



*The UN's Role in the Former Yugoslavia:  
the Failure of the Middle Way*

Research Paper

No. 15 1995–96

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***The UN's Role in the Former Yugoslavia:  
the Failure of the Middle Way***

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Research Paper

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Source: L. Silber and A. Little. *The death of Yugoslavia*. London, Penguin Books, 1995: vi-vii

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Source: S.L. Woodward. *Balken tragedy*. Brookings Institution, Washington, 1995

## Abbreviations

|          |  |
|----------|--|
| CSCE     | Conference on Security and Cooperation in Europe |
| EC       | European Community                               |
| EU       | European Union                                   |
| ICFY     | International Conference on Former Yugoslavia    |
| JNA      | Yugoslav People's Army                           |
| NATO     | North Atlantic Treaty Organisation               |
| UN       | United Nations                                   |
| UNHCR    | United Nations High Commission for Refugees      |
| UNPROFOR | United Nations Protection Force                  |
| WEU      | West European Union                              |



## Major Issues

This paper and its companion paper, 'The collapse of Yugoslavia: background and summary', arose out of a wish to present a balanced picture of UN participation in the Balkans conflict. Since 1992, the UN has received much of the blame for the failure to halt the war in Bosnia but, in fact, deployment of the UN was inappropriate from the start. The major powers, determined not to become militarily involved in the war but under pressure to act in some way, compromised by sending UN peacekeeping troops into a situation where there was no peace. While the main task of the UN troops was humanitarian, they were given other responsibilities that required the use of force, without being given the resources to carry these enforcement tasks out. In short, excessive expectations were imposed upon UN peacekeeping. It can be argued that, in the post-Cold War world, the UN has become something of a dumping basket for difficult problems, and a convenient whipping boy when these problems are not easily resolved.

Peacekeeping doctrine dictates that the responsibility for a political solution rests principally with the belligerents, ie it assumes the willing consent and cooperation of the belligerents to work out a settlement which the peacekeepers can then help sustain. Peace enforcement, on the other hand - as in the Gulf War - creates the settlement by compelling the warring parties to accept the conditions. Whereas the United Nations Protection Force (UNPROFOR), was able to begin its first mission, in Croatia, under conditions that approximated those of traditional peacekeeping, this was not the case in its Bosnian mission.

When widespread war commenced in Bosnia in April 1992, the international community was caught very much without agreed policies. UNPROFOR troops were not deployed in any number in Bosnia until December 1992, eight months after fighting had begun. By this time the Bosnian Serb forces had taken over 70 per cent of Bosnia's territory. Unlike Croatia, in Bosnia there was never a ceasefire of any duration to be monitored, and UNPROFOR was therefore involved in a number of non-peacekeeping tasks. Some of these tasks required the use of force, which was incompatible with existing mandates requiring consent of the parties, impartiality of the UN troops and the non-use of force. Out of concern that the use of force would compromise the mainly humanitarian operation and endanger the relief agencies, UNPROFOR was never given the resources to carry out many of its tasks. It has been required to find some sort of middle way between peacekeeping and peace enforcement.

UNPROFOR's principle task has been assisting the United Nations High Commission for Refugees (UNHCR), reflecting the fact that the international effort has been geared primarily to dealing with the consequences of war rather than the causes. Supporting the aid convoys

involved the frustration of regularly having to negotiate their way through roadblocks controlled by militia groups, as well as the risk of suffering unexpected attacks. All sides tended to see the UN as anti-them and pro-opposition. UNPROFOR's role was alleviating the consequences of war; it was not there either to bring the conflict to an end or make the protection of human rights a priority. But when the local people failed to obtain protection from the UN force, they tended to see the force as biased, frightened or simply ineffective. By the end of 1993, with UNPROFOR now numbering 34 000 troops but with the war continuing unabated, UN involvement was being written off as a failure. The UN personnel were widely criticised for assisting Serb aggressors, and humanitarian relief organisations were threatening to withdraw.

The inadequacies of the UN operation should be seen as mainly the fault of the five permanent members of the Security Council, particularly of the UK, France and the USA. The early decision of the major powers was that Bosnia-Herzegovina had no strategic significance and they would not become militarily engaged in the war, but pressure for them to act in some way came from the global mass media and the general public. The result was a compromise, the sending of UN peacekeeping troops to deliver humanitarian assistance to civilians but, in addition, loading the troops with a number of coercive responsibilities. In more than 60 resolutions passed since the conflict began, the Security Council has enlarged or expanded the mandate of UNPROFOR over a dozen times, although the authority and/or resources to carry out many of the tasks were not provided. Mandates were not practicable, rules of engagement were ineffectual, and command and control arrangements chaotic. In addition there was a serious lack of financial resources, with most contingents receiving less than the amount allocated.

One of the most regrettable failures was the failure to protect the six 'safe areas'. Although several Security Council resolutions seemed to imply appropriate force would be used to protect these areas, the enforcement nature of UNPROFOR's role disappeared when its duties were spelt out. In addition, although the UN Secretary General had requested 34 000 troops to protect the six areas, the additional troops eventually supplied numbered around 3000. World criticism of UNPROFOR's performance in the 'safe areas' was largely based on the misunderstanding that it was authorised and equipped for an enforcement role. In fact UNPROFOR was never given the capacity to 'defend' the areas or 'enforce' the withdrawal of attacking forces. It was unfortunate the resