters the insurgents' conflict environment. As a distinct phase of their relationship, peacekeeping is an interaction that is affected by the dynamic between the United Nations and insurgent movements described in Chapter Three. This chapter examines how this dynamic has influenced the interaction between United Nations peacekeeping forces and various insurgent movements since the end of the Cold War. Its objective is to test the main hypothesis of this thesis as it pertains to peacekeeping: that between the United Nations and insurgent movements, concurring approaches produce more optimal interactions than divergent approaches. These indices of the compatibility of their approaches, developed and arranged into a framework in Chapter Three, are first adapted to determine how they will operate in a peacekeeping interaction. The peacekeeping framework is then applied to interactions with five insurgent movements: Renamo, the USC-SNA, the Bosnian Serbs, the Contras, and the Khmer Rouge. Each of these cases has been selected to examine the sources of varying levels of effectiveness in three major areas of post-Cold War peacekeeping: monitoring ceasefires, maintaining aid flows, and disarmament and demobilisation.

5.1: United Nations Peacekeeping: A Framework for Analysis

Peacekeeping has conventionally been conceived as "the prevention, containment, moderation and termination of hostilities between or within States, through the medium of peaceful third party intervention organised and directed internationally, using multinational forces of soldiers, police and civilians to restore and maintain peace."¹ As international confrontations become rarer, United Nations peacekeeping operations have had to adapt to the requirements of internal conflicts. Finding that "[r]estoring the peace inside a country wracked by conflict is a more treacherous undertaking than monitoring international borders,"² the United Nations has realised that its peacekeeping operations have to supervise a greater number of more complex tasks. To secure a permanent end to the conflict, they have to ultimately

¹ International Peace Academy, *Peacekeeper's Handbook*, (New York: Pergammon Press, 1984), p. 22.

² Michael Renner, *Critical Juncture: The Future of Peacekeeping*, Worldwatch Paper 14, (Washington, D.C.: Worldwatch Institute, 1993), p. 37.

rehabilitate the collapsed State's political administrative, security, judicial, economic and infrastructure systems. After 1988, the United Nations began to dispatch multicomponent peacekeeping operations, charged with ceasefire monitoring and pacification; protecting aid flows; disarmament, demobilisation and reintegration of former belligerents; de-mining; repatriation of refugees; rehabilitation of the security and juridical apparatus; ensuring the respect of human rights; monitoring elections; building popular political participation; and rebuilding war-damaged infrastructure. While peacekeeping forces experience varying levels of success and failure in achieving these different tasks, this chapter isolates and examines one aspect of their operations: the effectiveness of their interactions with insurgent movements.

United Nations peacekeeping forces are charged with implementing these immensely complex mandates in a more difficult civil war environment. They must operate among a frightened and demoralised population; in a volatile conflict zone; over damaged infrastructure; and interact with untrustworthy belligerents. Post-Cold War peacekeeping operations have exhibited a continuum of interactions with insurgent movements, ranging from cooperation to confrontation and combat actions. The nature of United Nations peacekeeping shows, however, that greater use of force does not automatically convert into a proportionately greater level of influence over insurgent behaviour. This suggests that, as hypothesised and developed in the framework, it is the compatibility of approaches and cooperation that yields a viable peacekeeping interaction, rather than the use of coercion. This means that, while insurgent movements do make extensive use of coercive force, and while peacekeepers sometimes cross into peace enforcement, an interaction yielding optimal results will be one in which the participants have compatible interests and interact cooperatively. It is necessary therefore to apply the framework to peacekeeping before using it to analyse peacekeeping interactions with insurgent groups. This section will demonstrate how each of the framework indices - objectives, interaction mechanisms, instrumentality, impartiality, timing, isolation and support, and cohesion - determines approaches to peacekeeping interactions.

5.1.1: Objectives

A peacekeeping interaction is at base a confrontation between two armed forces. The viability of the interaction, however, is contingent on a peaceful, cooperative relationship between these forces. The peacekeepers, by intervening, and the insurgent movement, due to its belligerency, both seek to advance certain, internally-defined interests through their interaction. As the two armed forces meet, therefore, the extent of peaceful cooperation in their relationship depends on whether the objectives advanced by the United Nations and the insurgent movement are mutually compatible. Without this complementarity of objectives with the insurgent movement and other conflicting parties, the intervening peacekeeping force becomes part of the conflict environment, another armed party working towards different objectives. When objectives are diametrically opposed, one or both sides will need to resort to force and impose its will on the other to advance its goals. When this happens, the peacekeeping operation becomes an obstacle to the peace process it was intended to advance, and the peacekeeping interaction becomes dysfunctional. Complete concurrence on all objectives in a conflict situation, however, is almost impossible to achieve. An optimal interaction between peacekeepers and insurgents is contingent not on complete agreement, but rather on whether there is concurrence on objectives which are common to both the peacekeepers and the insurgents, and which are of overriding importance to both. The most basic common and overriding objective should be that both want to end the war. Other compelling objectives include the form of the solution, visions of the post-bellum society, ideological and nationalist considerations, and the place of the belligerents in the new society. The extent of agreement, between overriding and secondary objectives, and between short term interests and long term goals, should determine the extent of effectiveness of the peacekeeping interaction and the viability of the conflict resolution. Often the longevity of the resolution is limited by divergent long term or ideological objectives finally asserting themselves over compatible, but transitory interests. This suggests, then, that an optimal peacekeeping interaction will be based on an essential concurrence of objectives between the peacekeepers and the insurgent movement.

As a multilateral force, a peacekeeping operation's objectives are closely defined by the interests of the sponsoring coalition. The interested powers' decision to respond to the less

compelling threats of civil wars multilaterally is motivated by a desire to secure legitimacy while spreading costs and responsibility. As the creations of interested Member-States' residual collective interest, peacekeeping forces are essentially "flexible instruments of policy"³ for securing their sponsoring coalitions' objectives. These objectives arise from a combination of interests of the sponsoring coalition, based on conceptions of national interest, international order, and domestic requirements. The clarity and ambition of the peacekeepers' mandate is a function of the level of agreement between the sponsoring powers: the presence in the coalition of dissenters will produce a watering down of objectives aimed less at resolving the conflict as securing other, less controversial goals. The Member-States maintain this close control of the operation, as they continue to review its progress and control its resourcing and strategic direction. The peacekeeping mandate also needs to be consistent with the normative principles and assumptions of the Organisation. Seeing war as an illegitimate method of gaining political power, the United Nations' objectives are predominantly based around the desire to stop or contain the hostilities and substitute alternative methods of adjudicating the dispute at the base of the conflict. Among more cohesive coalitions, the desire to restore single, legitimised government control over a unified, centralised and territorially whole State can lead to vast and complex mandates.

The insurgent movement's objectives, to be compatible with the peacekeeping force's, must be based on a commitment to abandon the war. While discarding its violent means, however, it retains its desire to promote its ends: the advancement of its interests and the preservation of its security. This change of means results from either a rational calculation that cooperation in a peace process will more efficiently secure its ends, or from an internal reordering of the movements' interests, prioritising those that are better achieved peacefully. Insurgent objectives can range from seizing control of the State to just ending the insurgency and safely rejoining society. As it enters a peacekeeping interaction, then, the insurgent movement's approach is informed by a rational costing that its participation offers more opportunities and less dangers than its non-participation. Generally, the group's objectives will include the opportunity to promote the interests for which it formerly fought, as well as offering

³ United Nations, *The Blue Helmets: A Review of United Nations Peacekeeping*, (New York: United Nations, 1990), p. 5.

it security from revenge as it abandons war: "Any agreement must eliminate the insecurity of all significant local factions...members of all factions must be assured of their safety regardless of who wins the political contest. If any of the competing groups...faces physical elimination, it will obviously prolong the bloody struggle rather than meekly accept its doomed fate."⁴ The viability of the peacekeeping interaction between the United Nations and the insurgent movement, then, is contingent on essential compatibility between their objectives in the interaction.

5.1.2: Interaction Mechanisms

Sponsoring coalitions within the United Nations choose peacekeeping forces as the policy instrument giving them the most control, at the appropriate occasion, over advancing their interests in the conflict, while securing legitimacy and spreading the costs of the intervention. The nature of the operation, and its objectives, means that the peacekeeping force, although armed, relies on the cooperation of the parties to achieve its objectives rather than anticipating and overcoming their resistance. The United Nations sees peacekeepers as impartial actors neutralising important aspects of the conflict in order to allow a particular arbitration or resolution mechanism to determine the outcome of the peace process. The peacekeeping operation's light force posture is an essential element in gaining the insurgents' acceptance of its presence, because "the parties to a conflict are more likely to accept a UN peacekeeping operation if the latter has no offensive intent and capability and will in no conceivable circumstances become a threat to them."⁵ The peacekeeping response should be geared towards preventing rather than overcoming returns to violence.⁶ Peacekeepers "are almost by definition outgunned by the disputants they are sent to monitor, [and] any recourse to force must be

⁴ Ramesh Thakur, "From Great Power Collective Security to Middle Power Peacekeeping", in Hugh Smith (ed), *Australia and Peacekeeping*, (Canberra: Australian Defence Studies Centre, 1990), p. 8.

⁵ F. T. Liu, *United Nations Peacekeeping and the Non-Use of Force*, (Boulder: Lynne Rienner Publishers, 1992), p. 11.

⁶ Michael Harbottle, "The Strategy of Third Party Interventions in Conflict Resolution", *International Journal*, Vol. 35, No. 1, Winter 1979-80, p. 119.

calibrated to localise and defuse, rather than escalate, violence."⁷ The United Nations, through the peacekeeping mechanism, aims to advance the coalition's objectives with the cooperation of the insurgents.

A peacekeeping intervention represents the introduction of an armed military force into a conflict zone; in order for the operation to avoid being seen by the belligerents as a possible adversary, both must agree on this interaction mechanism and the process it advocates. Insurgents' "consent is required not only for the operation's establishment but also, in broad terms, for the way in which it will carry out its mandate."⁸ A commitment to peaceful promotion of objectives is basic to the insurgent movement's agreement to the peacekeeping mechanism: "a readiness to accept supervision can generally be taken as an indication that the parties are moving towards an agreement in good faith, and are not thinking of anything but the execution of its terms."⁹ Insurgent movements will cooperate with the peacekeeping mechanism if they calculate that the intervention offers new opportunities and minimises the dangers of cooperating to promote their interests. Insurgents will cooperate if they see the peacekeeping mechanism as having a positive impact on their position; if they see it as giving them a reasonable chance of attaining their objectives and protecting them if they don't succeed. A peacekeeping force, if it is seen to be effective, provides a guarantee mechanism that the peace process is mutual and that all parties remain committed to their obligations. As a consensual presence, a peacekeeping force is less a pacifier than a mechanism for reinforcing the parties' self-deterrence.¹⁰ Thus for an insurgent movement, a peacekeeping operation can be a force for protecting itself from revenge or attack while peacefully pursuing its goals.

⁷ William J. Durch, "Introduction", in William J. Durch (ed), *The Evolution of UN Peacekeeping: Case Studies and Comparative Analysis*, (London: Macmillan, 1994), p. 4.

⁸ United Nations, *op. cit.*, 1990, pp. 5-6.

⁹ Alan James, *The Politics of Peacekeeping*, (London: Chatto and Windus, 1969), p. 93.

¹⁰ Maureen Boerma, "The United Nations Interim Force in the Lebanon: Peacekeeping in a Domestic Conflict", *Millenium*, Vol. 8, No. 1, Spring 1979, p. 58.

5.1.3: Instrumentality

Basic to the viability of a peacekeeping interaction is the inclusion of all major belligerents in the peace process. A peacekeeping force with a mandate that excludes a major party, and whose presence is not accepted by a major party, will incur its non-cooperation or opposition. Essentially an insurgent movement exercises a veto over the presence and actions of a peacekeeping force. A peacekeeping force relies on the insurgents to provide it with the means to oversee the peace process; and their consent provides the peacekeepers with leverage: "in a peace force deployment where the mandate and the political agreements it is derived from fail to recognise or consult all the local forces...[it] is unlikely to provide the peacekeeping force with the necessary sanctions to encourage their good behaviour."¹¹ Crucial to the insurgents' cooperation is that they do not see the peacekeeping operation as an obstacle to the attainment of their objectives, or an unwelcome intervention trying to cajole them into a disadvantageous peace.

The insurgent movement's consensual participation in a viable interaction will partly be based on its acceptance of the peacekeeping operation as a legitimate and instrumental interlocutor. This perception will depend on whether the peacekeeping force should be seen as an essential element to the de-escalation of hostilities and the securing of conditions for further resolution of the conflict. It is thereby instrumental to the peace process in that the peacekeepers "...essentially...overcome a coordination problem between two adversaries: the peacekeeper seeks to ensure that both parties to a conflict understand the agreed-upon rules of the game and that compliance with or deviation from these rules is made transparent."¹² Peacekeepers often offer the insurgent movement a means of security from attack while peacefully promoting their objectives. Peacekeeping is more a political than a military activity; it is a mechanism to navigate mutually suspicious adversaries towards a resolution. Often the legitimacy of the peacekeeper's presence derives from a peace agreement which requests the presence of the peacekeeping force to oversee its implementation. In order to preserve its

¹¹ MacKinlay, *op. cit.*, 1989, pp. 222-3.

¹² John Gerard Ruggie, "Wandering in the Void", *Foreign Affairs*, Vol. 72, No. 5, November/December 1993, p. 29.

instrumentality, the peacekeeping force must maintain its credibility in the eyes of the disputants by efficiently discharging its mandate: "If the peacekeeper's conduct is impeccable, his observation thorough, his reporting accurate and timely and his patrolling continuous, he is likely to gain the confidence of local adversaries."¹³ It is also desirable that the force deploys quickly and authoritatively in order to forestall any of the belligerents attempting to gain an advantage from the unsupervised period of the peace agreement.

5.1.4: Impartiality

The consensual nature of the peacekeeping interaction, and its operation in a belligerent environment, makes the United Nations force's and the insurgent movement's impartiality of behaviour an important element to the viability of the interaction. The belligerents' acceptance of the peacekeeping force's presence is partly determined by whether or not they believe its behaviour is prejudiced against them. Impartiality means that none of the parties sees the United Nations presence as benefiting its opponents more than itself. A biased peacekeeping force becomes a party to the conflict and violates its terms of acceptance by the parties.¹⁴ By losing the cooperation of one or more of the belligerents, the force loses its ability to influence and control events around the peace process,¹⁵ and effectiveness of the interaction will suffer. The acceptable behaviour for both the belligerents and the peacekeeping force is most clearly defined in the peace agreement, if a peace agreement is the basis for the presence of the United Nations. The limits of the peacekeepers' behaviour is also defined in their mandate and instructions from the Security Council and the United Nations. In civil war situations, which are particularly difficult for the United Nations to handle, peacekeepers' impartiality can be measured by comparing their actions with their instructions in the peace agreement and mandate.¹⁶ Impartiality does not, however, mean overlooking or appeasing the unacceptable behaviour of

¹³ Rod Paschall, "Tactical Exercises: The Impartial Buffer", *MHQ*, Vol. 5, No. 1, Autumn 1992, p. 52.

¹⁴ Marrack Goulding, "The Evolution of United Nations Peacekeeping", *International Affairs*, Vol. 69, No. 3, 1993, pp. 454-455.

¹⁵ Charles Dobbie, "A Concept for Post-Cold War Peacekeeping", *Survival*, Vol. 36, No. 3, Autumn 1994, p. 130.

¹⁶ James, "Problems of Internal Peacekeeping", *op. cit.*, 1994, p. 30.

the disputants.¹⁷ Impartiality should be a measure of firm, unbiased objectivity in the performance of a peacekeeping force's functions.

The peacekeepers' reliance on the insurgent movement's cooperation, and the delicacy of its mission, makes the effectiveness of their interaction depend on the insurgent movement refraining from trying to unfairly bias the interaction to its benefit. The complex nature of civil wars, and the totality of their stakes, makes it a standing temptation for the belligerents to manipulate the United Nations presence: "...peacekeepers are likely to be viewed instrumentally rather than as actors whose independence should be respected."¹⁸ While the insurgent movement will inevitably try to influence or manipulate the peacekeeping operation into creating conditions that give it an advantage over its opponents, the viability of the interaction will be damaged by the deliberate manipulation of the force for ulterior motives. The impartiality of insurgent movements' behaviour needs to continue past their initial consent to its presence, and they must not seek to drag the force or other States into a renewal of hostilities.¹⁹ Impartiality also includes refraining from taking action to prejudice the peacekeepers' impartiality, and granting the force the freedom of movement and basic level of cooperation it needs to carry out its mandate: "...the parties to the conflict are expected to provide continuing support to the operation by allowing it the freedom of movement and other facilities which it needs to carry its task."²⁰

5.1.5: Timing

The conduciveness of the insurgents' approach to the peacekeeping interaction is often determined by the timing of the intervention. Often a willingness to enter a peace process originates in a stagnant military situation and a calculation that the peace process offers an

¹⁷ Kjell Skjelsbaek, "Peaceful Settlement of Disputes by the United Nations and Other Intergovernmental Bodies", *Cooperation and Conflict*, Vol. 21, No. 3, 1986, p. 141.

¹⁸ Alan James, "Peacekeeping and Ethnic Conflict: Theory and Evidence", Unpublished Paper, October 1993.

¹⁹ Paul F. Diehl, "Peacekeeping Operations and the Quest for Peace", *Political Science Quarterly*, Vol. 103, No. 3, Fall 1988, p. 499.

²⁰ United Nations, *op. cit.*, 1990, p. 6.

opportunity to limit losses and realise objectives. A peacekeeping force is unlikely to gain the cooperation of a disputant whose military impetus and objectives are hindered by the introduction of the peacekeeping force. The propitious timing of an operation can build support for its presence: "Consent will be further promoted if the parties to a conflict can be endowed with vested interests in resolving their own disputes. If the belligerents can somehow be made shareholders of the peace process, then their motivation to cooperate will be greatly increased."²¹ Hence the insurgent movement's military position at the time of the peacekeeping intervention can provide a measure of the extent of its commitment to peace and thus the concurrence of its approach with the United Nations' to the peacekeeping interaction.

5.1.6: Support and Isolation

A peacekeeping operation can adjust some differences in approach in its favour by exerting influence on the insurgent movement through United Nations' Member-States' connections with the movements. Parallel actions of Member-States can provide the peacekeeping operation with influence over the insurgents. In this way, Member-State support of the peacekeeping operation acts as a mitigating factor with less cooperative insurgent movements. Member-States' support for the operation needs to go beyond registering their support for unanimous resolutions: support is measured by whether Member-States are prepared to use whatever individual or collective influence they have over the belligerents to ensure their cooperation with the peacekeeping operation. This also means that any involvement in the conflict or its resolution by a third-party State should not endeavour to advance any goals other than those advocated by the peacekeeping mission. Belligerents are quick to detect a decline in Member-State support for the operation and their pressure for its success: "...if that pressure abates or if the local situation changes, so could the calculus of the contending parties for whom the peacekeeping force then would become an obstacle to their preferred course of action."²²

²¹ Dobbie, "A Concept for Post-Cold War Peacekeeping", *op. cit.*, 1994, p. 133.

²² Johan Jorgen Holst, "Enhancing Peacekeeping Operations", *Survival*, Vol. 32, No. 3, May/June 1990, p. 267.

The conduciveness of the insurgents' approach to the United Nations' is also influenced by their capacity to fight on; this calculation is affected by existence or absence of sponsoring States and the extent of their assistance. External support or encouragement of any of the disputants will proportionally increase their intransigence and inflate their demands; while isolation or desertion by an important sponsor will sap a belligerent's resources and determination. The end of the Cold War has deprived many insurgents of their sponsors:

...contestants in internal or regional conflicts can no longer assume that they will be able to find a backer in the more ideologically sympathetic of the two superpowers...The collapse of these assumptions has drastically diminished not just the resources, but also the confidence of many internal disputants.²³

Such measurements of isolation or support also need to take into account the extent of dependence of the belligerents on their supporters; the more self-reliant a party, the less it will be influenced by such changes in the international environment.

5.1.7: Cohesion

The capabilities and confidence of the peacekeeping operation, and the assurance with which it promotes the sponsoring coalition's interests, partly depends on the extent of cohesion among United Nations' Member-States on its purposes and approach. The resolve of United Nations operations is contingent on the accord between its members on the issue at hand at any given time: "Peacekeeping is an expression of international political consensus and will. If that consensus or will is weak, uncertain, divided or indecisive, peacekeeping operations will be correspondingly weakened."²⁴ Despite acknowledging the importance of cohesive support for peacekeeping operations,²⁵ disputes within the Security Council on the force's mandate, tactics, or expense can deprive a peacekeeping operation of its political support. The multilateral

²³ James, "Problems of Internal Peacekeeping", *op. cit.*, 1994, p. 27.

²⁴ Javier Perez de Cuellar, *Report of the Secretary-General on the Work of the Organisation, 1984*, (New York: United Nations, 1984), p. 8.

²⁵ See Statement by the President of the Security Council, "United Nations Peacekeeping Operations", S/21323, 30 May 1990, which states "The members of the Security Council also emphasise the importance of political support by all Member States...for United Nations peacekeeping..."

peacekeeping force also needs to maintain its own cohesion: "Success in peacekeeping depends on the identity of the force as a single entity. If individual contingents were to operate independently and see their responsibility as being to their national government and not to the United Nations, operational efficiency would be jeopardised."²⁶ Force cohesion, a difficult ideal to maintain among the centrifugal forces operating on a peacekeeping operation,²⁷ is therefore a factor affecting the force's credibility and acceptability in acting as a coherent, dependable actor.

An insurgent movement's ability to cooperate with the peacekeepers and the peace process is affected by its cohesion and the control it is able to exert over its cadres. A peacekeeping interaction with a belligerent whose leadership is cooperative, but which is so faction-ridden or lacks such authority, that it faces resistance from forces divorced and unaccountable to their leadership, will be less effective. Extremist factions or undisciplined militias that disagree with the peace process can launch attacks against the peacekeepers and the delicate structures of trust they are overseeing in the peace process in order to destroy compromise and provoke reactions to continue the war, thereby subverting the peace process. Prominent contemporary examples of this are the attacks by Hezbollah and Hamas militias and right-wing Israeli settlers on the peace process in the Gaza and Jericho, which have to date destabilised the progress of the Israeli-PLO accord over Palestinian self-rule;²⁸ and the attacks by extremist Afrikaner groups such as the AWB, against the Codesa talks and reconciliation process in South Africa.²⁹ A viable interaction should include an insurgent movement with the capacity for unified and disciplined compliance with the peace process.

This peacekeeping framework will be used to reveal levels of compatibility between the approaches of United Nations peacekeeping operations and insurgent movements to their interaction. It compares these indicators and approaches with the effectiveness of the interactions

²⁶ International Peace Academy, *op. cit.*, 1984, p. 34.

²⁷ See Gustav Haaglund, "Peacekeeping in a Modern War Zone", *Survival*, Vol. 32, No. 3, May/June 1990, p. 236.

²⁸ "Palestinians: Divided", *The Economist*, 13 May 1995.

²⁹ David Welsh, "Right-Wing Terrorism in South Africa", *Terrorism and Political Violence*, Vol. 7, No. 1, Spring 1995, pp. 252-262.

between peacekeeping forces and five insurgent movements in the post-Cold War era. These analyses explore the three major aspects of post-Cold War peacekeeping: monitoring ceasefires, maintaining aid flows, and disarmament and demobilisation. The peacekeeping forces' relations with Renamo and the USC-SNA have been selected to analyse the sources of effectiveness in monitoring ceasefires; their relations with the Bosnian Serbs to explore the difficulties of maintaining aid flows; and their interaction with the contras and the Khmer Rouge to compare the influence of compatibility of approaches on the viability of disarmament and demobilisation processes. Through analysis and comparison using the peacekeeping framework, this chapter will test whether, as hypothesised, between the United Nations and insurgent movements, concurring approaches produce more optimal interactions than divergent approaches, and whether this logic applies to peacekeeping operations.

5.2: Monitoring Ceasefires

The monitoring of ceasefires concluded between formerly warring parties is a customary role of United Nations peacekeepers. Originating during the Cold War, it has continued as a basic condition for the fulfilment of other tasks given to operations undertaking extended peacekeeping in collapsed States. In "classical" peacekeeping operations, the monitoring of ceasefires between two disengaging national armies formed the core of the mandate,³⁰ while other tasks for the peacekeepers, such as clearing mines, rebuilding roads, and guarding relief convoys, were looked upon as "auxiliary tasks".³¹ Peacekeepers in contemporary civil wars are assigned more complex mandates, however. While monitoring ceasefires and disengagements form but one part of these mandates, this function is basic to the performance of the other, more complex tasks of securing aid flows, organising elections, or national rebuilding. As the case study on Somalia will show, none of these reconciliation tasks are possible without a basic cessation in hostilities. The complexity and intensity of contemporary civil wars makes the

³⁰ See for example the mandates of UNEF I and II in the Middle East, and UNFICYP in Cyprus. See Rosalyn Higgins, *United Nations Peacekeeping 1946-1967 Documents and Commentary, Volume I The Middle East*, (London: Oxford University Press, 1969); and *United Nations Peacekeeping 1946-1979 Documents and Commentary, Volume IV Europe*, (Oxford: Oxford University Press, 1981).

³¹ A particularly good discussion of this distinction is provided by Rosalyn Higgins, "The New United Nations and the Former Yugoslavia", *International Affairs*, Vol. 69, No. 3, 1993, pp. 465-483.

ceasefire agreements that the peacekeepers are introduced to monitor less stable, and exercise less binding power over the belligerents.³² States concluding agreements are more likely to remain faithful to their commitments than insurgent movements because of considerations of prestige, reputation, international law, and fear of sanctions.³³ Furthermore, chains of command and systems of discipline are often less rigid in insurgent militias than national armies, and agreements can be disobeyed, ignored, or be concluded with the wrong leadership.³⁴ Consequently, ceasefire agreements with insurgent movements tend to be violated more often, or agreed to only to be ignored by the militias and cadre on the ground. Often the ceasefires monitored by the peacekeepers have had to be negotiated by the peacekeepers themselves, among the various factions and militias in the field. These factors make this aspect of the peacekeeping interaction considerably more difficult with insurgents than with national armies.

5.2.1: Renamo: Purchasing Peace

The United Nations was obliged to oversee an end to the war in Mozambique, a Member-State that had been reduced to the poorest in the world by a brutal civil war instigated and fomented by neighbouring States. Since 1976, the Marxist Mozambican government established from the former Frelimo national liberation movement, had been fighting the anti-communist *Resistencia Nacional Mocambicana* (Renamo) insurgent movement, established from disaffected groups opposed to Frelimo's Marxism, and funded first by the Rhodesian

³² No greater testament to this is the hundreds of ceasefire agreements that have been negotiated and broken in Bosnia. So pervasive is the culture of not honouring agreements in Bosnia now that William Pfaff, "Really, the Only Bosnia Plan on the Table", *International Herald Tribune*, 9-10 July 1994, quotes even a Bosnian government official as saying "We'll sign and then ignore the [Western contact group peace plan] agreement. That's what everyone in this war has done so far."

³³ Political Advisor to the Secretary-General of the United Nations Alvaro de Soto, quoted on BBC News and Current Affairs, *The Thin Blue Line: Revolution on the 37th Floor*, BBC Radio 4, 8 pm, 22 April 1993.

³⁴ For example, UNPROFOR II peacekeepers in Bosnia have openly admitted that agreements with the Bosnian Serb political leadership in Pale are worthless in the field, and that each agreement must be negotiated with either General Mladic or the local sector commanders. See Marcus Tanner and Peter Pringle, "Chaos Over Policy Adds to UN Gloom", *The Independent*, 19 February 1993, who report, "Larry Hollingsworth, leader of the failed UN convoy to Cerska, found verbal permission from Mr Karadzic to cross [Bosnian] Serb-held territory was worthless. Serbian [sic] commanders told him they only took orders from the Serbian [sic] military Chief, Ratko Mladic."

Central Intelligence Organisation, and then after 1980 by South African Military Intelligence.³⁵ Both Rhodesia and South Africa used Renamo as a destabilisation tool against the frontline States - Mozambique, Zimbabwe, and Zambia - which were supporting the Zimbabwean and South African liberation movements against white minority rule.³⁶ Based and supplied in the remote Gongorosa Mountains, Renamo developed into an almost completely military organisation, rigidly controlled by its flamboyant leader, Afonso Dhlakama, but dependent on its external sponsors for direction and supply.³⁷ The organisation made no attempt to explain its political program, mobilise supporters, or provide services to the population in the 70% of Mozambique that it eventually controlled.³⁸ Renamo's military strategy was to isolate the government in Maputo, and destabilise it using economic sabotage.³⁹ Tactically, Renamo's 20,000-strong army, organised into 200-300-strong battalions, attacked transport corridors, pipelines, electrical grids, health centres, schools, government offices, and development projects, and made no attempt to create and defend a "liberated zone" like other insurgencies.⁴⁰ Renamo also utilised a scorched earth policy,⁴¹ as well as widespread genocide, rape, and terror against the population, for recruitment and control.⁴² By the end of the 1980s, Renamo's campaign had

³⁵ See for further accounts of the wars in Mozambique and Angola, Paul L. Moorcraft, *African Nemesis: War and Revolution in Southern Africa*, (London: Brassey's, 1994); and Abiodun Alao, *Brothers at War*, (London: British Academic Press, 1994).

³⁶ Renamo was used not only to cripple the Mozambican government, but also to disrupt traffic on the vital transport corridors linking Zimbabwe and Zambia to the Indian Ocean, thereby making them more dependent on South Africa for ports for their exports and imports.

³⁷ Robert Jasper, "Mozambique: Whose Interests do Saboteurs Serve?", *International Herald Tribune*, 20 June 1985.

³⁸ See Victoria Brittain, "Rebels Without a Cause", *The Guardian*, 22 April 1991.

³⁹ In this, Renamo was very successful, making the government spend 45% of its budget on the war effort, and driving Mozambicans' average national income down to \$80, the lowest in the world.

⁴⁰ Emily MacFarquhar, "The Killing Fields of Mozambique", *U.S. News and World Report*, 2 May 1988.

⁴¹ Robert Gersony, in a report on Renamo commissioned by the United States State Department, reported that Renamo classified its areas of control into three regions: (1) "tax areas", of relative security from which supplies, recruits, porters, and concubines are extracted regularly; (2) "control areas", in proximity to a base, in which the inhabitants are forced into slave labour to erect defences and grow food; and (3) "destruction areas", which are designated for violent, wholesale, and thorough devastation. Quoted in Glenda Morgan, "Violence in Mozambique: Towards an Understanding of Renamo", *Journal of Modern African Studies*, Vol. 28, No. 4, 1990, p. 608.

⁴² E.A. Wayne, "Mozambique Rebels Deny Charges of Civilian Abuses", *Christian Science Monitor*, 25 April 1988.

not toppled the government, but had turned Mozambique into the poorest State on earth, caused 1 million deaths, and created 4.5 million refugees.⁴³ The war in Mozambique had become a running sore that needed to be resolved.

After sustained negotiations, Renamo and the Mozambican government signed a peace agreement in Rome in August 1992, requesting a United Nations peacekeeping force oversee the settlement.⁴⁴ In December 1992 the Security Council unanimously approved the creation of ONUMOZ, a 7,500-strong peacekeeping force to monitor the government-Renamo ceasefire, organise elections, disarm and demobilise the two sides, create a new, unified army, and guard the transport corridors through Mozambique to its landlocked neighbours.⁴⁵ Basic to the whole peace settlement was ONUMOZ's ability to oversee the general ceasefire. All involved in the Mozambican peace process were aware of the recent failure of a similar operation in Angola. However, by October 1994, multiparty elections were held and won by the incumbent government.⁴⁶ ONUMOZ withdrew in December having registered a much-needed success among the peacekeeping failures of 1994. Its wider success in resolving the Mozambican conflict was based on the effectiveness of the ONUMOZ-Renamo interaction in ensuring that the often-tenuous ceasefire held.

5.2.1.1: Objectives

The objectives of the ONUMOZ force were determined largely by the request for peacekeepers in the Rome agreement, and largely unmodified by diverging Member-State interests. While there was a general unity of position on Mozambique among ONUMOZ's sponsoring coalition, there was also a general agreement on the non-compelling nature of the requirements in Mozambique. During the civil war, neither superpower had adjudged the

⁴³ Peter G. Hemsch, "How Mozambique's Guns Were Silenced", *Christian Science Monitor*, 7 October 1992.

⁴⁴ See *General Peace Agreement for Mozambique*, Rome, 4 October 1992, S/24635 Annex, 8 October 1992.

⁴⁵ Security Council Resolution 797 (1992) of 16 December 1992.

⁴⁶ The incumbent Frelimo party eventually won 2.6 million votes, or 53.3% of the poll, while Renamo won 1.66 million votes, or 33.73% of the poll. See David Beresford, "Frelimo Hails Win", *The Guardian*, 21 November 1994.

conflict important enough to consider sponsoring either side heavily; the Frelimo government received small scale arms transfers from the Soviet bloc and China,⁴⁷ but Renamo was not able to gain Western States' sponsorship, even during the heyday of the Reagan doctrine, despite the advocacy of its cause by conservative groups and Senators in the United States.⁴⁸ The response in Mozambique was prompted by humanitarian and general regional stabilisation motives than any compelling strategic interest. The resolution of the conflict in Mozambique was seen to offer a positive impulse to the other more compelling facets of the southern African peace process: the dismantling of *apartheid* in South Africa, the independence of Namibia, and the attempts to resolve the Angolan civil war. Within the region, the main participants in the South African Codesa talks were keen to disassociate themselves with the legacies of their struggle in the region. Other neighbouring States were keen to end the festering war that was costing them so much: Zimbabwe, Botswana, and Malawi all suffered from disruptions in the traffic on the transport corridors through Mozambique that connected them to the Indian Ocean. Zimbabwe in particular also wanted to end its long and costly defence of these corridors; the combination of this defence and lost revenue from Renamo's attacks on the corridors was estimated to have cost Zimbabwe \$350 million per year.⁴⁹ Western European States, particularly Italy, were prompted by humanitarian concerns to help end a conflict that had made Mozambique the poorest State in the world. The dissociation of major powers from the conflict left the field open for a minor power such as Italy, to take the lead within the United Nations in initiating and sustaining United Nations initiatives in support of the resolution of the Mozambican civil war. These factors, as well as a feeling of obligation arising from the request in the Rome agreement, prompted the Security Council to authorise the creation of the ONUMOZ force.

⁴⁷ The Soviet and Chinese relationship with the Frelimo government was kept at arm's length, and any military assistance was at best desultory. Chissano's government consistently denied Soviet requests to build a military base on Mozambican territory, while Mozambique's application to join Comecon was denied in 1981.

⁴⁸ The Reagan administration resisted pressure from various right-wing organisations, and from Republican Senators Robert Dole and Jesse Helms, to begin aiding Renamo in the same way as the United States was arming Unita, the Contras, and the Mujahadin. This resistance was exemplified by the visit to the White House of then Mozambican President Samora Machel in 1985.

⁴⁹ "How Mozambique's Guns Were Silenced", *The Christian Science Monitor*, 7 October 1992.

The objectives of the ONUMOZ force, as developed through the United Nations, were to implement the peace and rehabilitation settlement contained in the Rome Agreement, even though it had played almost no role in its mediation.⁵⁰ The Security Council expressed its desire to see a process of peace, democracy, and national unity take place,⁵¹ and supported the provision of immediate aid to distressed areas, the disarmament of the marauding armies, and the reconstruction of damaged infrastructure.⁵² It attached a "vital importance" to the holding of free elections as a mechanism of legitimation, re-integration, and democratisation.⁵³ The Security Council recognised that all of these tasks needed to be based on a stable and enduring ceasefire, urging the parties to "...respect scrupulously the ceasefire..., a necessary condition for the fulfilment by the Operation of its mandate."⁵⁴ Consequently, when it established ONUMOZ, the Security Council stressed the primary importance it placed on the operation's responsibility of overseeing the ceasefire.⁵⁵ Anxious to secure Renamo's participation in the elections and its respect of the results, the United Nations pre-negotiated an informal power-sharing agreement between Renamo and Frelimo before the elections were held, thereby securing Renamo's participation in the elections and its respect of their results.⁵⁶ Broad agreement thus existed between the objectives of Renamo and ONUMOZ.

As domestic and international changes deprived it of a *raison d'etre* and emphasised the poverty of its ideological base, Renamo was forced to moderate its objectives. Its 1981 Manifesto's vague political goals, advocating anti-communism, democratic elections, social

⁵⁰ Security Council Resolution 782 (1992) of 13 October 1992.

⁵¹ See Security Council Resolutions 797 (1992) of 16 December 1992, 818 (1993) of 13 April 1993, and 850 (1993) of 9 July 1993.

⁵² "Report of the Secretary-General on the United Nations Operation in Mozambique", S/24892, 3 December 1992, p. 6.

⁵³ Security Council Resolution 882 (1993) of 5 November 1993.

⁵⁴ Security Council Resolution 797 (1992) of 16 December 1992.

⁵⁵ See "Statement of the President of the Security Council", 27 October 1992, and Security Council Resolution 797 (1992) of 16 December 1992.

⁵⁶ See Christina Lamb, "£390m UN Bill for Mozambique Poll", *The Sunday Times*, 30 October 1994, and David Beresford, "Mozambique Finds It Voted For Bourgeois Democracy", *The Guardian*, 31 October 1994.

reforms and a mixed economy, were an attempt to gain domestic political legitimacy and broader international support for a movement supported and directed by South Africa.⁵⁷ The negativity of its political stance was reflected in its use of terrorism to gain supporters and "paralyse the country through destruction of the communication and transportation infrastructure and elimination or mutilation of Frelimo leaders."⁵⁸ It was deprived of its justification for continuing the war by the government's liberalising reforms, admitting that "Frelimo has started using all our lines - democracy, freedom of speech, freedom of worship."⁵⁹ As its unsavoury tactics, connections with South Africa, and ideological poverty threatened to marginalise it. As Frelimo instituted its own program of *perestroika*, Renamo realised it was unprepared to compete in the pluralist system it had long advocated.⁶⁰ By 1989, it had changed its demands to power-sharing with a guarantee of major portfolios, irrespective of the outcome of elections,⁶¹ and a chance to debate the 1990 liberal constitution adopted by Frelimo.⁶²

Renamo was also a money-making enterprise. In the poorest State in the world, crippled by civil war and drought, the "plundering and attacking of settlements and convoys [became] designed as much for replenishment of supplies and generation of booty as a reward for [Renamo's] combatants as for economic disruption for political ends."⁶³ Renamo leaders saw that they would have to end the war to stop and reverse the process of its marginalisation, but were reluctant to lose its wealth-creating potential. Consequently, the Rome Agreement "...guarantee[d] the distribution to all parties competing in the elections...of subsidies and logistic support for the election campaign apportioned on the basis of the number of each party's

⁵⁷ Tom Young, "The MNR/Renamo: External and Internal Dynamics", *African Affairs*, Vol. 89, No. 357, October 1990, p. 501.

⁵⁸ Mario Azeredo, *Historical Dictionary of Mozambique*, (New Jersey: The Scarecrow Press, 1991), p. 110.

⁵⁹ Quoted in Chris Alden and Mark Simpson, "Mozambique: A Delicate Peace", *The Journal of Modern African Studies*, Vol. 31, No. 1, 1993, p. 122.

⁶⁰ Peter G. Hensch, "How Mozambique's Guns Were Silenced", *Christian Science Monitor*, 7 October 1992.

⁶¹ Alex Vines, *Renamo: Terrorism in Mozambique*, (Bloomington: Indiana University Press, 1991), p. 131.

⁶² M. Hall and T. Young, "Recent Constitutional Developments in Mozambique", *Journal of African Law*, Vol. 35, Nos. 1-2, 1991, p. 107.

⁶³ Vines, *op. cit.*, 1991, p. 132.

candidates."⁶⁴ By the time the ONUMOZ force deployed, this provision translated into a blatant demand for financial incentives from the international community for its cooperation with the peace process.⁶⁵ Renamo also sought a settlement that would guarantee the security of the movement, after it had abandoned the war and begun to reintegrate into Mozambican society. It duly insisted on the inclusion of security provisions and international observation of the peace process in the Rome Agreement.⁶⁶

5.2.1.2: Interaction Mechanisms

The United Nations was committed to the use of the peacekeeping mechanism to safeguard the peace process in Mozambique. However, overstretch of United Nations resources⁶⁷ meant that ONUMOZ deployed sluggishly,⁶⁸ also failing to negotiate a Status of Forces Agreement until May 1993.⁶⁹ Renamo refused to begin demobilising until ONUMOZ was fully deployed and operational.⁷⁰ Both sides took advantage of the slow arrival of the peacekeepers to seize territory before the peace process could begin.⁷¹ These delays and complications highlighted that the Agreement's timetables were unrealistic.⁷² Once ONUMOZ

⁶⁴ *General Peace Agreement for Mozambique*, Rome, 4 October 1992, S/24635 Annex, 8 October 1992, p. 17

⁶⁵ See Chris McGreal, "Renamo Puts £66m Price of Keeping Peace", *The Guardian*, 10 June 1993, and Barnaby Phillips, "Mozambique Rebel Leader Lifts Threat to Boycott Poll", *Daily Telegraph*, 21 September 1994.

⁶⁶ Rome Peace Agreement, 8 October 1992, pp. 26-27.

⁶⁷ The United Nations in late-1992-early-1993 was sponsoring its three largest operations of all time - the 20,500-strong UNTAC force in Cambodia, the 39,000-strong UNPROFOR forces in the former Yugoslavia, and was preparing to launch the 30,800-strong UNOSOM II force into Somalia, as well as maintaining an unprecedented number of smaller operations around the world.

⁶⁸ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/26034, 30 June 1993, p. 1.

⁶⁹ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/25518, 2 April 1993, p. 3.

⁷⁰ *ibid.*, p. 2.

⁷¹ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/26666, 1 November 1993, pp. 7-8.

⁷² "Report of the Secretary-General on the United Nations Operation in Mozambique", S/25518, 2 April 1993, p. 10.

was fully operational, it re-negotiated a more realistic timetable⁷³ and an effective agreement for the movement of troops to counter ceasefire violations.⁷⁴ The parties' compliance was ensured through their participation in the Supervisory and Monitoring Commission (CSC), a dispute resolution and coordinating body overseeing the settlement process.⁷⁵ ONUMOZ succeeded in tying both parties, through a number of agreements, bodies, and timetables, to a unidirectional process of de-escalation of the conflict, by linking Renamo's financial assistance to its cooperativeness,⁷⁶ and by channelling its access to humanitarian relief and other reintegration aids through ONUMOZ-monitored assembly areas.⁷⁷

For Renamo, a United Nations peacekeeping presence represented an insurance policy for the movement as it pursued its objectives of political integration while avoiding revenge and annihilation. In agreeing to the peacekeeping mechanism, it undertook to "refrain from armed combat and instead to conduct its political struggle in conformity with the laws in force, within the framework of the existing State institutions and in accordance with the conditions and guarantees established in the General Peace Agreement."⁷⁸ Renamo further agreed to the cessation of armed conflict (CAC) and Ceasefire Commission (CCF) mechanisms, which were to guarantee a fast, balanced and irreversible process of implementation of the ceasefire, and the separation, concentration, and demobilisation of forces.⁷⁹ ONUMOZ also provided a verification mechanism to oversee the withdrawal of pro-Frelimo Zimbabwean and Malawian troops from Mozambican soil.⁸⁰ For Renamo, ONUMOZ represented, in addition to security

⁷³ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/26666, 1 November 1993, p. 5.

⁷⁴ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/1994/89, 28 January 1994, p. 6.

⁷⁵ Rome General Peace Agreement for Mozambique, 8 October 1992, pp. 34-35.

⁷⁶ Security Council Resolution 818 (1993) of 14 April 1993.

⁷⁷ "Report of the Secretary-General on the United Nations Operation in Mozambique (ONUMOZ)", S/24892, 3 December 1992, pp. 4 and 7.

⁷⁸ Rome General Peace Agreement, 4 October 1992, p. 6.

⁷⁹ *ibid.*, pp. 39-41.

⁸⁰ Report of the Secretary-General on the United Nations Operation in Mozambique", S/26034, 30 June 1993, p. 2.

during the ceasefire and demobilisation, access to an international conference of donor countries organised by Italy to finance the activities of the Mozambican political parties. The peacekeepers were thus the guarantors of security as well as the conduits of the financial benefits of peace desired by Renamo.⁸¹

5.2.1.3: Instrumentality

Renamo saw a United Nations peacekeeping presence as a guarantee, providing security during the ceasefire and demobilisation, and access to the donor's conference. ONUMOZ's instrumentality was established in the Rome Agreement, which requested it "to start its functions of verifying and monitoring the ceasefire on the day of entry into force of the General Peace Agreement."⁸² Its presence was vital to all stages of the peace process: monitoring the ceasefire, conducting troop concentrations and disarmament,⁸³ and chairing the CAC, CCF and the Committee for the Reintegration of Demobilised Personnel (CORE).⁸⁴ ONUMOZ's protection of the transport corridors⁸⁵ stabilised the region while the peace process developed within Mozambique.⁸⁶ Once deployed, ONUMOZ became demonstrably a "stabilising factor" in the ceasefire between the belligerents.⁸⁷ Learning the lessons of Angola, ONUMOZ was determined to provide a comprehensive armed presence.⁸⁸ It was so instrumental to the process that Renamo saw its "presence in certain Renamo areas as a guarantee that another party could

⁸¹ *ibid.*, p. 47.

⁸² Rome General Peace Agreement for Mozambique, 4 October 1992, p. 2.

⁸³ Rome General Peace Agreement for Mozambique, 8 October 1992, p. 42.

⁸⁴ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/24642, 9 October 1992, p. 3.

⁸⁵ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/1994/89, 28 January 1994, p. 5.

⁸⁶ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/24892, 3 December 1992, pp. 5,7.

⁸⁷ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/26034, 30 June 1993, p. 2.

⁸⁸ Andrew Meldrum, "Peace At Last", *Africa Report*, Vol. 38, No. 2, March/April 1993, p. 49.

not take advantage of the demobilisation of Renamo forces."⁸⁹ ONUMOZ also held access to the donor community; its Special Representative of the Secretary-General repeatedly appealed to the international donor community on behalf of Renamo for more funds.⁹⁰

Both the United Nations and Frelimo recognised that Renamo had to be an integral and voluntary part of any peace agreement. As one of two sides in a destructive civil war that had raged for over a decade, Renamo's agreement and participation in the peace process was essential to any lasting peace. Renamo's use of terrorist tactics, its cadre's penchant for the abduction and rape of young girls,⁹¹ and "...its all too obvious links with the South African armed forces and certain disgruntled colonialist circles in Portugal and South Africa"⁹² had certainly isolated the movement and attracted criticism from quarters that often advocated a policy of not dealing with Renamo. Realists domestically and internationally, however, pointed out that Renamo could not be defeated by military means alone, and that as a brutally efficient military force in its own right, had the ability to disrupt indefinitely any peace and reconstruction process from which it was excluded.⁹³ Renamo's repeated declarations indicate that it was determined not to be left out of the peace process and would oppose any peace agreement that overlooked the movement's wishes.⁹⁴ Hard political realities thus overcame ethical considerations and dictated that Renamo's agreement was instrumental to the success of the peacekeeping process.

⁸⁹ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/25518, 2 April 1993, p. 2.

⁹⁰ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/26666, 1 November 1993, p. 11.

⁹¹ Chris McGreal, "Renamo Hides Child 'Brides' of Boy Soldiers", *The Guardian*, 11 June 1993.

⁹² Tom Young, "The MNR/Renamo: External and Internal Dynamics", *op. cit.*, 1990, p. 503.

⁹³ Vines, *op. cit.*, 1991, p. 131.

⁹⁴ See Ruth Ansah Ayisi, "And Now Peace", *Africa Report*, Vol. 37, No. 6, p. 32, and Andrew Meldrum, "Lessons From Angola", *Africa Report*, Vol. 38, No. 1, January-February 1993, p. 24.

5.2.1.4: Impartiality

Both parties' substantive cooperation with ONUMOZ was based on their perceptions that ONUMOZ was acting impartially in brokering the peace process. It was careful to maintain the impression of impartiality and objectivity. Special Representative Ajello stressed the importance of cooperation of both sides; that the United Nations could not "promote and establish peace without the cooperation of the parties [and that] the political will of the parties to achieve a peaceful settlement must be demonstrated not only with public statements but with concrete action."⁹⁵ ONUMOZ took pains to be equally rigorous in investigating both sides' ceasefire violations and complaints.⁹⁶ The Security Council was also careful to commend both sides equally for their fidelity to the peace process and their cooperation with ONUMOZ.⁹⁷ ONUMOZ maintained its impartiality by complying strictly with the conditions of the Rome Agreement and rejecting the appeals of either party to alter its provisions, stressing "...the unacceptability of attempts to gain more time or further concessions, or to attach new conditions to the peace process."⁹⁸ The United Nations' image of an honest broker, carefully nurtured by both the Security Council and ONUMOZ, thereby served to maintain the parties' cooperation with the Operation and protected the progress of the peace process.

Renamo's cooperation with the peacekeepers and its impartiality of behaviour in complying with the Rome Agreement was predicated on its acceptance of the peace process and the ONUMOZ force as a part of that process. At the outset of the ONUMOZ deployment, Renamo remained suspicious of a foreign military presence, and displayed an initial "...reluctance to allow timely investigation of alleged ceasefire violations and insistence on

⁹⁵ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/26666, 1 November 1993, p. 11.

⁹⁶ See "Report of the Secretary-General on the United Nations Operation in Mozambique", S/26385, 30 August 1993, p. 3; and "Report of the Secretary-General on the United Nations Operation in Mozambique", S/26666, 1 November 1993, pp. 7-8.

⁹⁷ Security Council Resolution 898 (1994) of 23 February 1994.

⁹⁸ Security Council Resolution 882 (1993) of 5 November 1993.

keeping certain areas under its control."⁹⁹ Both Renamo and the government also continued to manoeuvre to increase the size of the territory they controlled in the early aftermath of ONUMOZ's deployment.¹⁰⁰ Renamo further refused to cooperate until ONUMOZ was substantially deployed and operational.¹⁰¹ Many of these problems arose as a result of the sluggish mounting and deployment of ONUMOZ, and Renamo's cooperation was secured soon after through the CAC and CCF and the negotiated agreement on troop movements.¹⁰² Renamo's underlying acceptance of the peace process indicated that it would eventually conform to the peace process. At the end of the disarmament process, Renamo's declaration of the numbers of troops and weapons that had failed to comply with the disarmament schedule testified to its good faith and impartiality of its behaviour.¹⁰³

5.2.1.5: Timing

Renamo's signature of the Rome Agreement, and its ultimate cooperation with ONUMOZ was based on its realist appraisal of its military situation. It calculated that a favourable peace agreement would allow it to escape a stalemated civil war and achieve its modified objectives through negotiation and political re-integration. By the mid-1980s, both Renamo and Frelimo had recognised that neither had the ability to win the war outright, but that their opponents had an indefinite ability to deny them victory.¹⁰⁴ Both realised, however, that the war was destroying Mozambique and alienating the majority of the population as it became increasingly difficult to mobilise supporters or raise recruits for the war effort.¹⁰⁵ As Frelimo

⁹⁹ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/25518, 2 April 1993, p. 11.

¹⁰⁰ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/26385, 30 August 1993, p. 3.

¹⁰¹ "Report of the Secretary-General on the United Nations Operation in Mozambique", S/25518, 2 April 1993, pp. 10-11.

¹⁰² "Report of the Secretary-General on the United Nations Operation in Mozambique", S/1994/89, 28 January 1994, p. 6.

¹⁰³ David Beresford, "Mozambican Rebels Make Peace Pledge", *The Guardian*, 27 October 1994.

¹⁰⁴ Hensch, "How Mozambique's Guns Were Silenced", *op. cit.*, 1992.

¹⁰⁵ Vines, *op. cit.*, 1991, p. 130.

began to introduce democratic reforms and Renamo realised that to counteract its marginalisation it would eventually have to compete in free elections, both parties recognised the loss of popular support continued warfare would entail. Renamo thus calculated that persevering with its military campaign would further marginalise the movement, while agreeing to and advocating peace would generate support among a war-weary populace. Thus the timing of the Rome Agreement and the introduction of ONUMOZ was propitious based on the military calculus of Renamo.

5.2.1.6: Support and Isolation

Former Renamo sponsors, as well as other influential States, were highly supportive of the United Nations' efforts to maintain Renamo's cooperation with the peace process. South Africa, which had for so long supplied and directed Renamo, was instrumental in delivering Renamo to Rome during the mediation of the agreement,¹⁰⁶ and during the peace process, both the de Klerk and Mandela administrations maintained the pressure on Renamo to cooperate with the United Nations.¹⁰⁷ Regional and wider African leaders meeting in Harare in October 1994 warned both sides that they were prepared to intervene in Mozambique if either party defaulted on the peace process and returned to war after the elections.¹⁰⁸ An influential non-governmental supporter of ONUMOZ was Lonhro Corporation President Tiny Rowland, who maintained constant pressure on Renamo first to enter and agree to the peace process, and then to comply fully with its provisions.¹⁰⁹ In support of ONUMOZ's efforts to tie the parties to the peace process and the outcome of the elections, the United States and Portugal jointly conducted all-party talks in the lead up to the elections to try to persuade them to agree to a power-sharing transitional administration in the aftermath of the elections.¹¹⁰ Finally, many States were

¹⁰⁶ United Nations Department of Public Information, "Mozambique: Out of the Ruins of War", *Africa Recovery Briefing Paper No. 8*, May 1993, (New York: United Nations, 1993), p. 13.

¹⁰⁷ Barnaby Phillips, "Mozambique Rebel Leader Lifts Threat to Boycott Poll", *Daily Telegraph*, 21 September 1994.

¹⁰⁸ David Beresford, "Mozambican Rebels Make Peace Pledge", *The Guardian*, 27 October 1994.

¹⁰⁹ Interview with Joan T. Seymour, Special Assistant to the Under-Secretary-General, Department of Political Affairs, United Nations Headquarters, New York, 11 March 1994.

¹¹⁰ Martin Walker, "UN to Remain After Election", *The Guardian*, 15 October 1994.

supportive of the United Nations' efforts to raise money for the parties through the Trust Fund and the Donor's Conference, used by ONUMOZ to maintain Renamo's cooperation with the Operation.¹¹¹

A factor in Renamo's military calculus to abandon the war was its desertion by most of its major external sponsors. As a creation of external interests, Renamo remained throughout its existence heavily dependent on the training, support and direction of first Rhodesia and then South Africa.¹¹² Renamo also gained support from embittered Portuguese ex-colonists, and its anti-communist orientation gained it the support of religious fundamentalist groups in the United States.¹¹³ By the end of the 1980s, reports of its waging of a systematic war of terror, rape and genocide against civilians,¹¹⁴ began to dry up its support. The Southern African peace dynamic,¹¹⁵ began to isolate Renamo militarily and diplomatically.¹¹⁶ South Africa's new de Klerk government, keen to protect its own delicate reform process from external destabilisation, halted all official assistance to Renamo, and committed the government to preventing the aid intended for Renamo from right-wing South African and Portuguese groups and from groups within the South African Defence Forces from reaching the movement.¹¹⁷ The slow starving of Renamo of the external assistance and direction on which it had formerly relied so heavily figured strongly in its military calculations to abandon the war and pursue a peaceful settlement.

¹¹¹ The biggest contributors to the Trust Fund were Italy, the United States, Denmark, and Norway.

¹¹² Patrick Brogan, *World Conflicts: Why and Where They Are Happening*, London: Bloomsbury, 1992), pp. 65-66.

¹¹³ Karl Maier, "Between Washington and Pretoria", *Africa Report*, Vol. 33, No. 6, November-December 1988, p. 44.

¹¹⁴ The event with the greatest impact was the news of Renamo's July 1991 massacre of up to 1000 civilians in Nampula.

¹¹⁵ Comprised of the 1988 Angola-Namibia Accords, Namibian independence in 1989, the dismantling of *apartheid*, and the 1991 Angolan peace treaty.

¹¹⁶ Hemsch, "How Mozambique's Guns Were Silenced", *op. cit.*, 1992.

¹¹⁷ *ibid.*

5.2.1.7: Cohesion

The ONUMOZ Operation was not so much hindered by its sponsoring coalition's lack of cohesion but rather by its lack of interest. The overstretch of United Nations peacekeeping and security machinery at the time of the mounting of the ONUMOZ Operation meant that the Security Council members' attention was diverted to higher-profile operations and more pressing security concerns. Throughout the Operation the Security Council was obsessed by limiting the duration of the peace process and cutting its Operational costs, repeatedly "*Stressing the necessity...to continue to monitor expenditures carefully during this period of increasing demands on peacekeeping resources.*"¹¹⁸ The United Nations further struck difficulties in mounting the Operation when willing troop contributors at first were difficult to find, and then were tardy in dispatching those contingents they had pledged to take part in ONUMOZ.¹¹⁹ These problems were largely circumvented by the cooperation of the parties on the ground, and the subsequent ability of ONUMOZ to implement the peace process in accordance with the revised timetable.

Cohesion proved to have little effect on Renamo's approach or ability to deliver on its commitments in Mozambique. Renamo began and remained a decentralised movement, with the levers of power and control in the hands of its leaders, and dependent on external direction rather than its central leadership for strategic direction.¹²⁰ Renamo leader Dhlakama remained unsure of his position and unable to assert strong control over the movement. His initial inability to tie all of the Renamo factions to the peace process was evident in the continued Renamo attacks on the transport corridors.¹²¹ ONUMOZ was aware of this difficulty as it deployed,¹²² and was careful to link material and humanitarian incentives to all ranks during the ceasefire and disarmament process to ensure general Renamo compliance with the peace process. Also, its

¹¹⁸ Security Council Resolution 898 (1994) of 23 February 1994.

¹¹⁹ Security Council Resolution 818 (1993) of 14 April 1993.

¹²⁰ Vines, *op. cit.*, 1991, p. 132.

¹²¹ Quoted in *ibid.*

¹²² Interview with Jose M. da Silva Campino, United Nations Department of Political Affairs, United Nations Headquarters, New York City, 11 March 1994.

comprehensive troop levels and patrolling procedures were able to control low-level defiance of the ceasefire by small factions and bandits.¹²³ In this way, Renamo's lack of cohesion was overcome and not permitted to be an obstacle to the peace process.

The success of ONUMOZ in implementing the Rome Agreement in Mozambique correlates strongly with a basic complementarity between its approach to the operation, and that of the parties, particularly Renamo. The poverty of Renamo's independent ideological or nationalist rationale, and its dependence on external direction and resourcing, gave the movement a malleability rare among insurgent movements. Once deprived of its South African backing, it lost all direction, and its overriding aims became the safe ending of the insurgency, with access to power and substantial side payments. Once it had secured a peace agreement with which it was satisfied in Rome, it was convinced of the importance of a United Nations peacekeeping force to ensure the fair and safe implementation of this agreement. The smooth functioning of the ONUMOZ force in carrying out its mandate was helped by the fact that there were no compelling Great Power interests in Mozambique. This allowed minor powers, such as Italy, to play a leading role, without any major interference or disagreements among other Member-States. The only interested State was South Africa, which strongly advocated peace, and the peace process was bolstered by a regional peace momentum. ONUMOZ became for Renamo a guarantor of money and security in the peace process. Of great use to ONUMOZ was the recent failure of UNAVEM II in Angola: many of the shortcomings of that operation were learnt from and guarded against. These concurrent approaches to the peacekeeping interaction were not sufficient to guarantee the success of the process, however. ONUMOZ's (eventual) comprehensive deployment, its negotiation and fidelity to an agreed timetable, its use of the CAC, CCF and CORE mechanisms, and its rigid objectivity and impartiality enabled it to secure the parties' cooperation and implement the Peace Agreement. ONUMOZ experienced problems arising from the unrealistic timetable of the non-United Nations mediated Rome agreement, which were compounded by its sluggish deployment. It overcame these difficulties creatively by renegotiating aspects of the agreement, and was aided by the fact that it was the access point for Renamo to the large sums of money donated by the international community. In these ways,

¹²³ See "Operational Plan for United Nations Observation of the Military Aspects of the Agreement", in "Report of the Secretary-General on the United Nations Operation in Mozambique", S/24892, 3 December 1992, pp. 6-8.

basic compatibility between Renamo's and ONUMOZ's approaches to the peace process can be seen to have contributed strongly to the effectiveness of the peacekeeping interaction.

5.2.2: Handling the USC-SNA Scorpion

By late 1992, Somalia had descended into the chaos that Boutros-Ghali had warned of in *Agenda for Peace*: brutal clan warfare had destroyed all central governing authority, mortgaging Somalia's future to a vicious cycle of hunger, insecurity and lawlessness.¹²⁴ The Somali civil war had begun when the coalition to overthrow dictator Mohammed Said Barre dissolved into anarchy as the clans¹²⁵ fell on each other in a ferocious struggle to inherit the reins of State.¹²⁶ The war polarised between two factions of the Hawiye clan's United Somali Congress: the Abgal sub-clan of Ali Mahdi Mohammed, installed as interim President; and the Habr Gedir sub-clan of Mohammed Farah Aideed, which formed the United Somali Congress-Somali National Alliance (USC-SNA) to challenge Ali Mahdi's claim to the Presidency.¹²⁷ Banditry proliferated in a countryside awash with weapons left over from the Cold War, resulting in a murderous anarchy fuelled by clan opportunism, brigandry, and an indigenous narcotic plant called qat.¹²⁸ Before long, it was the belligerent USC-SNA that emerged as the most problematical interlocutor for the United Nations' tentative involvement in the form of UNOSOM I during 1992.

¹²⁴ See Boutros Boutros-Ghali, *Agenda for Peace*, (New York: United Nations, 1992), p. 6.

¹²⁵ Somalis all belong to the same ethnic group, have a common religion, and speak the same language. Somali society is therefore organised around various territorially based clans or sub-clans, between whom there has been a history of incessant feuding and warfare. Featuring all of the closeness and often chauvinism of larger national or ethnic groups, inter-clan warfare in Somalia can be as desperate and bloody as any ethnic conflict. See Abdi Ismael Samatar, "Destruction of State and Society in Somalia: Beyond the Tribal Convention", *Journal of Modern African Studies*, Vol. 30, No. 4, 1992, pp. 625-641.

¹²⁶ The main political clan groups that attended the January 1992 peace conference in Addis Ababa were the Somali Africans Muki Organisation (SAMO), the Somali Democratic Alliance (SDA), the Somali Democratic Movement (SDM), the Somali National Democratic Union (SNDU) the Somali National Front (SNF), the Somali National Movement (SNM) the Somali National Union (SNU), the Somali Patriotic Movement (SPM), the Somali Salvation Democratic Front (SSDF), the Southern Somali National Movement (SSNM), the United Somali Front (USF), the United Somali Party (USP) and the United Somali Congress (USC).

¹²⁷ For a further account of the war in Somalia, see Peter Woodward and Murray Forsyth (eds), *Conflict and Peace in the Horn of Africa: Federalism and Its Alternatives*, (Aldershot: Dartmouth, 1994).

¹²⁸ Kenneth Freed, "Chewing the Fat, With a Side of Qat", *Los Angeles Times*, 26 December 1992.

Heading a core 500-strong clan-based militia, but able to call on thousands more armed Habr Gedir and other sympathetic sub-clans, Aideed sought to use the anarchy in Somalia for his own ends. Formerly Chief of Police in Mogadishu and Armed Forces Chief of Staff to Siad Barre, Aideed had defected to the anti-Siad Barre insurgents in 1989.¹²⁹ A talented, Soviet-trained officer, he soon imposed a relatively stricter discipline, training and weapons regime on his militia.¹³⁰ He soon exhibited a political talent as well, mobilising his sub-clan in a struggle to seize the advantages that would accrue to any clan that ruled Somalia, as Siad Barre's Maheeran clan had done throughout his dictatorship.¹³¹ Aideed was also able to identify with and personify the wider Somali identity,¹³² using emotive appeals to nationalism, anti-imperialism, and threats of external danger to mobilise and control the fissiparous, independently-armed clans and allies of the USC-SNA.¹³³ Cognisant of the 30% literacy of Somalis, and the strong oral tradition of Somali society, he was able to use the Radio Mogadishu station, captured by the USC-SNA, as his primary means of disseminating propaganda and tactically mobilising the clans.¹³⁴ The USC-SNA was using its military strength to benefit from the anarchy in Somalia; by fostering the warfare, banditry and starvation, it would destroy the political base of its Ali Mahdi opponents, and seize power from amongst the confusion.

Under pressure to end the anarchy and brutal warfare between the USC-SNA and the other clans, the United Nations sent UNOSOM II to Somalia in May 1993, charged with

¹²⁹ Mark Yost, "A Short History of Somalia", *Wall Street Journal*, 19 October 1993.

¹³⁰ Reports into USC-SNA attacks on UNOSOM II revealed sophisticated ambush techniques to establish killing zones, well-thought-out flank protection, extreme firing discipline by Aideed militias, and advanced crossfire tactics to maximise casualties among peacekeepers. See "Report of the Commission of Inquiry Established Pursuant to Security Council Resolution 885 (1993) to Investigate Armed Attacks on UNOSOM II Personnel Which Led to Casualties Among Them", S/1994/653 Annex, 1 June 1994.

¹³¹ Keith B. Richburg, "Somali Militias Return As Foreign Troops Leave", *Washington Post*, 4 December 1994.

¹³² Bernard Morris, "Somali Mercy Mission Turns Into Bloodbath", *Sunday Times*, 28 February 1993.

¹³³ Robert M. Press, "UN Pursues Talks With Somali Clans", *The Christian Science Monitor*, 22 September 1993.

¹³⁴ "Report of the Commission of Inquiry Established Pursuant to Security Council Resolution 885 (1993) to Investigate Armed Attacks on UNOSOM II Personnel Which Led to Casualties Among Them", S/1994/653, 1 June 1994, p. 41.

pacification, protecting aid flows, disarming the militias, repatriating refugees, and promoting reconciliation. Within six months the force was embattled in Mogadishu, and the focus of bitter recriminations and sagging commitment in New York; UNOSOM II entered the vocabulary of debate as a metaphor for the crisis in United Nations peacekeeping. By March 1995, the force had withdrawn, having spent \$3 billion and thousands of lives over nearly two years, leaving Somalia in much the same State of anarchy as it found it. The peacekeeping framework, when applied to UNOSOM II's relations with the USC-SNA, reveals the sources of this spectacular failure.

5.2.2.1: Objectives

The international coalition supporting UNOSOM II's intervention into Somalia was motivated predominantly by humanitarian motives. By August 1992, the United Nations reported that over 300,000 Somalis had died as a direct result of the civil war and famine. Press photographs of emaciated and dying women and children mobilised enormous public empathy, especially in Western and Islamic societies. Much of the pressure to "do something" was directed at the Bush administration in the United States, which had coined the "new world order" rhetoric in the aftermath of the successes of the Gulf War and operation to protect the Kurds in northern Iraq.¹³⁵ The United States responded, beginning aid drops in August 1992 and mobilising the UNITAF operation in December 1992. Meanwhile, pressure was mounting for the United Nations to respond. The Organisation was embarrassed by its initial withdrawal from Somalia in January 1991, and the lack of impact of its first UNOSOM operation on the crisis. The European Union called on the United Nations to respond in August 1992, Secretary-General Boutros-Ghali publicly castigated the Security Council for its preoccupation with the "rich man's war" in Bosnia while ignoring Somalia, and the United Nations Special Representative Mohammed Sahnoun resigned over the poverty of the United Nations response. By early 1993, the new Clinton administration was applying pressure on the Organisation for a United Nations operation to relieve the UNITAF force.¹³⁶ Thereafter it was the United States, keenly supported

¹³⁵ See George Bush's address to the American people, "Conditions in Somalia", 4 December 1992, *Vital Speeches of the Day*, Vol. 65, No. 6, 1 January 1993, pp. 162-3.

¹³⁶ New United States Secretary of State Warren Christopher met with United Nations Secretary-General Boutros Boutros-Ghali on 1 February 1993 to press for a United Nations operation to relieve UNITAF.

by Boutros-Ghali, that initiated action for a United Nations force, and thereafter proposed the composition, structure, capabilities, and responsibilities of the operation. Finally, the pressures caused a sponsoring coalition to form around the United States to send a more UNITAF-like United Nations force into Somalia. The United States was supported by the Western Europeans, particularly Italy, the former colonial power, the moderate Islamic world: Saudi Arabia, Turkey, Pakistan, the OIC, and the League of Arab States, and concerned regional States: Ethiopia, Kenya and Djibouti. Yet the sources of the motivation to respond were hardly compelling, and the fragility of the commitment of the members of the sponsoring coalition were to have a great effect on the viability of UNOSOM II.¹³⁷

The objectives defined by the United Nations for UNOSOM II were to secure aid flows, internal stabilisation, and to impose order and political reintegration. Rather than just facilitating aid delivery, the UNOSOM II was required to terminate the war and resurrect the collapsed State. The mission's mandate included the tasks of "Assisting...in the ongoing political process in Somalia, which should culminate in the installation of a democratically elected government,"¹³⁸ which could ultimately maintain order and rebuild the country.¹³⁹ The United Nations was aware that the conflict could potentially threaten regional security,¹⁴⁰ and thus placed the pacification and termination of the fighting as its first priority. UNOSOM II was inserted into Somalia to help implement the framework¹⁴¹ of the March 1993 Addis Ababa Agreement, in which the factions agreed to a peace process in which a ceasefire and disarmament would precede a transitional period of reconstruction and reconciliation, and the setting up of a Transitional National Council (TNC) to administer Somalia until elections could

¹³⁷ For an example of the ephemeral and unclear nature of the motives for intervening in Somalia, see Bill Clinton's address to the American People, "Somalia: Why Our troops will leave by March 31 1994", 7 October 1993, *Vital Speeches of the Day*, Vol. 70, No. 2, 1 November 1993, pp. 34-6.

¹³⁸ Security Council Resolution 897 (1994) of 4 February 1994.

¹³⁹ "Further Report of the Secretary-General Submitted in Pursuance of Paragraphs 18 and 19 of Resolution 794 (1992)" S/25354, 3 March 1993, p. 9.

¹⁴⁰ Report of the Secretary-General, "The Situation in Somalia", S/23693, 11 March 1992, p. 4.

¹⁴¹ "Further Report of the Secretary-General Submitted in Pursuance of Paragraph 4 of Resolution 886 (1993)", S/1994/12, 6 January 1994, p. 12.

take place.¹⁴² The ceasefire was also seen as essential to the delivery of aid and the protection of the aid agencies.¹⁴³ UNOSOM II's primary task, then, was "to assume responsibility for the consolidation, expansion and maintenance of a secure environment throughout Somalia,"¹⁴⁴ in order for the successful subsequent implementation of the "...other aspects of UNOSOM [II]'s mandate, be they political, civil, humanitarian, rehabilitation or reconstruction."¹⁴⁵

The medieval nature of the Somali power struggle placed the objectives of the USC-SNA at odds with those of UNOSOM II, which were dedicated to contemporary internationalist concerns of stability and legitimacy. The war between the USC-SNA and the Ali Mahdi alliance was "a raw power struggle, devoid of ideological or ethnic motivation, with both...claiming to be the rightful successor to ousted President Mohammed Said Barre."¹⁴⁶ The struggle for control of the State, the gatekeeper of security, wealth, cultural survival and prestige, had generated an escalating sub-clan security dilemma: "As the conflict continues, subclan loyalty - even sub-clan security - is increasingly at stake, with the fear that the future [seizure of power by the rival sub-clan] may bring murderous retaliation against the losers."¹⁴⁷ The USC-SNA was for this reason bitterly opposed to the instalment of Ali Mahdi as interim President by the Djibouti Accords, and viewed the struggle for power in zero-sum terms.¹⁴⁸ The USC-SNA's objectives centred on the seizure of power and preventing Ali Mahdi from consolidating power. It adopted the basic strategy of military destabilisation: "Aideed...did not create domestic anarchy in Somalia absent-

¹⁴² "Addis Ababa Agreement of the First Session of the Conference of National Reconciliation in Somalia, 27 March 1993", Permanent Mission of Ethiopia to the United Nations, 28 December 1993, pp. 2-5.

¹⁴³ Report of the Secretary-General, "The Situation in Somalia", S/23829, 21 April 1992, pp. 7, 11, 13.

¹⁴⁴ Security Council 814 (1993) of 26 March 1993.

¹⁴⁵ "Further Report of the Secretary-General Submitted in Pursuance of Paragraph 18 of Resolution 814 (1993)", S/26317, 17 August 1993, p. 17.

¹⁴⁶ *New York Times*, 23 January 1992.

¹⁴⁷ Rakiya Omaar, "Somalia: At War With Itself", *Current History*, Vol. 91, No. 565, May 1992, p. 233; for the concept of the Security Dilemma in ethnic conflicts, see Barry R. Posen, "The Security Dilemma and Ethnic Conflict", *Survival*, Vol. 35, No. 1, Spring 1993, pp. 27-47.

¹⁴⁸ The Djibouti Accords, brokered by Djibouti's President Hassan Gouled Aptidon in June 1991, agreed to install Ali Mahdi as interim President for the duration of a united final push against Said Barre forces in southern Somalia. Although the USC was a signatory to the Accords, and Aideed was later elected chairman of the USC, the USC-SNA fiercely contested Ali Mahdi's position.

mindedly. The insecurity of the Somali population was their very objective, the basis of their power and revenues."¹⁴⁹

Within the first few months of its deployment, the USC-SNA "decided that the United Nations, in its efforts to restore representative government...represented some kind of threat...and decided to...obstruct in every way the mandate that [UNOSOM II was] carrying out."¹⁵⁰ UNOSOM II's presence and objectives were a threat: "Simply by being...the dominant military force in the country, UNOSOM reduced the influence of those political leaders, General Aideed eminent among them, who had hitherto disposed of substantial forces. While UNOSOM remained in place, guns would no longer trump all other sources of influence."¹⁵¹ The USC-SNA's propaganda alleged that the UNOSOM II had a secret agenda of operating as an invasion force to turn Somalia into a United Nations protectorate.¹⁵² The USC-SNA was also opposed to UNOSOM II's protection of humanitarian relief. In that famine-stricken environment, food had become a valuable commodity;¹⁵³ the control of food and its distribution was an important political-military instrument.¹⁵⁴ Before the arrival of UNOSOM II, Aideed had repeatedly asserted that the USC-SNA could distribute aid.¹⁵⁵ This was rejected by the Security Council, and the introduction of UNOSOM II to control aid distribution deprived the USC-SNA of a powerful military tool, threatening to marginalise it as a force in the struggle for power in Somalia.¹⁵⁶ Hence the approaches of UNOSOM II and the USC-SNA can be seen to have been not just divergent, but diametrically clashing.

¹⁴⁹ Ruggie, "Wandering in the Void", *op. cit.*, 1993, p. 29.

¹⁵⁰ Special Representative of the Secretary-General to Somalia, Admiral Jonathon T. Howe, quoted in United Nations World Chronicle, No. 517, 23 September 1993.

¹⁵¹ Tom Farer, "Report Pursuant to Paragraph 5 of Security Council Resolution 837 (1993) on the Investigation Into the 5 June 1993 Attack on United Nations Forces in Somalia Conducted on Behalf of the Secretary-General", S/26351, 24 August 1993, p. 6.

¹⁵² *New York Times*, 3 January 1993.

¹⁵³ Peter Biles, "Anarchy Rules", *Africa Report*, Vol. 37, No. 4, July/August 1992, p. 32.

¹⁵⁴ Report of the Secretary-General, "The Situation in Somalia, Addendum", S/23829/Add.1, 21 April 1992, p. 11.

¹⁵⁵ Report of the Secretary-General, "The Situation in Somalia", S/23829, 21 April 1992, p. 4.

¹⁵⁶ Michael Elliott, "The Making of a Fiasco", *Newsweek*, 18 October 1993, pp. 9-10.

5.2.2.2: Interaction Mechanisms

In early 1993, the Secretary-General and his Department of Peacekeeping Operations at United Nations headquarters were not convinced that a peacekeeping response was appropriate without significant consent or a viable ceasefire in place.¹⁵⁷ Within the Security Council, the United States had begun to insist that the United Nations relieve the burden and expense of the overwhelmingly American-run UNITAF operation. The relevant Departments within the United Nations contended that until UNITAF disarmed the Somali militias and established a peace process, a peacekeeping force would be inappropriate.¹⁵⁸ Bowing to American pressure, the Security Council finally overrode Secretariat opposition and endorsed the dispatch of UNOSOM II. From the beginning there was confusion about the roles and methods of the force. When finally deployed, UNOSOM II was the culmination of escalating commitments and force levels, as each additional task was thought to hold the key to the pacification and rehabilitation of Somalia. The factions' resistance to UNOSOM II resulted in "growing impatience"¹⁵⁹ over "the lawlessness and lack of security that prevail throughout Somalia."¹⁶⁰ The Security Council "doubted whether the methods employed by the United Nations to date could bring the situation under control. Strong support was expressed for [the] view that the time had come when it was necessary to move into Chapter VII of the Charter of the United Nations."¹⁶¹

Following this logic, and feeling "that the situation in Somalia [had] deteriorated beyond the point at which it [was] susceptible to peacekeeping treatment,"¹⁶² the Security Council

¹⁵⁷ See Leslie H. Gelb, "U.S. Forces Should Go to Somalia", *International Herald Tribune*, 20 November 1992.

¹⁵⁸ The Secretary-General's Special Envoy to Somalia was quoted as saying as late as February 1993, "It's not a secure environment. [US marines] can't leave yet." See Keith Richburg, "Marines 'Ready' for UN Handover", *The Guardian*, 5 February 1993.

¹⁵⁹ "Letter Dated 24 November 1992 From the Secretary-General Addressed to the President of the Security Council", S/24859, 27 November 1992, p. 2.

¹⁶⁰ Report of the Secretary-General, "The Situation in Somalia", S/24480, 24 August 1992, p. 3.

¹⁶¹ "Letter Dated 29 November 1992 From the Secretary-General Addressed to the President of the Security Council", S/24868, 30 November 1992, p. 1.

¹⁶² *ibid.*, p. 2.

authorised UNOSOM II to take "appropriate action against any faction that violates or threatens to violate the cessation of hostilities."¹⁶³ The Security Council mandated the "use of force...to ensure, on a lasting basis, that the current violence against the international relief effort was brought to an end...this action would help de facto to bring about a ceasefire between warring factions and that this would be a positive factor in the context of national reconciliation."¹⁶⁴ The Security Council had quite consciously decided to embark on its first experiment in peace-enforcement, a concept which it had approved along with the other components of *Agenda for Peace* nine months previously.¹⁶⁵ UNOSOM II's approach differed radically from that of traditional peacekeeping operations. In determining to override consent and impose peace and stability, the force became an arbiter rather than a facilitator; a military rather than a diplomatic instrument. Heavily armed to enforce United Nations directives, UNOSOM II became a military threat to the belligerents, rather than an impartial guarantor and buffer. In embracing enforcement, the United Nations had adopted an approach for which it had no doctrine; the ensuing confusion and mistakes were to lead to serious acrimony between force contingents¹⁶⁶ and within the United Nations. To make UNOSOM II's task even more difficult, the Security Council had entrusted a vast, complex expanded peacekeeping and nation-building assignment on the peacekeepers, in a situation where there was no viable peace agreement and no peace to keep.

The USC-SNA never gave its complete approval to the presence of a large United Nations force. In negotiations between March and August 1992, Aideed rejected United Nations monitoring of the ceasefire between the USC-SNA and the Ali-Mahdi alliance, at first insisting on neutral monitors from the Hawiye clan,¹⁶⁷ but finally agreeing to a small force,¹⁶⁸ unarmed

¹⁶³ Report of the Secretary-General Submitted in Pursuance of Paragraphs 18 and 19 of Security Council Resolution 794 (1992), "The Situation in Somalia", S/24992, 19 December 1992, p. 10.

¹⁶⁴ *ibid.*, p. 3.

¹⁶⁵ See Statement by the President of the Security Council, S/PV.3089, 30 June 1992.

¹⁶⁶ See Mark Huband, "Italians 'Failed to Help Fellow UN Troops'", *The Guardian*, 6 September 1993.

¹⁶⁷ Rakiya Omaar, "Somalia: At War With Itself", *Current History*, Vol. 91, No. 565, May 1992, p. 234.

¹⁶⁸ United Nations Department of Public Information, *The United Nations and the Situation in Somalia*, (New York: United Nations, 1993), p. 2.

and wearing United Nations insignia clearly.¹⁶⁹ Further commitment was not forthcoming: "The agreement of "the parties" could not be obtained for the deployment of United Nations forces...when agreement was obtained, it was violated; and the small unit whose deployment in Mogadishu was agreed was not large enough to control the increasingly violent and lawless situation in that city."¹⁷⁰ The heavily-armed, 30,800-strong UNOSOM II force was finally deployed on the basis of the vague and precarious Addis Ababa Agreement to a ceasefire and an international monitoring mechanism.¹⁷¹ Before long, the USC-SNA "declared that...peacekeeping patrols would no longer be tolerated in the streets of Mogadishu,"¹⁷² and warned that weapons inspections and cantonments "must not be performed and that, if they were, it would lead to "war"."¹⁷³

After a USC-SNA attack on UNOSOM II that left 23 Pakistani peacekeepers dead, the Security Council duly expanded UNOSOM II's mandate "...to take all necessary measures against all those responsible for...armed attacks...including against those responsible for publicly inciting such attacks, to establish the effective authority of UNOSOM II throughout Somalia."¹⁷⁴ UNOSOM II turned on the USC-SNA, demonising the movement as the prime cause of the anarchy in Somalia, and issuing a \$25,000 bounty on Aideed. Thereafter UNOSOM II launched a series of attacks against USC-SNA equipment, ordnance and its radio station, as well as the highly-publicised manhunt for Aideed, judged responsible for the attacks against UNOSOM II.¹⁷⁵ The attacks escalated in scale as the United States Rangers repeatedly failed to

¹⁶⁹ Report of the Secretary-General, "The Situation in Somalia", S/23693, 11 March 1992, p. 10.

¹⁷⁰ Report of the Secretary-General Submitted in Pursuance of Paragraphs 18 and 19 of Security Council Resolution 794 (1992), "The Situation in Somalia", S/24992, 19 December 1992, p. 7.

¹⁷¹ Progress Report of the Secretary-General, "The Situation in Somalia", S/25168, 26 January 1993, Annex II, pp. 11, 14.

¹⁷² "Letter Dated 24 November 1992 From the Secretary-General Addressed to the President of the Security Council", S/24859, 27 November 1992, p. 1.

¹⁷³ Mohammed Hassan Awale Qaibdid, quoted in Tom Farer, "Report Pursuant to Paragraph 5 of Security Council Resolution 837 (1993) on the Investigation Into the 5 June 1993 Attack on United Nations Forces in Somalia Conducted on Behalf of the Secretary-General", S/26351, 24 August 1993, p. 5.

¹⁷⁴ Security Council Resolution 837 (1993) of 6 June 1993.

¹⁷⁵ "Report of the Secretary-General on the Implementation of Security Council Resolution 837 (1993)", S/26022, 1 July 1993, p. 5..

capture Aideed, and the expanding levels of collateral damage against Somali civilians,¹⁷⁶ hospitals,¹⁷⁷ and even United Nations personnel by mistake,¹⁷⁸ UNOSOM II began to incur the hostility of Somalis and international opposition. The USC-SNA's attacks on UNOSOM II, and the ill-conceived peace-enforcement response, successfully reimposed the conditions of instability that were so favourable to the USC-SNA.¹⁷⁹ The hostilities between UNOSOM II and the USC-SNA escalated over the next months, and culminated in a 15-hour battle in the Bokhara Market in Mogadishu on 3-4 October, which left 12 United States Rangers dead, 70 injured and one captured, and thousands of Somalis dead and injured. The ramifications of the United Nations' first attempt at peace enforcement are still being felt. Much of the resulting criticism was directed at the poverty of the peace-enforcement concept, and the inappropriateness of the American approach to peacekeeping, which relied too strongly on overwhelming force and firepower.¹⁸⁰ The Security Council responded by suspending the arrest and enforcement tasks of UNOSOM II.¹⁸¹ This resolution was the beginning of a retreat leading to the failure and withdrawal of UNOSOM II in March 1995 and beyond.

5.2.2.3: Instrumentality

The United Nations was convinced it that the USC-SNA was the most problematic faction and "the single biggest obstacle to peace" in Somalia.¹⁸² It made repeated attempts to

¹⁷⁶ In one incident in the aftermath of the June 1993 ambush which killed 23 Pakistani peacekeepers, Pakistani troops reacted by firing into a rioting crowd, killing 14 Somali civilians. See Nicholas Hinton, "UN's Humanitarian Goal Lost in Smoke of Battle", *The Guardian*, 14 June 1993.

¹⁷⁷ Mark Huband, "UN Troops Threaten Mogadishu Hospital in Hunt for Warlord", *The Guardian*, 9 September 1993.

¹⁷⁸ In a dawn raid on what was thought to be a USC-SNA safe house on 30 August 1993, 400 United States Rangers and its elite Delta Force siezed personnel from the United Nations Development Project, and French volunteers serving with Action Against Hunger. See Martin Walker, "Mogadishu Raid 'Not a Mistake'", *The Guardian*, 31 August 1993.

¹⁷⁹ "Further Report of the Secretary-General Submitted in Pursuance of Paragraph 19 of Resolution 814 (1993) and Paragraph A5 of Resolution 865 (1993)", S/26738, 12 November 1993, pp. 14, 16.

¹⁸⁰ See for example Mats Berdal, "Fateful Encounter: The United States and UN Peacekeeping", *Survival*, Vol. 36, No. 1, Spring 1994, pp. 30-50.

¹⁸¹ Security Council Resolution 885 (1993) of 16 November 1993.

¹⁸² Under-Secretary General for African Affairs James Jonah, quoted in *Facts on File*, 23 January 1992.

gain Aideed's consent to the deployment of a peacekeeping force, but was continually thwarted by his manoeuvring.¹⁸³ Frustrated in its attempts to secure the USC-SNA's cooperation with the resolution process, and following its attacks against UNOSOM II, the United Nations decided that Aideed needed to be removed from the equation; "to eliminate [Aideed's] means for doing those kinds of acts and frankly get him under arrest...the intimidation and the terrorism won't stop until he is arrested."¹⁸⁴ Aideed and the USC-SNA were criminalised and blamed for the failure of the peace process and the continuing crisis in Somalia; according to the Special Representative of the Secretary-General: "[Aideed] bears a large portion of the responsibility for the thousands and thousands of deaths by civil strife and starvation that occurred in the years before, which caused the United Nations to come to the rescue of the Somalis."¹⁸⁵ By attacking the USC-SNA and excluding it from the peace process, UNOSOM II automatically made it an opponent of the peace process. In the case of Somalia, the opposition of such a powerful belligerent made any project of pacification and rehabilitation an almost impossible task.¹⁸⁶

The United Nations presence was not equally instrumental to all the Somalia belligerents. The Ali Mahdi alliance requested an international monitoring of the peace process, asserting that "a ceasefire agreement without international monitoring and supervision would not hold."¹⁸⁷ The USC-SNA voiced opposition to any international presence monitoring the ceasefire, with Aideed reiterating "the reservation of his faction to the stationing of a peacekeeping force in Mogadishu or to any identifiable United Nations military presence."¹⁸⁸ Many clan leaders saw UNOSOM II, not as an impartial peace broker, but as another armed

¹⁸³ Report of the Secretary-General, "The Situation in Somalia", S/23693, 11 March 1992, p. 3.

¹⁸⁴ Special Representative of the Secretary-General Admiral Jonathon T. Howe, quoted in Mark Huband, "The Politics of Violence", *Africa Report*, Vol. 38, No. 5, September/October 1993, p. 18.

¹⁸⁵ Admiral Jonathon T. Howe, quoted in "United Nations World Chronicle", No. 517, 23 September 1993.

¹⁸⁶ The United Nations and its peacekeeping forces have at other times been capable of dealing with recalcitrant insurgents, such as in the Congo, and more recently in Cambodia.

¹⁸⁷ Report of the Secretary-General, "The Situation in Somalia", S/23693, 11 March 1992, p. 6; and Report of the Secretary-General, "The Situation in Somalia", S/23829, 21 April 1992, p. 5.

¹⁸⁸ Report of the Secretary-General, "The Situation in Somalia", S/23829, 21 April 1992, p. 4.

group to be incorporated into the calculus of interclan relationships.¹⁸⁹ In comparison with the UNITAF operation, UNOSOM II was seen as ineffectual. When UNOSOM II responded forcefully to attacks against it to try to reassert its authority, it provoked a general anti-foreigner response and a heightened hostility to the United Nations.¹⁹⁰ As UNOSOM II came under increased attacks and was forced increasingly into a defensive posture, it became increasingly irrelevant to the pacification and relief effort as hostilities continued and armed banditry increased, "making movement for Somali commercial traffic, UNOSOM personnel and international humanitarian relief supplies increasingly dangerous."¹⁹¹

Much of UNOSOM II's shortcomings were due to the political-military inadequacies in its response to the USC-SNA's attacks. UNOSOM II was doctrinally ill-equipped to deal with these attacks. As it switched to enforcement and pacification, it was confronted by one of the toughest military problems: dealing with an urban insurgency in a third world city.¹⁹² UNOSOM II's personnel were faced with tens of thousands of potential belligerents, heavily-armed,¹⁹³ largely unresponsive to any higher or central command, and extremely familiar with Mogadishu's warren of narrow, winding streets and mud houses. For its pacification task, it was inappropriately equipped: its high-calibre weaponry could not be used without significant collateral damage and civilian casualties in such a heavily-populated area, and it was not initially

¹⁸⁹ Captain Johnson of the United States contingent of the UNITAF Force, quoted in Geoffrey York, "Somalia's Bloody Web of Clanship", *Scotland on Sunday*, 21 February 1993.

¹⁹⁰ See Mark Huband, "UN Troops Kill Protesters", *The Guardian*, 14 June 1993; hostility reached such a level in Mogadishu that a group calling itself Muslim Voice was distributing leaflets urging Somalis to "kill all foreigners", and Somalis working for the United Nations in Mogadishu were ritually executed, see Peter Hillmore, "UN Succumbs to the Curse of Somalia", *The Observer*, 18 July 1993.

¹⁹¹ "Further Report of the Secretary-General Submitted in Pursuance of Paragraph 4 of Resolution 886 (1993)", S/1994/12, 6 January 1994, p. 8.

¹⁹² For the problems of urban counter-insurgency, see Jennifer Morrison Taw and Bruce Hoffman, *The Urbanization of Insurgency: The Potential Challenge to U.S. Army Operations*, (Santa Monica: RAND, 1994).

¹⁹³ The Somali militias and bandit gangs were all heavily armed as a result of the large volume of Cold War weapons transfers to the region, and the wide distribution of arms to the population by the anti-Siad Barre insurgency. The range of weaponry ran from the ubiquitous AK-47 to sophisticated rocket-propelled grenades and "technicals, or all-terrain vehicles mounted with heavy-calibre machine guns, rocket launchers, or anti-tank guns.

issued with riot control gear.¹⁹⁴ UNOSOM II was a foreign force, which made it insensitive to the requirements of the Somali population, and vulnerable to charges of imperialism. The USC-SNA's propaganda made full use of this, and its use of rioting civilians as shields, which attracted fire from UNOSOM II troops,¹⁹⁵ widened the popular resentment and resistance to UNOSOM II and its mission. The mission was hampered by a lack of quality intelligence: much of its human intelligence proved inaccurate or was deliberately misleading; and the American signals intelligence technologies were often inappropriate for the low-tech militias and the maze-like nature of Mogadishu.¹⁹⁶ Aideed exploited the factionalism within the force by treating different UNOSOM II contingents in different ways, hoping thereby to destroy its cohesion, by splitting first the United States and then the Muslim contingents from the force.¹⁹⁷ Finally, doctrinal shortcomings compounded all of UNOSOM II's difficulties; a subsequent United Nations enquiry found that a lack of coordination between its political and military components produced the inopportune uses of military force, and that a lack of seasoned peacekeeping experience within UNOSOM II's command structure led to often heavy-handed and incompetent actions, particularly in the areas of weapons cantonment and inspections.¹⁹⁸

5.2.2.4: Impartiality

Unsurprisingly, UNOSOM II's moves towards peace-enforcement severely impaired its impartiality in the eyes of the parties, especially the USC-SNA. The intervention of the muscular

¹⁹⁴ "Report of the Commission of Inquiry Established Pursuant to Security Council Resolution 885 (1993) to Investigate Armed Attacks on UNOSOM II Personnel Which Led to Casualties Among Them", S/1994/653 Annex, 1 June 1994, p. 41.

¹⁹⁵ "UN Troops Open Fire on Women and Children", *The Scotsman*, 10 September 1993.

¹⁹⁶ Caleb Baker, "Manhunt for Aideed: Why the Rangers Came Up Empty-Handed", *Armed Forces Journal*, December 1993, p. 18.

¹⁹⁷ See Richard Dowden, "UN Troops Died 'Trying to Take Somali Radio Station'", *The Independent*, 8 June 1993; and Richard Ellis, "Can 'Delta Farce' Now Get It Right?", *Sunday Times*, 5 September 1993.

¹⁹⁸ For a detailed report on the military shortcomings of UNOSOM II, see the report prepared by the Honorable Matthew M. S. W. Ngulube, Lieutenant-General Gustav Hagglund, and Lieutenant-General (Ret.) Emmanuel A. Erskine, "Report of the Commission of Inquiry Established Pursuant to Security Council Resolution 885 (1993) to Investigate Armed Attacks on UNOSOM II Personnel Which Led to Casualties Among Them", S/1994/653, 1 June 1994.

UNOSOM II force, against the wishes of some of the parties, led to a "widespread perception among Somalis that the United Nations [had] decided to abandon its policy of cooperation and [was] planning to "invade" the country."¹⁹⁹ Aideed's propaganda stirred up popular antipathy against Boutros-Ghali.²⁰⁰ He also capitalised on the Secretary-General's former position as Foreign Minister to Egypt's Mubarak regime, which had diplomatically and militarily supported ousted dictator Siad Barre.²⁰¹ As the war polarised between the USC-SNA and the Ali Mahdi alliance, which by this stage consisted of 12 of the 14 major Somali factions calling itself "Manifesto",²⁰² and as its relations with the USC-SNA became more and more conflictual, UNOSOM II inevitably started to identify with, and receive encouragement from the anti-USC-SNA Manifesto alliance.²⁰³ The contacts between some UNOSOM II contingents, particularly the Italians and the Belgians, and the Somali factions, began to develop into ties of patronage and political support in Mogadishu and Kismayu.²⁰⁴ With its impartiality irrevocably compromised, UNOSOM II became part of the conflict it was expected to terminate. From that time, peacekeeping and techniques of working cooperatively with the parties to resolve the conflict ceased to be options available to the force; either successful peace-enforcement and pacification, or defence and extraction became its only realistic options.

The USC-SNA, disagreeing with the peace process advanced by UNOSOM II, was unprepared to allow it to implement its mandate free from interference: "the objective conflict between the [USC-SNA's] interests and UNOSOM's mandate" led Aideed to calculate that "by

¹⁹⁹ "Letter Dated 24 November 1992 From the Secretary-General Addressed to the President of the Security Council", S/24859, 27 November 1992, p. 1.

²⁰⁰ During a four-hour trip to Mogadishu on 3 January 1993, Boutros-Ghali was forced to cancel a visit to the United Nations compound by an Aideed-inspired riot, which showered his entourage with rocks and held signs calling him "the father of famine and death." See *Facts on File*, 21 January 1993, p. 31.

²⁰¹ See Thomas W. Lippman, "Ex-UN Official Blames Boutros-Ghali for Failure in Somalia", *International Herald Tribune*, 30 August 1994; and Jonathon Stevenson, "Hope Restored in Somalia?", *Foreign Policy*, No. 91, Summer 1993, p. 149.

²⁰² Mark Huband, "When Yankee Goes Home", *Africa Report*, Vol. 38, No. 2, March/April 1993, p. 23.

²⁰³ Ali Mahdi Mohammed openly encouraged the UNOSOM II attacks against Aideed, repeatedly claiming that Aideed's arrest was the only realistic avenue to peace in Somalia, see Robert Block, "Former Envoy Criticises UN Actions in Somalia", *The Independent*, 16 June 1993; see also *Facts on File*, 4 November 1993.

²⁰⁴ Brigadier M. B. Page, ""Somalia: Background and Prospects", *RUSI Journal*, October 1993, p. 11.

demonstrating his ability to turn Mogadishu into a zone of grave insecurity, he could force UNOSOM to alter its programs so that they were compatible with his bid to play a, and probably the, leading political role in a reconstituted Somalia."²⁰⁵ The Ali Mahdi forces, seeing international involvement as a way of legitimating their interim Presidency, also tried to manipulate UNOSOM II.²⁰⁶ When UNOSOM II began to carry out its mandate faithfully, the USC-SNA launched a "calculated, premeditated series of major ceasefire violations meant to challenge and intimidate UNOSOM II,"²⁰⁷ and to "increase the costs of the United Nations operation particularly for certain key national contingents as to trigger the operation's termination."²⁰⁸ Thus the USC-SNA's use of propaganda against the peacekeepers, its attacks on the operation, and its resistance to all attempts to pacify the environment and move relief supplies were designed to prevent UNOSOM II from implementing its mandate.

5.2.2.5: Timing

The opposition of the USC-SNA to UNOSOM II was inevitable given the inopportune timing of the insertion of the force. It intervened in a civil war in which the major belligerents were well-armed and committed to war, in which the fighting had not stabilised, between parties whose military calculus had not yet begun to be affected by a protracted campaign. The USC-SNA, was progressing in the military struggle for power by taking advantage of the anarchy. It had begun to expand its objectives towards the seizure of power by eventually achieving the ability to take control of the State and impose its own order on the chaos.²⁰⁹ It was inevitable that it would view a large UNOSOM II force, charged with pacifying the situation and

²⁰⁵ Tom Farer, "Report Pursuant to Paragraph 5 of Security Council Resolution 837 (1993) on the Investigation Into the 5 June 1993 Attack on United Nations Forces in Somalia Conducted on Behalf of the Secretary-General", S/26351, 24 August 1993, pp. 6-7.

²⁰⁶ Omaar, "Somalia: At War With Itself", *op. cit.*, 1992, p. 234.

²⁰⁷ "Report of the Secretary-General on the Implementation of Security Council Resolution 837 (1993)", S/26022, 1 July 1993, p. 3.

²⁰⁸ Tom Farer, "Report Pursuant to Paragraph 5 of Security Council Resolution 837 (1993) on the Investigation Into the 5 June 1993 Attack on United Nations Forces in Somalia Conducted on Behalf of the Secretary-General", S/26351, 24 August 1993, p. 7.

²⁰⁹ Abdi Ismail Samatar, "Destruction of the State and Society in Somalia: Beyond the Tribal Convention", *Journal of Modern African Studies*, Vol. 30, No. 4, 1992, p. 638.

alleviating the humanitarian crisis, as inimical to its objectives and at variance with its military impetus; characterising it as an enemy to be defeated. The bad timing of the United Nations intervention was acknowledged by staff and diplomats at United Nations Headquarters,²¹⁰ but was pressured by the need to relieve the UNITAF force and by humanitarian organisations and public opinion demanding that the United Nations assume responsibility for alleviating the crisis in Somalia.²¹¹ As a result, UNOSOM II was faced with a situation in which it had little chance of fulfilling a conventional peacekeeping role, and was mentally and doctrinally unprepared to undertake a war fighting mission.

5.2.2.6: Support and Isolation

The United Nations' efforts in resolving the Somali conflict attracted little international interest at first, and international support for the operation waned as it became involved in the war and casualties and costs of the operation began to rise. Much of the international support for the United Nations' efforts came from regional organisations: the League of Arab States, the Organisation of African Unity, the Islamic Conference Organisation, the Standing Committee of the Countries of the Horn, and the Non-Aligned Movement all lent their assistance to the mediation efforts of the United Nations.²¹² Apart from these inter-governmental organisations, little international pressure was applied to the parties on behalf of the United Nations, in large measure because of the lack of significant contacts between the parties and third-party States. The largely media-generated international commitment to alleviate the humanitarian crisis crumbled as soon as UNOSOM II ran into trouble, as the United Nations saw "unmistakable signs of fatigue among the international community as it continues to be called upon to extend such assistance through the United Nations. This was reflected in the increasing delays in obtaining personnel from Member-States and even longer delays in obtaining their financial

²¹⁰ Interview With Lamine Sise, Somalia Desk, Department of Political Affairs, United Nations Headquarters, New York City, 19 April 1994.

²¹¹ A Senior Political Officer to Special Envoy to Somalia Ismet Kittani, quoted in Keith Richburg, "Marines 'Ready' For UN Handover", *The Guardian*, 5 February 1993.

²¹² United Nations Department of Public Information, Press Release, No. 5147, 18 October 1993, p. 2.

contributions."²¹³ As early as October 1993, the United States had pledged to reduce and withdraw its contingent, as had Italy; France, Belgium, Sweden, and Norway withdrew their troops soon after. Appeals from the United Nations to Western countries for more troops for Somalia were firmly rejected, resulting in a growing proportion of UNOSOM II being furnished by poorly-equipped troops from third world States: Egypt, Pakistan, India, Bangladesh, Malaysia, and the United Arab Emirates.²¹⁴ These reactions were to be symptomatic of UNOSOM II's inability to muster any determined Member-State contacts or pressure to exert a moderating influence over the uncooperative USC-SNA.

At the beginning of the civil war, the United Nations imposed an arms embargo around Somalia in an attempt to isolate all of the warring factions.²¹⁵ Reports suggested that the embargo was not airtight, however, and that arms continued to trickle into Somalia from the region,²¹⁶ from Iran,²¹⁷ and from South Africa.²¹⁸ None of the parties had any significant support from an international sponsor; the Somali conflict seemed isolated more by a diplomatic lack of interest in a region of declining importance than by the United Nations-imposed embargo. These factors were deprived of much of their conflict-resolution impact, however, by the general self-sufficiency of the Somali factions. The USC-SNA and its rivals were amply supplied by enormous caches of weapons and materiel that had been pumped into Somalia by the competing superpowers during the Cold War. Their looting of international relief operations supplied them with food and medical supplies, a factor that only increased their determination to exercise ultimate control over the relief effort. Furthermore, especially for the USC-SNA, the anti-foreigner thrust of its propaganda made its self-reliance and isolation a point of pride and a

²¹³ "Further Report of the Secretary-General Submitted in Pursuance of Paragraph 4 of Resolution 886 (1993)" S/1994/12, 6 January 1994, p. 12.

²¹⁴ Frances Harris and Bruce Johnston, "Italians Join the Rush to Pull Out of UN Forces", *The Daily Telegraph*, 14 October 1993.

²¹⁵ Security Council Resolution 733 (1992) of 23 January 1992.

²¹⁶ Report of the Secretary-General, "The Situation in Somalia", S/23829, 21 April 1992, p. 11.

²¹⁷ Elliot, "The Making of a Fiasco", *op. cit.*, 1993, p. 11.

²¹⁸ Caleb Baker, "Manhunt for Aideed: Why the Rangers Came Up Empty-Handed", *Armed Forces Journal*, December 1993, p. 18.

source of strength. As a result, UNOSOM II derived little benefit from the international isolation of the USC-SNA.

5.2.2.7: Cohesion

The fragile political base of the UNOSOM II operation fell apart as soon as UNOSOM II began to be attacked in Mogadishu and criticised by the world's media. United Nations Member-States were at first content to ignore the Somali civil war until the situation attracted appeals for help from international humanitarian agencies and criticism from Secretary-General Boutros-Ghali for ignoring African crises while being obsessed with the "rich man's war" in the former Yugoslavia.²¹⁹ During UNOSOM II's deployment, the Security Council made its ephemeral commitment to the Operation clear by reminding "all parties in Somalia...that continued United Nations involvement in Somalia depends on their active cooperation and tangible progress towards political settlement."²²⁰ Once UNOSOM II came under attack and was authorised to respond, the cohesion both in New York and within the force itself dissolved: "Owing perhaps to the particularly complex and dangerous conditions under which UNOSOM found itself operating, the actions of some contingent commanders had the effect of weakening the integrity of UNOSOM's military command structure."²²¹ The loss of cohesion resulted in a lack of concerted direction,²²² the withdrawal of contingents,²²³ and degenerated further into recriminations between contingents.²²⁴ Faced with crumbling support for the UNOSOM II

²¹⁹ *New York Times*, 23 July 1992.

²²⁰ Security Council Resolution 886 (1993) of 18 November 1993.

²²¹ "Further Report of the Secretary-General Submitted in Pursuance of Paragraph 18 of Resolution 814 (1993)", S/26317, 17 August 1993, pp. 18-19.

²²² In particular, the Italian contingent under General Bruno Loi, later relieved of his command by the United Nations, refused to take part in offensive operations. See David Willey, "Rome Bestows Laurels on the General Who Won't Hit Back", *The Observer*, 18 July 1993.

²²³ Italy, France, Belgium, Sweden, Norway and Germany all withdrew or threatened to withdraw their contingents, while following the battle of Bakhara Market, the United States pledged to withdraw its contingent by March 1994; see Peter Hillmore, "UN Succumbs to the Curse of Somalia", *The Observer*, 18 July 1993.

²²⁴ In September 1993, the Nigerian contingent accused the Italian contingent of failing to provide assistance when it was ambushed by USC-SNA forces, see Mark Huband, "Italians Failed to Help Fellow UN Troops", *The Guardian*, 6 September 1993.

operation, the United Nations issued a warning to the Somali parties that "Unless they show evidence almost immediately of significant movement towards reconciliation and the formation of a broad-based government, the Security Council will have no alternative but to bring [UNOSOM II's] presence in Somalia to an end."²²⁵ No such agreement was forthcoming, and UNOSOM II was withdrawn in March 1995.

UNOSOM II's task was made more difficult by the multiplicity of loosely-organised factions it had to deal with. The huge Cold War weapons stockpiles had been widely distributed during the civil war; these armed elements were only loosely controlled by the factions through propaganda, shifting alliances, and vague ties of clan and sub-clan relationships. This meant that often "[t]he central figures of the USC were powerless to control the very people they had supplied with weapons."²²⁶ There was also a large number of armed bandit gangs controlled by no faction.²²⁷ This situation was encouraged and exploited by the USC-SNA for its own political-military purposes, and its vague mechanisms of control were radio propaganda and clan ties. This anarchical situation made it extremely difficult for the UNOSOM II force to establish the conventional peacekeeping requirement of local consent. The lack of any cohesive command structure among the belligerents meant that faction leaders could not realistically be held accountable for the actions of the armed elements. Agreements negotiated with the parties' leaderships became meaningless on the ground, where "Even when they have agreed, [the parties'] subsequent cooperation with UNOSOM [was] at best spasmodic, [because], by their own admission, they [did] not exercise authority over all the armed elements in the areas which they claim[ed] to control."²²⁸

The application of the framework reveals clearly the sources of the unviability of the UNOSOM II operation in Somalia. Its goals of imposing peace and political reconciliation, and

²²⁵ Scott Peterson, "UN Draws Up Deadline to Quit Somalia", *Daily Telegraph*, 27 September 1994.

²²⁶ Samatar, "Destruction of State and Society in Somalia", *op. cit.*, 1992, p. 637.

²²⁷ Report of the Secretary-General, "The Situation in Somalia", S/23829, 21 April 1992, p. 15.

²²⁸ "Letter Dated 29 November 1992 From the Secretary-General Addressed to the President of the Security Council", S/24868, 30 November 1992, p. 2.

relieving the humanitarian crisis conflicted directly with the tactics and military impetus of one of the most powerful, independent and recalcitrant insurgent movements, the USC-SNA. UNOSOM II's mandate was the result of an overestimation among the United Nations' interested Member-States of the abilities of United Nations peacekeeping forces, combined with a desire to experiment with the new concept of peace-enforcement. These States, encouraged by the success of the Gulf War and the UNITAF experiment, decided to pledge the difficult project of nation-building in an anarchic society to a massive, heavily-armed force. The USC-SNA, benefiting from the anarchy in Somalia, was unprepared to tolerate a large, potent international armed force imposing peace, distributing relief, and introducing an alien system of political reintegration. This basic clash of objectives was compounded by antagonistic approaches to the intervention. In its frustration with the lack of progress with nation-building, the Security Council turned to the concept of enforcing local compliance. UNOSOM II became an arbiter rather than a mediator. In doing so, the United Nations underestimated the potency of the Somali militias, particularly the USC-SNA, which turned on UNOSOM II as an obstacle and as an enemy.

The USC-SNA was engaged in a desperate struggle for ethnic survival and predominance. Such an overriding driving force meant that it had no respect for United Nations personnel or aims, factoring UNOSOM II into the inter-clan struggle. It was prepared to use naked and lethal force against the force. UNOSOM II's transition to peace enforcement, and its criminalisation of Aideed, compromised its impartiality, and it became a factor in the war it was intended to resolve. The timing of UNOSOM II's intervention was inappropriate, and divorced from the conventional prerequisites of United Nations peacekeeping: consent and an operational ceasefire. Neither could UNOSOM II be confident of its sponsoring coalition underwriting its efforts. What began as reluctant and forced sponsoring of the operation fell apart in the face of resistance and casualties, and led to the eventual retraction of the force. This lack of cohesion was reflected in the divisions within UNOSOM II, which Aideed did his utmost to exploit. The experiment in peace-enforcement failed: UNOSOM II at no time had the ability to create the conditions for its own success or to compel the cooperation of such a powerful and recalcitrant belligerent. Neither was the project of nation-building appropriate while the clan war was at its brutal height. A huge force, heavy armament, vast resources, and a mandate to enforce compliance can not compensate for a lack of objective prerequisites for success. The absence of

conditions for the viability of their interaction that existed before UNOSOM II's arrival in Somalia in May 1993 existed in equal measure after its departure in March 1995.

5.3: Maintaining Aid Flows

Humanitarian peacekeeping is an offspring of the end of the Cold War. The retreat of identifiable security threats has given rise to a growing concern for humanitarian security: "The United Nations' new involvements are for the most part in massive civil and ethnic conflicts where human, not international, security is involved."²²⁹ The media and certain non-governmental organisations have provided much of the publicity impetus for the international concern for human rights, and the growth of the global human rights regime²³⁰ has been largely stimulated by the political capital to be made from advocating human rights. Because humanitarian emergencies are not pressing security threats, however, States are more keen to act multilaterally to spread the potential costs, responsibility and blame for these actions. The United Nations, with its commitments to uphold human rights,²³¹ emerged as the logical mechanism for collective action. Peacekeeping forces have been used by the United Nations to protect this humanitarian relief. Humanitarian tasks, formerly seen as ancillary to a peacekeeping operation, have begun to occupy the centre of contemporary mandates. Humanitarian peacekeeping is often centred on protecting populations and aid flows, but necessarily includes pacification, some weapons control, demining, refugee repatriation, and rebuilding infrastructure.

²²⁹ Brian Urquhart, "Comment", *The Guardian*, 18 February 1995.

²³⁰ See Jack Donnelly, "International Human Rights: A Regime Analysis", *International Organization*, Vol. 40, No. 3, Summer 1986, pp. 605-8.

²³¹ The preamble to the United Nations Charter commits the Organisation "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person [and]...to promote social progress and better standards of life in larger freedom"; while Article 55 pledges that the United Nations will "promote...universal respect for, and observance of, human rights and fundamental freedoms for all"; while the United Nations also sponsored the Universal Declaration of Human Rights.

5.3.1: Shadow Boxing With the Bosnian Serbs

Apart from its mediation efforts, the United Nations mounted a large humanitarian peacekeeping operation in Bosnia. Dispatched in June 1992, UNPROFOR II departed from conventional peacekeeping doctrine in that it was "required to engage in tasks that have sometimes been ancillary to peacekeeping proper, but never demanded of a UN force in the absence of peacekeeping,"²³² having been introduced with no ceasefire to police and no agreement to implement. It was originally deployed to "ensure the safe movement of humanitarian aid and related personnel,"²³³ and protect the "provision of basic human needs [which was] significantly hindered by the continued fighting, the great number of roadblocks, and the hijacking of vehicles,"²³⁴ while the ICFY worked on mediating a permanent solution. UNPROFOR II's mandate expanded to demilitarise and protect besieged enclaves of Bosnian Muslims²³⁵ in Sarajevo, Srebrenica, Tuzla, Zepa, Gorazde and Bihac which were declared safe areas.²³⁶ As UNPROFOR II endeavoured to carry out these tasks, and as it encountered sporadic but growing resistance from the Bosnian Serbs,²³⁷ the peacekeeping force found itself increasingly trapped by the conflict, hostage to the military strategies of the parties, and an obstruction to the mediation process it was originally intended to assist.

²³² Rosalyn Higgins, "The New United Nations and the Former Yugoslavia", *International Affairs*, Vol. 69, No. 3, 1993, p. 468.

²³³ "Report of the Secretary-General Pursuant to Security Council Resolution 757 (1992)", S/24075, 6 June 1992, p. 2.

²³⁴ "Report of the Secretary-General Pursuant to Security Council Resolution 749 (1992)", S/23836, 24 April 1992, p. 4.

²³⁵ Security Council Resolution 819 (1993) of 16 April 1993.

²³⁶ Security Council Resolution 824 (1993) of 6 May 1993.

²³⁷ For further accounts of the dynamics of the Bosnian conflict, see Ed Vulliamy, *Seasons in Hell: Understanding Bosnia's War*, (London: Simon and Schuster, 1994); Mihailo Crnobrnja, *The Yugoslav Drama*, (Toronto: McGill Press, 1994); and F. Stephen Larrabee (ed), *The Volatile Powder Keg: Balkan Security After the Cold War*, (Washington: American University Press, 1994).

5.3.1.1: Objectives

The same divergent interests and centrifugal pressures were present among the same members of the sponsoring coalition of UNPROFOR II as that sponsoring the mediation initiatives in Bosnia. If anything, the tension has been greater between those States contributing peacekeepers to UNPROFOR II, who advocate the present containment, relief and mediation effort, and those not contributing ground forces, who advocate enforcement measures. These disagreements have led to a peacekeeping mandate resulting from a delicate diplomatic balance, which concentrates on a minimalist task, containing the conflict and protecting humanitarian interests. These minimalist tasks have largely coincided with the views of Britain and France, the main sponsors of United Nations action, on the requirements for containing and resolving the conflict in Bosnia. Consequently, the coalition and the United Nations has determined that "humanitarian issues are at the core of the current crisis in the former Yugoslavia and should be given the utmost priority."²³⁸ The crisis questions its commitment to uphold international humanitarian law,²³⁹ while the flow of refugees seeking "safety and assistance in the already-overburdened adjacent States"²⁴⁰ threatens regional security. The provision of humanitarian relief, and the security of the aid convoys, is therefore "a major concern for the international community,"²⁴¹ which duly gave UNPROFOR II²⁴² responsibility for "the safe movement of humanitarian aid and related personnel," and its distribution "in a non-discriminatory manner and on a sole basis of need."²⁴³ The United Nations' conviction of "the unacceptability of the acquisition of territory by force or by 'ethnic cleansing',"²⁴⁴ made the protection of the safe areas

²³⁸ "Report of the Secretary-General on the International Conference on the Former Yugoslavia", S/24795, 11 November 1992, pp. 24, 31.

²³⁹ Security Council Resolution 941 (1994) of 23 September 1994.

²⁴⁰ *ibid.*, p. 24.

²⁴¹ "Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia", S/25050, 6 January 1993, p. 10.

²⁴² "Report of the Secretary-General on the Situation in Bosnia and Herzegovina", S/24540, 10 September 1992, p. 2.

²⁴³ "Report of the Secretary-General Pursuant to Security Council Resolution 757 (1992)", S/24075, 6 June 1992, p. 6.

²⁴⁴ Security Council Resolution 859 (1993) of 24 August 1993.

an essential part of its humanitarian mandate. Diplomatically, its protection of the safe areas was intended to deprive the Bosnian Serbs of a territorial *fait accompli* in the ICFY negotiations, and to secure a military freeze which could be built upon to secure a broad peace agreement.²⁴⁵

The Bosnian Serbs are fighting because they feel²⁴⁶ they were "forced by the international community to live within Bosnia and Herzegovina against [their] wishes."²⁴⁷ They contend that "the independent State of Bosnia and Herzegovina has never existed and does not exist,"²⁴⁸ and their objective²⁴⁹ is to create an independent, contiguous, and ethnically homogeneous territory.²⁵⁰ Having seized over 70% of Bosnian territory,²⁵¹ the remaining Serb goals are to secure the contiguity of their gains and to eliminate the enclaves of Bosnian Muslims trapped within their territory.²⁵² Within the enclaves, the Muslims were totally dependent on the international relief effort: "Unlike Bosnia's Serbs and Croats, they have no independent supply lines and are hemmed in on all sides."²⁵³ Humanitarian aid and its supply

²⁴⁵ Security Council Resolution 913 (1994) of 22 April 1994. Although stating "the establishment of Security Council safe areas in no way undermines...proposed settlement details" of peace agreements, the ICFY were used them to provide the basis for the territorial provisions of various peace proposals. See "Report of the Co-Chairmen of the Steering Committee on the Activities of the International Conference on the Former Yugoslavia", S/26260 Annex, 6 August 1993, p. 8.

²⁴⁶ "Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia: Peace Talks on Bosnia and Herzegovina", S/25479, 26 March 1993, p. 2.

²⁴⁷ *ibid.*, p. 4.

²⁴⁸ "Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia: Peace Talks on Bosnia and Herzegovina", S/25479, 26 March 1993, p. 4.

²⁴⁹ Sabrina Petra Ramet, "War in the Balkans", *Foreign Affairs*, Vol. 71, No. 4, p. 81.

²⁵⁰ Andrew Bell-Fialkoff, "A Brief History of Ethnic Cleansing", *Foreign Affairs*, Vol. 72, No. 3, Summer 1993, p. 110.

²⁵¹ The Bosnian Serbs have repeatedly stated that the enclaves, particularly Gorazde, Srebrenica and Bihac were objectives for Serb occupation and cleansing. See *Keesing's Record of World Events*, News Digest for April 1994, p. 39966; "For Sarajevo, a Fateful Squeeze", *International Herald Tribune*, 21 September 1994; and Snjezana Vukic, "Battle Over Bosnia 'Safe' Zones", *The Independent*, 16 November 1994.

²⁵² Note by the Secretary-General, "The Situation of Human Rights in the Territory of the Former Yugoslavia", A/48/92 and S/25341, 26 February 1993, p. 9.

²⁵³ "The Bosnian Burden", *The Economist*, 29 January 1994, p. 19.

routes have become military objectives for the besieging Serbs²⁵⁴ as "[t]he warring factions in Bosnia deliberately began to manipulate aid, denying it to the other ethnic group whenever possible,"²⁵⁵ and attacking aid flows.²⁵⁶ The Bosnian Serbs also use human rights violations as a military tactic: "Massive violations of human rights and international humanitarian law are...being used deliberately to achieve ethnically homogeneous areas."²⁵⁷ These are important objectives and tactics for the Bosnian Serbs, who are unlikely to yield "when they feel their vital interests are concerned."²⁵⁸ It can be seen that UNPROFOR II's protection of these safe areas and "the provision of the necessary humanitarian assistance to the Muslim-controlled areas" was interpreted by the Serbs "as against their military and political interests."²⁵⁹

5.3.1.2: Interaction Mechanisms

The United Nations was initially wary of introducing a peacekeeping force into a conflict lacking an agreement or ceasefire.²⁶⁰ However, it was eventually pressured into sending peacekeepers into Bosnia as the most effective way of promoting its humanitarian goals. This initiative arose primarily from French and British instigation, embarrassed at the failure of attempts to stop the conflict, and reacting to popular horror at the humanitarian disaster and accusations of incompetence. The Security Council adopted resolution 770 (1992) authorising

²⁵⁴ "Report of the Chairmen of the Steering Committee of the International Conference for the Former Yugoslavia", S/26066 Annex, 8 July 1993, p. 6.

²⁵⁵ Colonel Alistair Duncan, "Operating in Bosnia", *RUSI Journal*, June 1994, p. 15.

²⁵⁶ Aid agencies reported that "[t]he use of the "Red Cross" symbol is now widely regarded by medical and aid workers as a disadvantage as it seems to attract attacks instead of helping to protect these humanitarian and medical activities." See "Report on the Situation of Human Rights in the Territory of the Former Yugoslavia Submitted by Mr. Tadeusz Mazowieki, Special Rapporteur of the Commission on Human Rights, Pursuant to Commission Resolution 1992/S-1/1 of 14 August 1992", A/48/92 and S/25341, 26 February 1993, p. 24.

²⁵⁷ *ibid.*, p. 7.

²⁵⁸ "Report of the Co-Chairmen of the Steering Committee on the Activities of the International Conference on the Former Yugoslavia", S/26260, Annex, 6 August 1993, p. 2.

²⁵⁹ United Nations High Commissioner for Refugees Office of the Special Envoy for the Former Yugoslavia, "Information Notes on Former Yugoslavia", No. 1/94, January 1994, p. i.

²⁶⁰ Both Secretary-General Boutros Boutros-Ghali and the Under-Secretary-General for Special Political Affairs Marrack Goulding opposed the introduction of a peacekeeping force into Bosnia. See "Further Report of the Secretary-General Pursuant to Security Council Resolution 749 (1992)", S/23900, 1992.

States or regional bodies to take "all measures necessary" to facilitate the delivery of humanitarian assistance in Bosnia. Upon further discussions, and on the recommendations of Britain and France, the Security Council decided to entrust this task to an expanded UNPROFOR, which had already deployed in Croatia, and units of which had deployed around Mostar and Sarajevo airport.²⁶¹ Soon after their deployment, the United Nations found its peacekeepers in the middle of a difficult paradox.²⁶² Bosnian Serb resistance prompted the expansion of "self-defence...to include situations in which armed persons attempt by force to prevent United Nations troops from carrying out their mandate."²⁶³ Attacks on the safe areas provoked the invocation of a Chapter VII authorisation "to take the necessary measures, including the use of force [and air power], in reply to bombardments against the safe areas...or to armed incursion into them or in the event of any obstruction in or around those areas."²⁶⁴ UNPROFOR II's mandate was also broadened to include the cantonment of heavy weapons,²⁶⁵ and monitoring sanctions against Bosnian Serb-held areas.²⁶⁶

Against Bosnian Serb resistance, UNPROFOR II found that it was unable to respond meaningfully. Its experiments with returning fire and responding to attacks with surgical NATO airstrikes were out-escalated by the Bosnian Serbs, who attacked peacekeepers²⁶⁷ and took them

²⁶¹ This became official with the establishment of UNPROFOR II by Security Council Resolution 776 (1992) of 14 September 1992.

²⁶² UNPROFOR II has negotiated hundreds of ceasefires between the parties in Bosnia; these ceasefires have, however, been famously ephemeral. It has, in many theatres in Bosnia, been left with liaison officers and contacts with the parties, in the *absence* of a ceasefire; these liaison officers have been useful in negotiating agreements and understandings with the various militias below the level of an official ceasefire, and certainly not binding on any party other than the militia or personnel with whom it was negotiated. See "Report of the Secretary-General Pursuant to Security Council Resolution 757 (1992)", S/24075, 6 June 1992, p. 5.

²⁶³ "Report of the Secretary-General on the Situation in Bosnia and Herzegovina", S/24540, 10 September 1992, p. 2.

²⁶⁴ Security Council Resolution 836 (1993) of 4 June 1993.

²⁶⁵ "Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia: Peace Talks on Bosnia and Herzegovina", S/25479, 26 March 1993, p. 36.

²⁶⁶ Security Council Resolution 942 (1994) 23 September 1994.

²⁶⁷ Group Captain B. A. Sweetman, "Close Air Support Over Bosnia-Herzegovina", *RUSI Journal*, August 1994, p. 35.

hostage against further actions.²⁶⁸ Such threats to their peacekeepers paralysed governments against responding with greater force to this defiance. Thus by being vulnerable to Serb threats of retaliation, UNPROFOR II and the international community had become a hostage against further international action. It soon became clear that existing peacekeeping methodologies left UNPROFOR II ill-equipped to deal with the Bosnian Serbs' flexible, and creative resistance to their implementation of their mandate.²⁶⁹ Some contingents responded creatively, such as British units' use of their Northern Ireland experience to "sweep" a corridor prior to the passage of humanitarian convoys,²⁷⁰ but most have been helpless in the face of Bosnian Serb actions. UNPROFOR II further suffered from inadequate and inaccurate intelligence on Bosnian Serb positions, movements, and initiatives. This weakness was been magnified by the rifts between the interested powers, with the United States reluctant to share its intelligence on the Bosnian Serbs with its traditional NATO allies.²⁷¹ UNPROFOR II's resulting hostage mentality created an incentive for the Bosnian Serbs to defy UNPROFOR II to an ever greater extent, further blocking the United Nations from addressing "the cause of the suffering, the fact of which encourages Serbian resistance even to those palliative measures."²⁷² UNPROFOR II's humanitarian function²⁷³ thus clashed with the broader resolution of the conflict, a paradox that the Secretary-General was to eventually realise.²⁷⁴

²⁶⁸ The Bosnian Serbs have taken large numbers of UNPROFOR II hostages on the two occasions when they have been most threatened by NATO airstrikes: in November 1994 around the Bihac and Krajina enclaves (See Carol J. Williams, "Bosnia Peacekeeping Role Makes UN Forces Pawns", *Los Angeles Times*, 27 November, 1994); and when an airstrike was launched against an arms dump close to the Bosnian Serb "capital" at Pale in May 1995 (See Joel Brand and James Bone, "Serbs Take 33 British Troops Hostage", *The Times*, 29 May, 1995).

²⁶⁹ See Bob Stewart, *Broken Lives: A Personal View of the Bosnian Conflict*, (London: Harpercollins, 1993).

²⁷⁰ Lawrence Donegan, "Army's Ulster Expertise 'Can Be Used to Help UN'", *The Guardian*, 20 September 1994.

²⁷¹ John Palmer, "US Refuses to Let London See Spy Reports on Serbs", *The Guardian*, 20 December 1994.

²⁷² Higgins, "The New United Nations and the Former Yugoslavia", *op. cit.*, 1993, p. 469.

²⁷³ By the United Nations' own admission: see "Report of the Security Council Mission Established Pursuant to Resolution 819 (1993)", S/25700, 30 April 1993, pp. 6, 8, 9.

²⁷⁴ "Report of the Security Council Mission Established Pursuant to Resolution 819 (1993)", S/25700, 30 April 1993, pp. 11-12.

The Bosnian Serbs reject UNPROFOR II as the mechanism upholding the principles and goals they oppose. The United Nations concept of demilitarised safe areas and cantonment of heavy weapons²⁷⁵ challenges the Serbs' superiority in heavy armaments,²⁷⁶ the source of their military advantage; logically "they will never take the risk of undoing this strategic balance."²⁷⁷ The safe areas also pose a direct military threat to the Bosnian Serbs: having been demilitarised "of military and paramilitary units other than those of the Government of Bosnia and Herzegovina,"²⁷⁸ they became sanctuaries for Muslim forces, and were repeatedly used to launch attacks against the Serbs.²⁷⁹ The Bosnian Serbs repeatedly attacked safe areas in violation of UNPROFOR II and its mandate;²⁸⁰ in each case, "they halted on the fringe of the enclave and then secured a UN-brokered deal to disarm the enemy and neutralise the enclave's military value to the government."²⁸¹ This enabled them to control the enclaves and marginalise the peacekeepers intended to protect them.²⁸² The Bosnian Serbs' low-level defiance of UNPROFOR II manipulates the thresholds of international tolerance²⁸³ by threatening to escalate the conflict if they are subject to any retaliation.²⁸⁴ UNPROFOR II's Rules of

²⁷⁵ "Concept for a United Nations Peacekeeping Operation in Yugoslavia, as Discussed With Yugoslav Leaders by the Honourable Cyrus R. Vance, Personal Envoy of the Secretary-General and Murrack Goulding, Under-Secretary-General for Special Political Affairs", S/23280, 1991, pp. 16-17.

²⁷⁶ The Bosnian Serbs' armament superiority derives from their original inheritance of 300 tanks, 100 armoured personnel carriers, 900 guns, and 80,000 tonnes of ammunition from the departing JNA in early 1992, see Edward Cowan, "Eye of the Balkan Storm", *Sunday Times*, 20 February 1994.

²⁷⁷ Philippe Morillon, "UN Operations in Bosnia: Lessons and Realities", *RUSI Journal*, Vol. 138, No. 6, December 1993, p. 33.

²⁷⁸ "Report of the Secretary-General Pursuant to Security Council Resolution 836 (1993)", S/25939, 14 June 1993, p. 2.

²⁷⁹ "Report of the Security Council Mission Established Pursuant to Resolution 819 (1993)", p. 5. Perhaps the best example of a Bosnian government offensive from a safe area is the breakout from the Bihac enclave in October-November 1994.

²⁸⁰ Srebrenica (April 1993), Gorazde (April 1994) and Bihac (November 1994) were subject to coordinated offensives by Bosnian Serb forces.

²⁸¹ Ian Traynor, "Bloodbath in Muslim Enclaves Could Follow Retreat", *The Guardian*, 29 November 1994.

²⁸² Ian Traynor, "Bihac Sides Jostle Over Truce Terms", *The Guardian*, 26 November 1994.

²⁸³ James Gow, "Towards a Settlement in Bosnia: The Military Dimension", *The World Today*, Vol. 50, No. 5, May 1994, p. 98.

²⁸⁴ William Pfaff, "Really, the Only Bosnia Plan on the Table", *International Herald Tribune*, 9-10 July 1994.

Engagement²⁸⁵ have placed the initiative with the Bosnian Serbs, who continue to reject and defy the peacekeeping force at will.

5.3.1.3: Instrumentality

The United Nations was conscious of the need to secure Bosnian Serb acceptance of UNPROFOR II if the peacekeepers are to have a chance of implementing their mandate,²⁸⁶ being originally prepared to deal with all sides on an equal basis.²⁸⁷ As ethnic cleansing and attacks on safe areas²⁸⁸ aroused greater levels of horror and condemnation,²⁸⁹ as aid convoys came under attack, as Serbia was expelled from the General Assembly, and as UNPROFOR II's mandate leaned increasingly against Bosnian Serb interests, the Bosnian Serbs' agreement to UNPROFOR II objectives and functions became decreasingly sought after. The protection of the humanitarian relief operation by United Nations peacekeepers in Bosnia became something that was carried out despite Bosnian Serb objections, rather than with their agreement as a party that was instrumental to the success of the mission. As UNPROFOR II became for the international community "a source of objective and independent information on events" in Bosnia,²⁹⁰ the Bosnian Serbs began to prevent UNPROFOR II access to significant areas to prevent it carrying out this and its other functions.²⁹¹ The United Nations lost confidence in their ability "to negotiate in good faith and to uphold their commitments made to representatives of the United

²⁸⁵ See Bruce D. Berkowitz, "Rules of Engagement for UN Peacekeeping Forces in Bosnia", *Orbis*, fall 1994, p. 636.

²⁸⁶ See for example appeals contained in Security Resolutions such as 913 (1994) of 22 April 1994.

²⁸⁷ "Report of the Secretary-General Pursuant to Security Council Resolution 749 (1992)", S/23836, 24 April 1992, p. 2, confessed the United Nations had "no consensus on the origins of the fighting, [or] on whom the responsibility lay."

²⁸⁸ Security Council Resolution 913 (1994) of 22 April 1994.

²⁸⁹ See Security Council Resolutions 752 (1992) of 15 May 1992; 757 (1992) of 30 May 1992; 779 (1992) of 6 October 1992; 819 (1993) of 16 April 1993; and 941 (1994) of 23 September 1994.

²⁹⁰ Gow, "European Security and the Yugoslav Wars", *op. cit.*, 1993, p. 209.

²⁹¹ "The Situation of Human Rights in the Territory of the Former Yugoslavia", A/48/92 and S/25341, of 26 February 1993, p. 27.

Nations."²⁹² This breakdown in the processes of consultation, so vital to an operation of this type, has contributed to UNPROFOR II's difficulties.

Although UNPROFOR II has been moderately effective in ensuring the supply of palliative humanitarian relief, its activities have become obstructive, rather than instrumental to resolving the underlying causes of the crisis. The inadequacy of "light force option" for defending the aid convoys and safe areas²⁹³ for the tasks set, and the fear of Bosnian Serb retaliation against peacekeepers in the case of enforcement actions, transformed UNPROFOR II from a protector of the Muslims into a protector of the Bosnian Serbs from action by the international community. This has emboldened the Bosnian Serbs to make escalating attacks and demands on the other parties and the international community with minimal risk of being held accountable or punished for their actions.²⁹⁴ UNPROFOR II itself is very aware of the "Mogadishu Line",²⁹⁵ and reluctant to respond forcefully to Bosnian Serb provocations.²⁹⁶ This record, as well as highly-publicised wrangling within the United Nations over the use of force has, "stripped diplomatic efforts of one of their key instruments: the threat of the use of force in circumstances where other means proved inadequate or unpersuasive."²⁹⁷ Neither can UNPROFOR II be easily withdrawn: this would entail the end of the relief effort, the intensification of the war, and incur the opposition of the beleaguered Bosnian government.²⁹⁸ Paradoxically, the Serbs are also happy for UNPROFOR II in its emasculated role to remain in

²⁹² Security Council Resolution 913 (1994) of 22 April 1994.

²⁹³ Because of differences within the Security Council and a shortage of resources, it opted for equipping UNPROFOR II with the minimum number of troops thought necessary for its mandate. See "Report of the Secretary-General Pursuant to Security Council Resolution 836 (1993)", S/25939, 14 June 1993, p. 3.

²⁹⁴ David Gompert, "How to Defeat Serbia", *Foreign Affairs*, Vol. 73, No. 4, July/August 1994, p. 39.

²⁹⁵ This term was coined by the former UNPROFOR II Force Commander, Lieutenant-General Sir Michael Rose, upon coming under criticism, particularly from the United States, of being too soft on the Serbs. See Ian Traynor, "Rose Rejects US Call for More Force", *The Guardian*, 30 September 1994.

²⁹⁶ UNPROFOR II's attempts at retaliation have nearly always been in the form of NATO air strikes against empty or deserted tanks or artillery pieces or air strips, and calculated to cause the minimum level of discomfort to the Bosnian Serbs. See "NATO Jets Bomb Bosnian Serb Tank in Retaliatory Raid", *International Herald Tribune*, 23 September 1994.

²⁹⁷ Gow, "European Security and the Yugoslav Wars", *op. cit.*, 1993, p. 212.

²⁹⁸ "Rose Hails U-Turn on Embargo", *Daily Telegraph*, 28 September 1994.

Bosnia, thereby providing a block against any forceful international intervention. Thus UNPROFOR II, has become an impediment rather than being instrumental to peace in Bosnia.

5.3.1.4: Impartiality

The United Nations has attempted through assurances of neutrality²⁹⁹ and tinkering with the ethnic and religious balance of the force³⁰⁰ to demonstrate UNPROFOR II's impartiality among the belligerents in Bosnia. However, its mandate, often detrimental to Bosnian Serb interests, has led it to be seen as biased, as "an occupying power, siding with [their] enemy."³⁰¹ Requested by the Bosnian government, it is seen to have "protected the Muslims from total defeat."³⁰² The safe areas, created and defended with extremely limited success³⁰³ against Bosnian Serb conquest,³⁰⁴ allowed to shelter Bosnian government troops,³⁰⁵ and supplied by UNPROFOR II-protected aid flows have become a symbol of UNPROFOR II's bias against the Bosnian Serbs. Discoveries of some UNPROFOR II contingents smuggling weapons to the Muslims have reinforced Bosnian Serb distrust.³⁰⁶ The United Nations was actively involved in building and consolidating the Muslim-Croat alliance against the Bosnian Serbs, and backing

²⁹⁹ "Concept for a United Nations Peacekeeping Operation in Yugoslavia, as Discussed With Yugoslav Leaders by the Honourable Cyrus R. Vance, Personal Envoy of the Secretary-General, and Marrack Goulding, Under-Secretary-General for Special Political Affairs", S/23280 Annex III, 1991, p. 1.

³⁰⁰ For example, at on stage the UNPROFOR contingent stationed in Sarajevo is made up of Egyptians (Muslim), Ukrainians (Orthodox for the Serbs), and French (Catholic for the Croats); see Christopher Bellamy, "US Troops Will Boost Peace Plan", *The Independent*, 13 February 1993.

³⁰¹ Bosnian Serb General Ratko Mladic, quoted in Robert Fox, "Peace Mission Hangs in Balance as Sarajevo Battles for Its Sanity", *Daily Telegraph*, 28 September 1994.

³⁰² Radovan Karadzic, quoted in "Karadzic Threatens to Oust UN", *The Guardian*, 12 October 1994.

³⁰³ The "safe areas" of Srebrenica and Zepa were finally taken by the Bosnian Serbs in July 1995 despite the presence of garrisons of UNPROFOR II troops, who were unable to prevent the invasion or the following deportation and slaughter of the inhabitants of these pockets. See "Victims of Bosnian Realpolitik", *The Economist*, 22 July 1995, pp. 37-38.

³⁰⁴ Security Council Resolutions 824 (1993) of 6 May 1993 and 819 (1993) of 16 April 1993.

³⁰⁵ Security Council Resolution 836 (1993) of 4 June 1993 and "Report of the Secretary-General Pursuant to Security Council 836 (1993)" S/25939, 14 June 1993, p. 2.

³⁰⁶ See "A World More Scared Than Scaring", *The Economist*, 17 April 1993.

the alliance's rights and claims during negotiations.³⁰⁷ The bitterness of the war, causing "the parties [to] hold conflicting and contradictory views on almost all aspects of the conflict in Bosnia-Herzegovina,"³⁰⁸ makes the belligerents suspicious of UNPROFOR II's contacts with all sides to the conflict.³⁰⁹

Without Bosnian Serb agreement on the objectives and presence on UNPROFOR II, there could be little hope of their impartiality in allowing the force to perform its mandate unimpeded. Since its insertion into Bosnia, the Bosnian Serbs have staged attacks against UNPROFOR II and its mandate as a way of reinforcing the international community's timidity,³¹⁰ to widen policy rifts among the Member-States,³¹¹ to undermine the United Nations' credibility as an authoritative conflict terminator,³¹² and to destroy the cohesion of the force.³¹³ Their threats of retaliation against UNPROFOR II, their seizing of peacekeepers as hostages,³¹⁴ and their use of the promise of a breakthrough at the peace talks to defer any more forceful actions, have cleverly turned it into a force paralysing international action.³¹⁵ Neither have they allowed UNPROFOR II to perform the mandate entrusted to it unhindered. The

³⁰⁷ "Report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia", S/26066 Annex, 8 July 1993, p. 2.

³⁰⁸ "Report of the Secretary-General Pursuant to Security Council Resolution 749 (1992)", S/23836, 24 April 1992, p. 5.

³⁰⁹ Edith S. Klein, "Obstacles to Conflict Resolution in the Territories of the Former Yugoslavia", in David A. Charters, *Peacekeeping and the Challenge of Civil Conflict Resolution*, (New Brunswick: Centre for Conflict Studies, 1992), p. 153.

³¹⁰ Roger Cohen, "Embargo on Serbia Frays in Macedonia", *International Herald Tribune*, 1 August 1994.

³¹¹ Christopher Lockwood, "America and Europe Clash Over Arms Ban", *Daily Telegraph*, 12 September 1994.

³¹² Gow, "European Security and the Yugoslav Wars", *op. cit.*, 1993, p. 214.

³¹³ "Report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia", S/26066, 8 July 1993, p. 7.

³¹⁴ The best publicised instances of the Bosnian Serbs taking hostages occurred in November 1994, and May-June 1995, when they seized British, Dutch, and French UNPROFOR II troops as a deterrent to further air strikes around the Bihac, Sarajevo, and other enclaves; see Ian Traynor, "West Admits Impotence to Save Bihac", *The Guardian*, 28 November 1994.

³¹⁵ Gow, "Towards a Settlement in Bosnia: The Military Dimension", *op. cit.*, 1994, p. 98.

Bosnian Serbs have repeatedly violated ceasefires they have signed,³¹⁶ banned peacekeepers from territory they control,³¹⁷ stopped aid flows to besieged cities and regions,³¹⁸ attacked safe areas, and closed blue routes in defiance of UNPROFOR II.³¹⁹ Furthermore, the Bosnian Serbs, as well as the other belligerents, have tried to take tactical advantage of UNPROFOR II deployments in the prosecution of the war, and to attack their opponents in an attempt to draw in wider international involvement.³²⁰ At no stage of its deployment has UNPROFOR II been permitted to discharge its mandate without provocations and constant attempts to exploit it, on the part of the Bosnian Serbs and the other factions.

5.3.1.5: Timing

The intervention of UNPROFOR II was at odds with the military impetus of the Bosnian Serbs. The Bosnian Serb army, in control of over 70% of Bosnian territory, and preponderant in heavy weapons, training and organisation, is defending a long, unusually-shaped front line, which it appears able to defend indefinitely against military and diplomatic attempts to roll it back.³²¹ This military strength has been translated into a hardening of its position in the mediation process.³²² The intractability of the Bosnian Serb position, the ruthlessness of its advance, and the bitterness of the conflict, led early United Nations missions to Bosnia to conclude that "in the light of all the factors bearing on the current situation in Bosnia-

³¹⁶ "Report of the Co-Chairmen of the Steering Committee on the Activities of the International Conference on the Former Yugoslavia", S/26260 Annex, 6 August 1993, p. 2.

³¹⁷ See "Bosnian Serbs Repeat Threat to UN Forces", *The Guardian*, 26 September 1994; and "Karadzic Threatens to Oust UN", *The Guardian*, 12 October 1994.

³¹⁸ See Ian Black, "Clinton Hints at Tough Line in Bosnia", *The Guardian*, 27 September 1994.

³¹⁹ See "UN Envoy Seeks Serb Concessions", *International Herald Tribune*, 30-31 July 1994.

³²⁰ The biggest culprits here are the Bosnian government forces, but they are by no means the only forces to make such tactical use of the UNPROFOR II presence. See "Further Report of the Secretary-General Pursuant to Security Council Resolutions 757 (1992), 758 (1992) and 761 (1992)" S/24263, 10 July 1992.

³²¹ Gow, "Towards a Settlement in Bosnia: The Military Dimension", *op. cit.*, 1994, p. 97.

³²² The Bosnian Serbs have been consistent in their insistence on the formation of the "Republika Srpska" at all stages of the conflict and the talks. See "Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia: Peace Talks on Bosnia and Herzegovina", S/25479, 26 March 1993, pp. 4-5.

Herzegovina, the deployment of a peacekeeping force there was not feasible...in view of the widespread violence,...it [is] impossible to define a workable concept for a United Nations peacekeeping operation."³²³ The United Nations' hand was forced by the widespread horror at the ferocity of the fighting and the magnitude of the suffering and ethnic cleansing. UNPROFOR II thus found itself as a peacekeeping force in a situation where there was no peace to be kept, and where the parties, particularly the Bosnian Serbs, had no military incentive to cooperate with it. Charged with implementing a humanitarian mandate, but without an underpinning political objective, UNPROFOR II was trapped by the timing of its deployment into the quagmire of maintaining an unsatisfactory status quo while preventing any movement towards a resolution.

5.3.1.6: Support and Isolation

Those States with ties to the Bosnian Serbs have been unwilling to use their contacts to apply concerted pressure in support of UNPROFOR II's efforts. Serbia, expelled from the General Assembly, and increasingly beleaguered by United Nations-mandated sanctions, has made highly-publicised appeals for Bosnian Serb cooperation,³²⁴ and has claimed to have imposed its own United Nations-monitored sanctions against them,³²⁵ but has been unwilling to exert any real leverage that would affect their behaviour. Russia and Greece, as co-religionist sympathisers of the Bosnian Serbs, have been unwilling or vacillating in their support for UNPROFOR II's objectives due to their disagreements with the other members of the sponsoring coalition over general policy on Bosnia, and the status of the embargo in particular.³²⁶ Neither have any other members of the international community, significantly among the United States and the proximate European powers, been willing to intervene in

³²³ "Report of the Secretary-General Pursuant to Security Council Resolution 749 (1992)", S/23836, 24 April 1992, p. 6.

³²⁴ The Serbian government has issued warnings to the Bosnian Serbs threatening to sever relations, and appealed to them to be cognisant to the fate of other Serbs being starved by the sanctions. See "Accept Plan, Bosnian Serbs are Warned by Belgrade", *International Herald Tribune*, 3 August 1994.

³²⁵ "Yugoslavia Approves Monitors", *International Herald Tribune*, 15 September 1994.

³²⁶ Stephen Robinson, "Summit Hugs Fail to Hide Rift Over Bosnia", *Daily Telegraph*, 28 September 1994.

Bosnia with the military force necessary to prevent further Bosnian Serb defiance of UNPROFOR II's discharge of its mandate.³²⁷ Attempts to provide military muscle in support for UNPROFOR II through NATO have caused rifts within that alliance over the extent and nature of the use of air power against the Bosnian Serbs.³²⁸ The absence of any significant support for UNPROFOR II has not been lost on the Bosnian Serbs, who have factored this into their sanguine defiance of the peacekeepers.

Although the United Nations has attempted to induce Bosnian Serb cooperation by isolating them from external supporters, it has not made their behaviour any more conducive to UNPROFOR II's discharge of its mandate. Through a series of resolutions, the Security Council has imposed an embargo around the former Yugoslavia,³²⁹ applied sanctions against Serbia and Montenegro,³³⁰ and applied sanctions against the Serb-held regions of Bosnia,³³¹ in an attempt to starve the Bosnian Serbs and sap their military strength. The embargoes have frayed over time, and the isolation of the Bosnian Serbs has been imperfect.³³² Serbia, the Bosnian Serb's biggest sponsor, although it has assured the United Nations that it has stopped military shipments into Bosnia, has been long been suspected smuggling military equipment and non-lethal aid to the Bosnian Serbs.³³³ The Bosnian Serbs' position is materially and psychologically strengthened against the United Nations through their knowledge and confidence in Serbian, Russian, and Greek sympathy with their position. The Bosnian Serbs are also well aware that Russian opposition within the Security Council, and Greek opposition within NATO, restrains a frustrated international community from carrying out extensive airstrikes or other punitive

³²⁷ Daniel Williams, "West Seems Unable to Deter the Serbs", *International Herald Tribune*, 2 August 1994.

³²⁸ The United States has generally advocated extensive use of air power against the Serbs, while Britain and France have insisted on limiting its use to avoid provoking Serb retaliation against their peacekeepers. See John Palmer, "NATO Chief Walks Into Early Row With UN Over Bosnia", *The Guardian*, 18 October 1994.

³²⁹ Security Council Resolution 713 (1991) of 25 September 1991.

³³⁰ Security Council Resolution 757 (1992) of 30 May 1992.

³³¹ Security Council Resolution 942 (1994) of 23 September 1994.

³³² Emma Daly, "Fierce Fighting Marks Turn in Bosnian Tide", *The Independent on Sunday*, 6 November 1994.

³³³ John Pomfret, "Belgrade Suspected of Breaking Its Embargo", *International Herald Tribune*, 10-11 December 1994.

military action against them to try to induce their cooperation. Despite all of these factors, it is unclear whether the extent of isolation of the Bosnian Serbs is a significant factor in their military calculations in any case. Similar to the USC-SNA, the Bosnian Serbs' military advantage is not heavily dependent on external sponsors and therefore not immediately affected by changes in levels of support.³³⁴ Nevertheless, the support of the Bosnian Serbs by influential outside powers has had a negative effect on their cooperativeness, and consequently on the viability of their interaction with UNPROFOR II.

5.3.1.7: Cohesion

The ability of UNPROFOR II to take decisive action in the face of Bosnian Serb defiance is severely undermined by a lack of cohesion among its sponsors within the United Nations, and within the force itself. The fragmentation of the international community's cohesion over Bosnia has been extensive, and largely a product of widely diverging views of the Bosnian crisis and emotional commitments to the various parties or aspects of the conflict. While general agreement has been reached over the need for a comprehensive solution, the protection of safe areas and the provision of relief,³³⁵ opinions have diverged on how to respond to Bosnian Serb non-cooperation with UNPROFOR II. The United States,³³⁶ the Islamic community³³⁷ and the Non-Aligned³³⁸ have advocated redressing the military balance in favour of the Bosnian Muslims and mounting significant air strikes against Bosnian Serb ordnance,

³³⁴ Gow, "Towards a Settlement in Bosnia: The Military Dimension", *op. cit.*, 1994, p. 98.

³³⁵ Security Council, "Joint Action Program", S/25829, 24 May 1993, p. 2; and "Communique of the OIC Special Ministerial Meeting of the Bureau of the Islamic Conference of Foreign Ministers Enlarged to the Members of the Contact Group and States Contributing to the UNPROFOR", A/47/977 and S/26112, 19 July 1993, p. 8.

³³⁶ Daniel Williams, "West Seems Unable to Deter the Serbs", *International Herald Tribune*, 2 August 1994; "Downsides Seen if Bosnia Arms Embargo is Ended", *International Herald Tribune*, 20-21 August 1994.

³³⁷ "Communique of the OIC Special Ministerial Meeting of the Bureau of Islamic conference of Foreign Ministers Enlarged to the Members of the Contact Group and States Contributing Troops to UNPROFOR", A/47/977 and S/26112, 19 July 1993, p. 7; see also Jane M.O. Sharp, "Intervention in Bosnia - the Case For", *The World Today*, Vol. 49, No. 2, p. 31.

³³⁸ In April 1993, the Non-Aligned members of the security Council circulated a proposed resolution authorising member-states to form a Desert Storm type coalition to help the Bosnian Government reverse Serb gains under Article 51 of the Charter authorising individual or collective self-defence against a member; see United Nations Department of Public Information Political Information Bulletin #3, 19 April 1993.

positions and supply lines.³³⁹ The United Kingdom, France and their European Union partners have opposed any forceful action by or on behalf of UNPROFOR II, out of fear of provoking retaliation against their peacekeeping troops.³⁴⁰ Russia and Greece have voiced vehement opposition to lifting the arms embargo and launching air strikes, and the spectre of a Russian veto hangs over the Security Council.³⁴¹

These divisions are reflected in the lack of cohesion of the UNPROFOR II force. Various contingents, particularly the Russian, Ukrainian, and Muslim troops, have been observed to pursue independent and openly partial relations with the belligerents they support.³⁴² The strain of operating such a force over the friction among the contingents and within the United Nations has given UNPROFOR II a burn-out rate among its force commanders that is unmatched by any other peacekeeping operation.³⁴³ The financing innovation introduced for UNPROFOR II, whereby force contributors meet their expenses, has been detrimental to force cohesion, as the contributing States have felt more justified in nationally-directing their contingents in the field.³⁴⁴ Unity of command problems developed as

³³⁹ Divisions have grown over Bosnia within Washington, between the Presidency and the Congress, and within the Congress. See Hella Pick, "PM Fails to Budge Dole on Bosnia", *The Guardian*, 1 December 1994; and Michael Gordon, "NATO Quarrels Left Bihac in the Lurch", *The Guardian*, 5 December 1994.

³⁴⁰ See Christopher Lockwood, "America and Europe Clash Over Arms Ban", *Daily Telegraph*, 12 September 1994; "EU Backs Bosnia Embargo", *International Herald Tribune*, 12 September 1994; "UK Peacekeepers Fight in 2 Battles in Bosnia", *International Herald Tribune*, 16 September 1994; and Ian Black, "Britain Still Firm on Bosnia After Talks With UN Leader", *The Guardian*, 26 October 1994.

³⁴¹ The Russian parliament voted in April 1993 to force Russia to cast its veto in the event of a Security Council vote lifting the embargo or advocating greater force, which it regarded as being "one-sided ultimatums against Serbs". Greece has been vocal in its opposition to NATO action and changes in the United Nations stance, particularly during its stints holding the presidency of the European Union. See "Why Russia Backs Serbia", *The Independent*, 15 February 1994; and Tony Barber, "Serb Arms Hand-Over 'Negligible'", *The Independent*, 15 February 1994.

³⁴² Particularly the Russian contingents have been reported to enjoy very close relations with surrounding Serb forces. See for example "UN Condemns Serb Attack as Grave War Crime", *The Scotsman*, 14 September 1993.

³⁴³ The first UNPROFOR II Commander, General Lewis MacKenzie of Canada, lasted a matter of months, and left embittered under accusations of being pro-Serb; he was followed by General Philippe Morillon who also spent much of his time arguing UNPROFOR II doctrine with the international community; and Lieutenant-General Sir Michael Rose, who completed a full tour, was vilified on both sides of the Atlantic as an "appeaser of Serb aggression". See Ian Traynor, "Bosnia's Whipping Boy Stands Firm", *The Guardian*, 30 September 1994; and Yigal Chazan, "Sarajevo MPs Unite in Call for 'Appeaser' Rose to Go", *The Guardian*, 26 October 1994.

³⁴⁴ "Report of the Secretary-General on the Situation in Bosnia-Herzegovina", S/25264, 10 February 1993.

UNPROFOR II and the NATO air patrols tried to coordinate their actions, as NATO tried to provide close air support for peacekeepers under attack, and as UNPROFOR II commanders ordered in limited strikes against selected targets to warn the parties.³⁴⁵ These divisions have broadened into disagreements over the policing of the air exclusion zone: the agency for enforcing it, and the limit of the arena to be policed.³⁴⁶ As UNPROFOR II was subjected to failure after failure, cohesion among contributors began to wane, translating into a drying up of offers of troops and resources for the peacekeeping and humanitarian operations.³⁴⁷

The lack of a cohesive command structure among the Bosnian Serb forces means that even if agreement to cooperation with UNPROFOR II was secured among the leadership, opposition to UNPROFOR II's objectives on the ground would perpetuate resistance to the peacekeepers in defiance of the leadership. Bitter experience has taught UNPROFOR II and the aid agencies that agreements with the Pale leadership are worthless when they are attempted to be used as the basis for action in the field.³⁴⁸ Much of the Bosnian Serb army is made up of loosely-organised and controlled militias, or paramilitaries activated by the ethnic motivations of the war, and often acting according to their own understanding of the requirements of the war effort rather than on orders originating from the army high command.³⁴⁹ Neither is there a compelling command structure among the Bosnian Serb regular army: mutinies caused by disagreements and insufficient pay have been common during the conflict.³⁵⁰ The United

³⁴⁵ The levels of decision-making that need to be negotiated when ordering an air strike include the contingent commander on the ground, the force commander in Bosnia, the force commander in the former Yugoslavia, the Secretary-General's Special Representative, the Secretary-General, and the Commander of NATO Forces in Southern Europe. See Peter Pringle, "Allies Weigh Politics of Air Strikes", *The Independent*, 16 February 1994.

³⁴⁶ The French, who favour WEU policing of the exclusion zone, are at odds with the British and the Americans, who insist that NATO undertakes this task. The Americans want to expand the theatre of operations into Serbia and Montenegro, while the Europeans want to limit operations to Bosnia and Herzegovina. See Gow, "European Security and the Yugoslav Wars", *op. cit.*, 1993, p. 212.

³⁴⁷ "Report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia", S/26066, 8 July 1993, pp. 5-6.

³⁴⁸ See Marcus Tanner and Peter Pringle, "Chaos Over Policy Adds to UN Gloom", *The Independent*, 19 February 1993.

³⁴⁹ Bell-Fialkoff, "A Brief History of Ethnic Cleansing", *op. cit.*, 1993, p. 119.

³⁵⁰ For example, Bosnian Serb elite units staged a 8-day revolt near Banja Luka in September 1993 over pay and living conditions. See *Facts on File*, 21 October 1993.

Nations and the other parties are well aware of the difficulties to progress posed by this incohesion, calling on all sides to "bring under effective command and control all armed units...and to eliminate all paramilitary groups" in Bosnia.³⁵¹ These problems with cohesion are exacerbated by the slow movement of orders in the former Communist command structure of the Bosnian Serb Army, in which the "soldier only obeys his direct chief; if he has no orders from him, he sticks to the previous ones. This [gives] the Serb machine an extraordinary inertia, which most of the time accounted for the difficulty of having agreements respected on the ground."³⁵² This lack of cohesion makes it difficult for the Bosnian Serb leadership to advocate any cooperation with UNPROFOR II, knowing that the antagonism of UNPROFOR II's mandate yields a significant chance of their directives being ignored in the field.³⁵³

The peacekeeping framework, when applied to UNPROFOR II's relations with the Bosnian Serbs, reveals that a direct clash of approaches led to severe limitations in the effectiveness of the peacekeeping interaction. That there was no basis of agreement on the objectives or processes of resolving the conflict has been demonstrated by the gridlock of the ICFY mediation. The origin of the humanitarian mandate among UNPROFOR II's sponsoring States lay in their reluctance to become deeply involved on the ground and corresponding embarrassment over their inaction, as well as the product of a fragile diplomatic consensus that could only agree on the lowest common denominator response. Different perceptions of the war and contending loyalties to the parties in conflict has led to further acrimony and deadlock in the United Nations, and inertia and timidity in the peacekeeping operation. Ignoring the timing of the insertion, UNPROFOR II was forced by extraneous concerns to be introduced to the conflict in spite of a void at the centre of its peacekeeping concept: the fact that there was no peace to keep. The absence of any agreed central concept of conflict resolution has left the operation implementing auxiliary tasks in an extremely uncondusive environment.

³⁵¹ "Report of the Secretary-General on the International Conference on the Former Yugoslavia", S/24795, 11 November 1992, p. 42.

³⁵² Philippe Morillon, "UN Operations in Bosnia: Lessons and Realities", *RUSI Journal*, Vol. 138, No. 6, December 1993, pp. 31-35.

³⁵³ See Kemal Kurspahic, "Stop Dickering With the Serbs and Help Bosnia Survive", *International Herald Tribune*, 29 August 1994.

The Bosnian Serbs are engaged in an irridentist war, a project which has incurred substantial local and international opposition. Their single-minded nationalism, and the high stakes of their struggle, makes them impervious to any impulses other than the advancement and securement of their objectives. Agreements hampering these objectives are ignored. Their reliance on forcibly conquering territory and ethnically cleansing unwanted populations reflects the strength of these convictions and the single-mindedness of their methods. It follows that they disagreed fundamentally with the United Nations on the form of the basic resolution of the conflict, and opposed the objectives of humanitarian relief and enclave protection, which presented an obstacle to their war aims. Their strong military position coincided with their posture of not acquiescing to a disadvantageous intervention. These basic disagreements guaranteed the inevitable slide into an adversarial relationship, with instrumentality and impartiality compromised. The concept of a peace force was alien to the Bosnian Serbs, accustomed to the logic of force and overwhelming strength. However, the Bosnian Serbs proved reluctant to concertedly attack UNPROFOR II, apart from isolated incidents and hostage-takings. This was partly due to a desire not to incur greater international opposition, but mostly to the instrumental way they came to see the peacekeepers: as actual or potential hostages, and as a way to forestall greater international involvement. UNPROFOR II became for them an instrumental presence, but for objectives opposed to the United Nations'. UNPROFOR II was also hampered by deep confusion among its conflicting roles and capabilities: protective humanitarian peacekeeping and enforcement using NATO bombardment and other forms of authorised pressure.

The deep divisions and disagreements within the international community only compounded UNPROFOR II's powerlessness and predicament. Before long, the peacekeepers themselves became the focus of even greater acrimony among the international community. This confusion was compounded by the confusion of roles and responsibilities between the United Nations, NATO, and the WEU. These severe divisions and resulting paralysis were all exploited by the Bosnian Serbs. The extent of international inertia suggests that collective action through the United Nations is an inappropriate response to a conflict over which Member-States are so divided such as Bosnia. In such a situation, attempts at consensual multilateralism lead to

impotence and acrimony. Furthermore, UNPROFOR II's experience shows the folly of introducing a peacekeeping force to carry out auxiliary tasks when none of the prerequisites for peacekeeping exist: consent, a viable ceasefire, a concept for resolution, broad international support, and a tangible peace to keep. The peacekeeping framework thereby indicates the inappropriateness of peacekeeping to the Bosnia conflict, and further suggests the inadequacy of implementing an auxiliary humanitarian mandate without an agreed underlying resolution objective, and the necessary political will and cohesion of the permanent members of the Security Council.

5.4: Disarmament and Demobilisation

The expanded peacekeeping undertaken by United Nations forces in the post-Cold War era often charges them with overseeing agreements to transform civil war situations into politically-integrated States committed to rebuilding and economic viability. Whereas conventional peacekeeping was required to oversee the separation and withdrawal of forces, contemporary peacekeepers are often required to disarm and demobilise the belligerents, most commonly the insurgent militias. This peacekeeping function is fraught with difficulties. The logic of insurgent behaviour reveals that weapons are the key to insurgent movements' two most basic motivations: they provide the means for the promotion of their interests and their mechanism for self-defence. Consequently, insurgents will only surrender their arms and re-enter society if they are assured of a reasonable chance of peacefully gaining power and of protection from retaliation if they fail to gain power. These conditions make the peacekeeping framework especially appropriate to disarmament and demobilisation. The framework's concentration on prior agreement of approaches between the insurgents and the United Nations during the disarmament and demobilisation interaction, emphasises the importance of satisfying the insurgents' power and security concerns before the other factors can begin to impact on the success or failure of this stage of the peacekeeping process.

5.4.1: Defusing the Contras

The United Nations' dispatch of a peacekeeping force into Nicaragua after the end of its civil war played a vital role in defusing the possibility of further violence in that traumatised State. By the end of the 1980s, the Nicaraguan civil war had developed into a bitter struggle domestically, and the international stand-off between the United States and the Sandanista government was poisoning regional relations.³⁵⁴ The Sandanistas had overthrown dictator Antonio Somoza in July 1979, and set about restructuring Nicaraguan society along Marxist lines. By November 1980, however, they found their revolution under siege by bands of anti-Marxist insurgents which they dubbed *contrarevolucionarios*, or Contras. The Contras emerged from a number of interests: former allies of the Sandanistas who felt the revolution had been "betrayed" by turning Marxist,³⁵⁵ loyal members of the Somozist National Guard who had reformed in exile,³⁵⁶ Miskito Indians of the Atlantic Coast who had been relocated by the Sandanistas,³⁵⁷ and peasants who had borne the brunt of the socioeconomic restructuring.³⁵⁸ Coinciding with the coming to power of the Reagan administration in the United States, which conceived of the Reagan doctrine and Low Intensity Conflict (LIC) strategy in order to roll back Marxist regimes, the Contras soon found themselves being organised, armed, trained, and directed by the CIA in camps across the Honduran and Costa Rican borders.³⁵⁹

³⁵⁴ The Reagan administration had by early 1982, established and trained a guerrilla fighting force from the Somoza supporters and other opponents of the Sandanista regime, and based and supplied them along the Honduran border. The Sandanistas took the case of externally-sponsored aggression against the United States before the United Nations and the International Court of Justice. The ICJ ruled against the United States in 1986, a ruling ignored by the United States.

³⁵⁵ Alan Riding, "Paper Hated by Somoza Now Enrages Sandanistas", *New York Times*, 26 November 1981.

³⁵⁶ Edward Cody, "Exiles Opposing Managua Seek Wider Support", *Washington Post*, 8 December 1982.

³⁵⁷ Loren Jenkins, "Nicaraguan Amnesty for Dissident Miskito Indians Frees 300", *Washington Post*, 2 December 1983.

³⁵⁸ Michael Radu and Vladimir Tismaneanu, *Latin American Revolutionaries: Groups, Goals, Methods*, (Washington: Pergamon-Brassey's, 1990), p. 72.

³⁵⁹ Juan O. Tamayo, "U.S. Bankrolling Sandanistas' Foes", *Miami Herald*, 19 December 1982.

Soon the Contras were operating as a loose coalition of nine fronts, organised around the Nicaraguan Democratic Force (FDN) operating out of Honduras, the Democratic Revolutionary Alliance (ARDE) operating out of Costa Rica, and the YATAMA front of the Miskito Indians,³⁶⁰ and headed by a seven-member directorate drawn from these groups. The requirement of having to weld together such disparate interests made the Contras unable to enunciate a coherent ideological platform, and strategic and ideological direction was largely ceded to their American sponsors.³⁶¹ Nevertheless, the 10,000 Contras in Honduras and the 4,000-5,000 within Nicaragua, were able to launch an effective campaign of strikes against economic targets and symbols of the Sandanista regime deep inside Nicaragua.³⁶² They used classical guerrilla tactics, avoiding pitched battles with the huge, Soviet-supplied Sandanista army, and concentrated on destabilising and discrediting the regime.³⁶³ By the end of the 1980s, the war had plunged Nicaragua into a severe economic crisis,³⁶⁴ forced the Sandanistas to liberalise and negotiate with the opposition, and declare internationally-observed, multi-party elections in February 1990. The shock defeat of the Sandanistas by the opposition UNO coalition deprived the Contras of their *raison d'etre*. The United Nations was called on to help manage the transition process. Originally the ONUCA force was established pursuant to the Esquipulas II accord³⁶⁵ to monitor the Central American borders and verify the cessation of external support for the various insurgent movements in the region. The singular circumstances in Nicaragua, and the need to defuse the war potential of the Contras to safeguard the transition, however, forced the Security Council to expand ONUCA's mandate to include its first experiment in disarming and demobilising an insurgent movement.

³⁶⁰ Michael Radu, "The Origins and Evolution of the Nicaraguan Insurgencies, 1979-1985", *Orbis*, Vol. 28, No. 4, Winter 1985, p. 823.

³⁶¹ Doyle McManus and Robert C. Toth, "The Contras: How U.S. Got Entangled", *Los Angeles Times*, 4 March 1985.

³⁶² Juan Tamayo, "Nicaragua Softens Claims of War", *Miami Herald*, 25 March 1983.

³⁶³ Radu and Tismaneanu, *op. cit.*, 1990, p. 73.

³⁶⁴ William Branigin, "Inflation Leaps, Output Falls in Nicaragua", *Washington Post*, 18 August 1987.

³⁶⁵ Signed on 7 August 1987 in Guatemala City by the Presidents of El Salvador, Honduras, Costa Rica, Nicaragua and Guatemala, Esquipulas II called for simultaneous ceasefires in El Salvador, Nicaragua and Guatemala, and a 90-day democratisation period to promote national reconciliation, overseen by international monitors.

5.4.1.1: Objectives

The international community was taken by surprise by the UNO election victory, and galvanised by the possibility of a swift and peaceful transition of power from the Sandanistas. The United States, in particular, was keen to assist in the replacement of a regime that it had so implacably opposed for over a decade. The Reagan administration, seeing Central America as within its sphere of influence, had originally opposed and United Nations involvement in the region and found fault with regional peace plans.³⁶⁶ The embarrassment of the Iran-Contra scandal, and the more conciliatory Bush administration, had brought a new pragmatism and willingness to cooperate in American policy towards the region. This change in United States policy coincided with the thaw in superpower relations, and the complete commitment by President Gorbachev in the Soviet Union to his program of "new thinking", which entailed putting an end to regional rivalries involving the Soviet Union. This great power consensus on the peace process in Central America was shared by the regional States of the Contadora³⁶⁷ and Esquipulas³⁶⁸ Groups, which had long been advocating regional peace and cooperation for greater prosperity. When the UNO victory presented them with a chance to help end the Nicaraguan civil war quickly, peacefully, and cheaply by disarming the Contras, the States of the sponsoring coalition, taking the lead from Costa Rican, Venezuelan, and Mexican initiation, responded quickly through the United Nations, adding this component to the existing ONUCA force.

These interests combined through the United Nations into a general objective to guarantee the peaceful transition, thereby fostering the growth of stability and "national reconciliation...on the basis of democratisation and a ceasefire in the country."³⁶⁹ In the

³⁶⁶ See Ronald Reagan's speech to the American people, "Nicaragua: Aiding the Contras", 16 March 1986, *Vital Speeches of the Day*, Vol. 52, No. 13, 15 April 1986, pp. 386-9.

³⁶⁷ Comprised of Venezuela, Colombia, Mexico and Panama.

³⁶⁸ Comprised of Costa Rica, Nicaragua, El Salvador, Guatemala, and Honduras.

³⁶⁹ Report of the Secretary-General, "The Situation in Central America: Threats to International Peace and Security and Peace Initiatives", A/44/344/Add.1 and S/20699/Add.1, 26 June 1989, p. 4.

aftermath of the elections, it was convinced that "[t]he voluntary demobilisation of the Nicaraguan resistance is an essential element in the Central American peace process"³⁷⁰ and was necessary to guarantee the election results.³⁷¹ ONUCA's mandate was thus to support the consolidation of an elected government with a monopoly over the use of force: "to create a climate of national reconciliation...it is necessary to ensure that weapons and combat equipment is solely in the hands of the armed institutions of the Republic."³⁷² The United Nations was well aware that "demobilization of the resistance forces...[was] essential for creating a climate of peace, stability and tranquillity in which the transfer of power must take place."³⁷³ It was further committed to ensuring the security of the demobilised Contras and their reintegration into Nicaraguan society.³⁷⁴

The Contras lacked any compelling independent objectives. The diversity of the Contra coalition rendered it unable to articulate a coherent program of government,³⁷⁵ other than toppling the Sandanistas. They adopted the standard anti-Marxist insurgent demands for free elections and the restoration of democracy, the end of totalitarian control, and the establishment of a market economy.³⁷⁶ The Sandanistas' introduction of liberalising reforms drove the Contras to cling ever more obdurately to a narrow anti-Sandanista position.³⁷⁷ The defeat of the

³⁷⁰ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21194, 15 March 1990, p. 5.

³⁷¹ Report of the Secretary-General, "The Situation in Central America: Threats to International Peace and Security and Peace Initiatives", A/45/706 and S/21931, 8 November 1990, p. 2.

³⁷² Note by the Secretary-General, "The Situation in Central America: Threats to International Peace and Security and Peace Initiatives", A/44/927, 30 March 1990, p. 24.

³⁷³ Note by the Secretary-General, "The Situation in Central America: Threats to International Peace and Security and Peace Initiatives", A/44/921 Annex III, 22 February 1990, p. 23.

³⁷⁴ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21341, 4 June 1990, pp. 4-5.

³⁷⁵ Forrest D. Colburn, "Embattled Nicaragua", *Current History*, Vol. 86, No. 524, December 1987, p. 406.

³⁷⁶ For Contra demands, see Ivan Molloy, "The Empire Strikes Back: The Sandanista Defeat in Context", *Australian Journal of International Affairs*, Vol. 46, No. 1, May 1992, pp. 111-112, are mirrored in President Reagan's objectives for the insurgency in Nicaragua, see Ronald Reagan, "Nicaragua: Aiding the Contras", *Vital Speeches of the Day*, Vol. 52, No. 13, 15 April 1986, pp. 386-389.

³⁷⁷ The Sandanistas declared a unilateral ceasefire in September 1987, opened a national dialogue open to all opposition groups in October 1987, freed 985 political prisoners and declared a general amnesty for political crimes in November 1987, agreed to free municipal elections in November 1987, freed 1,894 imprisoned ex-National

Sandanistas at the polls deprived the Contras of even this rationale, as all Contra groups accepted the legitimacy of the UNO victory,³⁷⁸ and as President-elect Violetta Barrios Chamorro called on them to disarm.³⁷⁹ The Contras' remaining objective was to return to normalcy in security. The Contras realised that they had become a threat to the transition, by offering the Sandanistas an excuse to retain power against internal security threats. Therefore, they wanted to demobilise in order to guarantee the results of the elections which had delived the Sandanista fall from power for which they had fought unsuccessfully for over a decade. They were, however, were concerned about the possibility of retaliation after they had disarmed.³⁸⁰ They had insisted that any peace agreement and disarmament had to include international guarantees of their security, and an end to Sandanista control of the army and police.³⁸¹ Nor did they want to disarm outside Nicaragua.³⁸² The Contras signed the Managua Protocol on 30 May 1990, agreeing to disarm and demobilise in ONUCA-monitored cantonment sites in return for the reduction of the armed forces and the guarantee of resettlement for ex-Contras.³⁸³ There was thus a strong coincidence between the objectives of the Contras and ONUCA, both of whom wanted to guarantee the UNO election victory by disarming and demobilising the insurgents in security.

Guardsmen in April 1989, deregulated the media in April 1989, introduced a new, free market-based economic plan in May 1989, ended conscription in August 1989, and planned free, internationally-observed elections for February 1990.

³⁷⁸ "Tocontin Agreement", A/44/931 and S/21206 Annex, 26 March 1990, p. 2.

³⁷⁹ "Nicaragua's Hard Road to a New Day", *New York Times*, 24 April 1990.

³⁸⁰ The Contras first expressed this concern in August 1987 at a meeting in San Salvador with Salvadoran President Jose Napoleon Duarte, discussing the Esquipulas II Peace Plan.

³⁸¹ This proposal was most forcefully tendered by Contra negotiator Enrique Bermudez at the third round of peace talks held in Managua in May 1988.

³⁸² Brian D. Smith and William J. Durch, "UN Observer Group in Central America", in William J. Durch (ed.), *The Evolution of UN Peacekeeping: Case Studies and Comparative Analysis*, (London: Macmillan, 1994), p. 445.

³⁸³ United Nations, *The Blue Helmets: A Review of United Nations Peacekeeping*, (New York: United Nations, 1990), p. 399.

5.4.1.2: Interaction Mechanisms

The United Nations had originally intended that ONUCA play a role restricted to observing the closure of borders to external sponsorship of insurgents. The Tela Declaration envisaged an International Support and Verification Commission (CIAV) would oversee the Contras' disarmament and demobilisation.³⁸⁴ The failure of CIAV³⁸⁵ brought home that disarmament and demobilisation was "not a task which can be taken on by civilian personnel...this task should be entrusted to military units with defensive weapons."³⁸⁶ ONUCA's mandate was expanded³⁸⁷ and "the addition of armed personnel [added] to its strength in order to enable it to play a part in the voluntary demobilisation of the members of the Nicaraguan resistance."³⁸⁸ ONUCA would only undertake this role with the "assurance that the resistance was indeed determined to agree to being demobilised."³⁸⁹ ONUCA was required to protect the security zones and take "delivery of weapons, *materiel*, and military equipment, including military uniforms, of the members of the Nicaraguan resistance...[and], through constant patrolling, [maintain] a sense of security in those areas of Nicaragua to which the demobilised members of the Nicaraguan resistance will return,"³⁹⁰ and to destroy the weapons thereafter *in situ*.³⁹¹ It publicised the disarmament plan to the Contra rank and file,³⁹² acting to dispel the

³⁸⁴ "Tela Declaration", A/44/451 and S/20778, 9 August 1989, pp. 7, 9.

³⁸⁵ Report of the Secretary-General, "The Situation in Central America: Threats to International Peace and Security and Peace Initiatives", A/44/886 and S/21029, 21 December 1989, p. 3.

³⁸⁶ "Letter Dated 28 August 1989 From the Secretary-General Addressed to the President of Security Council", S/20856, 21 September 1989, p. 1.

³⁸⁷ Security Council Resolution 654 (1990) of 4 May 1990.

³⁸⁸ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21194, 15 March 1990, p. 1.

³⁸⁹ "Letter Dated 28 August 1989 From the Secretary-General Addressed to the President of the Security Council", S/20856, 21 September 1989, p. 2.

³⁹⁰ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21194, 15 March 1990, pp. 2-3.

³⁹¹ "Montelimar Declaration", A/44/936 and S/21235 Annex, 9 April 1990, p. 3.

³⁹² Report of the Secretary-General, "United Nations Observer Group in Central America", S/21274, 27 April 1990, p. 5.

concerns of the leadership and the rank and file, thereby gaining their full cooperation and genuine disarmament.³⁹³

For the Contras, international supervision of their disarmament and demobilisation provided access to the most secure means of guaranteeing their security from retaliation. United Nations peacekeepers, and the ONUCA force in particular, offered just such a mechanism. ONUCA became an inducement used by the UNO government to gain the Contras' agreement to the Managua Protocols to "an irreversible process" of disarmament and demobilisation,³⁹⁴ whereby "all combatants of the Nicaraguan resistance present in Nicaragua shall proceed without delay to the "security zones" to carry out the various stages of the demobilisation process."³⁹⁵ The ONUCA-patrolled security zones, each surrounded by 20 kilometre-wide demilitarised zones, provided the Contras with the additional security of physical separation from the Nicaraguan armed forces while they disarmed and demobilised.³⁹⁶ The land guarantees secured by the Managua Protocols brought increased Contra commitment to the disarmament process, as cadres were assured that demobilisation provided access to grants of secure farm land.³⁹⁷ The Contras agreed to disarm as a way of abandoning a now-pointless civil war, and in order to safeguard the transition to remove the Sandanistas from power from any excuse to delay it. Their agreement to disarm was facilitated by ONUCA's comprehensive and safe disarmament process, as well as the material and security inducements offered by the new Nicaraguan government. Ultimately, ONUCA was able to declare in June 1990 that "demobilisation had been completed at all locations,...that all combatants...[had] been demobilised; that all arms, ammunition and military equipment [had] been handed over to ONUCA...; and that either the

³⁹³ *ibid.*, p. 8.

³⁹⁴ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21349, 8 June 1990, p. 2.

³⁹⁵ Note Verbale Dated 23 April 1990 From the Permanent Mission of Nicaragua to the United Nations Addressed to the Secretary-General, "The Situation in Central America: Threats to International Peace and Security and Peace Initiatives", A/44/941 and S/21272, 25 April 1990, p. 7.

³⁹⁶ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21274/Add.1, 2 May 1990, p. 2.

³⁹⁷ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21341, 4 June 1990, pp. 2-3.

military structure of the front...[had] been dissolved...or the front [had] definitively abandoned the armed struggle...or it [had] converted itself into a political force."³⁹⁸

5.4.1.3: Instrumentality

The Contras, who had destabilised the Sandanista government for nearly a decade, were clearly an obstacle to the peaceful administration of Nicaragua as an armed and active military force. The five regional Presidents recognised the need to tie the Contras to the peace process, and thereby neutralise the armed threat they posed to domestic and regional stability and progress.³⁹⁹ The Sandanistas had long accepted that the armed threat posed by the Contras could only be neutralised through a negotiated, internationally sanctioned peace agreement including both regional and international aspects of the conflict.⁴⁰⁰ The newly-elected UNO government recognised that its own accession to power was dependent on securing the Contras' agreement to disarm and demobilise, and began negotiations with the Contras to that effect almost immediately after being elected. The United Nations, also, saw clearly that "demobilisation of the resistance forces...[was] essential for creating the climate of peace, stability and tranquillity in which the transfer of power must take place."⁴⁰¹ The Contras, therefore, were seen by all of the parties in the peace process, and the United Nations and ONUCA, as being instrumental participants in the demobilisation and broader peace process in Nicaragua.

A United Nations peacekeeping force had long been thought of as vital to the success of the Nicaraguan peace process. The five Central American presidents had repeatedly requested a United Nations force as "security verification machinery" for the regional conflict resolution

³⁹⁸ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21379, 29 June 1990, p. 1.

³⁹⁹ This was particularly stated in the Esquipulas II Agreement in August 1987, the Tesoro Beach Accords in February 1989, and the San Jose agreement in December 1989.

⁴⁰⁰ Paul Berman, "Why the Sandanistas Lost", *Dissent*, Vol. 37, No. 3, Summer 1990, pp. 308-309.

⁴⁰¹ Report of the Secretary-General, "The Situation in Central America: Threats to International Peace and Security and Peace Initiatives", A/44/921 Appendix VIII, 22 February 1990, p. 23.

process.⁴⁰² Once their reason for fighting had evaporated, and the power transition depended on their demobilisation, the Contras were concerned to find a mechanism that would allow them to disarm in security. They requested the extension of ONUCA's mandate and force posture to provide the appropriate international presence on several occasions.⁴⁰³ The Contras were dependent on ONUCA "to ensure the security of temporary assembly points in Nicaragua as long as demobilised members of the Nicaraguan resistance remain at them awaiting resettlement...[and to] maintain a sense of confidence and security to those areas of Nicaragua to which the demobilised members of the Nicaraguan resistance will return."⁴⁰⁴ The Contras also made use of ONUCA in ensuring that the other parties to the peace process were keeping to the agreements, by charging the peacekeepers with investigating suspected violations of the Managua Protocols by the Nicaraguan Army.⁴⁰⁵

5.4.1.4: Impartiality

The Contras' perception of ONUCA's impartiality was an important factor in their cooperation in the demobilisation process. At no stage did ONUCA or ONUVEN (United Nations Observer Mission to Verify the Electoral Process in Nicaragua) appear to favour the Sandanistas, and ONUVEN's verification of the Sandanista's defeat in the elections enhanced ONUCA's status in Contra eyes.⁴⁰⁶ ONUCA retained this impartial image by rigorously enforcing the security zones and the integrity of the demilitarised zones against army or police

⁴⁰² See especially the texts of the Tela Accord in Report of the Secretary-General, "The Situation in Central America: Threats to International Peace and Security and Peace Initiatives", A/44/344/Add.1 and S/20699/Add.1, 9 October 1989, p. 2; and the Declaration of San Isidro de Coronado, in "Letter Dated 12 December 1989 From the Permanent Representative of El Salvador to the United Nations Addressed to the Secretary-General, "The Situation in Central America: Threats to International Peace and Security and Peace Initiatives", A/44/872 and S/21019 Annex, 12 December 1989, p. 3.

⁴⁰³ "Toncontin Agreement", A/44/931 and S/21206, 26 March 1990, p. 2; and "Statement by the Secretary-General in Informal Consultations of the Security Council Held on 19 April 1990", S/21259, 20 April 1990, p. 3.

⁴⁰⁴ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21194, 15 March 1990, pp. 2-3.

⁴⁰⁵ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21341, 4 June 1990, p. 1.

⁴⁰⁶ Smith and Durch, "UN Observer Group in Central America", *op. cit.*, 1994, pp. 445-6.

infiltration during the demobilisation process. It was also careful to investigate the complaints and violations of each side with equal vigour, and to report its findings accurately and extensively.⁴⁰⁷ ONUCA ensured its impartiality by implementing its mandate and the Managua Protocols to the letter, thereby disqualifying any possible claims of bias against it.⁴⁰⁸ Thus ONUCA's impartiality was an important factor in the cooperative demobilisation interaction between itself and the Contras.

The Contras, not a party to the Tela Accords which called for the initial ONUCA deployment, were initially opposed to the peacekeeping force, harassing it and preventing it from entering their zones of control,⁴⁰⁹ seeing it "as being directed against their interests."⁴¹⁰ After election, but prior to the Managua Protocols, the Contras dragged their feet on demobilisation, hoping to wring the greatest possible concessions from the government, and watchful of the continuing Sandanista control of the army.⁴¹¹ This led to frustrated Secretary-General Perez de Cuellar criticising the Contras for stalling over demobilisation, commenting that ONUCA's role is "not to assist them in establishing armed camps."⁴¹² ONUCA stated that it required, in order to fulfil its mandate, the parties to grant it "the freedom of movement and communications and other facilities needed to carry out its duties."⁴¹³ Once the Contras had secured the assurances and concessions they required from the UNO government in the Managua Protocols, and from external States, they became dependent on ONUCA to ensure the faithful implementation of the Protocols, as well as the security of the demobilising Contras.

⁴⁰⁷ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21341, 4 June 1990, p. 1.

⁴⁰⁸ Interview with Michel Pelletier, United Nations Department of Peacekeeping Operations, United Nations Headquarters, New York City, 30 March 1994.

⁴⁰⁹ Smith and Durch, "UN Observer Group in Central America", *op. cit.*, 1994, p. 443.

⁴¹⁰ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21274, 27 April 1990, p. 5.

⁴¹¹ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21274/Add.1, 2 May 1990, p. 3.

⁴¹² *New York Times*, 3 May 1990.

⁴¹³ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21274, 27 April 1990, p. 8.

From that point onwards, the Contras demobilised according to the agreed daily quotas,⁴¹⁴ largely completing demobilisation by 28 June.⁴¹⁵ Their commitment to demobilisation continued past the withdrawal of the force, when "between 29 June and 6 July 1990, an additional 510 members of the Nicaraguan resistance were demobilised and 282 additional weapons handed over for destruction."⁴¹⁶

5.4.1.5: Timing

ONUCA's efforts were facilitated by the extremely auspicious timing of the demobilisation process. Immediately prior to the elections, the Contras' military position was stalemated, and they were being forced to continue a war with a declining rationale. By the end of the 1980s, all prospect of violently toppling the government had vanished: they were outnumbered 16:1 by Sandanista forces,⁴¹⁷ and their desperate guerrilla war waged from within Guatemala and Honduras had failed to bring down the Sandanista regime. They were, however, safe from defeat by the Sandanistas in their safe havens in Guatemala and Honduras. The Contras' external support was slowly drying up with the progress of the regional peace process, and their attraction of supporters and recruits was waning.⁴¹⁸ Following the elections, the Contras had been deprived of their rationale for existence and continuing the war. Thus, ONUCA was privileged to deal with an insurgent movement that had no incentive to continue the war, and in fact was looking to the peacekeepers for a safe way to stop fighting. The timing of the demobilisation operation was, therefore, ideal for gaining the cooperation of the Contras.

⁴¹⁴ The Managua Protocol mandated that at least 100 Contras demobilised each day in each of the security zones; a target that was being met by early June. See Report of the Secretary-General, "United Nations Observer Group in Central America", S/21341, 4 June 1990, pp. 2-3.

⁴¹⁵ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21379, 29 June 1990, p. 1.

⁴¹⁶ Report of the Secretary-General, "United Nations Observer Group in Central America", S/21909, 26 October 1990, p. 4.

⁴¹⁷ Brogan, *op. cit.*, 1992, p. 487.

⁴¹⁸ Smith and Durch, "UN Observer Group in Central America", *op. cit.*, 1994, p. 454.

5.4.1.6: Support and Isolation

ONUCA's demobilisation task was made easier by the pressure external actors were prepared to put on the Contras in support of ONUCA's mandate. The United States supported the UNO election victory, and to urge the timely demobilisation of the Contras.⁴¹⁹ At the request of United Nations, it diverted the \$67 million it had earmarked for humanitarian aid to the Contras to CIAV,⁴²⁰ a measure which tied the Contras to the demobilisation process, by making their access to the vital United States humanitarian aid contingent on their cooperation with ONUCA and CIAV. The United States provided an indirect guarantee of the UNO victory, when in December 1989 it invaded Panama to restore a stolen election to its winners; thereby sending a warning to the Sandanistas of the sanctity of democratic election results in Central America.⁴²¹ The regional Presidents also used whatever leverage they had, calling for the Contras' disbandment in the February 1989 Tesoro Beach Accord.⁴²² This agreement put further pressure on the Contras by committing Honduras to close their bases on its territory, thereby depriving them of sanctuaries to escape to if they decided to withdraw cooperation with the peace process.⁴²³ These pressures further reinforced Contra cooperation with ONUCA and the demobilisation process.

The regional peace process and the end of Cold War rivalry in Central America combined to deprive the Contras of their external supporters in the Nicaraguan civil war. Growing United States-Soviet rapprochement brought the cessation of Soviet support for the Sandanista regime.⁴²⁴ The Contras were heavily dependent on American supply, training, and military and political direction, having been created, fostered and controlled by the United

⁴¹⁹ *Washington Post*, 27 February 1990.

⁴²⁰ Smith and Durch, "UN Observer Group in Central America", *op. cit.*, 1994, p. 443.

⁴²¹ *ibid.*, p. 444.

⁴²² "Joint Declaration of the Central American Presidents", A/44/140 and S/20491 Annex, 27 February 1989, p. 3.

⁴²³ Richard L. Millett, "Nicaragua: A Glimmer of Hope?", *Current History*, January 1990, Vol. 89, No. 543, p. 22.

⁴²⁴ Ambler H. Moss Jr., "Peace in Central America?", *Survival*, Vol. 32, No. 5, September/October 1990, p. 422.

States. The political fall-out of the Iran-Contra scandal, and the election of the more moderate Bush administration, was to arrest this heavy sponsorship after 1988.⁴²⁵ The burgeoning regional peace process had begun to isolate the Contras from their regional supporters. The accession to power of President Arias, who was determined to secure regional peace, ended all Costa Rican assistance to the Contras by 1986. Arias' pursuit of peace talks between the Salvadoran, Honduran, Guatemalan, Nicaraguan and Costa Rican Presidents, which resulted in a series of regional accords pledging, among other things, to end external sponsorship of insurgencies in Central America, began to restrict aid and sanctuary to the Contras formerly supplied by El Salvador, Honduras and Guatemala.⁴²⁶ Honduras, in particular, "was anxious not to be left with a hungry, heavily-armed refugee population on its hands, and all five Central American countries wanted the Contras demobilised peacefully but effectively, as an example to the contending parties in El Salvador."⁴²⁷ The Contras growing isolation thus deprived them of the ability to fight on, and this military calculus combined with the end of Sandanista rule to influence their cooperation with ONUCA.

5.4.1.7: Cohesion

The cohesion within the United Nations was a product of the growing cooperation between the members of the Security Council in the early aftermath of the Cold War. This cohesion was to reach its highest level starting two months after the end of ONUCA's demobilisation mandate with the authorisation and assembly of the coalition to expel Iraq from Kuwait. The Central American conflicts were for the superpowers an obstacle to their closer relations that needed to be resolved as quickly as possible. To this end, ONUCA was for the Security Council a peacekeeping force that was helping to achieve impressive political results at marginal cost. It was not difficult, therefore, to maintain strong cohesion behind the objectives and operation of the peacekeeping force, especially once it had begun to support the outcome of a democratic election ending a long-running civil war. The Security Council was nevertheless

⁴²⁵ Brogan, *op. cit.*, 1992, p. 490.

⁴²⁶ See for example the Esquipulas II agreement, A/42/521-S/19085, 31 August 1987; the San Jose Declaration, A/42/911-S/19447, 22 January 1988; and the Costa del Sol Declaration, A/44/140-S/20491, 22 February 1989.

⁴²⁷ Smith and Durch, "UN Observer Group in Central America", *op. cit.*, 1994, p. 454.

eager to minimise the costs of the operation, expressing frustration at the delays in the demobilization process, and calling on "all those directly involved in the demobilization process to take all necessary measures to maintain and, if possible, increase the rate of demobilisation."⁴²⁸ The Security Council was, however, quick to provide ONUCA with the 800 additional Venezuelan armed troops to implement the demobilisation, and was willing to extend its mandate to allow the demobilisation process to conclude under ONUCA supervision.⁴²⁹

The Contras, which had been externally set up and supported, never attained a centrally-directed cohesion, and remained a loose collection of resistance bands, whose "tactics, leadership and political programs...were...subjects of constant internal conflicts."⁴³⁰ The only cohesion within the Contra movement was provided by their basic anti-Sandinista rationale and their American direction.⁴³¹ The splits between moderates and radicals in the Contra leadership led to difficulties in securing Contra cooperation before the elections.⁴³² By 1988, as its American direction began to dry up, the Contra movement had begun to break up, with mutinies of militias becoming increasingly common.⁴³³ So bad was the loss of cohesion that it had begun to affect the Contras' viability as a fighting force. With the elections depriving the Contras of their remaining motivation, the movement became even more a collection of armed groups. ONUCA dealt with disarming a disparate and dispersed movement by extensively publicising the demobilising plan to all levels of the Contra movement.⁴³⁴ By the time they assembled in each of the security zones, each Contra fighter knew that in exchange for demobilisation, he or

⁴²⁸ Security Council Resolution 656 (1990), 8 June 1990.

⁴²⁹ Security Council Resolutions 654 (1990), and 4 May 1990; 656 (1990).

⁴³⁰ Richard L. Millett, "Nicaragua's Frustrated Revolution", *Current History*, Vol. 85, No. 507, January 1986, p. 6.

⁴³¹ Michael Radu, "The Origins and Evolution of the Nicaraguan Insurgencies, 1979-1985", *Orbis*, Vol. 29, No. 4, Winter 1986, p. 829.

⁴³² The split became most obvious at the April 1988 Sapoa talks between the Contras and the Sandanistas, when Walter Calderon Lopez and Diogenes Hernandez Membreno were expelled from the negotiations and the resistance for supporting a negotiated settlement to the war. This was read by observers as evidence of a deep split and the ascendancy of the Bermudez faction.

⁴³³ Brogan, *op. cit.*, 1992, p. 492.

⁴³⁴ "Letter Dated 28 August 1989 From the Secretary-General Addressed to the President of the Security Council", S/20802, 28 August 1989.

she would be given a demobilisation certificate, a shirt, "designer jeans", a food ration, and the right to a piece of farming land.⁴³⁵ In this way, ONUCA dealt creatively with the lack of cohesion and central direction of the insurgent movement it was mandated to demobilise.

The first United Nations experiment in using peacekeepers to disarm and demobilise an insurgent movement was a stunning success. ONUCA was required to demobilise a relatively cooperative insurgent movement which ultimately wished to end the war, and which viewed the peacekeepers as guarantors of a favourable election result and vital to the Contras' own security as they abandoned the war. Similarly to Renamo, the Contras were dependent on external support and direction. Once their American support vanished, and the Sandanistas lost power, they had lost all reason to continue fighting. Furthermore, their continued armed presence threatened the transition process that had swept their enemies, the Sandanistas, from power. By the time ONUCA assumed the demobilisation mandate, the war-weary Contras saw it as an opportunity to be capitalised upon for security and to ensure the election results were honoured. The United Nations, unanimously endorsing the free elections, was also keen to safeguard their results from military interference. Free from any Member-State antagonism, encouraged by the regional peace momentum, and given the opportunity to harvest impressive results for a relatively small outlay, the Organisation duly expanded the mandate of an already-existing peacekeeping force. Thus, broad concurrence existed between the Contras and ONUCA on the objectives and mechanism of the disarmament process. Faced with an unfamiliar task, ONUCA planned and implemented the demobilisation process imaginatively and intelligently. The Contras showed some resistance to surrendering their weapons that was instinctive to a decade-long insurgency, but this was soon overcome by ONUCA, in coalition with the new UNO government. The consensual Contra involvement in the demobilisation that ONUCA and the United Nations had insisted upon, was guaranteed by the Contras' political calculations and the military dynamics of the conflict. The success of the demobilisation process and the justification of its mechanisms of cantonment sites or security zones, presented the United Nations with a template for demobilisation to be applied to other conflicts. Successes in election monitoring, demobilisation, and other complex tasks in Namibia and Nicaragua were to develop into the

⁴³⁵ Smith and Durch, "UN Observer Group in Central America", *op. cit.*, 1994, p. 454.

concept of expanded peacekeeping. Yet Nicaragua exhibited some unique conditions, resulting from the ending of the Cold War, which made the fraught task of demobilising insurgents a success. Such conditions were not likely to be present in other situations. The United Nations was soon to realise through bitter experience that not all insurgent movements were as amenable to demobilisation by peacekeepers as it had thought.

5.4.2: Corraling the Khmer Rouge

The UNTAC Force was inserted into Cambodia in March 1992 to oversee the implementation of the October 1991 Paris Peace Agreement. The Khmer Rouge, the foremost insurgent movement in Cambodia, had been pressured into the agreement, only signing it when it believed the terms of the Agreement could be altered in its favour on the ground. UNTAC soon found itself trying to implement an agreement which one of the major belligerents never fully intended to honour. The complexity of this mandate merely added to the difficulty of the peacekeepers' position. The origin of UNTAC's problems with the Khmer Rouge was the disarmament and demobilisation provisions of the Agreement, which formed the basis of the rest of the resolution process. The Khmer Rouge, committed to the revolutionary seizure of power and the authoritarian transformation of Cambodian society, never sincerely agreed to surrender its potential to the military conquest of the State. After imperfectly complying with Phase One of the peace process,⁴³⁶ the ceasefire, the Khmer Rouge formally withdrew from Phase Two, the disarmament and demobilisation stage, in June 1992. Following the failure of attempts to negotiate the Khmer Rouge's compliance with Phase Two, UNTAC was forced to persevere with the peace process while dealing with an armed and belligerent Khmer Rouge force in the field. The UNTAC mission was adjudged a success,⁴³⁷ but the failure of the disarmament and demobilisation stage has left the new Cambodian government faced with the same Khmer Rouge threat as its predecessor.

⁴³⁶ The Khmer Rouge's and SoC's ceasefire violations during Phase One are reported in the "Third Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/25124, 25 January 1993, pp. 2, 8.

⁴³⁷ For a comprehensive account of the UNTAC operation, see Trevor Findlay, *Cambodia: The Legacy and Lessons of UNTAC*, SIPRI Peacekeeping Series No. 1, (Oxford: Oxford University Press, 1995).

5.4.2.1: Objectives

The extraordinary cohesion of the sponsoring coalition was preserved between the signing of the Paris Agreements and the mounting of the UNTAC force, and remained for the duration of the operation. France and Indonesia retained their roles as initiators and mobilisers of United Nations initiatives, and were closely supported by other members of the Permanent Five and other interested powers. The high coincidence among the sponsoring States' interests was reflected in the then unprecedented size and resourcing of the force and the complexity of its mandate. The United Nations' ultimate objective in Cambodia was to end the civil war and install a stable, legitimate, and internationally recognised government in place of the four contending claims that had existed since 1978.⁴³⁸ It had long realised that in order to achieve this, the international community would have to "create a neutral environment in which free and fair elections could take place,"⁴³⁹ and that "[t]he regroupment, cantonment, disarming and demobilisation of the military forces of the Cambodian parties are essential elements both for the cease-fire and for the achievement of the other objectives of UNTAC."⁴⁴⁰ The factions' "return to civilian life [was] essential in order to minimise the risk of return to warfare, stabilise the security situation, and build confidence among the parties, thus to ensure the best possible prospects of the durability of the settlement."⁴⁴¹ The Permanent Five affirmed that "[s]uch an arrangement remain[ed] their fundamental commitment,"⁴⁴² and that demobilisation would allow UNTAC to scale back its size, and "carry out its mandate in an effective and cost-efficient manner."⁴⁴³

⁴³⁸ Interview with Lieutenant-Colonel Healey, 14 December 1993.

⁴³⁹ "Statement on Cambodia: The Five Permanent Members of the Security Council", Paris, 13 March 1990.

⁴⁴⁰ "Report of the Secretary-General on Cambodia", S/23613, 19 February 1992, p. 14.

⁴⁴¹ "Proposed Structure for the Agreements on a Comprehensive Political Settlement of the Cambodia Conflict", A/46/61 and S/22059, Annex II, 11 January 1991, p. 37.

⁴⁴² "Communique Issued on 30 August 1991 by the Co-Chairmen of the Paris Conference on Cambodia and the Five Permanent Members of the Security Council", A/46/418 and S/23011 Annex, 4 September 1991, p. 3.

⁴⁴³ "Report of the Secretary-General on Cambodia", S/23613, 19 February 1992, p. 14.

The Khmer Rouge expected to be able to use its military strength to influence the peace process in its favour, and consequently never intended to surrender its military advantage by disarming. Years of struggle for power had convinced the Khmer Rouge that it operated in an anarchic environment "in which guarantees were usually underwritten by force and were at best a vehicle for discussion when the factors of power projection altered."⁴⁴⁴ It was convinced that the erosion of the control of the State of Cambodia (SoC) by UNTAC, the Supreme National Council (SNC) in which the Khmer Rouge could dominate the other resistance factions, and the peace process would provide it with the opportunity to infiltrate the structures of power to a point from which it could launch its military seizure of power.⁴⁴⁵ It tried to use its refusal to disarm to modify the agreement on the transitional administration of Cambodia, replacing the SNC with quadripartite control of key fields of administration,⁴⁴⁶ thereby infiltrating the government's core.⁴⁴⁷ Pol Pot calculated that any elected government, "whatever its composition...[would] be a collection of unmixables...[and that] the Khmer Rouge [would] triumph from this disarray by maintaining their political discipline, preserving the strongest military force and appealing to Khmer chauvinism."⁴⁴⁸ He is reported also to have ordered the delay of elections until the Khmer Rouge forces controlled enough of Cambodia to be able to intimidate voters to elect it to power.⁴⁴⁹ The Khmer Rouge's authoritarian hold over its cadre and "supporters", the source of its political discipline and military dominance, was threatened by demobilisation and exposure to UNTAC.⁴⁵⁰ Of all of the Khmer Rouge's multiplicity of

⁴⁴⁴ Jarat Chopra, John MacKinlay and Larry Minear, *Report on the Cambodian Peace Process*, (Oslo: Norwegian Institute of International Affairs, 1993), p. 16.

⁴⁴⁵ Interview with Lieutenant-Colonel Damien Healey, Chairman, UNTAC Mixed Military Working Group, 14 December 1993.

⁴⁴⁶ The Khmer Rouge identified the five key fields as foreign affairs, defence, finance, public security and information.

⁴⁴⁷ "Second Special Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/24286, 14 July 1992, p. 3.

⁴⁴⁸ Gary Klintworth, *Cambodia's Past, Present and Future*, Working Paper No. 268, (Canberra: Strategic and Defence Studies Centre, 1993), p. 16.

⁴⁴⁹ Trisha Thomas, "Into the Unknown: Can the United Nations Bring Peace to Cambodia?", *Journal of International Affairs*, Vol. 44, No. 1, Spring 1990, pp. 507-7.

⁴⁵⁰ *ibid.*, pp. 511-2.

objectives and strategies for the peace process, none was based on the process and conclusion it had agreed to in the Paris Agreement. When UNTAC arrived determined to implement the disarmament mandate to the letter, the Khmer Rouge, fearful of the consequences of the disarmament process, and unable to manipulate UNTAC to its advantage, inevitably withdrew its cooperation at Phase Two of the peace process and refused to disarm. Hence opposed goals produced competing rather than complementary approaches, ultimately leading to the unviability of the UNTAC-Khmer Rouge peacekeeping interaction.

5.4.2.2: Interaction Mechanisms

UNTAC was committed to disarmament "in such a way as to stabilise the security situation and build confidence among the parties...so as to reinforce the objectives of a comprehensive political settlement and minimise the risks of a return to warfare."⁴⁵¹ The whole process⁴⁵² was to be completed in four weeks, and be irreversible.⁴⁵³ UNTAC was to maintain control of all stages of the process, and to keep all surrendered weapons in its custody.⁴⁵⁴ The Phase Two operation was massive: assembling 200,000 soldiers in 95 regroupment and 52 cantonment areas;⁴⁵⁵ disarming 450,000 troops; and taking custody of 300,000 weapons and 80 million rounds of ammunition.⁴⁵⁶ UNTAC was dependent on "the full cooperation of all parties concerned, and their implementation in good faith of the obligations they have undertaken in the comprehensive settlement agreement."⁴⁵⁷ When the Khmer Rouge withdrew from Phase Two,

⁴⁵¹ "Statement of the Five Permanent Members of the Security Council of the United Nations on Cambodia", A/45/472 and S/21689, 31 August 1990, p. 10.

⁴⁵² "Proposed Structure for the Agreements on a Comprehensive Political Settlement of the Cambodian Conflict", A/46/61 and S/22059 Annex II, 11 January 1991, pp. 19-20.

⁴⁵³ *Agreements on a Comprehensive Political Settlement of the Cambodia Conflict*, Paris, 27 September 1991, Article II, pp. 25-6.

⁴⁵⁴ "Report of the Secretary-General on Cambodia", S/23613, 19 February 1992, pp. 16-7.

⁴⁵⁵ The cantonment areas were later increased to 55, and divided among the parties thus: 33 for the CPAF, 14 for the Khmer Rouge, 5 for the KPNLF, and 3 for the ANKI, see "First Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/23870, 1 May 1992, p. 5.

⁴⁵⁶ "Report of the Secretary-General on Cambodia", S/23613, 19 February 1992, pp. 14, 21.

⁴⁵⁷ "Proposed Structure for the Agreements on a Comprehensive Political Settlement of the Cambodia Conflict", A/46/61 and S/22059 Annex III "Explanatory Note", 11 January 1991, p. 37.

UNTAC took "a number of steps designed to meet the concerns of the PDK."⁴⁵⁸ The Khmer Rouge acknowledged UNTAC's efforts,⁴⁵⁹ but continued to reject appeals⁴⁶⁰ for cooperation.⁴⁶¹ The Khmer Rouge position was rejected as inconsistent with the Paris Agreements,⁴⁶² while the Security Council⁴⁶³ imposed a fuel embargo and logging and gemstone moratorium on Khmer Rouge areas,⁴⁶⁴ and decided to press ahead with the implementation of the Paris Agreements, bypassing Phase Two. UNTAC duly redeployed, taking care to monitor the borders of Khmer Rouge territory, effectively sealing it off from the rest of Cambodia.⁴⁶⁵ Its concept of self-defence was strengthened to include "defence of the process[es] which [are] fundamental [to] the Paris Agreements" in order to operate in an environment in which the belligerents had not been disarmed.⁴⁶⁶ Much of the resulting success in partially implementing the Paris Agreements was due to UNTAC's skill in coping with Khmer Rouge opposition while firmly stewarding the rest of the process to its conclusion. Its consultation with all parties, and its extensive use of human intelligence, allowed it to respond effectively to Khmer Rouge actions against the peace process.⁴⁶⁷ The strict discipline and cohesion of the force further allowed it to remain an impartial and effective buffer between the recalcitrant Khmer Rouge and the peace process.

⁴⁵⁸ "Second Special Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/24286, 14 July 1992, p. 2.

⁴⁵⁹ Khmer Rouge negotiators acknowledged satisfaction with UNTAC verification measures at a meeting with Thai and Japanese mediators in Bangkok on 17 July 1992; see "Report by the Governments of Japan and Thailand Addressed to the Secretary-General of the United Nations and the Co-Chairmen of the Paris International Conference on Cambodia", S/24800 Annex I, 15 November 1992, p. 10.

⁴⁶⁰ On 3 June 1993, Secretary-General Boutros-Ghali addressed a personal appeal to Khieu Samphan, which was rejected in a reply received on 5 June. See "Special Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/24090, 12 June 1992, p. 3.

⁴⁶¹ See Security Council Resolutions 766 (1992) of 21 July 1992 and 783 (1992) of 13 October 1992 and "Statement by the President of the Security Council", 12 June 1992.

⁴⁶² "Second Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/24578, 21 September 1992, p. 1.

⁴⁶³ Security Council Resolution 783 (1992) of 13 October 1992.

⁴⁶⁴ Security Council Resolution 792 (1992) of 30 November 1992.

⁴⁶⁵ Interview with Lieutenant Colonel Healey, 14 December 1993.

⁴⁶⁶ *ibid.*

⁴⁶⁷ Interview with Lieutenant-General Sanderson, 15 December 1993.

Its determination to implement the Paris Agreement to the letter made UNTAC an impediment to the Khmer Rouge's manipulation of the peace process. Cooperating with UNTAC would have been disastrous for a movement with no political existence independent of its military wing: "The Khmer Rouge *is* the NADK: if you demobilise the entire army, there is no Khmer Rouge. So [demobilisation] would have been an act of self-destruction, suicidal."⁴⁶⁸ UNTAC Force Commander General Sanderson commented in retrospect: "It would only have been suicidal if [the Khmer Rouge] hadn't been able to put the guys through the cantonment, get them away somewhere and reform the army in secret in the bush. I think [UNTAC] came in much greater strength and with much greater determination than they anticipated, and they couldn't do that."⁴⁶⁹ The Khmer Rouge started immediately defying UNTAC's preparations for Phase Two, refusing it access to Khmer Rouge territory and denying it inventories of its forces and weapons.⁴⁷⁰ It justified this by alleging that UNTAC had not complied by the Paris Agreements, failing to rigorously verify the complete repatriation of Vietnamese forces and implement quadripartite control of the five key administrative fields through the SNC.⁴⁷¹ At all stages, the Khmer Rouge protested "its unswerving commitment to the Paris Agreement."⁴⁷² It nevertheless demanded various measures before it would rejoin the peace process.⁴⁷³ After withdrawing from Phase Two and advancing its proposals, the Khmer Rouge avoided all attempts at negotiating a compromise over their demands, and refusing to seriously consider any

⁴⁶⁸ Interview with Lieutenant-General John Sanderson, UNTAC Force Commander, Canberra, 15 December 1993. Emphasis in original statement.

⁴⁶⁹ *ibid.*

⁴⁷⁰ "Special Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/24090, 12 June 1992, p. 4.

⁴⁷¹ "Second Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/24578, 21 September 1992, p. 1.

⁴⁷² "Proposal of the Party of Democratic Kampuchea on the Role of the Supreme National Council and the Implementation of Phase II", 22 August 1992, S/24800 Appendix II, 15 November 1992, p. 15.

⁴⁷³ These included increased UNTAC patrolling of the border with Vietnam, the cessation of funds to the SoC government, the replacement of the SNC with a five-member body consisting of UNTAC and the four factions, the dismantling of the SoC administrative structure, and the disenfranchisement of all non-ethnic Cambodians. See Klintworth, *op. cit.*, 1993, p. 6.

other proposals.⁴⁷⁴ The Khmer Rouge subsequently withdrew from the SNC and its Phnom Penh headquarters, making it even more difficult for UNTAC to seek its cooperation.⁴⁷⁵ As the peace process continued around it, the Khmer Rouge radio became increasingly hostile towards the United Nations presence,⁴⁷⁶ it began to fire on UNTAC helicopters and personnel,⁴⁷⁷ and it sought to expand the territory under its control.⁴⁷⁸

5.4.2.3: Instrumentality

As in the mediation process, the Khmer Rouge's disruptive military potential outweighed its unsavoury genocidal reputation in mandating its inclusion by the United Nations and the other factions in the peace process.⁴⁷⁹ The United Nations was convinced that the Khmer Rouge in particular would need to be disarmed to "stabilise the security situation...so as to reinforce the objectives of the comprehensive political settlement and minimise the risks of a return to warfare."⁴⁸⁰ These convictions were vindicated by early 1993, when UNTAC reported that the "PDK's refusal to participate in the second phase of the ceasefire...[and] the continuing existence of large and sometimes undisciplined armies, as well as attempts by some of them to improve their positions on the ground, has had an adverse effect on the security situation in the

⁴⁷⁴ The Khmer Rouge resisted the concerted attempts of Thai and Japanese diplomats to negotiate them back into the peace process. See "Report of the Secretary-General on the Implementation of Security Council Resolution 783 (1992)", S/24800, 15 November 1992, pp. 11-12.

⁴⁷⁵ Fourth Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/25719, 3 May 1993, p. 4.

⁴⁷⁶ "Second Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/24578, 21 September 1992, p. 14.

⁴⁷⁷ See "Note by the President of the Security Council", S/25822, 22 May 1993, p. 1; and "Letter Dated 28 May 1993 From the Secretary-General Addressed to the President of the Security Council", S/25871, 1 June 1993, p. 1.

⁴⁷⁸ "Fourth Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/25719, 3 May 1993, p. 2.

⁴⁷⁹ This calculation has been justified by the threat that the Khmer Rouge poses now to the completed peace process from which it withdrew. See Terry McCarthy, "Khmer Rouge Play on Old Fears in Cambodia", *The Independent*, 14 October 1992; "Once Beaten, Khmer Rouge Again Haunts Cambodia", *International Herald Tribune*, 24 August 1994; and Nicholas Cumming-Bruce, "Pol Pot Reverts to Terror", *The Guardian*, 6 February 1995.

⁴⁸⁰ "Statement of the Five Permanent Members of the Security Council of the United Nations on Cambodia", A/45/472 and S/21689 Annex, 31 August 1990, p. 11.

country."⁴⁸¹ Following the Khmer Rouge's refusal to re-enter the peace process, the Secretary-General warned that it risked "international and internal isolation if it is seen to have attempted to disrupt the Cambodian elections."⁴⁸² The Khmer Rouge saw Resolution 783 (1992) as a "clear attempt to exclude the Democratic Kampuchea Party, kill the Paris Agreement and maintain the Vietnamese installed regime" in Phnom Penh,⁴⁸³ and stepped up its resistance to UNTAC's mission. While working to protect the peace process from Khmer Rouge disruption, UNTAC recognised its instrumentality to a viable settlement, and at all stages maintained field contacts with the Khmer Rouge and was prepared at all stages to accept and facilitate its re-entry into the peace process.⁴⁸⁴

The Khmer Rouge had included the need for an international presence to monitor the peace process in its negotiating proposals since the second Jakarta Informal Meeting in November 1988.⁴⁸⁵ It was adamant that one of its major objectives, that "the Vietnamese aggressors...[withdraw] all their forces from Cambodia" should take place "under effective control and verification by the United Nations."⁴⁸⁶ Upon the signature of the Paris Agreement, the Security Council sent the United Nations Advance Mission in Cambodia to plan the UNTAC mission; UNTAC was not subsequently fully deployed until March 1992, five months after the parties had signed the agreement. This time lag resulted in a loss of momentum of the peace process, and allowed the situation to change on the ground and the parties to re-evaluate the

⁴⁸¹ "Third Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/25124, 25 January 1993, p. 23.

⁴⁸² "Fourth Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/25719, 3 May 1993, p. 28.

⁴⁸³ Quoted in Klintworth, *op. cit.*, 1993, p. 9.

⁴⁸⁴ Interview with General Sanderson, 15 December 1993.

⁴⁸⁵ This was the final point of an 11-point paper listing the Khmer Rouge's position on peace negotiations issued by Khieu Samphan on 22 November 1988. See *Indochina Chronology*, Vol. 7, No. 4, October-December 1988, p. 13.

⁴⁸⁶ "Declaration by Mr Khieu Samphan, President of the Democratic Kampuchea Party and Vice-President of Cambodia in Charge of Foreign Affairs Condemning the Vietnamese Aggressors and Their Lackeys for Making an Attempt on the Life of His Royal Highness Samdech Norodom Sihanouk, President of Cambodia", A/45/220 and S/21253 Annex, 14 April 1990, p. 3.

agreement in light of these changes.⁴⁸⁷ The Khmer Rouge was given five unmonitored months in which to begin manipulating the Peace Agreement.⁴⁸⁸ By June 1992, UNTAC, although seen by the other parties as instrumental to keeping the Khmer Rouge to the Peace Agreement, was seen by the Khmer Rouge as a threat to its military preparedness and its discipline over its cadres and supporters. To the Khmer Rouge, UNTAC was the body responsible for implementing the Paris Agreement the Khmer Rouge felt forced into signing against its will, and thus became an opponent rather than a monitoring mechanism to be cooperated with.

5.4.2.4: Impartiality

Given the volatility and complexity of the Cambodian civil war, UNTAC's commanders were aware of the need to adhere closely to the Paris Agreement to preserve their impartiality.⁴⁸⁹ It had intended to maintain the parties' confidence and cooperation with the peace process through participating in the mechanisms of the Mixed Military Working Group⁴⁹⁰ and the SNC.⁴⁹¹ UNTAC undertook to investigate impartially and rigorously any complaints or cases of defaulting on the provisions of the Paris Agreements.⁴⁹² Following the Khmer Rouge's withdrawal from Phase Two, UNTAC tried to make "every effort...to...persuade PDK to join phase II and to cooperate with UNTAC and the other three parties"⁴⁹³ and for the remainder of its deployment, maintained contact with the Khmer Rouge, informing it of developments within the Mixed Military Working Group, the SNC, and of the results of its investigations of ceasefire

⁴⁸⁷ Interview with Lieutenant-Colonel Healey, 14 December 1993.

⁴⁸⁸ Chopra, MacKinlay and Minear, *op. cit.*, 1993, p. 20.

⁴⁸⁹ Interview with Lieutenant-Colonel Healey, 14 December 1993.

⁴⁹⁰ "Report of the Secretary-General on Cambodia", S/23613, 19 February 1992, p. 12.

⁴⁹¹ "Statement of the Five Permanent Members of the Security Council of the United Nations on Cambodia", A/45/472 and S/21689 Annex, 31 August 1990, p. 3.

⁴⁹² "Proposed Structure for the Agreement on a Comprehensive Political Settlement of the Cambodian Conflict", A/46/61 and S/22059 Annex II, 11 January 1991, pp. 22-3.

⁴⁹³ "Second Special Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/24286, 14 July 1992, p. 5.

violations.⁴⁹⁴ The Security Council decided to press on with implementing the Paris Agreements,⁴⁹⁵ because "[n]ot to proceed would mean ceding to unacceptable threats and giving the right of veto over the peace process to an armed group that has rejected its commitment under the Paris Agreements."⁴⁹⁶ Following the abandonment of Phase Two, UNTAC was redeployed to "correspond to the borders of the Cambodian provinces...[to] conform with the deployment of electoral teams and shorten the time taken to respond to potential threats to them."⁴⁹⁷ In the final analysis, however, UNTAC's maintenance of strict impartiality between the parties had no effect on persuading the Khmer Rouge to cooperate once it had disagreed with the objectives and mechanisms of the disarmament process.

Despite its protestations of fidelity to the Paris Agreement,⁴⁹⁸ the Khmer Rouge's withdrawal from Phase Two seriously compromised "the ability of UNTAC to adhere to the timetable set by the Security Council."⁴⁹⁹ The other Cambodian factions began to canton and disarm their forces, but UNTAC soon realised that the Khmer Rouge's failure to disarm at a proportional rate would soon place them at a severe military disadvantage to a fully operational Khmer Rouge.⁵⁰⁰ It duly stopped the disarmament process, "because of the need to ensure that [the disarmament] process [was] undertaken in such a way as to maintain the military balance between the four parties."⁵⁰¹ Because uneven disarmament would leave the Khmer Rouge with

⁴⁹⁴ Interview with Lieutenant-Colonel Healey, 14 December 1993.

⁴⁹⁵ Security Council Resolution 766 (1992) of 21 July 1992.

⁴⁹⁶ "Fourth Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/25719, 3 May 1993, p. 27.

⁴⁹⁷ "Third Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/25124, 25 January 1993, p. 10.

⁴⁹⁸ "Report of the Secretary-General on the Implementation of Security Council Resolution 783 (1992)", S/24800 Appendix II, 15 November 1992, p. 15.

⁴⁹⁹ "Second Special Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/24286, 14 July 1992, p. 4.

⁵⁰⁰ At the apex of the disarmament process, on 10 September 1992, UNTAC had disarmed and cantoned 42,368 CPAF troops, 3,445 ANKI troops, and 6,479 KPDLAF troops, but no Khmer Rouge troops. See "Second Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/24578, 21 September 1992, p. 5.

⁵⁰¹ "Second Special Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/24286, 14 July 1992, p. 3.

a massive military advantage, UNTAC was forced to suspend Phase Two and allow the factions to keep their weapons.⁵⁰² The Khmer Rouge's refusal to cooperate thereby made UNTAC's task infinitely more difficult: "The election will take place while a substantial part of the forces of the Cambodian parties remain under arms...[which] will add to UNTAC's difficulties both in organising the election and in ensuring, as best it can, the security of candidates, voters and electoral officials through the electoral process."⁵⁰³ Its attacks on UNTAC and the electoral process were driven by its conviction that the elections would be biased and serve only to legitimate the SoC-Vietnamese occupation of Cambodia.⁵⁰⁴

5.4.2.5: Timing

By the time UNTAC deployed to oversee the implementation of the Paris Agreements, the Khmer Rouge had established an unassailable military potential. The Cambodian civil war had settled into a stalemated cycle of wet and dry season offensives which neither side was capable of winning outright. Meantime, however, the Khmer Rouge had consolidated a tightly-disciplined guerrilla army, well-supplied from hidden caches of weapons, and timber and gem smuggling, and safe from attacks on its bases in the Cardamom Mountains and across the Thai border, with the covert cooperation of the Thai Generals. From this position, the Khmer Rouge was secure in its potential to disrupt any form of settlement or administration with which it disagreed for a long time in the future. The Vietnamese occupation of Cambodia provided the Khmer Rouge with a rationale for fighting, a morale-sustaining threat, and international legitimacy as a resistance group.⁵⁰⁵ After the failure of the Khmer Rouge attempt at a military solution when the Vietnamese withdrew by the end of 1989,⁵⁰⁶ they retreated to guerrilla

⁵⁰² Phase Two, by the time it was abandoned, had disarmed just 52,292 troops out of an estimated 450,000 active soldiers and militia in Cambodia, perpetuating the hostilities between especially the SoC and the Khmer Rouge.

⁵⁰³ "Report of the Secretary-General on the Implementation of Security Council Resolution 783 (1992)", S/24800, 15 November 1992, p. 6.

⁵⁰⁴ Khmer Rouge spokesman Mak Ben, quoted in Klintworth, *op. cit.*, 1993, p. 12.

⁵⁰⁵ John Pedler, "Cambodia: Danger and Opportunity for the West", *World Today*, Vol. 45, No. 2, February 1989, p. 19.

⁵⁰⁶ Michael Haas, *Genocide by Proxy: Cambodian Pawn on a Superpower Chessboard*, (New York: Praeger, 1991), p. 215.

warfare once more to wait until the objectives conditions were propitious for the military seizure of power. It was determined to maintain its military potential and political discipline until UNTAC's departure, whereupon it could launch an attack on the new government. These military calculations made the timing of UNTAC's demobilisation attempt unsuitable.

5.4.2.6: Support and Isolation

The UNTAC operation enjoyed perhaps the highest level of international support of any post-Cold War peacekeeping operation. The Paris Agreements were universally acclaimed, and at the time of UNTAC's deployment, the United States,⁵⁰⁷ China,⁵⁰⁸ the ASEAN States,⁵⁰⁹ and India⁵¹⁰ all expressed support for its mission. As UNTAC confronted Khmer Rouge non-cooperation, the Chinese sought to use their leverage over the movement to induce the movement back into the peace process, making contacts as high as Pol Pot within the Khmer Rouge leadership.⁵¹¹ Chinese Foreign Minister Qian Qichen publicly warned that the Khmer Rouge that it would be "completely isolated" if it sabotaged the peace process.⁵¹² However, "[p]rivately, Chinese officials claim that they can exert little real influence over the Khmer Rouge leadership,"⁵¹³ and their appeals had little influence on modifying the Khmer Rouge position. Its withdrawal from Phase Two prompted the Secretary-General to appeal to the States at the Rio de Janeiro United Nations Conference on Environment and Development for support UNTAC's efforts to implement Phase Two and the whole peace process.⁵¹⁴ Meanwhile,

⁵⁰⁷ Jennar, "UNTAC: International Triumph in Cambodia?", *op. cit.*, 1994, p. 145.

⁵⁰⁸ David Roberts, "Cambodia: Problems of a UN-Brokered Peace", *The World Today*, Vol. 48, No. 7, July 1992, p. 30.

⁵⁰⁹ Gerhard Will, "The Elections in Cambodia: Taking Stock of a UN Mission", *Aussenpolitik*, Vol. 44, No. 4, 1993, p. 394.

⁵¹⁰ Pedler, "Cambodia: Danger and Opportunity for the West", *The World Today*, Vol. 45, No. 2, February 1989, p. 21.

⁵¹¹ *The Australian*, 15 August 1992.

⁵¹² Klintworth, *op. cit.*, 1993, p. 18.

⁵¹³ Nayan Chanda, "Civil War in Cambodia?", *Foreign Policy*, Vol. 76, Fall 1989, p. 38.

⁵¹⁴ "Special Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/24090, 12 June 1992, p. 3.

Thailand and Japan held a series of meetings with the Khmer Rouge to attempt to mediate its concerns on the role of the SNC and secure its re-entry into the peace process.⁵¹⁵ The Co-Chairmen of the Paris Conference, France and Indonesia, convened a 10-State conference with the Khmer Rouge in Beijing, to urge its cooperation with Phase Two of the settlement process.⁵¹⁶ The Khmer Rouge's self-reliance, and its determination to disrupt a peace process with which it disagreed, ensured that none of these efforts on behalf of UNTAC were able to convince the Khmer Rouge to rejoin the peace process.

By the beginning of the 1990s, the international dynamic driving the Cambodian civil war had collapsed, as former sponsors of the factions became more interested in rapprochement and establishing links than thwarting each other in Cambodia. As the superpowers ended their involvement in the conflict, China, the Khmer Rouge's major supporter, found itself isolated in supporting a genocidal group, and deprived of its anti-Vietnamese justification for this support.⁵¹⁷ Chinese involvement in the Permanent Five resolution efforts, and its gradual withdrawal of support from the Khmer Rouge, had begun to isolate it from its major supporter. This factor was significant in the compelling the Khmer Rouge's signature of the Paris Agreement, but was insufficient to secure its cooperation with the provisions of the Agreement on the ground. The Khmer Rouge's military potential to disrupt the peace process, stockpiled and secure from attack in the north-west border regions, was not immediately affected by the end of Chinese assistance, particularly to masters of guerrilla warfare like the Khmer Rouge.⁵¹⁸ Elements of the Thai military continue to provide the Khmer Rouge with military supplies in exchange for timber and gemstones⁵¹⁹ despite the Thai government's efforts to comply with the

⁵¹⁵ "Report of the Secretary-General on the Implementation of Security Council Resolution 783 (1992)", S/24800, 15 November 1992, pp. 1, 9-11.

⁵¹⁶ *New York Times*, 8 November 1992.

⁵¹⁷ William S. Turley, "The Khmer War: Cambodia After Paris", *Survival*, Vol. 32, No. 5, September/October 1990, pp. 488-9.

⁵¹⁸ Chopra, MacKinlay and Minear, *op. cit.*, 1993, p. 9.

⁵¹⁹ Raoul M. Jennar, "UNTAC: International Triumph in Cambodia?", *Security Dialogue*, Vol. 25, No. 2, 1994, p. 150.

Paris Agreements and the logging and gemstone moratorium.⁵²⁰ For an insurgent movement as fiercely independent and equipped as the Khmer Rouge, isolation from a major sponsor had little effect on its determination to pursue a patient campaign of guerrilla disruption of the peace process.

5.4.2.7: Cohesion

UNTAC was able to rely on strong cohesion within the United Nations generally, and the Security Council specifically, behind its efforts to implement the Paris Agreements. The Operation was careful to maintain strict neutrality and transparency in its relationship with the parties and to the Security Council, and meticulous in faithfully carrying out the wishes of the Security Council, in order to maintain this cohesion behind its actions.⁵²¹ General Sanderson saw that maintaining force cohesion was a key goal, because "maintaining the unity of the force is the key to maintaining the base of your negotiating position and contention that you are representing the entire international community."⁵²² At all stages of its deployment, UNTAC was able to rely on instantaneous contact with the ambassadors of the permanent five of the Security Council, as well as the Australian, Japanese, Thai, Vietnamese and Indonesian ambassadors, and could rely on their advice and endorsements for certain actions.⁵²³ UNTAC assigned one of its personnel to act as a liaison presence at United Nations Headquarters in New York, and thereby minimising misunderstandings and maintaining cohesion behind the field operation.⁵²⁴ The unanimous support for Security Council Resolution 766 (1992)⁵²⁵ was intended "to communicate to the parties that UNTAC should implement its mandate vigorously

⁵²⁰ "Position of the Royal Thai Government with Regard to Security Council Resolution 792 (1992) on Cambodia", S/24873 Annex, 30 November 1992, p. 2.

⁵²¹ Interview with Lieutenant-Colonel Healey, 14 December 1993.

⁵²² Interview with General Sanderson, 15 December 1993.

⁵²³ Interview with General Sanderson, 15 December 1993.

⁵²⁴ *ibid.*

⁵²⁵ Security Council Resolution 766 (1992) of 21 July 1992 demanded Khmer Rouge (although unnamed in this resolution) cooperation with phase two, and reaffirmed its full support for UNTAC's efforts in carrying out its mandate fully.

and to the full."⁵²⁶ However, even the cohesive support of the Security Council behind its efforts was not sufficient to help UNTAC discharge its mandate over the opposition of the Khmer Rouge.

The Khmer Rouge was able to maintain its strict non-cooperation with the peace process by maintaining rigid control over its cadre. Although it is loosely organised on regional commands,⁵²⁷ the Khmer Rouge combines terror, ideological indoctrination, and the use of political commissars to preserve discipline with the commands of its leadership.⁵²⁸ Following the unsatisfactory outcome of the Paris Peace Conference, it is reasonable to speculate that the moderate faction within the Khmer Rouge, led by Sonn Sen and Khieu Samphan, had begun to lose credibility; and that it adopted the policy of the hawks, led by Pol Pot and Ieng Sary, of non-cooperation and planning for the military seizure of power.⁵²⁹ Once this hard-line policy was adopted, it was strictly enforced among the Khmer Rouge militias, with general political directives passed on to regional commanders by mobile political commissars and the Khmer Rouge Radio station, "The Voice of the Greater Union Front of Cambodia".⁵³⁰ The regional commanders, in turn, used a variety of methods of command and terror to maintain discipline to the new line among the ranks.⁵³¹ In these ways, the Khmer Rouge was able to maintain a cohesive and disciplined resistance to the peace process that UNTAC was trying to implement.

The May 1993 Cambodian elections yielded a popular government legitimated in the eyes of the international community, and endorsed by almost all Cambodian factions, including the Khmer Rouge. UNTAC withdrew in September 1993, hailed as a success story for at one time the biggest, most expensive and most ambitious United Nations peacekeeping operation.

⁵²⁶ "Second Progress Report of the Secretary-General on the United Nations Transitional Authority in Cambodia", S/24578, 21 September 1992, p. 16.

⁵²⁷ Craig Etcheson, "Civil War and the Coalition Government of Democratic Kampuchea", *Third World Quarterly*, Vol. 9, No. 1, January 1987, p. 200.

⁵²⁸ Interview with Lieutenant-Colonel Healey, 14 December 1993.

⁵²⁹ Unattributable sources; based on a series of off-the-record discussions.

⁵³⁰ Interview with Lieutenant-Colonel Healey, 14 December 1993.

⁵³¹ Interview with General Sanderson, 15 December 1993.

Yet the breakdown of the disarmament and demobilisation component of that mission has left Cambodians to fight on against a Khmer Rouge of undiminished strength and unmoderated ferocity. This failing was demonstrated by the peacekeeping framework to have originated in the Paris Agreements. Due to problematical mediation procedures, the Khmer Rouge interpreted the agreement differently to UNTAC. The Khmer Rouge wished to modify the provisions of the agreement, while UNTAC was determined to adhere rigidly to the resolution mechanisms contained in the Paris Agreement and the directives of the Security Council. Profound differences in the conception of agreements between an Organisation of States and an insurgent movement were compounded by contradicting interests in the peace process. These contradictions focussed over the issue of disarmament and demobilisation. The Khmer Rouge's ideology and past experience of taking power had convinced it of the primacy of military mechanisms for overthrowing government and siezing power. These tactics dictated the supreme importance of keeping its weapons, and preserving its organisation, discipline, and isolation of its supporters and cadres from outside influence. Thus the Phase Two demobilisation was exactly one of the provisions of the Paris Agreements that it wished to modify. The United Nations, encouraged by its internal consensus, was eager to sponsor a comprehensive solution to the Cambodian conflict. The disarmament and demobilisation of all of the parties was vital to this comprehensive solution. UNTAC's objective, to implement to the letter this aspect of the Paris Agreements, therefore directly contradicted the Khmer Rouge's. Oblivious to this, the interested States were more obsessed with solving the external problems of the conflict than paying attention to the internal difficulties of their project.

Conceptions of the function of the peacekeeping force also differed: UNTAC complied strictly to the agreement, while the Khmer Rouge saw the force as either the enforcer of a new status quo, or a mechanism to be manipulated and exploited for its own ends. The Khmer Rouge's military strength meant that once it had refused to demobilise, the momentum and viability of the entire peace process came into question. The United Nations decided to press on with the peace process regardless, requiring UNTAC's redeployment and management of the process against Khmer Rouge opposition. This was a crucial decision. Much of the peace process was salvaged, but the Khmer Rouge still remains a threat. At this point, a significant difference of approach lies between UNTAC and other peacekeeping operations faced with

similar problems. UNTAC refused to try to enforce compliance on the Khmer Rouge, and at all stages tried to persuade the Khmer Rouge to rejoin the peace process. It was careful to remain faithful to the letter of the Paris Agreements, to keep the Security Council informed of its actions, and to consult the Security Council on each problem it encountered. In this way, it maintained the endorsement and support of the Security Council, and ensured that its Members remained in agreement about the operation. While such cohesion and support was unable to pressure the Khmer Rouge to comply, it allowed a substantial portion of the peace process to be salvaged. As we have seen, peacekeeping forces faced with similar problems of insurgent non-compliance in Somalia and Bosnia reacted differently, with adverse consequences for the entire peacekeeping interaction. In this way, skilful negotiation of a difficult process by UNTAC, and the maintenance of cohesive international support for the operation, compensated to some extent for the divergence of approaches to the peacekeeping interaction between the peacekeepers and the Khmer Rouge.

5.5: Conclusion

The application of the peacekeeping framework to tasks and movements as diverse as those described above confirms a main finding of the other analyses undertaken, and bears out the hypothesis of this thesis, that between the United Nations and insurgent movements, concurring approaches produce more optimal outcomes than divergent approaches. These basic indices of approaches, as applied to peacekeeping - objectives, interaction mechanisms, instrumentality, impartiality, timing, isolation and support and cohesion - each impact in a distinctive way on the outcome of the United Nations-insurgent relationship. These factors also vary in their effect across the different types of peacekeeping task: monitoring ceasefires, maintaining aid flows, and disarmament and demobilisation. Comparing the way each of the indices operates across the range of insurgent movements and peacekeeping tasks to which the peacekeeping framework has been applied yields important conclusions as to their relative importance in the relationship between peacekeepers and insurgents.

Peacekeeping involves higher levels of commitment and risk for the peacekeepers and insurgents involved in the interaction. As a consensual relationship, either an agreement on

purposes or a basic acquiescence to the other's presence must underlie a viable interaction. A clash of interests between two such armed forces will almost inevitably lead to a breakdown in the interaction, or hostilities. It emerges from the analysis that a complementarity of objectives forms the basis of the success of a peacekeeping mission, and therefore undergirds the viability of the entire peace process. Since the objectives of peacekeepers will always centre on ending the conflict, an effective relationship requires an insurgent group which is ultimately committed to ending its insurgency. Renamo had been deprived of external support and direction on which it was so dependent, and its loss of appetite for the war compelled it to end its insurgency. ONUMOZ concurred in helping to implement this conclusion of the Rome agreement. The Contras, similarly, were deprived of their external support and direction by the end of the Cold War, as well as their rationale by the electoral defeat of the Sandanistas. Once again, ONUCA was keen to help them disarm, thereby safeguarding the election results. Both interactions returned optimal results. The USC-SNA, motivated by a passion for clan survival and predominance, was unprepared to stop fighting until it had prevailed. It was therefore completely opposed to the nation-building project of UNOSOM II, which would leave General Aideed with one voice among eighteen in a new government. The USC-SNA-UNOSOM II interaction soon became dysfunctional, leading to hostilities and the eventual withdrawal of UNOSOM II. The Bosnian Serbs, similarly motivated by the need for ethnic self-determination, were unprepared to countenance UNPROFOR II proposals to preserve and return them to living in a polyglot State. These diverging objectives have consigned that peacekeeping interaction to extreme difficulties. The Khmer Rouge's objective of preserving its military capability and exploiting the Paris Agreements clashed directly with UNTAC's determination to implement them, and disarm and demobilise all of the groups. While the skill and even-handedness of UNTAC enabled a salvaging of the process despite Khmer Rouge attacks, this basic divergence of objectives guaranteed an ultimately sub-optimal outcome, where the Khmer Rouge fights on. The peacekeeping framework demonstrated strongly that agreement on objectives can form the foundation on which a successful relationship is based; whereas disagreement on objectives with a major insurgent movement will hamper a peace process despite the best efforts of the peacekeeping force.

The commonality of conceptions on the presence and purpose of the peacekeeping operation between the peacekeepers and the insurgent movement were shown to correspond closely to the viability of the interaction. Peacekeeping operations represent the introduction of an armed force into a conflict zone; therefore agreement between the participants to this presence will forestall hostilities and allow the smooth implementation of the purposes of the peacekeeping force. Peacekeeping forces are essentially instruments sent to implement an agreement or mandate by the United Nations. Insurgents' agreement or disagreement to their function follows from their agreement or disagreement on the objectives of the peace process that the peacekeeping force is sent to facilitate. Basically, a peacekeeping force is only appropriate when there is a peace to keep. This relationship was revealed clearly by the peacekeeping framework. Regardless of their tasks - monitoring ceasefires, maintaining aid flows or disarmament and demobilisation - peacekeepers obtained genuine agreement and cooperation of the major insurgents to their presence when the insurgents had already agreed with the United Nations on the objectives of the peace process. Renamo, committed to ending the war, was not threatened by ONUMOZ's presence, but rather saw it as a guarantee of the Rome agreement. The Contras, also, eventually accepted that the presence and disarmament function of ONUCA was important to the securement of their war aims. The USC-SNA, profiting from the anarchy and starvation in Somalia, was threatened by a large, powerful UNOSOM II presence dedicated to alleviating these conditions. Similarly the Bosnian Serbs, advancing irridentist objectives through force and ethnic cleansing, resented the arrival of UNPROFOR II, charged with arresting this advance. The Khmer Rouge's conception of UNTAC as a force to be manipulated to its own ends, clashed with UNTAC's self-perception as an instrument inserted to faithfully implement the Paris Agreements. The correlation is strong: where Renamo and the Contras agreed with ONUMOZ's and ONUCA's conceptions of peacekeeping, the interaction yielded optimal results; whereas when the USC-SNA, the Bosnian Serbs and the Khmer Rouge disagreed with the peacekeeping concepts of UNOSOM II, UNPROFOR II, and UNTAC, the interactions were either sub-optimal or dysfunctional. UNOSOM II and UNPROFOR II also demonstrated the importance of the appropriate preconditions for the intervention of a peacekeeping force, and the importance of a clear operational doctrine for those peacekeepers.

The insurgents' perception of the instrumentality of the peacekeeping forces' presence to their achievement of their objectives follows directly from their previous agreement on objectives and the peacekeeping mechanism. Such previous agreement or disagreement determines whether the peacekeeping force is seen as an opportunity or as a threat. Renamo, wanting to end the war in security and wealth, saw ONUMOZ as the gatekeeper to both. Its cooperation led to the effectiveness of the interaction. The Contras saw ONUCA as a guarantor of the Sandanista loss of power, as well as a shield against possible Sandanista revenge. Its willingness to disarm for ONUCA enabled the smooth functioning of a problematic task. The USC-SNA saw a large, powerful UNOSOM II working to different goals, as a threat, and immediately began to wage war against it, dooming the operation and its objectives to failure. The Bosnian Serbs, saw UNPROFOR II as a frustrating impediment to their war aims, and immediately set about impeding and circumventing the peacekeepers' efforts, ultimately paralysing and thwarting the operation. The Khmer Rouge came to view UNTAC as a force that couldn't be manipulated, and which therefore needed to be avoided.

The United Nations' perception of the importance of each of these insurgent movements to the ultimate resolution of the conflict determined how each of the groups was treated by the peacekeeping forces. Renamo, the Bosnian Serbs, the Contras and the Khmer Rouge were all regarded by the United Nations as instrumental to settlements of their respective conflicts, and were accordingly treated carefully by peacekeeping forces careful not to antagonise them and trying to induce them to rejoin the peace process. UNTAC, especially, demonstrated that the selection of an appropriate peacekeeping strategy impacts strongly on the eventual effectiveness of the peacekeeping interaction. The USC-SNA, however, was seen by the United Nations as a frustrating faction among many, and thus able to be overcome before an agreement was reached. When UNOSOM II was consequently ordered by the Security Council to neutralise the USC-SNA as a force, a mounting rate of hostilities led to disaster, making UNOSOM II arguably the biggest post-Cold War peacekeeping failure. Instrumentality, therefore, is dependent on the protagonists' perceptions, and in turn determines immediately the consensual or adversarial behaviour of the insurgents and peacekeepers towards each other, with important consequences for the effectiveness of the interaction.

Differing degrees of impartiality also have an effect on the success or failure of the peacekeeping relationship. The impartiality of the peacekeeping operations was affected by deeper agreements or disagreements on objectives and implementation mechanisms with the insurgents. ONUMOZ, implementing an agreement that Renamo also wanted implemented, experienced little difficulty in assuring the insurgents of its impartiality. ONUCA also was able to appear impartial to the Contras, which saw it as helping them to demobilise safely, thereby ensuring the transition of power away from the Sandanistas. The case of UNTAC emerged as the exception. It was able to maintain its image of impartiality despite Khmer Rouge opposition, although the Khmer Rouge made a number of half-hearted accusations of its bias towards the SoC. UNPROFOR II's advancement of objectives more amenable to the Bosnian Serbs' enemies has irretrievably damaged its impartiality in the eyes of the insurgents. UNOSOM II's open advocacy of the Ali Mahdi Manifesto group, as well as its offensive operations against the USC-SNA, dispelled any facade of impartiality, and pulled it into the war it was supposed to remain above. The experience of UNOSOM II and UNPROFOR II also revealed the ease with which belligerents can manipulate peacekeeping operations that find themselves in difficult situations without having been based on secure foundations of consent and agreement. Impartiality, then, has a more contingent impact on the viability of the peacekeeping venture.

The timing of the insertion of a peacekeeping force impacts in some cases on the insurgents' readiness to agree on the peacekeeping objectives and compromise on the mechanisms of peacekeeping. Renamo's and the Contras' military fortunes had declined to such an extent that they perceived ONUMOZ and ONUCA as ways to escape a hurting stalemate. The USC-SNA and the Bosnian Serbs were either militarily ascendant or strongly entrenched, and therefore viewed UNOSOM II and UNPROFOR II as political and military impediments with adversary goals, and forces to be resisted or attacked. Once again, the Khmer Rouge disturbs this pattern. Its entrenched but stagnant military position would suggest a greater amenability to cooperation with a peace process, rather than the resistance experienced by UNTAC. Its ideology and revolutionary belief, and its recognition that demobilisation entailed annihilation, acted to temper this relationship, dictating a different realist calculation. Timing thus has an effect on the fortunes of a peacekeeping relationship between the United Nations and an insurgent movement, but certainly not an automatic correlation.

Support and isolation emerged from the application of the peacekeeping framework to the above cases as factors at times impacted on the underlying conditions for the viability of a mission, and at other times had an acceleratory effect on effectiveness or problems once a mission had begun. Isolation and pressure on the USC-SNA could not temper its belligerence, born of fierce independence and clan nationalism. The Bosnian Serbs have been imperfectly isolated, and the few methods of pressure that the United Nations has been able to apply have not modified their belligerence at all. Furthermore, once UNOSOM II and UNPROFOR II had begun to incur their often violent opposition, the evaporating international support only served to compound the operations' difficulties. The isolation of Renamo and the Contras, however, prompted their initial decision to cooperate with the United Nations to resolve the conflict. The successes registered by ONUMOZ and ONUCA made it easier for them to maintain international support behind their actions. While isolation had little effect on the Khmer Rouge's decision not to cooperate, strong international support for UNTAC made little difference in its attempts to bring the movement back into the peace process. The correlation of levels of support and isolation to the viability of peacekeeping interactions, then, has an inconsistent impact.

Cohesion also played a lesser, but acceleratory role in the levels of optimality of the peacekeeping interactions examined. As a factor influencing the insurgent movements' cooperativeness, it had marginal effects. Renamo, the Contras, the Bosnian Serbs, and the USC-SNA all exhibited low levels of organisational cohesion, but demonstrated widely varying levels of cooperativeness with peacekeeping forces. The Khmer Rouge, possessing strong cohesion, was considerably less cooperative than the decentralised and fissiparous Renamo and Contra organisations. Cohesion of the peacekeeping forces, and behind them, of the Security Council, had greater impact on the failure of peacekeeping forces than it had on their successes. Cohesion within and behind ONUMOZ and ONUCA had little apparent effect on the success of these operations, while strong cohesion within and behind UNTAC had little effect on securing Khmer Rouge cooperation, although it contributed to the salvaging and partial success of the mission as a whole. The dissolution of cohesion within and behind UNOSOM II and UNPROFOR II served to compound the problems the peacekeeping forces had in implementing their already-contested mandates, while encouraging the USC-SNA's and Bosnian Serbs'

resistance to and attacks on them. Thus cohesion too, plays an important, but less significant role in the operation of the peacekeeping relationship.

Concurrence in approaches, and most importantly in objectives and mechanisms, but also significantly in instrumentality and impartiality, were thus shown to correspond to the viability of interactions between United Nations peacekeepers and insurgent movements. The hypothesis was thereby generally borne out by the examination of peacekeeping interactions undertaken. Other, practical conclusions emerged as well, however. Close study demonstrated just how problematic peacekeeping is in contemporary civil wars. This chapter demonstrated that success came only on those rare occasions where extraordinary conditions of cooperation and consent existed among the insurgent movements. Due to the end of the Cold War, Renamo and the Contras exhibited almost interstate levels of constraint and fidelity to agreements they had made. Unfortunately, the Somali and Bosnian civil wars seem to be the wars of the future, with grave ramifications for the suitability of United Nations peacekeeping. Insurgents in these civil wars exhibit extreme realism, a preparedness to attack and exploit the international community, and have no qualms about repudiating or ignoring agreements they have signed. United Nations peacekeepers are therefore subject to this basic logic as well as United Nations mediators. Peace enforcement by United Nations peacekeepers is shown to be a flawed concept, because of the realism of insurgents, the lack of adequate doctrine or capabilities, and the fragility of United Nations coalitions. Bosnia and Somalia show that inappropriate peacekeeping methods entail failure while harming United Nations prestige and the consensus of its Member-States. These operations will continue to impact on post-Cold War peacekeeping for some time.

6: ELECTION MONITORING

Election monitoring marks the concluding phase of the United Nations' interaction with the insurgent movement. Elections mark the insurgents' reintegration into the States' political system: "UN-monitored elections should be regarded as a watershed event in a nation's emergence from civil insurrection...following commitments by rebel groups to participate peacefully in a political process."¹ After the election, the group is no longer insurgent, but is a part of the State's political system. As it abandons its military mechanism of seizing power and defending itself, the insurgent movement is naturally a sceptical participant in the delicate run-up to the elections that will mark the end of the civil war. Between the United Nations, charged with overseeing this process, and the insurgent movement, a wary participant, exists the same logic of interaction and lack of influence that was described in Chapter Three. This chapter analyses how this interaction applies to their relationship during internationally monitored elections. The first section adapts the framework to election monitoring to demonstrate how each of its indices operates during the holding of elections. The next two sections apply this election monitoring framework to two case studies: the Salvadoran elections of March 1994 offer insights into the components of a successful election, while the Angolan elections of September 1992 are an opportunity to explore a failed election. Comparing these studies allows the testing, as it relates to election monitoring, of the hypothesis that between the United Nations and insurgent movements, concurring approaches produce more optimal interactions than divergent approaches.

6.1: Election Monitoring: A Framework for Analysis

Election monitoring is the oversight of an election or plebiscite by an invited, international presence, in order to ensure the free and fair conduct of the election process. The United Nations sees election monitoring as an essential part of post-conflict peace-building, in which the Organisation takes "action to identify and support structures which will tend to

¹ David Stoelting, "The Challenge of UN-Monitored Elections in Independent Nations", *Stanford Journal of International Law*, Vol. 28, No. 2, Spring 1992, pp. 417-8.

strengthen and solidify peace in order to avoid a relapse into conflict."² United Nations' assistance in the holding of elections is a growing post-Cold War activity, as a desire to end civil conflicts combines with a "groundswell of popular support for greater participation in political processes..., [b]roader individual involvement and greater government accountability."³ Elections are seen as a mechanism of conflict resolution and "a broadened concept of peacekeeping: peacekeepers become the guarantors not only of peace but of democratisation."⁴ Peacekeepers have evolved from serving as protector of the peace to "functioning as a guarantor of democratic rights."⁵ Post-Cold War election monitoring is reinforced by the latent democratic assumptions of the United Nations Charter, and builds upon its experience of supervising plebiscites and elections in trusteeships and non-self governing territories.⁶ This section applies each of the framework indices - objectives, interaction mechanisms, instrumentality, impartiality, timing, support and isolation, and cohesion - to election monitoring. This framework will then be applied to the two cases to determine how each factor determines the compatibility of the United Nations' and insurgent movements' approaches, and their relationship to the optimality of the election monitoring interaction.

6.1.1: Objectives

Instructions given to a United Nations operation to monitor an election are usually part of a broader peacekeeping mandate determined by an interested coalition of Member-States. As a central plank of peacebuilding and expanded peacekeeping, election monitoring mandates are usually attended by closer agreement between members of the sponsoring coalition on the form of the resolution process. When they form part of the resolution process, the United Nations'

² Boutros Boutros-Ghali, *An Agenda For Peace*, (New York, United Nations, 1992), p. 11.

³ Report of the Secretary-General, "Implementation of the Recommendations Contained in 'An Agenda for Peace'", A/47/695 and S/25944, 15 June 1993, p. 8.

⁴ Robin Hay, *Civilian Aspects of Peacekeeping: A Summary of Workshop Proceedings, Ottawa 9-10 July 1991*, (Working Paper 36), (Ottawa: Canadian Institute for International Peace and Security, 1991), p. 21.

⁵ Allan D. Cooper, "UN-Supervised Elections in Namibia: A Critical Analysis", *Without Prejudice*, Vol. 3, No. 1, 1990, p. 67.

⁶ *Plebiscites, Referenda and Elections Held Under the Supervision or Observation of the United Nations in Trust and Non-Self-Governing Territories*, U.N. GAOR, 46th Session, Agenda Item 98(b), A/46/609, Annex, 1991.

objectives in its election monitoring tasks are ultimately to secure the resolution of the conflict by establishing and strengthening the democratic political system, and securing the belligerents' participation in this system. Equating democracy with peace and stability has acquired greater currency after the Cold War,⁷ and the United Nations attempts to cap its conflict termination efforts with a democracy-securing election.⁸ Elections held after civil wars are a "procedural solution", which "are neutral in appearance, for the conciliator is not opting for one type of outcome but merely for one way in which an outcome can be reached, substituting a peaceful for a violent means of conducting conflict."⁹ The United Nations, through trying to implement an election, makes an attempt at "changing the values and goals of the actors [and in this way] dealing with the underlying causes of the conflict."¹⁰ Elections, therefore, become a method of ensuring internal resolution of the conflict and external stability. The viability of the democratisation depends on the fairness and authenticity of the elections, and in the suspicious aftermath of a civil war, requires neutral observers to ensure that pluralism, universal suffrage, a high level of participation, and a lack of intimidation prevails. United Nations monitors often are sought to reassure the participants, the population and the international community of the fairness of the elections.¹¹

There are a number of objectives that an insurgent movement can attempt to achieve through elections. The most obvious objective is the acquisition of power through winning the elections. However, there are other benefits that can be gained from participating in an internationally-observed election. The growing international belief in the legitimacy of popularly-elected governments reflects on the participants in the electoral process; an insurgent

⁷ This is particularly prevalent in the "enlargement" doctrine of the Clinton administration; see National Security Adviser Anthony Lake, "From Containment to Enlargement" *Vital Speeches of the Day*, Vol. IX No. 1., 15 October 1993, p. 16.

⁸ Beginning with the operation in Namibia, the United Nations has implemented or attempted to implement elections or plebiscites in seven of the fifteen post-Cold War interventions; and advocated elections eventually in Bosnia and Somalia.

⁹ I. William Zartman, *Ripe for Resolution: Conflict and Intervention in Africa*, (New York: Oxford University Press, 1989), p. 279.

¹⁰ Hay, *op. cit.*, 1991, p. 19.

¹¹ Report of the Secretary-General, "Implementation of the Recommendations Contained in 'An Agenda for Peace'", A/47/965 and S/25944, 15 June 1993, pp. 8-9.

movement can thus gain both international and domestic legitimacy by submitting to the popular will.¹² Elections further legitimate the system of government and all of the participants in the political community,¹³ making that State more eligible in the increasing competition for aid and investment.¹⁴ For an insurgent movement attempting to renounce warfare and move into the political system, elections are a method of securing a legal basis for itself and its goals, magnify its influence on the governance of the State, and provide an accepted legislative voice for its supporters.¹⁵ It needs international observers to ensure that this transition process is not manipulated to the advantage of its opponents. Genuine commitment to competing elections depends on the insurgent's acceptance of the concept of "contingent consent", whereby "those who lose...agree to respect the contingent authority of the winners to make binding decisions, in exchange for being allowed to take office and make decisions in the future."¹⁶ The ultimate commitment must be to a functioning democratic system and loyal government or opposition within that system. Competing in elections allows the insurgent movement to abandon the war without losing its influence as a political actor, and to pursue its objectives through, rather than in opposition to, the political system.¹⁷

6.1.2: Interaction Mechanisms

In advocating elections as a resolution mechanism in the aftermath of civil wars, the United Nations confronts the problem of trying to impose a Western, legalistic method of apportioning political power on a society in which often few of the prerequisite conditions for

¹² Melinda N. Hodgson, "When to Accept, When to Abstain: A Framework for U.N. Election Monitoring", *New York University Journal of International Law and Politics*, Vol. 25, No. 1, Fall 1992, p. 149.

¹³ Martin Harrop and William L. Miller, *Elections and Voters: A Comparative Introduction*, (Basingstoke: Macmillan, 1987), p. 259.

¹⁴ Barry Munslow, "Democratisation in Africa", *Parliamentary Affairs*, Vol. 46, No. 4, October 1993, p. 480.

¹⁵ Jennifer McCoy, Larry Garber and Robert Pastor, "Pollwatching and Peacemaking", *Journal of Democracy*, Vol. 2, No. 4, Fall 1991, p. 108.

¹⁶ Guillermo O'Donnell and Philippe C. Schmitter, *Transitions From Authoritarian Rule: Tentative Conclusions About Uncertain Democracies*, (Baltimore: Johns Hopkins University Press, 1986), p. 59.

¹⁷ Samuel P. Huntington, "How Countries Democratize", *Political Science Quarterly*, Vol. 106, No. 4, 1991-1992, p. 587.

democracy exist.¹⁸ Its peacekeepers are charged with ensuring the electorate contestants' commitment to a procedural solution that some of them are bound to lose.¹⁹ In helping to design the election process, the United Nations needs to ensure that "[t]he results of democratic elections cannot be predicted from the rules under which they are conducted. If they could, they would not be democratic."²⁰ A viable election mechanism needs to be accepted by not only the participants; "[d]emocratic values must be willingly accepted by the entire society,"²¹ and consequently time must be devoted to comprehensive registration and education.²² The monitors need to launch programs fostering understanding of the democratic process and confidence in the fairness and confidentiality of the election machinery.²³ Often the United Nations participates in designing the rules of the election that it has agreed to oversee,²⁴ and in negotiating an agreement with the participants on the nature and extent of the electorate.²⁵ Much of the United Nations interaction with the former insurgents, during election monitoring, consists of helping them to form political parties, conduct a campaign, assuring their freedom from intimidation and access to the media, and reassuring them and maintaining their confidence in the process.²⁶ To facilitate these tasks, the United Nations has established an Electoral Assistance Unit within its Department of Political Affairs to assemble the available international expertise and benefit from the lessons of each successive operation.

¹⁸ W. J. M. MacKenzie and Kenneth Robinson (eds), *Five Elections in Africa: A Group of Electoral Studies* (Oxford: Clarendon Press, 1960), p. 462.

¹⁹ Zartman, *op. cit.*, 1989, pp. 278-80.

²⁰ O'Donnell and Schmitter, *op. cit.*, 1986, p. 61.

²¹ Report of the Secretary-General, "Implementation of the Recommendations Contained in 'An Agenda for Peace'", A/47/965 and S/25944, 15 June 1993, p. 8.

²² Hay, *op. cit.*, 1991, pp. 13-14.

²³ Hay, *op. cit.*, 1991, p. 21.

²⁴ McCoy, Garber and Pastor, "Pollwatching and Peacemaking", *op. cit.*, 1991, p. 102.

²⁵ Stoetling, "The Challenge of UN-Monitored Elections in Independent Nations", *op. cit.*, 1992, pp. 406-7.

²⁶ Cooper, "UN-Supervised Elections in Namibia: A Critical Analysis", *op. cit.*, 1990, p. 66.

For the insurgents, genuinely agreeing to submit to popular elections in exchange for the use of military force represents a leap of faith. The basis of this agreement must be a transfer of allegiance away from opposition to the State to loyalty to the State and an agreement to work within its political system. The insurgent movement has also to accept that by participating in elections, it must surrender its ability to militarily seize power for itself, and submit to the electorate's choice. As the insurgent movements surrenders its military means of seizing power and protecting itself, it becomes vulnerable to being taken advantage of by its former opponents, and vice versa. International observers are their best guarantee, and United Nations election monitors often are crucial to the insurgents' agreement to submit to the resolution mechanism: "the major parties involved in an election must be motivated both to participate and to invite observers. This indicates that they are serious about the process and provides the observers with some leverage to ensure the election is free and fair."²⁷ The election organisers and observers often secure the insurgents' closer agreement by allowing them to participate in "the formulation of rules determining which groups are allowed into the contest, what boundaries constituencies will have, what criteria will be applied to determine winners, and so on."²⁸ This commitment is further strengthened by allowing "agents of the candidates to observe polling and the count...[which] gives them some corporate responsibility for making the election work."²⁹

6.1.3: Instrumentality

For a procedure as delicate as a post-civil war election between suspicious former belligerents, international observers are almost essential. By the number of requests it receives for observation, the United Nations has clearly been identified by former belligerents and peacemakers as the election monitoring mechanism of choice.³⁰ Observers' instrumentality lies

²⁷ Hay, *op. cit.*, 1991, p. 9.

²⁸ O'Donnell and Schmitter, *op. cit.*, 1986, p. 59.

²⁹ MacKenzie and Robinson, *op. cit.*, 1960, p. 475.

³⁰ Between 1 October 1991 and 16 October 1992, 31 requests for United Nations monitoring of elections were received by the Secretariat. See Report of the Secretary-General Pursuant to General Assembly Resolution 46/137, "Enhancing the Effectiveness of the Principle of Periodic and General Elections", A/47/668, 18 November 1992, p. 4.

in alleviating the distrust on all sides: "[t]hey serve the government by helping to keep the opposition in the race, a prerequisite for a legitimate process, and they serve the opposition by ensuring that the election will either be fair or else be denounced as fraudulent."³¹ The observers can help correct specific shortcomings or irregularities.³² When the United Nations, combines observation with peacekeeping, it also provides security for the process and its participants against disaffected groups who try to disrupt the process violently.³³ The monitors are also instrumental to the electorate's participation by reassuring "a sceptical population regarding the secrecy of the ballot, the efficacy of the process, and the safety of the voters."³⁴ An extensive and active presence best reassures the parties and electorate of the fairness and security of the process.³⁵ The extent of observation is decided by the participants: at one level, the United Nations can fully administer and supervise the elections, or more commonly the monitors can observe the conduct of the elections by the State in accord with its constitution. While the parties benefit from the observers' presence, their own "[a]greement on the UN role increases the likelihood the elections will be regarded as legitimate and facilitates the execution of election observation."³⁶

The legitimacy of the elections and their viability as a solution depends on the incumbents' and observers' inclusion of the insurgents and other opposition groups in the competition. In desiring peace, legitimacy and political influence, the parties thus become to some extent interdependent, "in that they can neither do without each other nor unilaterally impose their preferred solution on each other."³⁷ Those States desiring democratic validity need to include the former insurgent movement in the elections: "[i]f all parties are not represented,

³¹ McCoy, Garber and Pastor, "Pollwatching and Peacemaking", *op. cit.*, 1991, p. 104.

³² McCoy, Garber and Pastor, "Pollwatching and Peacemaking", *op. cit.*, p. 110-111.

³³ Stoetling, "The Challenge of UN-Monitored Elections in Independent Nations", *op. cit.*, 1992, p. 397.

³⁴ McCoy, Garber and Pastor, "Pollwatching and Peacemaking", *op. cit.*, 1991, p. 107.

³⁵ Hay, *op. cit.*, 1991, p. 9.

³⁶ Stoetling, "The Challenge of UN-Monitored Elections in Independent Nations", *op. cit.*, 1991, p. 412.

³⁷ O'Donnell and Schmitter, *op. cit.*, 1986, p. 38.

the party could lose international and domestic legitimacy."³⁸ Furthermore, for the incumbent, the only viable way to secure the end of the insurgents' opposition to the political system is to allow them to compete for power within that system. The United Nations observers must also, "in fulfilment of their terms of reference,...keep campaigns open to all candidates while respecting a nation's sovereign control over its electoral process"³⁹ in order to ensure internal and external legitimacy. In this way, the observers attempt to maintain all parties' participation in the elections by allaying where possible all fears of fraud and danger during the process.

6.1.4: Impartiality

The United Nations' monitors' acceptability to the participants in the elections depends heavily on the impartiality and disinterestedness of their conduct and observation. This condition is heavily reliant on the parties' perceptions that their opponents are no more advantaged by the monitors' presence or actions than they are themselves. The observers often establish a close relationship with the national electoral body in order to ensure the impartiality of the election's administrators and process, "realising that the electoral commission is in many instances an arm of the government."⁴⁰ The monitors' reputation as impartial observers reinforces the parties' confidence that their presence will deter fraud and intimidation in campaigning, balloting and counting by publicising any irregularities, thereby calling into question the legitimacy of the defrauders and the validity of the elections. The United Nations has developed the mechanism of the quick count or parallel count to detect large-scale fraud in balloting or counting by comparing sample trends with eventual results. In the atmosphere of distrust surrounding post-civil war elections, the impartiality and efficiency of the observers are important components in convincing the participants of the fairness of the elections, and are thus vital to the parties acceptance of the results.⁴¹

³⁸ Stoetling, "The Challenge of UN-Monitored Elections in Independent Nations", *op. cit.*, 1992, p. 392.

³⁹ *ibid.*, pp. 401-2.

⁴⁰ Stoetling, "The Challenge of UN-Monitored Elections in Independent Nations", *op. cit.*, 1992, p. 413.

⁴¹ Munslow, "Democratisation in Africa", *op. cit.*, 1993, p. 482.

The validity of the elections also depend on the former belligerents not trying to unfairly manipulate the process to their own advantage. The insurgent movement must confine its efforts to gain support and advantage to within the rules of the election, and "trust the voters to choose between a wide array of candidates who campaign for support."⁴² Often their desire to gain power can tempt insurgents to try to gain any advantage they can. Their attempts to mobilise support can drive the insurgents towards catering to sectional interests and activating divisive chauvinisms; tendencies that can threaten the States' cohesion and the reintegration of the peace process. For greater fairness, the election participants and monitors are often careful to negotiate rules about the sanctity of the process; "formal devices designed to protect the rules of the game from manipulation by the players."⁴³ Through this process, the monitors can ensure the registration of the entire eligible electorate, the equal access of all participants to funds, expertise and the media, and the freedom of the campaigning and balloting from intimidation and violence.⁴⁴ The parties' impartial behaviour should extend to granting them "unrestricted freedom of movement within all electoral districts, unrestricted access to all polling stations and unimpeded contacts with all political parties."⁴⁵

6.1.5: Timing

Although some insurgent movements try to simultaneously advance the options of war and electoral participation, most insurgent movements will usually only genuinely abandon their military potential and submit to popular elections if their military calculus determines that its will gain more and lose less by participating in elections rather than continuing the war. Often this is dictated by a worsening military stalemate, a receding possibility of overthrowing the incumbent, and a growing marginalisation of influence over the political system. Elections offer the insurgent movement a chance to gain recognised power and to enhance its legitimate

⁴² Vernon Bogdanor and David Butler (eds), *Democracy and Elections: Electoral Systems and their Political Consequences*, (Cambridge: Cambridge University Press, 1983), p. 29.

⁴³ MacKenzie and Robinson, *op. cit.*, 1960, p. 479.

⁴⁴ Stoetling, "The Challenge of UN-Monitored Elections in Independent Nations", *op. cit.*, 1992, p. 412.

⁴⁵ "Letter Dated 5 July 1989 From the Secretary-General Addressed to the Permanent Representative of Nicaragua to the United Nations", A/44/375 Annex 1, 5 July 1989, p. 2.

influence within the State.⁴⁶ Thus a willingness by the insurgent movement to genuinely participate in the elections must be based on a commitment to work within the political system.⁴⁷ The insurgents' military position will in this way be used to measure their desire to abandon its declining military power in opposition to the State in favour of integration and influence within the State's political system.

6.1.6: Support and Isolation

Any divergence in the insurgent's approach to the delicate election process can to some extent be compensated for by the support of the international community for the monitors in ensuring a smooth and fair election. States can facilitate the electoral process by contributing resources and expertise to former belligerents who are inexperienced in party formation and campaigning. Regional powers can assure nervous or suspicious participants of the fairness and security of the process and its results.⁴⁸ In particular, democracies can offer advice and expertise in the conduct of democratic elections in States where no democratic tradition or infrastructure exists. The project of establishing a functioning democracy in place of a civil war is often one that attracts a lot of support from particularly Western governments, non-governmental organisations, and interest groups. Their support and interest represents an important component in ensuring the accountability of the elections and thus the validity of their results.

The actions of States external to the conflict are also important in securing the insurgents' genuine participation in the elections. Their calculation to abandon war in favour of submitting to the popular will are to some extent determined by the international system and the actions of their former sponsors. Insurgents subject to external sponsors' abandonment or pressure to seek peace are deprived of confidence and resources, and become much more compromising in their demands. Often this isolation leads to the insurgents being deprived of

⁴⁶ McCoy, Garber and Pastor, "Pollwatching and Peacemaking", *op. cit.*, 1991, p. 109.

⁴⁷ Hodgson, "When to Accept, When to Abstain", *op. cit.*, 1992, p. 161.

⁴⁸ A classic example of a tacit guarantee of the fairness of an election by a regional power was the United States' implicit guarantee of the results of the February 1990 Nicaraguan elections with its 19 December 1989 invasion of Panama in support of its elected government.

any other viable option other than electoral participation. This commitment to the electoral process is further reinforced if these erstwhile sponsors use their influence to support the elections. Often the only way for an increasingly isolated insurgent movement to regain support is by establishing its international legitimacy by participating in democratic elections. However, if an insurgent movement is guaranteed continuing support and supplies from an external sponsor, it will be much less willing to abandon its military abilities in favour of electoral participation. The effects of isolation on insurgent behaviour are necessarily dependent on the extent of the movement's reliance on external support: a more self-reliant group will be less affected by such changes in the international system.

6.1.7: Cohesion

A United Nations election monitoring mission is necessarily affected in its assurance and conduct by the extent of cohesive support behind its activities within the United Nations. Often cohesion among Member-States is threatened by a lack of consensus on the virtues of democracy and the appropriateness of the United Nations in helping impose it on sovereign States. There is no universal agreement on what constitutes a democracy or what are the conditions for a free and fair election.⁴⁹ Particularly the developing world and Non-Aligned Movement States are concerned to uphold State sovereignty and are suspicious of the legality of United Nations influence over domestic political processes.⁵⁰ Many of these problems are overcome, however, by the status of the elections as part of the conflict resolution process, and thus a part of the United Nations' principle mandate. The problems with Article 2(7) and sovereignty can only be overcome by introducing election monitors on the specific request of the State holding the elections, and often of the opposition parties as well.

⁴⁹ Hodgson, "When to Accept, When to Abstain", *op. cit.*, 1992, p. 146.

⁵⁰ The Cuban government has been especially vociferous in its denunciation of election monitoring, arguing that "National elections had always been and should continue to be recognised as coming under the domestic jurisdiction of states...enshrined in the Charter...so that elections were in no way a legitimate matter for intervention or participation by other states, whether bilaterally or multilaterally." See U.N. General Assembly Official Records, 3rd Committee, 45th Session, 42nd Meeting, A/C.3/45/SR.42, 1990.

The requirement of respecting the neutrality of the election process, and the difficulties involved with transforming from an insurgent movement into a political party, makes cohesion and discipline within the insurgent movement a contributing factor to the viability of the elections. Inevitably, in such a momentous decision as abandoning the war, the insurgent movement will be divided between its opportunistic elements that advocate democratic competition and influence within the political system, and the suspicious elements who wish to fight on.⁵¹ These disagreements are more easily resolved and controlled within a cohesive movement. In a decentralised movement, the hawkish elements may split from those advocating election participation, and use violence to disrupt the delicate election process. Too much cohesion can also be harmful to the development of democracy. A movement dependent on rigid discipline and hierarchy can be at odds with the democratic values of freedom of choice and association; and can introduce divisive forces into the political system.

The framework indices operate in these ways to determine the approaches of the United Nations and the insurgent movement to the election monitoring interaction. As the final stage in their interaction, the framework hypothesises that the viability of elections are no less governed by the extent of the compatibility of their approaches than during mediation and peacekeeping. The validity of this hypothesis will be tested in the next two sections by applying the election monitoring framework to the first Salvadoran elections including the FMLN and then to the Angolan elections between the government and Unita. The cases were selected in such a way as to compare a successful election with a failure in order to better determine how each of the factors contributed to the different outcomes.

6.2: The FMLN: Navigating to Closure

The United Nations was closely involved in almost all stages of the resolution of the civil war in El Salvador. Chapter Four explored the factors leading to its successful mediation of a peace agreement between the government and the *Frente Faribundo Marti para la Liberacion Nacional* (FMLN). The Chapultepec Agreement, however, acknowledged that close United

⁵¹ O'Donnell and Schmitter, *op. cit.*, 1986, p. 71.

Nations supervision of the peace process would be needed to make the Agreement viable and durable.⁵² The United Nations Observer Mission in El Salvador (ONUSAL), originally introduced to ensure human rights and oversee the demobilisation of the FMLN and purification of the Salvadoran security forces, had its mandate "enlarged...to include the observation of the electoral process due to conclude with the general elections in March 1994",⁵³ at the request of the Salvadoran government. The United Nations noted that although the FMLN, "which negotiated and signed the Peace Accords as an armed movement is now a fully legal political party," it remained a signatory to the Accords and thus retained its insurgent relationship with ONUSAL until the successful conclusion of the elections.⁵⁴ The FMLN participated as a political party as part of an opposition coalition in the March 1994 general elections. Despite losing to the incumbent ARENA party, it accepted the results and continues to function as part of the loyal opposition within the Salvadoran political system. This section uses the election monitoring framework to explore the successful conclusion of these elections and the Salvadoran peace process.

6.2.1: Objectives

The sponsoring coalition behind ONUSAL's extended election monitoring mandate remained largely unchanged from that which had supported the entire Salvadoran peace process. After seeing the successful advancement of the peace process, ONUSAL's sponsoring States, again led by regional States, were eager to cap their efforts of the past five years with a successful election. The ultimate objective of the United Nations' involvement in El Salvador was to resolve the conflict, and it saw "the general elections of March 1994 [as] constitut[ing] the logical culmination of the entire peace process in El Salvador."⁵⁵ It saw elections as the appropriate way in which the "political, economic and social arguments will be settled through

⁵² See especially Chapters VI, and VII of the "Peace Accord for El Salvador", S/23501 Annex, 16 January 1992, pp. 51-8.

⁵³ Security Council Resolution 832 (1993) of 27 May 1993.

⁵⁴ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador (ONUSAL)", S/25006, 23 December 1992, p. 3.

⁵⁵ Security Council Resolution 832 (1993) of 27 May 1993.

the processes of democracy and not by war."⁵⁶ They were a method of "end[ing] the conflict by political means as speedily as possible...[by]...reintegrating the...FMLN, within a framework of full legality, into the civil, institutional and political life of the country."⁵⁷ Elections would allow the United Nations to leave, having "re-establish[ed] peace and promote[d] reconciliation in El Salvador."⁵⁸ The United Nations saw the establishment of democracy in El Salvador as promising a durable solution by "restoring peace and creating the conditions necessary for democratic coexistence."⁵⁹ Assisting in the establishment of stability and democracy in El Salvador, in turn, offered the United Nations an opportunity to contribute to the securement of stability and security in the Central American region.⁶⁰ In order to properly secure all of these objectives, the United Nations stressed that "the elections held in March 1994 be free and fair" and part of a process of protecting human rights, demilitarisation, reintegration and reconciliation.⁶¹

During its decade-long insurgency, the FMLN had gradually moved from demanding participation in a power-sharing government to advocating democratic elections in El Salvador as a way of ending the civil war.⁶² The peace agreements were thus a basic bargain: "in exchange for serious reforms, the rebels agreed to contest power through elections instead of by demanding a share of power."⁶³ Its involvement in the peace process reflected its commitment

⁵⁶ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador (ONUSAL)", S/25006, 23 December 1992, p. 1.

⁵⁷ "Geneva Agreement", in United Nations, *El Salvador Agreements: The Path to Peace*, (New York: United Nations, 1992), p. 1.

⁵⁸ Security Council Resolution 832 (1993) of 27 May 1993.

⁵⁹ "First Report of the United Nations Observer Mission in El Salvador", A/45/1055 and S/23037 Annex, 16 September 1991, p. 5.

⁶⁰ Report of the Secretary-General, "Central America: Efforts Towards Peace", S/22031, 21 December 1990, p. 2, asserts the conviction that the peace processes in the Central American states were intertwined, and that stability and reintegration in one would have a positive impact on the others.

⁶¹ Security Council Resolution 888 (1993) 30 November 1993.

⁶² The FMLN had advocated a power-sharing agreement since the La Palma talks in October 1984, but surprised observers by dropping this demand in a January 1989 communique proposing its participation in the 19 March presidential elections in exchange for security guarantees and a six-month postponement of the elections.

⁶³ Linda Robinson, "Why Central America is Still Not Democratic", *SAIS Review*, Vol. 12, No. 2, Summer-Fall 1992, p. 89.

to pursue its socialist objectives within the political system, by "achieving, through political struggle, the establishment of a regime that guarantees, for all Salvadorans, economic development with democracy and social justice."⁶⁴ The peace process granted the FMLN security, an amnesty on political crimes,⁶⁵ and offered its cadres and supporters economic, social and political reintegration.⁶⁶ Ending the war and securing democratic legitimacy through elections also offered the FMLN the opportunity to end what it saw as imperialistic United States sponsorship of the incumbent government.⁶⁷ It had long advocated "a solution among Salvadorans,"⁶⁸ and elections offered just such a solution. By entering the peace process, demobilising, and transforming into a political party, the "FMLN...demonstrated will and determination to resolve [the] country's problems democratically through political means, abandoning armed confrontation and conflict."⁶⁹ The FMLN believed it would win the democratic elections⁷⁰ by reaping the benefits of popularity having laid down its weapons in response to the peoples' desire for peace.⁷¹ Long attentive to popularity, the FMLN had as early as 1987 "humanised the conditions of war [to] reduce its economic, social and political impact."⁷²

⁶⁴ "FMLN Communique", S/26371, 30 August 1993 Annex II, p. 6.

⁶⁵ See "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/23999, 26 May 1992, pp. 10-11.

⁶⁶ See "Transfer of Land Program" and "Reintegration Programs" in "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25812, 21 May 1993, pp. 14, 16, 17.

⁶⁷ Yvon Grenier, "Understanding the FMLN: A Glossary of Five Words", *Conflict Quarterly*, Vol. 11, No. 2, Spring 1991, p. 54.

⁶⁸ "Proposal of the FMLN/FDR", *Latin American Perspectives*, Issue 55, Vol. 14, No. 4, Fall 1987, p. 486.

⁶⁹ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25812, 21 May 1993, p. 24.

⁷⁰ Robinson, "Why Central America is Still Not Democratic", *op. cit.*, 1992, p. 89.

⁷¹ Grenier, "Understanding the FMLN", *op. cit.*, 1991, p. 57.

⁷² "Proposal of the FMLN/FDR", *op. cit.*, 1987, p. 484.

6.2.2: Interaction Mechanisms

The United Nations saw that the viability of the elections and the durability of the result depended on a fair and genuine electoral competition to which the contestants, especially the FMLN, agreed, and the establishment of a democratic tradition in Salvadoran society.⁷³ Not long after the signing of the peace agreement, "[o]bstacles, including differences in the interpretation of the agreements,"⁷⁴ appeared, threatening to stall the peace agreement. ONUMOZ began to work closely with the parties through the mechanism of COPAZ (Comision Nacional para la Consolidacion de la Paz), on which the government and FMLN were represented,⁷⁵ to amend the electoral code and laws,⁷⁶ and secure consensus on the rules and conduct of the election.⁷⁷ COPAZ also provided a mechanism through which the FMLN could observe the peace process and the conduct of the elections and air any problems it had with the process directly to the international observers and to the incumbent.⁷⁸ ONUSAL also worked closely with the Supreme Electoral Tribunal, the body responsible for conducting the elections, to ensure a comprehensive update of the electoral roll,⁷⁹ and with the Board of Vigilance to ensure free and fair electoral participation.⁸⁰

⁷³ See "Statement of the Secretary-General at the Ceremony Marking the End of the Armed Conflict in El Salvador, San Salvador, 15 December 1992", S/25006 Annex I, 23 December 1992, p. 4.

⁷⁴ Report of the Secretary-General, "The Situation in Central America: Procedures for the Establishment of a Firm and Lasting Peace and Progress in Fashioning a Region of Peace, Freedom, Democracy and Development", A/47/739 and S/24871, 30 November 1992, p. 7.

⁷⁵ See "Act of New York I, Signed by the Government of El Salvador and the FMLN", S/23402 Annex, 10 January 1992.

⁷⁶ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/23999, 26 May 1992, p. 13.

⁷⁷ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25812, 21 May 1993, p. 19.

⁷⁸ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/1994/375, 31 March 1994, p. 4.

⁷⁹ "Mexico Agreements" in *El Salvador Agreements*, *op. cit.*, 1992, pp. 16, 19, 24.

⁸⁰ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/26606, 20 October 1993, p. 1.

Throughout the process, ONUSAL's Electoral Division maintained constant, active contact with these bodies, as well as "periodic meetings with political parties...at the central and local levels in order to discuss ongoing problems and viable solutions...with a view to solving any possible problem arising from the electoral process."⁸¹ ONUSAL's peacekeepers and police monitors moved to allay long-standing FMLN fears about vulnerability to death squads⁸² closely monitoring the conduct of the security forces and acting vigorously to uphold human rights and investigate violations.⁸³ In the resulting "prevailing atmosphere of freedom of expression and respect for political rights, the political parties...engaged in a lively public debate over issues, candidates and alliances."⁸⁴ As problems were encountered with the implementation of the broader peace agreements during the run-up to the elections, ONUSAL held a high-level meeting between the government and the FMLN, "at which it was agreed to 'sweep the table clean' with respect to outstanding agreements."⁸⁵ ONUSAL's Electoral Division maintained a close monitoring presence over all five stages of the electoral process: the establishment of offices; voter registration; campaigning; balloting and counting; and the Presidential run-off.⁸⁶ Its comprehensive monitoring of the process ensured a greater number of the electorate voted,⁸⁷ and that the results were accepted by all parties.

⁸¹ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/1994/304, 16 March 1994, p. 2.

⁸² Since at least 1986, the FDR, then the FMLN's political wing, claimed that it wished to contest elections but was unable to return to El Salvador because of the certainty of revenge by the Death Squads. See Thomas P. Anderson, "El Salvador's Dim Prospects", *Current History*, Vol. 85, No. 507, January 1986, p. 36.

⁸³ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/23999, 26 May 1992, p. 6.

⁸⁴ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25812, 21 May 1993, p. 3.

⁸⁵ "Further Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/26790, 23 November 1993, p. 2.

⁸⁶ "Further Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/26790, 23 November 1993, p. 17.

⁸⁷ Some 1,500,000 voters participated, an increase of over 400,000 on the elections of 1989 and 1991. See "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/1994/375, 31 March 1994, p. 1.

The FMLN's acceptance of the electoral mechanism had been growing throughout its insurgency, first offering to participate in the March 1989 elections and then declaring a ceasefire during the March 1991 elections. As a rebel group engaged in a bitter civil war, however, the FMLN's agreement to participate depended on assurances that the elections would be fair and free from revenge or violence.⁸⁸ The peace agreements, having established these guarantees, secured its assurance that "[a]rmed conflict is a thing of the past; we have completely abandoned it and do not consider it a valid option in this new phase."⁸⁹ The agreements, in return for the "cessation of armed conflict [granted]...the right [to] the FMLN to full political participation, without any restrictions."⁹⁰ The government insisted that the FMLN's status as a legal political party depended on its disarmament;⁹¹ after some false starts, the FMLN disarmed and launched itself as a political party on 23 May 1992.⁹² After being granted full legal status as a political party, the "FMLN ended its military structure and adopted that of a political organisation."⁹³ As a political party, the FMLN was granted access to a series of legal radio and television frequencies,⁹⁴ and assured security and access to finances and expertise for campaigning. The FMLN's vigorous campaigning soon convinced the government and the United Nations of its "impressive demonstration of the will...to consolidate peace in [the] country."⁹⁵ Its commitment to the elections led to its acceptance of its defeat,⁹⁶ and its energetic

⁸⁸ Grenier, "Understanding the FMLN", *op. cit.*, 1991, p. 62.

⁸⁹ "FMLN Communique", S/26371 Annex II, 30 August 1993, p. 6.

⁹⁰ Chapter VI, "El Salvador Agreements", *op. cit.*, 1992, pp. 86-7.

⁹¹ This insistence was based on Article 7 of the Constitution of El Salvador, which bans the existence of armed political groups. See "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/24833, 23 November 1992, p. 14.

⁹² "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/23999, 26 May 1992, p. 11.

⁹³ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25812, 21 May 1993, p. 17.

⁹⁴ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25812, 21 May 1993, p. 18.

⁹⁵ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/24833, 23 November 1992, p. 16.

⁹⁶ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/1994/375, 31 March 1994, p. 7.

canvassing netted it enough seats in the National Assembly to give it a significant impact on the government.⁹⁷ The fact that it gained - and was content to settle for - a significant voice in opposition must be factored in to the FMLN's cooperation with the elections, their results, and the aftermath. The FMLN's acknowledgment of the results and commitment to work for reform within the democratic system,⁹⁸ marked the relinquishment of its status as an insurgent movement, and the end of the Salvadoran civil war.

6.2.3: Instrumentality

ONUSAL's Electoral Division was to prove essential to the smooth running of the electoral process and the final acceptance of the results. Both the Salvadoran government⁹⁹ and COPAZ¹⁰⁰ requested United Nations oversight of the elections; and the unacceptability of ONUCA to the FMLN¹⁰¹ meant that ONUSAL's role as the monitoring presence was inevitable and accepted by the major parties. A technical mission sent in April 1993 contended that proper observation "requires wide geographical and chronological coverage in order to monitor the conformity of electoral practice to patterns implicit in free and fair elections."¹⁰² The Security Council acquiesced, introducing 900 electoral observers, to cover the 355 polling stations, observe counting and monitor the campaign, some ten months before the elections.¹⁰³ ONUSAL observed rather than conducted the elections, and retained a subordinate, advisory and monitoring relationship with the Supreme Electoral Tribunal; the Electoral Division was to

⁹⁷ "El Salvador: Hope", *The Economist*, 26 March 1994, p. 78.

⁹⁸ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/1994/536, 4 May 1994, p. 2.

⁹⁹ Security Council Resolution 832 (1993) 27 May 1993.

¹⁰⁰ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/24833, 23 November 1992, p. 16.

¹⁰¹ The FMLN distrusted ONUCA, which had been introduced to halt clandestine arms flows into El Salvador without the FMLN's agreement in November 1989.

¹⁰² "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25812, 21 May 1993, p. 19.

¹⁰³ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25812/Add.1, 24 May 1993, p. 1.

monitor campaigning, balloting and counting, to receive complaints and to "convey [irregularities], as appropriate, to [the] electoral authorities."¹⁰⁴ ONUSAL maintained close contact with the electoral bodies and the parties,¹⁰⁵ continued to mediate and address disagreements or irregularities in the process,¹⁰⁶ and renegotiated and kept the parties to the timetable for the peace process.¹⁰⁷ It maintained its pressure on the FMLN to disarm fully,¹⁰⁸ while assuring its safety by closely monitoring the security forces.¹⁰⁹ ONUSAL monitored the campaigning and electoral rallies;¹¹⁰ the fairness of the political advertising;¹¹¹ the security of the balloting; and the fairness of the counting.¹¹² It is likely that without this constant, energetic observer presence, the Salvadoran elections would have run into serious problems and lost much of their domestic and international credibility.

As the sole insurgent movement, the FMLN was an essential participant in the elections designed to bring an end to the civil war. It had not been consulted during the Esquipulas peace process, and had continued the insurgency despite the efforts of the regional peace process and

¹⁰⁴ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25812, 21 May 1993, pp. 21-2.

¹⁰⁵ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/1994/179, 16 February 1994, p. 1.

¹⁰⁶ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/23999, 26 May 1992, p. 1.

¹⁰⁷ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/24833, 23 November 1992, p. 2.

¹⁰⁸ "Letter Dated 29 January 1993 From the Secretary-General Addressed to the President of the Security Council", S/25200, 29 January 1993, p. 1.

¹⁰⁹ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25812, 21 May 1993, p. 7.

¹¹⁰ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/1994/179, 16 February 1994, p. 7.

¹¹¹ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/1994/304, 16 March 1994, p. 4.

¹¹² "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/1994/375, 31 March 1994, pp. 2-3.

the ONUCA peacekeeping force.¹¹³ Its cooperation with the peace process had only been secured after it had negotiated directly with the government, and become a signatory to the Geneva, Mexico, New York and Chapultepec Agreements. It was also apparent that the elections that had been held in El Salvador in 1984, 1985, 1989 and 1991, without the participation or agreement of the FMLN, had done little to stop the civil war. As long as it was excluded from the electoral process, the FMLN could claim that the elections were fraudulent and meaningless without the participation of the FMLN, the authentic leftist opposition in El Salvador.¹¹⁴ The FMLN's position as a participant in the electoral process was justified by its signature of the peace agreement, and its acceptability as a political party enhanced by its observance of the ceasefire, its eventual disarmament, its evident commitment to peace, and its cooperation with the peace process. These factors made the FMLN a legitimate and important participant in the elections.

6.2.4: Impartiality

As a process of resolution of a long and bitter civil war for control of El Salvador, the election process inevitably ran into difficulties "from efforts by each side to extract the maximum advantage from implementation of these accords."¹¹⁵ It was inevitable both sides would not only try to manipulate the ONUSAL observer presence, but also that they would be extremely watchful for any evidence of bias against them. From the outset, ONUSAL was aware of the need to adhere rigidly to the provisions of the Agreements, allowing neither side to default, and convinced "that one breach of the Agreements cannot be used to justify another."¹¹⁶ Furthermore, it needed to ensure "that measures and decisions made by all electoral authorities

¹¹³ H. P. Klepak, "Peacekeeping in Central America" in David A. Charters (ed), *Peacekeeping and the Challenge of Civil Conflict Resolution* (New Brunswick: University of New Brunswick, 1994), p. 91.

¹¹⁴ Grenier, "Understanding the FMLN", *op. cit.*, 1991, p. 62.

¹¹⁵ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25812, 21 May 1993, p. 24.

¹¹⁶ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/23999, 26 May 1992, p. 14.

[were] impartial and consistent with the holding of free and fair elections."¹¹⁷ Perceptions of the impartiality of the ONUSAL Electoral Division were assisted by the impartial operation of ONUSAL's other components,¹¹⁸ and its efforts to publicise its mandate and approach in the Salvadoran media.¹¹⁹ ONUSAL was aware of its responsibility to impartially detect and deter fraud and intimidation against any of the participants in the elections,¹²⁰ and more generally to uphold human rights standards,¹²¹ and guard against the resurgence of Death Squad or other violent activity.¹²² It was also required to ensure that no sections of the electorate were prevented from voting "so as to enable broad participation in the elections,"¹²³ and when difficulties arose registering voters from former conflict regions,¹²⁴ ONUSAL negotiated an extension of the registration deadline and assisted with the logistics of registration until 85% of eligible voters were registered.¹²⁵ ONUSAL's comprehensive presence deterred most of the intimidation and fraud during balloting, and it conducted a quick count to guard against fraud in the tallying of the vote.¹²⁶

¹¹⁷ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/1994/304, 16 March 1994, p. 1.

¹¹⁸ Report of the Secretary-General, "Central America: Efforts Towards Peace", S/22494, 16 April 1991, p. 2.

¹¹⁹ Note by the Secretary-General, "The Situation in Central America: Threats to International Peace and Security and Peace Initiatives", A/46/658 and S/23222, 15 November 1991, p. 2.

¹²⁰ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25812, 21 May 1993, p. 21.

¹²¹ "Letter Dated 3 November 1993 From the Secretary-General Addressed to the President of the Security Council", S/26689, 3 November 1993, p. 2.

¹²² Security Council Resolution 832 (1993), 27 May 1993.

¹²³ Security Council Resolution 888 (1993), 30 November 1993.

¹²⁴ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/26606, 20 October 1993, p. 3.

¹²⁵ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/1994/179, 16 February 1994, pp. 2-3.

¹²⁶ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/1994/375, 31 March 1994, p. 1.

While being committed to participating in the election process, the FMLN was both wary of its fairness and eager to maximise its electoral advantage. The United Nations had emphasised that the success of the peace process depended on the parties' confinement of their actions within the limits required "to foster political stability and [a] climate of detente and reconciliation."¹²⁷ The FMLN had demonstrated its commitment to the process and its willingness to cooperate with ONUSAL in the earlier stages of the peace process.¹²⁸ The process ran into trouble, however, as delays in the later stages of the peace process began to "undermine each side's confidence in the other's good faith."¹²⁹ Most significantly, the FMLN submitted what was discovered, after an explosion at a secret weapons dump in Managua, to be a "grossly inaccurate" weapons inventory,¹³⁰ and failed to meet its deadline for disarmament.¹³¹ This discovery came as a stroke of luck for ONUSAL; whereas a sophisticated and coordinated intelligence system would have alerted it to covert FMLN arms dumps without the need to rely on luck or honesty. Nevertheless, the FMLN was held to account for these breaches by ONUSAL and explained that it had wished to retain some weapons as "a last negotiating card in order to guarantee peace and the conclusion of the agreements [because of] a profound mistrust of the armed forces."¹³² These revelations galvanised the international community and domestic parties into action. The Security Council issued a stern demand for the FMLN's full compliance with the disarmament process, while the United States and Contadora Group began to apply diplomatic pressure to the FMLN leadership, and Honduras and Nicaragua pledged to support

¹²⁷ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador (ONUSAL)", S/25006, 23 December 1992, p. 3.

¹²⁸ Note by the Secretary-General, "The Situation in Central America: Threats to International Peace and Security and Peace Initiatives", A/45/1055 and S/23037, 16 September 1991, p. 5.

¹²⁹ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/23999, 26 May 1992, p. 13.

¹³⁰ At first ONUSAL's suspicions were raised by the poor quality and few weapons surrendered (see "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/24833, 23 November 1992, p. 4); and then discovered significant arms caches that had been undeclared by the FMLN; see "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25901, 8 June 1993, p. 2.

¹³¹ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/23999, 26 May 1992, p. 3.

¹³² "Letter Dated 16 July 1993 From the Co-Ordinator-General of the *Frente Farabundo Marti para la Liberacion Nacional* (FMLN) Addressed to the Secretary-General", S/26005 Annex II (A), 29 June 1993, p. 6.

ONUSAL's efforts in tracking down the remaining weapons dumps.¹³³ Perhaps the gravest warning to the FMLN came from the incumbent government, which warned that, according to Salvadoran law, the FMLN, as an armed group, could not be a legal political party. This violation of the peace agreements called into question the ability of the FMLN to participate in the elections and threatened to "affect the credibility of the entire peace process."¹³⁴ ONUSAL, desperate "to avoid a disruption of the electoral process, in which it is essential that the FMLN have every opportunity to participate,"¹³⁵ through COPAZ, negotiated an agreement with the FMLN leadership in San Salvador on 16 August 1993 in which they pledged full disarmament.¹³⁶ After this, it had relatively little trouble in finally securing and verifying the full disarmament of the FMLN,¹³⁷ apart from those members charged with ensuring the security of its leaders.¹³⁸ Thus although operations "in an atmosphere of deep distrust" attracted "threats against the security of [ONUSAL] and its personnel,"¹³⁹ the FMLN's genuine commitment to the integrity of the election process made it keep its actions within the limits required by the election process.

6.2.5: Timing

The FMLN's commitment to elections instead of insurgency reflected a conscious decision based on its worsening military position. It "had no prospect of prevailing militarily or

¹³³ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/23999, 26 May 1992, p. 14.

¹³⁴ "Letter Dated 11 June 1993 From the President of the Republic of El Salvador Addressed to the Secretary-General", S/26005 Annex IV, 29 June 1993, p. 15.

¹³⁵ "Further Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/26005, 29 June 1993, p. 4.

¹³⁶ "Further Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/26371, 30 August 1993, Annex, p. 4.

¹³⁷ "Further Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/26371, 30 August 1993, p. 4.

¹³⁸ "Further Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/26790, 23 November 1993, p. 16.

¹³⁹ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/23999, 26 May 1992, p. 15.

of inspiring a civil uprising against the Salvadoran government,"¹⁴⁰ and had watched the waning fortunes of Marxist regimes in the Soviet Union, Eastern Europe, and Nicaragua. It had also watched its rural support base diminish as the civil war it waged sabotaged the economy and infrastructure and brought poverty or refugee status to especially less privileged Salvadorans.¹⁴¹ The desire for peace became the issue attracting greatest popular support,¹⁴² and the popularity of the pacifist, moderate centre had expanded at the expense of both the extreme left and right.¹⁴³ The FMLN's interest in previous elections, its attempts to disrupt their progress, and its increasingly vociferous rejections of their results suggested its growing fear of being marginalised by the burgeoning democratic process. Impressed by the strong showing of the leftist FDR in the 1991 elections, the FMLN realised that participating in elections were the only way to relieve its military predicament while electorally capitalising on its part in bringing peace to El Salvador. Its military position and resulting political calculations in these ways strengthened the FMLN's genuine commitment to participation in the elections.

6.2.6: Support and Isolation

In sponsoring and monitoring a post-civil war election in El Salvador, the United Nations appealed to "all States, as well as...international institutions...to contribute generously in support of the execution of the Peace Accords."¹⁴⁴ The New York Agreement itself urged that "COPAZ...be endorsed by Governments which are in a position to support effectively the guarantee required under the agreements as well as the work of COPAZ."¹⁴⁵ In such a long and delicate conflict resolution process, when "action or inaction on the part of one of the

¹⁴⁰ Joseph G. Sullivan, "How Peace Came to El Salvador", *Orbis*, Vol. 38, No. 1, Winter 1994, p. 85.

¹⁴¹ Department of Social Sciences Universidad de El Salvador, "An Analysis of the Correlation of Forces in El Salvador", *Latin American Perspectives*, Issue 55, Vol. 14, No. 4, Fall 1987, p. 431.

¹⁴² Jose Napoleon Duarte's 1984 election victory and Alfredo Christiani's 1986 victory were both won on pledges to seek an end to the civil war.

¹⁴³ Jose Z. Garcia, "Democratic Consolidation in El Salvador", *Current History*, Vol 87, No. 533, December 1988, p. 422.

¹⁴⁴ Security Council Resolution 832 (1993) of 27 May 1993.

¹⁴⁵ "New York Agreement", S/23402 Annex, 10 January 1992, p. 15.

parties...put the process at serious risk," ONUSAL was reliant on "unstinting help from...interested governments to get the process back on track."¹⁴⁶ The United Nations found such strong support for ONUSAL's efforts forthcoming from "a number of governments that...lent assistance through their own channels of communication with the parties, as well as financially and logistically."¹⁴⁷ This helped it influence the FMLN back into the peace process at those times when its full cooperation was not forthcoming.

The regional governments of Costa Rica, Honduras, Guatemala and Nicaragua had played a pivotal role in the peace process from the outset, and regularly pressured the FMLN to permit "the achievement of a firm and lasting peace in the region, [by] refrain[ing] from obstructing the elections, abandon[ing] the armed struggle and join[ing] the democratic process."¹⁴⁸ In particular, Honduras and Nicaragua, which had FMLN bases on their territory, were able to threaten the FMLN with their closure and expulsion during times when it was not cooperating.¹⁴⁹ Sustained support also came from the "friends of the Secretary-General", Colombia, Mexico, Spain and Venezuela, all of whom exploited their contacts with the parties in support of ONUSAL's efforts, to facilitate communication between the FMLN, the United Nations and the United States, as well as contributing needed resources to the peace process.¹⁵⁰ The United States, eager for a new era of inter-American cooperation, lent financial support to the process while reassuring the FMLN of its moderating effect on the incumbent government which it had supported for so long.¹⁵¹ ONUSAL was also able to rely on the expertise and support of other intergovernmental and non-governmental organisations, which mobilised some

¹⁴⁶ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/24833, 23 November 1992, p. 17.

¹⁴⁷ Report of the Secretary-General, "Central America: Efforts Towards Peace", S/23402, 10 January 1992, p. 5.

¹⁴⁸ "Declaration on the Situation in El Salvador", A/45/906 and S/22032 Appendix, 21 December 1990, p. 19.

¹⁴⁹ "Salvador Accord Aims at Quick End to Long Civil War", *New York Times*, 2 January 1992.

¹⁵⁰ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/24833, 23 November 1992, p. 17.

¹⁵¹ Especially during the latter stages of the peace process, State Department officials established regular contacts with the FMLN to assure it of its restraining influence on the government. See Pamela Constable, "At War's End in El Salvador", *Current History*, Vol. 92, No. 572, March 1993, p. 107.

2,000 independent observers to complement the Electoral Division's monitoring efforts.¹⁵² Such an extent of international support for the peace process not only assembled the necessary resources for ONUSAL's election monitoring, but signalled to the participants the extent of international interest in the successful culmination of the peace process.

Part of the FMLN's military calculus that it would lose less and gain more from abandoning the insurgency and competing in elections was influenced by its gradual abandonment by its previously steadfast external sponsors. As a Marxist insurgency against a United States-backed government in the Americas, the FMLN had since its inception been provided with generous support by the Soviet Union, Eastern Europe, Cuba and the Nicaraguan Sandanistas. Soviet support began to wane as Gorbachev's "new thinking" sought to eliminate sources of tension in East-West relations and withdraw support from areas of confrontation with the United States. The end of the Cold War and the decline of the Warsaw pact suspended arms shipments from Eastern Europe to the FMLN. The Sandanista's February 1990 electoral defeat to the UNO coalition in Nicaragua ended official Nicaraguan support for the FMLN, although continuing Sandanista control of the Nicaraguan armed forces meant that covert unofficial shipment continued for some time.¹⁵³ After the failure of its November 1990 offensive, the FMLN lost the support of the increasingly beleaguered Cuba.¹⁵⁴ Its gradual starvation of support and resources left the FMLN, fighting an insurgency against strongly-supported, well trained government forces, in an increasingly bleak military situation. As it surveyed an international system in which the left was almost universally opting to compete in democratic elections,¹⁵⁵ the FMLN concluded that entering the peace process and elections was the best way to relieve its military plight and thereby gain international legitimacy to offset its isolation.

¹⁵² "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/1994/304, 16 March 1994, p. 3.

¹⁵³ General Humberto Ortega, brother of former Sandanista President Daniel Ortega, continued as Chief of the Nicaraguan armed forces, and in December 1990, following discoveries of arms flows during the FMLN's Fall 1990 campaign by ONUCA, the Sandanistas admitted to having supplied the FMLN with weapons, but that the shipments had stopped. Newly-elected President Violetta Chamorro pledged to halt all supplies to the FMLN.

¹⁵⁴ Patrick Brogan, *World Conflicts: Why and Where They Are Happening*, (London: Bloomsbury, 1992), p. 447.

¹⁵⁵ Robinson, "Why Central America is Still Not Democratic", *SAIS Review*, Vol. 12, No. 2, Summer-Fall 1992, p. 82.

6.2.7: Cohesion

The ONUSAL operation's ability to monitor the elections and the entire peace process was strengthened by cohesive international support for its existence and mandate within the United Nations. In comparison with other peacekeeping missions, ONUSAL's "degree of international support, both in terms of international resources and of attention, [was] one of the most important determinants of the peace in El Salvador."¹⁵⁶ The Security Council, despite "[s]tressing the necessity...to continue to monitor expenditures carefully during this period of increasing demands on peacekeeping resources,"¹⁵⁷ committed itself to a large peacekeeping presence to oversee a protracted peace process in a region in which it had already established two other peacekeeping operations, ONUCA and ONUVEN. Member-State cohesion behind the ONUSAL operation was a product of several factors. El Salvador's civil war represented one of the obstacles to greater international cooperation in the hiatus period of the "new world order" after the conclusion of the Gulf War, and the newly invigorated Security Council was eager to remove it from the international agenda. The United Nations' close involvement in the regional peace process, and Secretary-General Perez de Cuellar's intense personal dedication to the Salvadoran mediation increased the Organisation's determination to see the process to a successful conclusion.¹⁵⁸ The peace process was supported by every major actor with an interest in the conflict,¹⁵⁹ eliminating significant dissension within the international community. This cohesion enabled the Security Council to grant ONUSAL the necessary resources, mandate extensions and support required to oversee the peace process properly.

¹⁵⁶ *ibid.*, p. 92.

¹⁵⁷ Security Council Resolution 832 (1993) of 27 May 1993.

¹⁵⁸ Interview with Michel Pelletier, Department of Peacekeeping Operations, United Nations Headquarters, New York City, 30 March 1994.

¹⁵⁹ Cuba's presence as a non-permanent Security Council member in 1991 created some minor debate early in ONUSAL's deployment.

The FMLN had always operated as a loose umbrella organisation of five guerrilla groups with close ideological agreement and a consultative, decision-making high command.¹⁶⁰ It had also established close links with the FDR (*Frente Democrático Revolucionario*), a front uniting all of the exiled leftist opposition, led by former Christian Democrats Guillermo Ungo and Ruben Zamora.¹⁶¹ As its military position worsened and democracy began to take hold in El Salvador, these alliances came under increasing strain, as the FMLN held out for military adjustment of the correlation of forces, while the FDR leaders opted more and more for participating in elections, finally competing in the 1991 elections as the *Convergencia Democrática* (CD) party.¹⁶² By the time it signed the Chapultepec Agreement, therefore, the FMLN had come to see ending the insurgency and competing in democratic elections as a way of forestalling this factionalism and regaining its former cohesion. The prospect of a concerted left challenging the right electorally proved a force for cooperation. A growing number of broadcasts from Radio Venceremos, the FMLN radio station, during 1991 and 1992 had begun to appeal for leftist solidarity during elections, in order to "win the elections, change the laws, and eventually change the country."¹⁶³ The FMLN duly combined with the CD and other leftist parties to form a Coalition to contest the Presidential elections. At a National Convention, the FMLN elected a 15-member National Committee and debated its political organisation, as a method of retaining its cohesion after abandoning its military structure.¹⁶⁴ It was able to maintain the discipline, to the benefit of a peaceful election process and the durability of the results.

The elections in El Salvador did eventuate as the culmination of the peace process that the international community had hoped for. Having expended so much time and effort on the resolving the wars in Central America, the United Nations had little hesitation in sustaining its

¹⁶⁰ Michael Radu, "The Structure of the Salvadoran Left", *Orbis*, Vol. 28, No. 4, Winter 1985, p. 677.

¹⁶¹ Fransisco A. Alvarez, "Transition Before the Transition: The Case of El Salvador", *Latin American Perspectives*, Issue 56, Vol. 15, No. 1, Winter 1988, p. 83.

¹⁶² Garcia, "Tragedy in El Salvador", *op. cit.*, 1990, p. 10.

¹⁶³ "Peace Finds Guerrillas Off Guard", *Washington Post*, 13 January 1992.

¹⁶⁴ "Report of the Secretary-General on the United Nations Observer Mission in El Salvador", S/25812, 21 May 1993, p. 17.

commitment to an extent necessary to ensure a smoothly-run, fair election. There was little disagreement within the United Nations that successful election would tie the incumbents and insurgents into the same political process, and thereby permanently end the civil war. But the elections' success was based primarily on the FMLN's acceptance of its electoral defeat and its decision to remain within the democratic system as part of the loyal opposition. After a long negotiations and peace process, the FMLN had come to accept that a transformation in the political system would eventually lead to the socio-economic transition that it had long fought for. This philosophy, and the FMLN's understanding of the democratic tradition and its concept of loyal opposition, which arose from the experience of many FMLN leaders in the Salvadoran political system before the insurgency, is rare among insurgent movements. The FMLN, during and after the insurgency, had always believed in the importance of popular endorsement and support, whether in a general insurrection or a general election. Hence, it was not difficult for the FMLN to embrace democracy. ONUSAL's and the FMLN's approaches to the elections process thus showed a high level of complementarity.

The success of the elections, however, depended on the quality and acceptability of the electoral process. The FMLN's acceptance of the results was based on its recognition of the fairness of the process, which was largely due to ONUSAL's comprehensive monitoring. The elections process allowed the FMLN a significant voice in the conduct of the voting and counting, and its performance guaranteed it a significant political voice, safe from reprisals. The election monitoring framework reveals that the effectiveness of their interaction was to a large extent based on the further coincidence of their approaches to their interaction, and facilitated their cooperation in implementing the Agreements. Agreement on the objectives and mechanisms of the election built a strong base of cooperation: while the United Nations hoped to reintegrate Salvadoran society democratically, the FMLN was interested in safely rejoining the political system as much as winning political power. This agreement on reintegration convinced both of the other's instrumentality to the process. The size, expertise, and close involvement of ONUSAL's electoral component was particularly important in reassuring the FMLN as to the fairness of the elections. The delicacy of the electoral process made the FMLN's participation and acceptance of the results dependent on its belief in the impartiality of the ONUSAL monitors. Of particular importance to the viability of the election results was the FMLN's

complete disarmament and demobilisation. ONUSAL's insistence on full disarmament before the elections made it much more difficult for the FMLN to unfairly manipulate voters, or to repudiate the elections and resume its insurgency, if it had wanted to. The vigour and diligence with which the monitors observed the election ensured all parties' commitment to impartial behaviour. The FMLN's growing isolation, loss of popular support, increasing factionalism and worsening military situation made the timing of the election proposals propitious for its cooperation, while ONUSAL was able to rely on cohesive international support for its efforts. High levels of correlation on these components of the peace process contributed heavily to the success of the El Salvador's first post-civil war elections.

6.3: Unita and the Angolan Elections: War By Other Means

The Angolan civil war occupied from the outset a prominent position in international relations, as a flashpoint in the relations between the superpowers, one of the detonators of the second Cold War,¹⁶⁵ and one of the nodes of the volatile southern African security complex. Since gaining independence from Portugal in 1975, Angola had been riven by a destructive civil war¹⁶⁶ between the Marxist MPLA¹⁶⁷ government and the *Uniao Nacional para a Independencia Total de Angola* (Unita) insurgent movement. Unita was formed in 1966 when its leader, Jonas Savimbi, split from the FNLA¹⁶⁸ after a personality clash with FNLA leader Holden Roberto. Educated in Europe and militarily trained in China, Savimbi soon established a strong base among the Ovimbundu tribe, the largest in Angola.¹⁶⁹ Unita was rigidly controlled by a brutal internal discipline,¹⁷⁰ and its command structure highly centralised around the

¹⁶⁵ See Fred Halliday, *The Making of the Second Cold War*, (London: Verso, 1986).

¹⁶⁶ For a full account of the war, see Oliver Furley (ed), *Conflict in Africa*, (London: British Academic Press, 1994).

¹⁶⁷ *Movimento Popular para a Libertacao de Angola*, founded in 1956 by Agostinho Neto to struggle against Portuguese rule.

¹⁶⁸ *Frente Nacional da Libertacao de Angola*, formed in 1962 to fight the Portuguese.

¹⁶⁹ Peter Hawthorne, "Guerrillas Who Will Not Give Up", *Time Magazine*, 18 June 1979.

¹⁷⁰ Unita has been dogged by repeated revelations of internal purges against dissenters. The best known was the executions in 1989 of security chief Tito Chingunji and military aide Wilson dos Santos.

personality cult of Savimbi.¹⁷¹ It soon based its 30,000-strong regular army around the base at Jamba in south-eastern Angola, where, under the protection of the South African air force, it carved out its *Terras Libres de Angola*, complete with hospitals, weapons factories, and training camps.¹⁷² From this territory, it was able to generate funds for its war by exploiting the diamond mines and hunting elephants for ivory. Unita's defence and development of a proto-State in this "liberated zone", along with a burgeoning international diplomatic network,¹⁷³ conferred some attributes of sovereignty on the organisation. While its regular army waged a conventional war for position in the south-east, Unita's 35,000-strong carried out economic attacks to destabilise the government in the rest of Angola.¹⁷⁴ Unita's military successes against the massive MPLA-Cuban-Soviet war effort were dependent on the United States¹⁷⁵ for weapons,¹⁷⁶ aid, and military intelligence from the Defence Intelligence Agency.¹⁷⁷ South Africa provided vital logistical and materiel assistance, as well as deploying its own troops, artillery, and air force to fight alongside Unita.¹⁷⁸ The war in Angola had become not only a brutal conflict, but a permanent source of tension between the superpowers, South Africa, and Cuba.

The late 1980s had seen progress in a long process of international disentanglement from Angola and Namibia,¹⁷⁹ and the beginnings of negotiations between the Angolan government and Unita. These culminated in the signing in Portugal of the May 1991 *Accordos da Paz*, mediated by the United States, the Soviet Union, and Portugal, in which both sides agreed to

¹⁷¹ Jacques Baumgartner, "Unita: The Imponderable in Angola", *Swiss Review of World Affairs*, October 1988.

¹⁷² Patrick E. Tyler, "The Rebels: Unita's State Within a State Thriving", *Washington Post*, 28 July 1986.

¹⁷³ Unita regularly sent delegates to the United Nations, and kept "embassies" in Washington D. C. and Lisbon.

¹⁷⁴ Allister Sparks, "Toll Rises in Angola's Civil War", *Washington Post*, 15 March 1987.

¹⁷⁵ US support for Unita has been estimated to have averaged at \$15 million per year during the 1980s.

¹⁷⁶ Of particular use to Unita were shipments of Stinger anti-aircraft and TOW antitank missiles.

¹⁷⁷ David B. Ottaway and Patrick E. Tyler, "Superpowers Raise Ante As Fighting Intensifies", *Washington Post*, 27 July 1986.

¹⁷⁸ Patrick E. Tyler, "Rebel Success Turns on South African Aid", *Washington Post*, 30 July 1986.

¹⁷⁹ The Brazzaville Accord between South Africa, Angola and Cuba, mediated by the United States, was signed on 13 December 1988 linking the withdrawal of Cuban troops from Angola to South African withdrawal and independence for Namibia.

stop fighting, disarm and form a new combined army, and contest general elections by November 1992. Following a request by the Angolan government and within the peace accords for United Nations verification of the peace process,¹⁸⁰ the Security Council acquiesced by expanding and updating the United Nations Angola Verification Mission (UNAVEM), already deployed to verify the Cuban withdrawal, to become UNAVEM II,¹⁸¹ which was duly mandated to observe the elections.¹⁸² The elections, held in September 1992, and won by the incumbent government, were rejected on the basis of fraud and intimidation by Unita, which resumed its insurgency to great effect, rapidly seizing 70% of Angola and beginning the most brutal phase of Angola's 31-year civil war. This section will apply the election framework to the Angolan elections to analyse the sources of the shortcomings of the process that allowed Unita to withdraw and resume the war.

6.3.1: Objectives

As one of the biggest causes of tension during the second Cold War, the Angolan civil war became an issue of prime concern for resolution as relations between the superpowers thawed. After the withdrawal of Soviet troops from Afghanistan, the withdrawal of Cuban troops from Angola became an important step towards closer superpower relations.¹⁸³ The wider international community was keen to further develop the southern African peace dynamic - the end of *apartheid* in South Africa, the independence of Namibia, and peace in Angola and Mozambique - and thereby eliminate an enduring source of tension and instability in international affairs. The interlinking of these conflicts caused the advancement of peace in one to impact positively on the others.¹⁸⁴ Angola's oil and diamond reserves also offered a rich

¹⁸⁰ "Peace Accords for Angola", S/22609 Enclosure, 17 May 1991, pp. 2-3.

¹⁸¹ Security Council Resolution 696 (1991) of 30 May 1991.

¹⁸² Security Council Resolution 747 (1992) of 24 March 1992.

¹⁸³ See Roger E. Kanet and Garth A. Katner, "From New Thinking to the Fragmentation of Consensus in Soviet Foreign Policy: The USSR and the Developing World" in Roger E. Kanet, Deborah Nutter Miner and Tamara J. Resler (eds), *Soviet Foreign Policy in Transition*, (Cambridge: Cambridge University Press, 1992), p. 129; and Mikhail Gorbachev, "International Affairs: Asia and the Pacific Region", Vladivostok, 28 July 1986, *Vital Speeches of the Day*, Vol. 52, No. 23, 15 September 1986, p. 711.

¹⁸⁴ Much of the linking was a result of the operation of the ANC and the PAC from sanctuaries in the frontline States and South Africa's response, to destabilise those States harbouring these groups.

resource base to potential trading partners.¹⁸⁵ Maintaining the momentum of the peace dynamic after the successful Namibia operation, the United States, Soviet Union and Portugal mediated a peace agreement between the government and Unita, which requested United Nations oversight of the peace process. Support for the update of UNAVEM to fulfil this request formed around the three mediating States. Zaire, South Africa, Cote d'Ivoire, Cape Verde, and Ghana took an interest in the process, as did Western Europe and Canada, who eventually sent independent observers to verify the elections. Having secured the withdrawal of Cuban troops and the independence of Namibia in 1989, the United Nations found itself obliged to contribute to the completion of the peace process in Angola. UNAVEM II was thus a product of coinciding, but vague interests among its sponsoring coalition, who were keen to conclude a peace process from which their attention had moved on as cheaply as possible.¹⁸⁶

Given these interests among the sponsoring coalition, the United Nations resolved to monitor the elections negotiated in the *Accordos da Paz* to conclude the peace process in Angola. The United Nations' ultimate objective in observing the Angolan elections was to help ensure their function as the culmination of the resolution process, with the scheduled "free and fair elections...[concluding] the full implementation of the Peace Accords for Angola."¹⁸⁷ Ideally, the United Nations hoped to leave Angola a reunified, territorially-integrated State, with a functioning democratic political process and an accepted government beginning the process of reconstruction.¹⁸⁸ It expressed support for the objectives of the Peace Accords in resolving the conflict,¹⁸⁹ and their use of elections rather than violence to settle the war.¹⁹⁰ As a method of adjudicating over the disputed location of power over the Angolan State, the United Nations

¹⁸⁵ So much so that even while it was supporting the Unita insurgents, the United States remained Angola's biggest trading partner for oil and related products.

¹⁸⁶ Thomas G Weiss and Meryl A. Kessler, "Resurrecting Peacekeeping: The Superpowers and Conflict Management", *Third World Quarterly*, Vol. 12, No. 3, July 1993.

¹⁸⁷ Statement by the President of the Security Council, 9 September 1992.

¹⁸⁸ Security Council Resolution 804 (1993) 29 January 1993.

¹⁸⁹ Security Council Resolution 747 (1992) of 24 March 1992.

¹⁹⁰ For example, Security Council debate at its 3168th Meeting, 29 January 1993, S/PV.3168, features almost universal agreement on the legitimacy of the electoral process as a substitute for warfare, and condemnation of Unita's rejection of the election results and its return to war.

committed itself to the result of the elections,¹⁹¹ to the irreversibility of the process,¹⁹² and to their use as an example for resolving other similar conflicts.¹⁹³ It wished to see not only the end of the war, but a centralisation and unification of the Angolan State, with "the extension of the Central Administration to those areas of Angola that are presently beyond the range of its authority."¹⁹⁴ It believed that the establishment of durable peace and stability in Angola would have a positive impact on the delicate processes of resolution in South Africa and Mozambique that were hoped to bring stability and peace to southern Africa.¹⁹⁵

Unita's objective in the peace process was to seize power over the Angolan State. It had advocated national reconciliation, power-sharing,¹⁹⁶ and elections for years,¹⁹⁷ believing that inevitable electoral victory over the vastly unpopular MPLA government¹⁹⁸ would secure what it had been fighting for since 1975. Elections would have the added advantage of giving its accession to power the international and domestic legitimacy that it had long craved.¹⁹⁹ The *Accordos da Paz* had secured for Unita what it had been fighting for: the holding of free and fair elections advocated, but never held, under the 1975 Alvor Agreement with Portugal.²⁰⁰

¹⁹¹ Security Council Resolution 785 (1992) of 30 October 1992.

¹⁹² Statement by the President of the Security Council, 3115th Meeting, 18 September 1992.

¹⁹³ Special Representative of the Secretary-General Margaret Anstee had planned to take the Angolan election monitoring team to oversee the Mozambican elections pending the successful conclusion of the Angolan process. As it turned out, the failure of the Angolan elections cast grave doubts over the similar process in Mozambique 18 months afterwards.

¹⁹⁴ "Peace Accords for Angola", S/22609 Enclosure, 17 May 1991, p. 50.

¹⁹⁵ Security Council Resolutions 696 (1991) of 30 May 1991 and 747 (1992) of 24 March 1992.

¹⁹⁶ Gillian Gunn, "Unfulfilled Expectations in Angola", *Current History*, Vol. 89, No. 547, May 1990, pp. 216-234.

¹⁹⁷ See "Unita Calls Off Offensive", *New York Times*, 10 March 1989.

¹⁹⁸ Unita calculated that the MPLA had become very unpopular because of the continuing war, the harshness of its rule, the failure of Marxist economics, and the growing number of revelations of embezzlement, corruption and fraud among Ministers.

¹⁹⁹ Keith Somerville, "Angola: An End to the Misery in Sight?", *The World Today*, Vol. 47, No. 5, May 1991, p. 73.

²⁰⁰ James Hamill, "Angola's Road From Under the Rubble", *The World Today*, Vol. 50, No. 1, January 1994, p. 7.

Democratic co-existence and loyal opposition were concepts that did not fit Unita's zero-sum perception of the struggle: the ethnic basis of the conflict,²⁰¹ the urban-rural rivalry,²⁰² and the intensity of the personal hostility between Unita's leadership and the government,²⁰³ meant that power was seen as the exclusive preserve of the victor, and a means of protection from the rival group.²⁰⁴

The *Accordos da Paz* reflected this in the way that it structured the electoral process as a once-off, "winner-take-all" contest, by ignoring questions of representation, national reconciliation, or minority guarantees for the post-election period, and in effect leaving the shape of the future Angolan State to be decided by the winner of the elections.²⁰⁵ Elections became a test of Unita's claim to have the support of the majority of Angolans, rather than the collection of *apartheid*-backed foreign mercenaries and thugs that the government portrayed it as.²⁰⁶ So sure was Unita of victory, that leader Jonas Savimbi declared at election rallies that the only way Unita could lose was by rigging the elections.²⁰⁷ Having failed to prevail through the electoral contest for power, then, Unita reverted to the military mechanism, rejecting the electoral results as fraudulent. Hence the objectives of UNAVEM II and Unita diverged: UNAVEM II wanted to establish a unified government and functioning democratic process, while Unita wanted power. Denied power, Unita rejected the interaction and its outcomes.

²⁰¹ Unita based its support and objectives on promoting the goals of the Ovimbundu, Chokwe, Ganguela and Ovambo tribes of the central Angolan highlands in their rivalry against coastal, white, and mixed-race Angolans. See Linda M. Heywood, "Unita and Ethnic Nationalism in Angola", *The Journal of Modern African Studies*, Vol. 27, No. 1, 1989, pp. 47-66.

²⁰² Unita exploited the widespread rural resentment that the MPLA government had failed to deliver even minimal assistance to rural Angolans (over three-quarters of the population) and their desires for an alternative government. See Gerald J. Bender, "Peacemaking in Southern Africa: The Luanda-Pretoria Tug-of-War", *Third World Quarterly*, Vol. 11, No. 2, April 1989, p. 17.

²⁰³ Hamill, "Angola's Road From Under the Rubble", *op. cit.*, 1994, p. 7.

²⁰⁴ For an excellent analysis of the nature of ethnic conflict and competition in a democracy, see Donald L. Horowitz, *Ethnic Groups in Conflict*, (Berkeley: University of California Press, 1985).

²⁰⁵ Hamill, "Angola's Role From Under the Rubble", *op. cit.*, 1994, p. 7.

²⁰⁶ James D. Sidaway and David Simon, "Geopolitical Transition and State Formation: the Changing Political Geographies of Angola, Mozambique and Namibia", *Journal of Southern African Studies*, Vol. 19, No. 1, March 1993, pp. 13-14.

²⁰⁷ Patrick Smith, "Angola: Free and Fair Elections!", *Review of African Political Economy*, Vol. 55, November 1992, p. 104.

6.3.2: Interaction Mechanisms

In agreeing to monitor the elections, the United Nations gave its tacit support²⁰⁸ to the structure and organisation of the electoral process outlined in the *Accordos da Paz*.²⁰⁹ The failure of the Angolan elections has given rise to a body of opinion within the United Nations that it should not implement or oversee Agreements which it has not mediated or contributed to; that outside mediators are more interested in securing an agreement than in the modalities of its implementation.²¹⁰ At the time, however, the United Nations was committed to the Accords' election mechanisms, and to "entrusting the main tasks to the parties themselves, [so that] the arrangements proposed would have the advantage of reducing the costs to the international community at a time when there is an ever-growing demand for funds for peacekeeping."²¹¹ As a result, the election mechanism "depended critically on the parties' good will, rather than on a stringent inspection regime."²¹² The peace process and elections were to be administered by the government of Angola and the government-Unita controlled mechanisms of the CCPM (*Commissao Conjunta Politico-Militar*), and the CMVF (Joint Verification and Monitoring Commission), to which UNAVEM II would report and violations or irregularities.²¹³ The administration of the ceasefire and demobilisation was left to the parties, the CCPM, and the CCFA (Commission for the Formation of the Armed Forces).²¹⁴ The belligerents consistently

²⁰⁸ Security Council Resolution 696 (1991) of 30 May 1991.

²⁰⁹ Security Council Resolution 811 (1993) of 12 March 1993 and other Security Council calls afterwards expressed unreserved support for the Peace Accords and their results.

²¹⁰ This opinion was most explicitly stated by Joan T. Seymour, Special Assistant to the Under-Secretary-General for Political Affairs, Department of Political Affairs, United Nations Headquarters, New York City, 11 March 1994.

²¹¹ "Report of the Secretary-General on the United Nations Angola Verification Mission", S/22627, 20 May 1991, p. 6.

²¹² Virginia Page Fortna, "United Nations Angola Verification Mission II", in William J. Durch (ed) *The Evolution of United Nations Peacekeeping: Case Studies and Comparative Analysis*, (London: Macmillan, 1994), p. 399.

²¹³ "Peace Accords for Angola", S/22609 Enclosure, 17 May 1991, pp. 4, 6, 9.

²¹⁴ Appendix 4, "Peace Accords for Angola", S/22609 Enclosure, 17 May 1991, pp. 28-30.

failed to disarm, blocked the functioning of the CCPM and CMVF,²¹⁵ while UNAVEM II could only observe, patrol and report on their progress,²¹⁶ and the United Nations was left to urge cooperation, restraint and tolerance.²¹⁷ Had the United Nations possessed a research and conflict analysis unit to which these disturbing reports were passed, the international community could have been long forewarned of the danger to the elections. The continuing military potential of the opponents and their unallayed suspicions of each other and the process prevented the conduct of the elections in a neutral environment, and ultimately doomed the results,²¹⁸ despite calls from the United Nations to accept the results,²¹⁹ and warnings of action and isolation if Unita returned to war.²²⁰

For Unita, elections were not a method of adjudication so much as the continuation of its struggle for power by other means. It believed that so certain was its victory and so great its support, that the elections were a formality and any result except a Unita victory was fraudulent and inadmissible.²²¹ Unita formed a political party after the signing of the *Accordos da Paz* in May 1991, and Savimbi began an energetic and populist campaign advocating an end to foreign presences and often playing on ethnic rivalries.²²² Its campaign and approach to the elections reflected "a reliance on conflict rather than conciliation and compromise as the form of political discourse."²²³ Unita pressed for elections to be held within 12 months of the signing of the

²¹⁵ Interview with Jose M. da Silva Campino, Department of Political Affairs, United Nations Headquarters, New York City, 11 March 1994.

²¹⁶ United Nations Angola Verification Mission, "Notes for the Guidance of Military/Police Observers on Assignment", UNST.ADM/GS/FOD (02), Field Operations Division, June 1991, pp. 5-6.

²¹⁷ Statement by the President of the Security Council, S/PV.3115, 18 September 1992.

²¹⁸ "Further Report of the United Nations Angola Verification Mission (UNAVEM II)", S/24858, 25 November 1992, pp. 2-3.

²¹⁹ Security Council Resolution 793 (1992), 30 November 1992.

²²⁰ Statement by the President of the Security Council, S/PV.3126, 27 October 1992.

²²¹ In an interview with journalist Karl Maier on 20 September 1992, Jonas Savimbi stated "If Unita does not win the elections, it has to be rigged", see "Urgent Talks Seek to Avoid War in Angola", *The Independent*, 7 October 1992.

²²² See *Facts on File*, 17 October 1991 and 8 October 1992.

²²³ Somerville, "Angola: An End to the Misery in Sight?", *op. cit.*, 1991, p. 73.

Accords so that it could capitalise on its military and political advances and the support - forced or voluntary - of the areas it controlled.²²⁴ With misgivings about such a short pre-election period - the government had advocated three years - the American, Soviet and Portuguese mediators negotiated a compromise period of 18 months.²²⁵ Unita had no intention of surrendering its military potency during the election run-up; responsible for its own demobilisation, FALA (Unita's military wing) made sure that "a much lower proportion of ex-FALA troops were demobilised and even then they did not leave their assembly areas. Almost all seem[ed] since to have been remobilised,"²²⁶ and that its forces remained highly disciplined and equipped.²²⁷ With these resources in place, Savimbi was able to denounce the National Electoral Council as "an MPLA puppet,"²²⁸ complain of "widespread, massive and systematic irregularities and fraud,"²²⁹ and resume its insurgency, seizing its areas of support and 70% of Angolan territory rapidly and brutally.²³⁰ The incompatibility of UNAVEM II's and Unita's conceptions of the election process severely restricted the viability of the interaction and its results.

6.3.3: Instrumentality

While the parties were responsible for the implementation of the *Accordos da Paz* and the administration of the elections, they invited the United Nations "to send monitors to support

²²⁴ Inge Tvedten, "U.S. Policy Towards Angola Since 1975", *Journal of Modern African Studies*, Vol. 10, No. 1, 1992, p. 49.

²²⁵ "Peace Accords for Angola", S/22609 Enclosure, 17 May 1991, p. 47.

²²⁶ "Further Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)", S/24858, 22 November 1992, p. 13.

²²⁷ Vicki R. Finkel, "Brothers in Arms", *Africa Report*, Vol. 37, No. 2, March-April 1992, p. 62.

²²⁸ *Facts on File*, 8 October 1992.

²²⁹ "Further Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)", S/24858, 25 November 1992, p. 4.

²³⁰ "Letter Dated 18 December 1992 From the Secretary-General Addressed to the President of the Security Council", S/24996, 21 December 1992, p. 2.

the Angolan parties"²³¹ to execute the Accords. Before agreeing to its dispatch, the Security Council explicitly required "the United Nations electoral mission to have the explicit agreement of the two parties to the Peace Accords for Angola."²³² Both parties agreed to a United Nations presence, but only on the condition that it played a detached, strictly observer role:

These verification teams would work closely with, but remain separate from, the monitoring groups composed of the representatives of the two parties. They would observe closely the manner in which those groups were carrying out their functions in order to verify that the joint monitoring machinery was working effectively.²³³

The United Nations' participation in the CCPM was explicitly allowed, "in the capacity of an invited guest."²³⁴ Thus, although "UNAVEM electoral observers...would monitor and evaluate the operations and impartiality of the electoral authorities at all levels,"²³⁵ the United Nations had no substantive control over the conduct of the process, since it was subordinate to the likely transgressors. To compound this powerlessness, the United Nations team was much too small for an election of that size: 400 observers were required to observe the polling of 4.83 million voters at 6,000 polling stations in a State the size of Western Europe.²³⁶ Thus the lack of a significant or effectual observer presence made it much easier for Unita to claim fraud and return to war.

The United Nations, the American, Soviet, and Portuguese mediators, and MPLA acknowledged that "genuine...national reconciliation...cannot be achieved without the full participation of UNITA, the second largest party..., whose legitimate concerns must be

²³¹ "Concepts for Resolving the Issues Still Pending Between the Government of the People's Republic of Angola and UNITA", "Peace Accords for Angola", S/22609 Attachment III, 17 May 1991, p. 45.

²³² Security Council Resolution 747 (1992) of 24 March 1992.

²³³ "Report of the Secretary-General on the United Nations Angola Verification Mission", S/22627, 20 May 1991, p. 5.

²³⁴ "Peace Accords for Angola", S/22609 Enclosure, 17 May 1991, p. 48.

²³⁵ "United Nations Angola Verification Mission II", PS/DPI/5/Rev.2, March 1992, p. 2.

²³⁶ "Further Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)", S/24858, 25 November 1992, pp. 2-4.

addressed."²³⁷ Much of this was based on the realist calculation that as one of the two participants in the war, Unita was essential to any settlement aimed to resolve the conflict. Unita's participation was also needed to give the elections internal legitimacy, to allow it, as one of the three major post-colonial insurgent groups, to represent its supporters in the elections and the ensuing political system. International legitimacy also required participation by Unita, especially in States such as the United States, where Unita was seen as the legitimate democratic opposition to the Marxist MPLA government.²³⁸ The desire to establish a functioning democracy meant that the *Accordos da Paz* emphasised that not only Unita, but "[a]ll political parties and interested persons will have the opportunity to organise and to participate in the elections process on an equal footing, regardless of their political positions."²³⁹ Unita's participation was also vital in the post-election political system; its withdrawal and return to insurgency doomed the resolution process and plunged Angola back into the misery of war.

6.3.4: Impartiality

The UNAVEM II presence, contingent on the agreement and good will of the parties, was unable to impact significantly on the conduct of the peace process, and was unable to make a lasting impression of its impartiality. The *Accordos da Paz* declared that "[t]he security of the monitoring groups and all United Nations personnel shall be the responsibility of the party that controls the zone where they are present."²⁴⁰ Given its lack of authority and the thinness of its presence, UNAVEM II nevertheless attempted to report all irregularities with objectivity and impartiality. It noted the problems with the disarmament and demobilisation process,²⁴¹ the difficulties with the extension of government administration into Unita-controlled areas,²⁴² the

²³⁷ "Further Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)", S/24858, 25 November 1992, p. 16.

²³⁸ Heywood, "Unita and Ethnic Nationalism in Angola", *op. cit.*, 1989, p. 64.

²³⁹ "Peace Accords for Angola", S/22609 Enclosure, 17 May 1991, p. 47.

²⁴⁰ "Peace Accords for Angola", S/22609 Enclosure, 17 May 1991, p. 10.

²⁴¹ "Further Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)", S/24858, 22 November 1992, p. 13.

²⁴² "Report of the Secretary-General on the United Nations Angola Verification Mission", S/22627, 20 May 1991, p. 5.

registration of voters, and criticised the partiality of, and lack of access to the Government-controlled media.²⁴³ None of these complaints had any impact on the peace process, and the United Nations was too concerned about "Angola being a sovereign independent country, [making] the organization and supervision of all tasks under the Accords...the responsibility of the Angolan parties themselves"²⁴⁴ to agitate for a greater influence on the process. Its attempt to ultimately affect the peace process by attesting to the integrity of the elections, however, incurred the suspicion of Unita. UNAVEM II carried out its own quick count of the results,²⁴⁵ and when these tallied with the results, declared the results and the elections "to have been generally free and fair," after it had investigated Unita's allegations of fraud.²⁴⁶ On this basis, Unita rejected the impartiality and credibility of UNAVEM II, rejected the elections, and returned to warfare.

Unita's obsession with taking power compromised the impartiality of its behaviour towards the electoral process or the commitment to democracy that was needed from the insurgents to make the resolution process work. At the start of the process, the Security Council urged a commitment to the electoral process and called on the "parties to finalise political, legal, organisational and budgetary preparations for free and fair multiparty elections."²⁴⁷ Although Unita organised as a party and began campaigning, its failure to demobilise belied any genuine commitment to working and competing for power peacefully within the democratic system.²⁴⁸ The peace process made no provision for the welfare or reintegration of the demobilised soldiers, and had no mechanism for inducing the parties to demobilise genuinely. While over 80% of the government's troops demobilised, Unita disarmed less than 10% of its own troops,

²⁴³ "Further Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)", S/24858, 25 November 1992, p. 2.

²⁴⁴ "Statement of the President of the Security Council", S/PV.3092, 7 July 1992.

²⁴⁵ "Further Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)", S/24858, 25 November 1992, p. 4.

²⁴⁶ Special Representative of the Secretary-General Margaret Anstee, Press Statement, SG/1966, 19 October 1992, p. 3.

²⁴⁷ Security Council Resolution 747 (1992) of 24 March 1992.

²⁴⁸ "Further Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)", S/24858, 25 November 1992, p. 6.

and then remobilised large numbers of them in its own territory.²⁴⁹ It also refused access to its areas to government administration, electoral registration, and peacekeepers and monitors.²⁵⁰ In the run-up to the polling and in the aftermath of the polls, Unita turned against UNAVEM II and Special Representative Anstee, with its radio station *Vorgan* "impugning the integrity and impartiality" of the mission.²⁵¹ Thus the lack of genuine commitment to the elections by one of its major participants destroyed the delicate progress of the peace process.

6.3.5: Timing

The timing of the elections was not conducive to Unita's cooperation, because its military fortunes had not declined far enough to force it to abandon the military option and opt genuinely for elections. Both sides tried to prevail in the immediate aftermath of the withdrawal of Cuban and South African troops, but failed to deal each other the knock out blow.²⁵² Although by 1990 the war had stalemated, and neither side had the ability to militarily prevail over the other, Unita still possessed the resources and personnel to struggle on indefinitely.²⁵³ The length of the insurgency and the bitterness of the war had left Unita convinced of its military potency and reluctant to abandon its weapons. Thus, when it agreed to elections as a method of retaining international support and legitimacy, and as a way to finally seize power, it preserved its discipline, military structure and weapons. Its conviction of its military prowess and lack of demobilisation made it uncommitted to the electoral process. Once it had rejected the election results, this military ability enabled it to seize and hold over 70% of Angolan territory extremely quickly.

²⁴⁹ Chris Simpson, "The Undemocratic Game", *Africa Report*, Vol. 38, No. 4, July-August 1993, p. 51.

²⁵⁰ United Nations Press Release SG/1966, 19 October 1992, p. 2.

²⁵¹ "Further Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)", S/24858, 25 November 1992, p. 6.

²⁵² Fortna, "United Nations Angola Verification Mission II", *op. cit.*, 1992, p. 389.

²⁵³ Hamill, "Angola's Road From Under the Rubble", *op. cit.*, 1994, p. 7.

6.3.6: Support and Isolation

The powerlessness of UNAVEM II over the conduct and viability of the elections was compounded by the lack of international interest in the Angolan peace process. By 1992, the international community seemed to be weary of the Angolan conflict, and had regarded the withdrawal of Cuban troops and the independence of Namibia to be a considerable success and a milestone in stabilising southern Africa and increasing international cooperation. The successful implementation of the Namibia settlement removed most of the international confrontation from the region, and the powers diverted their attention to other regional conflicts that were hindering their cooperation or threatening stability. In the implementation phase of the Bicesse Accords, therefore, "the international community showed a surprising complacency towards Angola in 1992 which implied a belief that the hard work had been done actually reaching the agreement one year earlier."²⁵⁴ Within the United Nations, this was reflected in the Security Council's obsession with minimising the costs of the operation,²⁵⁵ and its eventual dispatch of a skeleton observation component for UNAVEM II.²⁵⁶

Nevertheless, States with former links to the belligerents attempted to use their influence to induce the parties' cooperation. Both South Africa and the Russian Federation maintained contact with their former clients, urging their cooperation with the election process.²⁵⁷ African States, including Cote d'Ivoire, Botswana, Burundi, Cameroon, Cape Verde, the Central African Republic, Chad, Congo, Gabon, Guinea-Bissau, Mali, Mozambique, Nigeria, Rwanda, Sao Tome and Principe, Zambia and Zimbabwe, long concerned that the Angolan civil war had come to symbolise foreign intervention in Africa, collectively and individually applied pressure on the parties to settle the conflict peacefully.²⁵⁸ The United States used its contacts with Unita,

²⁵⁴ Hamill, "Angola's Road From Under the Rubble", *op. cit.*, 1994, p. 9.

²⁵⁵ Statement by the President of the Security Council, S/PV.3092, 7 July 1992.

²⁵⁶ Security Council Resolution 696 (1991) of 30 May 1991.

²⁵⁷ For example, on 1 June 1992, South African President F. W. DeKlerk, during a mission to the Russian Federation, signed a communique with Russian President Boris Yeltsin stressing the importance of free elections in Angola.

²⁵⁸ See *Facts on File*, 30 June 1993.

and its economic links with the government, to maintain a constant insistence on the aptness of elections for resolving the conflict, reacting angrily after Unita rejected the election results.²⁵⁹ In general, however, the lack of compelling interest in the peace process made these efforts sporadic and ineffectual, and did little to compensate for the existing shortcomings in the Agreements and its signatories.

Unita's military prowess in large part determined its withdrawal from the peace process; this confidence was in part supplied by its continuing support from external sources. As the Cold War ended, the United States and the Soviet Union, in addition to working together, with Portugal, to mediate an end to the Angolan civil war, agreed on the "zero-zero" option: to stop supplying their respective clients with lethal material once a ceasefire was reached.²⁶⁰ The United States, however, continued its support for Unita, to decreasing levels, until well into the peace process. The Reagan administration, as part of its "rollback" policy, obtained a repeal of the Clark Amendment in 1985, and supplied Unita with up to \$20 million of military equipment in the later 1980s.²⁶¹ Elements within the South African military also continued to supply Unita with military equipment and expertise, well after official South African support for Unita had ended.²⁶² This American support, along with support from South Africa and Zaire, had a negative effect on Unita's cooperativeness, by convincing it of the strength of its position to seize power in Angola, with or without the elections. Either these suppliers were unprepared to exercise influence over Unita, or those willing to pressure Unita were losing leverage over the group through cutting back their aid.²⁶³ Neither did the decreasing levels of external support drastically effect Unita's military calculus: its military leaders boasted its arms stockpiles could sustain a military campaign for at least two years,²⁶⁴ while its export of timber and diamonds

²⁵⁹ Karl Maier, "Urgent Talks Seek to Avert War in Angola", *The Independent*, 7 October 1992.

²⁶⁰ Fortna, "United Nations Angola Verification Mission II", *op. cit.*, 1992, p. 389.

²⁶¹ Richard Dowden, "Clinton Finally Pulls Plug on Angola Rebels", *The Independent*, 21 May 1993.

²⁶² Victoria Brittain and David Pallister, "Wounded Mercenaries Exposes S. African Aid Line to Unita", *The Guardian*, 13 March 1993.

²⁶³ Smith, "Angola: Free and Fair Elections!", *op. cit.*, 1992, p. 102.

²⁶⁴ *Keesing's Record of World Events*, Vol. 40, 1994, R3.

enabled it to fund other covert sources of supply.²⁶⁵ Unita's insulation from the effects of external isolation thus emboldened its to return to warfare after an unsatisfactory election result.

6.3.7: Cohesion

The members of the United Nations showed cohesive support for the objectives of UNAVEM II, with the Security Council adopting its resolutions on the Angolan peace process by unanimous votes.²⁶⁶ The positive effect of this cohesion on the facilities of UNAVEM II, however, was tempered by their relative lack of interest in the peace process in the run-up to the elections. The Security Council remained determined to minimise the costs of the operation, providing UNAVEM II with one quarter of the budget of the UNTAG operation in Namibia to monitor an electorate ten times as large.²⁶⁷ Unita's rejection of what UNAVEM II had determined to be a "free and fair election,"²⁶⁸ however, brought belated Security Council cohesion and interest. The prospect of all it had worked for being undone galvanised "the full and unequivocal support of the Security Council for the efforts of [the] Special Representative and UNAVEM II...in...the implementation of the Peace Accords."²⁶⁹ It assembled an ad hoc Commission, of representatives from Cape Verde, Morocco, the Russian Federation and the United States, which travelled to Angola in support of UNAVEM II and to try to persuade Unita to respect the election results and remain in the peace process. This cohesion and interest came too late and was unsuccessful; Unita had tested its electoral strength and once this had been found to be inadequate, it easily returned to its insurgency.

²⁶⁵ Heywood, "Unita and Ethnic Conflict in Angola", *op. cit.*, 1989, p. 60.

²⁶⁶ See Security Council Resolutions 696 (1991) of 30 May 1991; 785 (1992) of 30 October 1992; 792 (1992) of 30 November 1992; 804 (1993) of 29 January 1993; 811 (1993) 12 March 1993; 823 (1993) of 30 April 1993; 834 (1993) of 1 June 1993.

²⁶⁷ *New York Times*, 11 May 1992.

²⁶⁸ "Further Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)", S/24858, 25 November 1992, p. 6.

²⁶⁹ "Further Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)", S/24858, 25 November 1992, p. 6.

The United Nations, aware of the delicacy of the peace process and the smallness of its observer force, appealed to the Angolan parties to control their members from committing "any act that might heighten tension, impair the conduct of the electoral process, and threaten the territorial integrity of Angola."²⁷⁰ By the time of the elections, Unita had developed into one of the most cohesive insurgent movements with which the United Nations had to deal. Its strict hierarchy and control is based on the personal power of Savimbi, the promotion of his personality cult, and the filling of key positions with his family members.²⁷¹ This control had been intensified by power struggles and purges within Unita in the late 1980s.²⁷² The strength of this cohesion within Unita, however, was to have a negative impact on the elections. Savimbi's exclusive contact with sycophants and his accustomisation to automatic obedience convinced him of his universal popularity and made him certain that Unita could only lose the elections through fraud.²⁷³ Furthermore, Unita's rigid discipline enabled it to maintain a potent military force during the conduct of the elections, and to make rapid military gains once it had rejected the election results. In these ways, Unita's strong internal cohesion accelerated the effects of a failing peace process, rather than strengthening a successful electoral process.

The failure of the Angolan elections, and their ushering in of a new phase of unprecedented brutality in the Angolan civil war, rests on the basis of divergent approaches to the electoral process between the United Nations monitors and the Unita insurgents. By the time it came to implement the Bicesse Accords, the interested Member-States of the United Nations had become complacent due to the outstanding success of the other phases of the Angola-Namibia peace process. The inadequate size and resourcing of UNAVEM II reflected their underestimation of the indigenous sources of the civil war. These shortcomings were compounded by the extremely poor quality of the Bicesse Accords: their unrealistic timetable, their lack of adequate compulsion and oversight mechanisms, and their trusting of crucial aspects of the peace process to the discretion of the belligerents. Unita was by no means an

²⁷⁰ Statement of the President of the security Council, S/PV.3126, 27 October 1992.

²⁷¹ Tvedten, "U.S. Policy Towards Angola Since 1975", *op. cit.*, 1992, p. 45.

²⁷² Victoria Brittain, "Luanda Seeks to Isolate Unita", *The Guardian*, 24 May 1993.

²⁷³ Hamill, "Angola's Road From Under the Rubble", *op. cit.*, 1994, p. 10.

insurgent movement that could be trusted to its own devices. It remained uncommitted to the election mechanism: its objective was power, not fair competition and entry into a democratic system. Fighting a bitter civil war, partially ethnically inspired, centred around the sycophantic personality cult of Jonas Savimbi, and with a zero-sum perception of possible outcomes, it was unable to contemplate process-related objectives designed to establish a functioning democracy, or the concept of a loyal opposition. Unita's continued military strength and belief in its own potency made submission in an electoral contest even more inconceivable.

Compounding these incompatible objectives in the elections process was the inadequacy of the electoral mechanism. The elections, billed as a test of popular support and credibility, were structured in such a way as to be a "winner take all" contest, offering few benefits to the loser. Angola's vast size, and the inexperience of Angolans in conducting elections, resulted in a number of problems with their management. Many of these problems resulted from Angola's lack of any democratic tradition, and the disinterest of the international community in providing such expertise. Neither the formerly Marxist MPLA government, nor the highly-centralised Unita, had any concept of the democratic traditions of popular endorsement, compromise, and loyal opposition. UNAVEM II was too underresourced, and accorded too small a role in the peace agreement, to have any significant impact on observing or endorsing the elections. The control of the elections by the incumbent government, and the lack of an adequate independent monitoring mechanism, left the results open to charges of fraud by Unita once it had lost. The UNAVEM II electoral monitors, while committed to resolution, democracy and the electoral mechanism, were unable to have any significant impact on the achievement of their objectives because of the inadequacy of their presence and influence. Thus UNAVEM II's ability to play an instrumental and impartial role was hampered by its inability to become a comprehensive and influential presence, in turn because of the lack of support and interest of the international community. A factor of significant impact on the failure of the elections was that Unita barely disarmed before the elections. The inadequate lead time before the elections, and the lack of control of UNAVEM II over the disarmament process, allowed Unita to repudiate the election results and, with its well-armed, disciplined, and intact army, plunge Angola back into civil war. Thus in the Angolan elections, Unita's lack of commitment to the elections was magnified in its destructive effect on the peace process by the inadequacy of the UNAVEM II presence.

6.4: Conclusion

Elections held to culminate peace processes in the aftermath of civil wars can be seen to be a fragile and problematical process. As ultimate allocators of influence between former belligerents, they can become perceived as judgements on the wisdom of participating in the whole peace process for the insurgents and the United Nations. The election results are the ultimate reckoning: they either usher in a permanent resolution or a return to civil war. Post-Cold War election monitoring is an interaction engaged in between insurgents for which elections and democracy are often alien concepts, and the United Nations, which is as yet relatively inexperienced in election monitoring. Nevertheless, the operation of the framework factors during the United Nations' observation of the Salvadoran and Angolan elections was seen during the analysis to generally bear out the hypothesis of this thesis, that between the United Nations and insurgent movements, concurring approaches produce more optimal outcomes than divergent approaches. The comparison of the successful Salvadoran election with the failed Angolan election reveals some important insights. The two elections themselves show some interesting convergences and differences: while in both the elections were the culmination of a peace agreement and eventually lost by the insurgents, the democratic tradition was more familiar to Salvadorans, and the United Nations exhibited a much higher level of involvement and control in El Salvador. It is not only these differences, but differences in the levels of agreement on the objectives of the electoral process, on the electoral mechanism, on the instrumentality of the United Nations and the insurgent movement, on their impartiality, the timing of the elections, the isolation and support of the insurgents and the United Nations, and their cohesion, that impacted in a distinctive way on the outcome of the electoral process.

The analyses revealed that of importance to a successful and viable election is the agreement between the insurgents and the United Nations on their objectives during their interaction. The different nature of their objectives, however, makes compatibility a difficult goal. The United Nations' goals are process-related - it sees elections as not only a process of resolution, but aims to establish democracy and regular elections within States formerly divided by civil war. The insurgents' objectives, are more practical, usually centred around the

attainment of power or influence. In order to coincide with the United Nations' for a successful election, insurgents' objectives need to go beyond the simple seizure of power, to a commitment to democracy and reconciliation, and the exercise of power or opposition within the political system. It was just such a desire on the part of the FMLN to re-enter the political system that ensured the smooth operation of the elections, and its acceptance of its electoral loss to its former enemy, the ARENA party. Unita, however was committed only to the seizure of power. Once the electoral process did not bring this objective, it rejected the electoral process and reverted to war. Much of the difference of the insurgents' approach to the elections may be attributed to the existence of a democratic tradition in El Salvador, a condition that was conspicuously lacking in Angola. The coincidence of objectives was thus shown to be the foundation of an election's success or failure: an insurgent movement committed to the establishment of a system will cooperate regardless of the electoral result, whereas a group obsessed by power will only cooperate if it wins.

The analysis showed that the United Nations and the insurgent movement must further agree on elections as the appropriate mechanism to resolve the conflict and establish a functioning political system, in order for their interaction to be viable. Alternative mechanisms of resolution that could be advocated include transitional power-sharing, federalism, and partition. The nature of democratic elections - their reliance on the will of the people, the persuasion of opinion, and the sanctity of the democratic rules - makes their success contingent on the parties' and the observers' agreement on the election mechanism. Fair participation and competition cannot be compelled. The United Nations relies on the democratic experience and expertise of its Western members to formulate what it regards as a fair and acceptable electoral process. The extent of its participation in the design of the elections during the mediation of the peace process has an effect on the smooth functioning of the observation: in El Salvador the United Nations mediated the agreement; while in Angola it was asked to observe from a distance a process, the design of which it had had little input. The difference in lead times and preparation intensity between El Salvador and Angola also contributed to the smoother functioning of the former election. The insurgents, in order to participate in this system, must be prepared to accept the will of the people, to rely on persuasion of popular opinion instead of force, and be prepared to function as a loyal opposition. The FMLN proved committed to the electoral process and

these conditions, while Unita saw elections as an alternative to war, openly announcing its cooperation with the process and the results was contingent upon its victory. Thus agreement on the election mechanism enhances the cooperation and trust of the United Nations as an observer and the insurgents as participants, while a disagreement calls into question the viability of the process and the durability of its outcome, despite the best efforts of the observers.

A genuinely democratic election should be open to all contestants for power. Furthermore, elections that are intended to resolve a civil war necessarily need to include the major belligerents, in order to ultimately tie them into the political system that the elections are intended to install. Consequently, the insurgent movement's right to participate in the elections must be accepted by the other parties and by the United Nations. On the other hand, the United Nations' observation presence must be accepted by the parties, and should be seen as necessary to the smooth and fair conduct of the elections. In both El Salvador and Angola, the FMLN and Unita were seen as necessary participants in the peace process. The difference between the two operations, with a major impact on the affecting their differing levels of success, was the size of the United Nations presence. ONUSAL provided a comprehensive observer force which maintained close oversight over the whole process, thereby ensuring the fairness and credibility of the process. UNAVEM II was much too underresourced, and kept by the Bicesse Accords at too great a distance from the elections, to provide an effective coverage of the elections, thereby making it much easier for Unita to remain armed, denounce the results and return to its insurgency. The operation of instrumentality as a factor in the election monitoring process, then, has a greater impact on the United Nations' presence, and specifically the comprehensiveness of that presence.

The delicacy of the election process, and its dependence on trust and commitment between the parties, makes the parties' perceptions of the impartiality of the election monitors vital to their commitment to the election process and results. ONUSAL took great pains to convince both parties of its objectivity in observing the elections, and launched a number of public education programs about the elections and its role as an observer. UNAVEM II had little opportunity to impact on the process in this way: its lack of personnel and distance from the administration of the elections meant that its reporting of irregularities had little impact on

changing the conduct of the elections. On the other hand, the fragility of the structures of trust during post-civil war elections means that the insurgents must impartially confine their behaviour to within the limits required of parties in a democratic election. The FMLN demonstrated this willingness after an initial period of suspicion, and this contributed in a major way to the successful running of the election. ONUSAL's insistence on complete disarmament and demobilisation made it even more difficult to renounce the results and return to its insurgency. Unita, by contrast, at no time was faithful to the election process. Left to its own devices to disarm and cooperate, instead it maintained its military potential, impeded electoral registration and voting, and then rejected the results after it lost. This behaviour destroyed both the viability and durability of the elections. Impartiality, then has a major impact on the outcome of election observation.

The timing of an election to end a civil war has a major impact on the insurgents' willingness to genuinely compete and cooperate in the elections. The FMLN's military fortunes had stagnated and were declining to such an extent that it realised that it would have to compete in elections sooner rather than later in order to avoid being further marginalised. It also wished to rejoin a reformed Salvadoran political system. Unita, on the other hand, wished to dominate, rather than participate in Angola's political system. Its military position was not conducive to compelling it to abandon its commitment to armed force. Rather, its military confidence influenced its political confidence that it would win the elections, and made its almost inevitable that it would revert to the military course once the political course had failed. In this way, timing has a direct impact on the insurgent's commitment to the elections, and thus on the viability of the monitoring interaction with the United Nations.

International support for the efforts of the United Nations monitors has less of an impact on the success or failure of the operation. Support comes in the form of both expertise in administering elections and in applying pressure to the belligerents to remain in the process and accept its results. International expertise and guarantees strengthened the FMLN's existing commitment to the Salvadoran elections, and helped it to accept the results and its position within the opposition. The lack of international interest in the Angolan elections, on the other hand, allowed Unita to cheat on the peace process with relative impunity. For the insurgent

movements, isolation from external sponsors also plays a role, if a lesser role, in influencing their commitment to the elections. The FMLN's increasing desertion by the communist world led to a calculation that it would have to join the political system to regain international support, thereby reinforcing its decision to abandon the insurgency. Unita was less isolated, and less dependent on outside support. The desertion of its major sponsors had little effect on its tenuous commitment to the elections. Thus support and isolation play a lesser role in the effectiveness of election monitoring.

The impact of cohesion within the insurgents and the United Nations on the conduct of an election process is slight and at times unclear. While Member-States' cohesion behind ONUSAL contributed to its comprehensive presence and its influence in keeping the parties and electoral authorities honest, it seemed to have a marginal effect on the FMLN's commitment to the process. In Angola, the Security Council's cohesive agreement on the mandate of UNAVEM II could not make up for its lack of interest, and the monitoring team was drastically understaffed and underresourced. Unita's cohesion had, if anything, a negative effect on its commitment to the elections and their results, convincing Savimbi of his electoral invincibility, and facilitating Unita's return to war. Consequently, cohesion's influence on the election monitoring relationship is weak.

This chapter's investigations show that the viability of the election monitoring relationship between the United Nations and insurgents is influenced by the extent of the compatibility of their approaches to the process. It shows that agreement is important, but difficult on the objectives of the electoral process and the pertinence of the election mechanism, while instrumentality, impartiality and timing are important contributing factors, particularly to the insurgents' commitment to the elections. Support and isolation and cohesion are less important to the success of the operation. Election monitoring thus joins mediation and peacekeeping in being subject to this basic logic of mutual consent and cooperation. This relationship thus operates across the spectrum of relationships between the United Nations and insurgent movements, and demonstrates the validity of the hypothesis.

7: CONCLUSION

This study arose from a curiosity about why some United Nations involvements with insurgent movements are efficient and yield positive outcomes, while others are dysfunctional and entail failure. By invoking realist precepts against the evidence available, it found that a major determinant of the nature of an encounter between the United Nations and an insurgent movement lies in the compatibility of their prior intentions and approaches. The analysis applied a framework of approach indicators to three different modes of United Nations-insurgent interactions, and found that the results generally supported the hypothesis of this study: that concurring approaches produce more optimal interactions than divergent approaches. Rather than refuting fifty years of experience with a revolutionary paradigm, this conclusion builds upon much of the conventional wisdom about the United Nations' interactions in conflict situations. In agreeing with previous notions of consensuality, this thesis plays a role in reinforcing the growing corpus of understanding of the roles and capabilities of the United Nations by increasing the explanatory and justificatory power of these concepts. The contribution this study makes is not so much in its general conclusion as in the interpreting power of its indices of approach. The indices give precision to general notions of consent by highlighting certain important factors in the approaches of the interacting units that should determine their compatibility, and thereby the consensuality and effectiveness of their interaction. In concluding this study, this chapter combines and compares the analysis of the previous three chapters to draw out more general conclusions about the nature of United Nations-insurgent interactions and the aspects of their approaches that most impact on their optimality. It makes use of the results to assess, first, the relative defining power of the indices on the approaches in each type of interaction, and second, to compare the impact of the indices on approaches and relations between the different types of interaction. It then makes brief observations on the practical utility of some of the conclusions, and suggests new directions for further research.

7.1: INTERACTIONS AND THEIR DETERMINANTS

In each of the interaction types examined - mediation, peacekeeping, and election monitoring - the different indices varied in direction, mode and strength of impact on the

approaches of the United Nations and insurgent movements, and affected the optimality of the interactions differently. Examining the varying levels of impact reveals important conclusions about similarities and differences between the different types of interactions of the United Nations and insurgent movements, and the origins of these links.

Of all of the indices during mediation interactions between the United Nations and insurgent movements, objectives emerged as the most defining of approach and influential on its effectiveness. The compatibility between the objectives of the United Nations and the insurgent movement more than any other factor determined the viability of the mediation initiative. With mediation, an optimal outcome is defined in terms of the durability of the agreement reached, which in turn rests on the satisfaction of the negotiating parties with the agreement. So tenability derives directly from the satisfaction of objectives. It emerged from the three mediation interactions studied - the FMLN, the Khmer Rouge, and the Bosnian Serbs - that the objectives of these groups and the United Nations mediators are the only reliable indicators of the actors' approaches. Mediation, like all forms of negotiations, is replete with gambits and techniques that are used to disguise intentions or offer conciliatory behaviour to mislead or manipulate other parties. This fact emerged strongly in the examinations of the Khmer Rouge's and the Bosnian Serbs' mediation behaviour. All groups and their mediators were prepared to talk, but ultimately it was their objectives that determined the levels of optimality of the outcomes. In mediation, then, objectives emerged as the indicator with the most determining power.

The mediators' and insurgents' concurrence on mediation as a mechanism of interaction is an important, but more complicated indicator. The non-binding nature of the mediation interaction means that agreeing to talks carries very few dangers for the parties; both mediators and parties can abandon talks having suffered little damage from the experience. Thus a *prima facie* agreement to participate in peace talks impacts little on the ultimate effectiveness of the interaction, because it reveals little about the actual intentions and approach of the mediators and parties. Yet when the indicator is taken to measure actual commitment to reaching a negotiated solution, its determining power is greatly increased. The difficulty of measuring this level of agreement, however, makes this indicator problematical. It is only by extrapolating from the objectives of the parties, and combining this with their negotiating behaviour, that genuine

commitment to a negotiated solution can be measured. The FMLN's genuine commitment to reaching an agreement became clearer as the talks progressed, while the tactics of the Bosnian Serbs have made it clear that they were talking for appearance and victory, rather than resolution. The Khmer Rouge demonstrated the folly of trying to compel an uncommitted party to negotiate, and that an agreement on paper for an insurgent movement is very different from agreement on the ground.

At the level of mediation, instrumentality was found to be an indicator of little determining power. In peace talks, the condition that the parties and the mediators accept each other's presence is somewhat a tautology: negotiations cannot proceed with a party that is not a participant. This indicator, however, when taken to denote how seriously the parties and the mediators treat each other's interests, gains much more explanatory ability. This emerged in the analysis particularly with respect to the Bosnian Serbs. Because the United Nations rejects out of normative convictions the Serbs' full demands, much of its efforts have been spent on trying to get them to agree to alternative peace plans. The lack of credence given to the Bosnian Serbs' demands has therefore had some input into the incompatibility of the United Nations' approach to the mediation with the Bosnian Serbs'. Like interaction mechanisms, then, at a deeper level, instrumentality plays an informative, if more complicated, determining role on approaches and interactions.

Impartiality emerged also as a determining, but subordinate indicator of approach compatibility during mediation interactions. Because of the use of gambits and deceptive cooperation during negotiations, the impartiality of the insurgents' behaviour is bound to have an impact on the tenability of the outcomes of a mediation initiative. The honesty of the insurgents' behaviour during mediation was found to be derived from the extent of their commitment to the mediation and their satisfaction that the talks were progressing towards an acceptable conclusion. Again, this ultimately flowed from the compatibility of objectives between the mediators and the parties. The mediator's impartiality was also an important, if obvious factor. This particularly emerged with respect to the Bosnian Serbs, who, during the talks, have come to see the ICFY mediators as another set of interlocutors who must be negotiated down.

Timing emerged as a problematical indicator of the insurgent movement's commitment to talks. This again seems to be related to the non-binding nature of negotiations; that even militarily predominant parties will hold exploratory talks to explore all options for victory. Of the three insurgent movements studied, with widely varying military positions, all were willing to enter peace talks. The FMLN and the Khmer Rouge, both with stalemated military positions, did not show an equal commitment to a negotiated solution. The Khmer Rouge and the Bosnian Serbs, one stalemated and the other ascendant, showed equal lack of commitment to genuine peace negotiations.

Support for the mediators by States with connections to the insurgent movements was shown to give the mediators a degree of influence over changing their levels of cooperativeness. This emerged particularly strongly during the mediation with the Khmer Rouge, who were pressured into signing the Paris Agreements, with which they had basic disagreements. However, when compared with levels of compatibility of objectives, this indicator proves to be problematical. This sort of pressure was shown to be unable to change the objectives of the insurgent movement, but will only bring a change in behaviour and an insincere cooperativeness. This has doomed the Paris Agreements to untenability, as the Khmer Rouge began to default on its commitments as soon as the United Nations tried to implement its peace plan. A lack of isolation of the insurgents was shown by the Bosnian Serbs to be extremely useful for the insurgents seeking to modify the United Nations' position. They used their connections with influential members of the international community to disrupt the already strained unity of the sponsoring coalition, and in this way weaken the resolve and negotiating position of the mediators.

Cohesion emerged as having little determining effect on the approaches of either mediators or insurgents. The FMLN and the Bosnian Serbs, both decentralised organisations, showed different levels of commitment to negotiating peace agreements, while the effects of the Khmer Rouge's high level of internal discipline had an unclear effect on its negotiating behaviour. While the strong cohesion of the sponsoring coalition helped pressure an agreement with the Khmer Rouge, the value of this agreement was questionable. The low cohesion of the sponsoring coalition for the Bosnia talks was exploited by the Bosnian Serbs, but it is

questionable how much effect this had on the dysfunctional mediation interaction when compared with the effect of divergent objectives.

With mediation, then, objectives emerge as the most important indicator of approach compatibility and interaction effectiveness. The other indicators - interaction mechanisms, instrumentality, impartiality - are only indicative when they reflect those aspects of approaches deriving directly from the compatibility of objectives and satisfaction with progress. The underlying information that each indicator aims to measure is the extent of commitment to a negotiated peace. A desire to pressure agreement or manipulate results contributes to a dysfunctional interaction or outcomes.

Peacekeeping interactions differ from mediation to the extent that they involve higher stakes and levels of commitment from both the United Nations and insurgent movements. This makes objectives again an important factor in the interaction. When two military forces interact in a consensual manner, either a compatibility of interests or a toleration of presence must underlie the viability of the relationship. The danger posed to each other by the insurgents and the peacekeeping force means that a clash of interests will lead either to a breakdown of cooperation or some level of hostilities. This became obvious during interactions between the United Nations and the USC-SNA, the Bosnian Serbs, and the Khmer Rouge. As its interaction with Renamo and the Contras revealed, however, a compatibility of objectives, particularly relating to a commitment to peace, the satisfaction of security concerns, and the ability to promote interests, led to optimal interactions. The need for compatibility and cooperation for effective interactions between peacekeepers and insurgents necessarily stems from the inability of either side to militarily compel the other to submit to its interests.

Consent to the peacekeeping mechanism was shown to be an indicator of crucial importance to the viability of the interaction. For insurgents, the intervention of a peacekeeping operation can be seen as a great threat: a large, foreign armed force, inclined to monitor the movement of its cadres and weapons supplies, and committed to the restriction of its military endeavours. In order for them to cooperate and not see the peacekeepers as an enemy to be repulsed, therefore, they must understand and accept the role of the peacekeepers. This

acceptance flows on from a prior compatibility of objectives with the United Nations during the peacekeeping interaction: if there is disagreement on the ends of the operation, disagreement with the means is sure to follow. This fact emerged most strongly in the United Nations' efforts in Somalia, which met with the violent disagreement of the USC-SNA. Even where consent to the peacekeeping mechanism does obtain, insurgent cooperation can still be hesitant at the start, stemming from basic security concerns. On the other hand, the United Nations must also consent to the peacekeeping mechanism. The Organisation was forced to launch both UNOSOM II and UNPROFOR II to situations that it had determined to be unsuitable for peacekeeping by an impatient sponsoring coalition. The dispatch of peacekeepers to situations for which the Organisation lacks operational doctrines was shown to lead to operations of limited effectiveness.

The insurgent's acceptance of the instrumentality of the peacekeepers' presence is intimately linked to their acceptance of the peacekeeping mechanism. This indicator is important for the same reason, that peacekeepers represent an armed threat to security. It explicitly points out that insurgents' acceptance of the peacekeeping mechanism will be based on their underlying perceptions of the usefulness of the presence. Peacekeepers that are acceptable have to be seen as a help rather than a hindrance. This again flows from the compatibility of objectives. If insurgents are committed to these peaceful objectives, they often see a peacekeeping force as a guarantee of their security and ability to promote their interests while in pursuit of these objectives. If, however, they are committed to divergent or belligerent objectives, peacekeepers will be perceived as dangerous or irritating impediments. On the other hand, the peacekeepers' perceptions of the importance of the insurgent movements to the peace process was also a determining factor on the viability of the interaction. The juxtaposition of the behaviour of UNOSOM II and UNTAC illustrates this. UNOSOM II and its sponsoring coalition, by treating the USC-SNA as an impediment whose consent could be compelled or whose opposition could be eliminated, incurred its violent opposition which eventually led to the operation's demise. UNTAC, however, when confronted with an uncooperative Khmer Rouge, continued to consult it and encourage its re-entry into the peace process. While it was unsuccessful in this, this

behaviour forestalled extensive violent opposition from the Khmer Rouge,¹ and contributed to its successful stewardship of the remainder of the peace process to a conclusion.

The impartiality of behaviour of both the peacekeepers and the insurgents also had a significant impact on their interaction. In Bosnia and Somalia, where the peacekeepers were perceived to be siding with the enemies of the Bosnian Serbs and the USC-SNA, they incurred the often violent opposition of these insurgent groups. Particularly in Somalia, UNOSOM II's partiality caused the USC-SNA to see the peacekeepers as just one more armed faction to be factored into the violent calculus of interclan relationships. The insurgents' behaviour also emerged as strongly affecting the viability of the peacekeeping interaction. The cooperation of Renamo and the Contras had a positive effect on the success of those operations, whereas the Bosnian Serbs' and the USC-SNA's often violent non-cooperation led to the shortcomings of those operations.

Timing emerged as a more accurate indicator of the amenability of the insurgent movements to the peace process. The cases of cooperation were generally attended by stagnant military positions, while the cases of opposition came from insurgents with ascendant military positions. The influence of timing, however, was less clear with the uncooperative Khmer Rouge, whose military position was strong, but stalemated. The importance of timing appears to stem from perceptions of instrumentality of the peacekeepers: insurgents with a positive military momentum are bound to resent the intrusion of a conservative and peace-promoting armed United Nations presence.

Support and isolation had little influence on behaviour during peacekeeping interactions. Whereas strong pressure on the Khmer Rouge yielded cooperation during mediation, equivalent pressure during peacekeeping was unable to modify its non-cooperation. Similarly, the Bosnian Serbs' attempts to manipulate UNPROFOR II through connections with members of the sponsoring coalition had little effect on the peacekeepers' mandate to protect the safe havens, although their manipulation of the peacekeepers has brought them other benefits. In Somalia,

¹ The Khmer Rouge did stage a number of attacks against UNTAC peacekeepers, ranging from firing on helicopters, and taking hostages, to killing Dutch and Japanese personnel.

UNOSOM II demonstrated the unviability of substituting military for diplomatic pressure to compel insurgents' cooperation.

Levels of cohesion had little effect on insurgent movements' cooperativeness. Renamo, the Contras, the Bosnian Serbs, and the USC-SNA all showed similar low levels of cohesion, but exhibited widely varying levels of compliance with the peacekeepers. The analysis showed that this was in part accounted for by information, inducements, and other strategies by peacekeeping operations that showed prior agreement in objectives and interaction mechanisms. Cohesion, however, had a great effect on the abilities and determination of the peacekeepers. The analysis bore out the accepted wisdom that peacekeeping operations backed by higher levels of support perform with more assurance, as do operations with greater control of the diverse contingents on the ground.

In peacekeeping interactions, then, the mechanisms and their instrumentality and impartiality emerge as the most important indicators of success. The UNTAC operation showed that even where the peacekeepers and insurgents disagree on the objectives of the operation, basic acceptance and respect for each other's presence can lead to at least a moderately successful outcome. Somalia and Bosnia showed that a lack of acceptance of the mechanisms can lead to violent opposition. Timing emerges as a clearer, but still problematical indicator, while support and isolation remain moderately useful.

Elections in the aftermath of a civil war are an allocative interaction, a mechanism adjudicating the distribution of the disputed factors at the base of the conflict. In this way, they are often seen as a judgement on the wisdom of participating in the peace process for both the United Nations and the insurgent movement. The optimality of this interaction is easily measured: elections result either in an end of the insurgency or a return to warfare. The nature of elections has a number of ramifications for the framework. Because the United Nations' objectives are process-related - the establishment of a peaceful and functioning democracy - and the insurgents' objectives tend to be more practical - the attainment of power or influence - measuring compatibility between them become difficult. It is particularly hard to quantify the insurgent movement's genuine commitment to these process-related objectives. This emerged

clearly when examining Unita, which had for years advocated the establishment of democracy in Angola, but which rejected results which denied it power. It is also hard to determine how much the FMLN's acceptance of its electoral defeat was due to its commitment to democracy and how much was due to its securing of a significant voice in the Salvadoran opposition.

Agreement to the election mechanisms assumes greater importance, particularly for the insurgent movements. This indicator measures the amount of trust that each movement places in the election process to determine the movement's future and ability to promote its interests. A belief that the movement commands enough popular support to garner a significant voice through the elections secures the participation of the movement and its commitment to campaigning. The United Nations' level of participation in the election mechanism also emerges as a crucial factor. The experience of Angola demonstrated the dangers of an election in which the United Nations has only a minor oversight role.

The instrumentality of the insurgent movement to a viable election is obvious. An election that genuinely ends the civil war has to be one that ties the insurgent movement to the system the elections are installing by allowing them to compete in a fair election. The variable instrumentality of the United Nations has a far greater impact on the elections' viability. The analyses in Chapter Six showed that higher levels of United Nations oversight, education, and protection against intimidation and fraud contributed greatly to the legitimacy of the elections and the authority of their results.

The delicacy of the election process, and the wariness of its participants, makes impartiality an important approach indicator. The election monitors' impartiality is important because of the apprehensive parties' suspicion of any hint of unfairness in the process, including the election monitors. They rely on the monitors impartially maintaining the fairness of the whole process. The insurgents, on the other hand, contribute to the process by keeping their own campaigning behaviour above board. Both the FMLN and Unita were seen to threaten the election process by not completely disarming. This fact shows an incomplete commitment to the election process, and contributed to the problems of both those operations.

Again, the impact of timing as a measure of insurgents' commitment to mediation was indeterminate. Both the FMLN and Unita were at a stalemated situation, although Unita demonstrated a significant military predominance once it rejected the elections and returned to war. Support and isolation emerged as much more important indicators. The length and delicacy of the peace and election process made the use of parallel pressure to correct minor digressions from the process by its participants, such as the FMLN's incomplete disarmament, an important factor in its effectiveness. Major digressions, such as Unita's refusal to disarm, however, were not able to be corrected. The isolation of the insurgent movements was also shown to be important to the tenability and irreversibility of the results. The incomplete isolation of Unita to some extent enabled it to reject the Angolan elections and resume its insurgency to great effect.

The effect of cohesion was unclear on the optimality of election monitoring. With the insurgent movements, its effect was reversed: it was the decentralised FMLN that cooperated more than Unita, the movement with strong internal discipline. This factor ultimately led to Unita's ability to efficiently seize over 70% of Angola soon after rejecting the elections. The effect of cohesion of the United Nations was shown to have an indirect effect on the viability of the election monitoring, through determining the levels of commitment and resourcing the Organisation was prepared to spend on the operation. Cohesion thus affected the instrumentality of the monitors.

Election monitoring, then emerges as the most difficult to analyse using the framework indicators. The difficulty of measuring the compatibility of objectives is to some extent compensated for by the election mechanisms, instrumentality and impartiality, but without the precision of other stages of interactions between the United Nations and insurgent movements. Similarly, timing, support and isolation, and cohesion had a pronounced, but often inconsistent impact on the viability of the election monitoring interaction.

The differential impacts of the framework indicators on the interactions reveals important insights into the nature of the interactions, and the broader underlying currents that determine United Nations and insurgent behaviour in interaction of those sorts. These observations will be important to further analysis of these interactions. The framework used in

this thesis is by no means exhaustive of all possible approach indices, and new insights into these types of United Nations-insurgent interactions will emerge from additional analyses. The significance of the present observations to further studies is in generally characterising the nature of the interaction, and the types of approach indicators that will be more revealing for each interaction.

The mediation analysis shows that in classes of interactions where participation carries no significant costs, the objectives and intentions of the participants assume overriding importance as approach indicators. Behaviour indicators, such as mediation mechanisms, instrumentality, and impartiality, are more problematical, and dependent for genuine determining power on their connections with the parties' intentions and satisfaction with the interaction's progress. The lack of accountability of behaviour in these types of interactions also makes influence indicators, such as isolation and support, less reliable in predicting the viability of the interaction. The peacekeeping analysis shows that in an interaction where each participant poses a significant danger to the other, the behaviour indicators - peacekeeping mechanisms, instrumentality, impartiality - assume much greater clarity and importance. The importance of objectives and intentions is not decreased, however. The influence indicators are also important, as is the effect of timing in determining a belligerent's genuine cooperativeness. The election monitoring analysis reveals, first, that approach analysis is less effective for studying allocative relationships. When an interaction designed to adjudicate among the disputed bases of the conflict is at stake, the nature of the outcome will always complicate the results. Second, these interactions emphasise the importance of the insurgents' and other parties' approaches. While the monitors' approach is important in terms of adequacy of resourcing and performance, it is the parties whose behaviour and attitude towards the results will determine the optimality of the process. Third, the different conceptions of the monitors and parties over process and outcomes makes measurement of the indices, particularly objectives and interests, difficult. Hence, it can be seen that different forms of relationship and their dynamics emphasise the importance of different aspects of the United Nations' and insurgents' approaches to their interaction.

7.2: INDICATORS AND APPROACHES

The influence of the framework indicators, when compared across the different types of interactions studied, reveal important conclusions about the indicators themselves. The importance of this observation lies in the further precision it gives to each of the indicators across a range of interactions. A comparison of the relative strengths of each of the indices in determining the approach and compatibility of interests in each interaction allows an assessment and prioritisation among the indices by defining the level and direction of their impact on the different types of interaction.

Objectives as an approach compatibility indicator had a generally high level of utility for determining the effectiveness of all three types of interaction. Their utility was maximised in mediation as the truest indicator of approach and intentions. In peacekeeping, a more dangerous and binding interaction, objectives also remain an important indicator of approach compatibility. Similarly in election monitoring, objectives retain their basic utility. The difficulty of quantifying the genuine compatibility of objectives in election monitoring, however, makes it a more problematic indicator in the analysis of allocative interactions. Generally, however, objectives emerged from the three different interactions as the most consistent indicator of genuine compatibility of approaches, and demonstrated an impressive level of correlation to the level of viability of all interactions. The use of the rationality assumption in measuring the authenticity and compatibility of objectives was vindicated by empirical observations: the insurgents' and United Nations' interests and objectives in general tallied closely with a rational appraisal of the opportunities and obstacles before them. Objectives, then, emerge as the natural basis for any approach analysis, being generally linked to trends in other behaviour indicators, and determining the extent of influence and commitment indicators.

The utility of interaction mechanisms, as the first of the behaviour indicators, in determining approach compatibility, is strongly conditioned by the type of interaction being examined. Comparing the mediation with the peacekeeping and election monitoring interactions shows that agreement on the mechanisms of interaction is an important approach indicator when the type of interaction carries serious implications for the United Nations and the insurgent

movement. Thus in mediation a dysfunctional interaction harms no party seriously, whereas a problematic peacekeeping or election monitoring relationship can have serious consequences for its participants. The acceptance of mediation is shown to have little determinative impact on the effectiveness of the peace talks, while in peacekeeping, mutual tolerance by the peacekeepers and insurgents does not necessarily lead to an optimal interaction. Interaction mechanisms emerge as most important in allocative interactions like election monitoring, where a party's genuine agreement to elections denotes acquiescence to a process, and increases the likelihood of the tenability of the election results. Interaction mechanisms' influence on approach therefore increases as the binding nature of the interaction increases.

Instrumentality, as the second of the behaviour indicators, follows similar patterns of usefulness in measuring approach compatibility for the different types of interaction. It is deprived of its predictive power in mediation by the obviousness of its premise: negotiations can only occur between parties that accept each other's presence. In peacekeeping, however, the influence of instrumentality is maximised. In determining actual approaches, instrumentality provides the analysis with the link between the real intentions and the behaviour of the United Nations and insurgent movements. It does this by building on the rationality postulate: if a party perceives that the other represents an opportunity for the advancement of its interests, it will accept the presence of, and cooperate with that party. Acceptance of the other party thus signifies a compatibility of interests. Instrumentality is also important for election monitoring-type interactions. Allocative interactions of this sort are generally process-oriented, and the legitimacy and fairness of allocative processes in the aftermath of civil wars often depends on the genuine participation of both the United Nations and the insurgent movement. Again, instrumentality as an approach indicator increases in utility the more binding the interaction is.

Impartiality as a behaviour indicator has different patterns of significance than interaction mechanisms or instrumentality. Like instrumentality, its importance lies in its ability to determine the genuineness of behaviour and its reflection of the underlying intentions of the actors. This gives it particular use in mediation, by being able to separate genuine negotiation of a compromise agreement of differences from various negotiating gambits being used to cover other motives. In peacekeeping, where the peacekeepers and the insurgent movements pose an

armed threat to each other, impartiality also takes on great importance. It stands as one of the traits that separates a viable, peaceful interaction, and a damaged relationship that slides towards war. Similarly, in election monitoring, impartial behaviour signifies actual commitment to the election. In this way, impartiality of behaviour by the United Nations and insurgent movement offers further clues to their actual motivations, and thereby gives the analysis a truer assessment of the compatibility of their approaches.

Timing, an indicator adopted to measure the level of an insurgent movement's commitment to the peace process, proves to be of little utility on analysis. Its strongest influence seemed to be on influencing insurgents' disposition towards peacekeepers. It is most likely that its lack of influence arises from the large number of factors determining a belligerent's position besides military fortunes, and these factors can modify the impact of a poor military situation. Timing as an indicator also seems to be based on an inconsistent assumption: that a stagnant military situation produces a greater receptivity to peace overtures. Yet this need not be the only reaction to a worsening military situation: other options include a change in tactics, or a radicalisation of the movement.

Support and isolation proved the importance of taking influence indicators into account in an approach analysis. The influence of these factors also recommend caution in the way they are used to analyse the optimality of the interaction. Particularly where insurgent cooperation is compelled over basic disagreements, this cooperation will not necessarily yield more viable interactions. This was particularly shown during mediation, where cooperation and agreement could be compelled without effecting any change in the insurgents' intentions. Influence indicators proved to modify the underlying logic of the study only on occasions of minor and temporary uncooperativeness in the more binding interactions. Isolation of insurgent movements had an inconsistent effect on their commitment and influence in disrupting the coalition's unity. This seemed to be confined to certain situations and insurgent groups.

Cohesion, as well, had an uneven effect across interaction types, cases, and actors. It proved a more valuable measure of United Nations commitment and capabilities, and thereby the sustainability and conviction of its approach. This indicator had little definite effect on

insurgents' approach, when compared in each type of interaction to the other important determinants. Highly factionalised groups were not in any observable way more constrained by their lack of cohesion than unified and disciplined groups.

The comparison of the importance of each indicator in determining the actual approach of the United Nations and the insurgent movement, their compatibility, and their effect on the optimality of the interaction, suggests certain important conclusions from the analysis. Building further on the characterisation of general interaction types undertaken in the previous section, it enables a prioritisation of the impact of indicator types for each interaction type. This is useful for approach analyses of other types of United Nations-insurgent interactions by signalling the general types of indicators that will impact most heavily on determining the nature of the relationship. Hence, objectives proved to be of worth in analysing all types of interactions. Of the behaviour indicators, only impartiality proved to be equally useful in all interactions. The value of the other two behaviour indicators, interaction mechanisms and instrumentality, is greater for more binding, allocative interactions. Timing was of limited importance in all but peacekeeping, the most military interaction studied. Influence indicators, support and isolation, proved important but problematical, by threatening to divorce behaviour even further from intentions. Cohesion emerged as significant only to the United Nations approach. Comparison of the results of this thesis has, in this way, enabled a general characterisation of the types of United Nations-insurgent interactions, and identified those aspects of their approaches that most impact on the interactions' optimality.

7.3: IMPLICATIONS FOR POLICY AND PRACTICE

This thesis has been written from a conviction that the United Nations is a valuable instrument for reducing war in world politics, and amid a growing debate on the utility of retaining the Organisation. It is hoped that some of its approaches and conclusions will influence the Organisation's future directions along side the growing amount of work from national defence establishments formulating peacekeeping doctrines. Implicit in the analysis has been an assumption that during its most optimal interactions with insurgent movements, the Organisation was operating to its full potential and fulfilling an invaluable role in international

politics; while its most dysfunctional interactions were a result of a misuse of the United Nations and a misunderstanding of the nature of the problems by its Member-States. A corollary of these assumptions is that analyses of this nature will be helpful in increasing the Organisation's strike rate of optimal interactions with insurgent movements and other interlocutors. Such an improvement will hopefully redress to some extent the Organisation's finance and confidence crisis by recapturing Member-States' support for it.

The conclusions of this thesis generally reinforce the convictions of conventional doctrine on the need for consent and cooperation between a United Nations presence and former belligerents. It agrees that with the current resourcing, capabilities, and high level of Member-States control of the United Nations' activities, only certain types of responses are possible. These are the responses that rely on the cooperation of all of the parties to make use of the Organisation's unique conflict termination attributes. A corollary of this is that a change in role or capabilities needs to be preceded by a change in resourcing and capabilities for independent, concerted action.² Conclusions like this explicitly caution against doctrine changes, like those advocated in *Agenda for Peace*, that are unaccompanied by consequent changes in the Organisation's resourcing or capabilities.

The United Nations' repeated misuse for enforcement roles, and the recurring embarrassment of revealing its coercive impotence, will only damage the its ability to act in other, more appropriate roles. Less universalist, but more cohesive multilateral organs should be used for enforcement roles. The most appropriate organisations for this task appear to be regional organisations and defence pacts. The United Nations Charter acknowledges this need for burden-sharing in the maintenance of international peace and security, devoting Chapter VIII to Regional Arrangements' complementarity and functions vis-a-vis the United Nations. Boutros-Ghali was also aware of this possibility in *Agenda for Peace*, advocating greater delegation of United Nations tasks to regional arrangements because "Just as no two regions or situations are the same, so the design of cooperative work and its division of labour must adapt

² This point has been most recently made by Chester A. Crocker, "The Lessons of Somalia: Not Everything Went Wrong", *Foreign Affairs*, Vol. 74, No. 3, May/June 1995, pp. 5-7.

to the realities of each case with flexibility and creativity."³ For these reasons, this study urges the United Nations to take into account, in its assessment of the situation for a peace effort, its own capabilities. It argues that United Nations' roles in the post-Cold War world should be determined not by the responsibilities that need to be fulfilled, but on which of these tasks is achievable with its current abilities. If it is reluctant to expand the United Nations' capabilities to fit its enhanced responsibilities, the international community should be aware of its shortcomings and devise alternative means for achieving its more normative objectives.

The approach of this study goes further than such cautions, however. By contending that many of the sources of the viability of an interaction pre-exist in the conflict situation and Organisational dynamics of the United Nations, it recommends the development of a conflict analysis capability within the Secretariat, with direct input into the decision-making procedures for the dispatch of United Nations initiatives. Although an embryonic Planning and Coordination cell and a Situation Monitoring centre have been established within the Department of Peacekeeping Operations, data collection, sophisticated research, and systematic result collation and analysis need to constantly coordinate the information of units in the field, and inform the United Nations' decision-making on when to intervene. As reports by Under-Secretary Goulding and others before the Bosnia and Somalia involvements recommended against the dispatch of peacekeeping forces there attest, such an inclination already exists within the Department of Peacekeeping Operations, but is easily overridden by other interests, particularly those of the interested Member-States. Such a capability, however, should be systematically developed, and carry a definite weight in decision-making. Furthermore, the United Nations needs to summon much more military and political expertise to interpret this information and utilise it appropriately in decision making.⁴

A corollary of this need is the need for such information processing to rest on an efficient intelligence capability. Several of the missions examined in this thesis were hampered by ineffective intelligence support.⁵ There exists within traditional peacekeeping doctrine a shyness

³ Boutros Boutros-Ghali, *Agenda for Peace*, (New York: United Nations, 1992), p. 13.

⁴ Adam Roberts, "The Crisis in UN Peacekeeping", *Survival*, Vol. 36, No. 3, Autumn 1994, pp. 111-112.

⁵ Notably UNOSOM II, ONUSAL, UNPROFOR II, and UNAVEM II.

of intelligence gathering, stemming from fears that this will impair the impartiality of the peacekeepers in the eyes of the disputants. However, the complexity of contemporary civil war peacekeeping makes the collection, analysis and secure distribution of sophisticated intelligence on troop location, strength and movement more important. The United Nations can benefit greatly from developing its own, as well as making use of Member-States, sources of both human intelligence and signals intelligence.⁶ There remain, however, various practical problems involved with intelligence sharing in multilateral operations: operational security may disincline Member-States from sharing intelligence from fear of compromising their sources or revealing their techniques. However, notwithstanding these problems of access to classified and technical intelligence, the United Nations can significantly improve its collection and use of open source intelligence and reports from field operatives.

7.4: FURTHER RESEARCH DIRECTIONS

This study, in using an analysis of the compatibility or otherwise of the approaches of the interacting units to examine the optimality of their relations, expresses a faith in realist factors and their explanatory power. Approach analysis asserts the need for a dynamic examination of an entire interaction, rather than an appraisal of the technique of one of the interacting units, as characterises much of the peacekeeping and insurgent movement literature. The inclusion of the whole interaction into the examination yields important insights, which agree with, but add precision to, the conclusions of other approaches. Similar explanatory richness could be gained by applying interaction analyses to other, similar interactions. Such interactions could include United Nations interactions with other interlocutors: incumbent governments, Member-States, non-governmental organisations. The study also highlights the importance of studying United Nations-insurgent interactions to understand more about each of these actors specifically, but also generally to expand and enrich the discipline of international relations. While using a realist analysis, however, it does not contend that this is the only relevant approach. Other methodologies would yield important insights missed by this study.

⁶ See Hugh Smith, "Intelligence and UN Peacekeeping", *Survival*, Vol. 36, No. 3, Autumn 1994, pp. 174-192.

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For example, a psychological-sociological analysis of the relationship between United Nations representatives and insurgent contacts would enrich the study of this field.

This study has isolated and analysed one nexus in the United Nations' many involvements in civil war and post-civil war environments. Yet it has also highlighted a number of trends that have become more important after the Cold War: the prominence of the United Nations, its successes, its failures and its image in the eyes of its Member-States; the growing international impact of insurgent movements, and the concerns they confront the international community with; and the growing number of interactions in international politics between entities that are not States. The interaction examined here has risen to prominence due to its lethality, expense, and the dangers it poses to the future viability of the United Nations. No developments in the international system in the aftermath of the United Nations "failures" suggest that an alternative will be developed, or in fact that States will show any less inclination to resort to multilateral measures through the Organisation to advance their less compelling interests. Yet more failures will bring further degradation of the United Nations' ability to respond adequately. It is only through such analyses as this that events such as the battle of the Bakhara Market can be utilised as part of the learning curve of the Organisation as it emerges from its first fifty years of torpor into its second half-century.

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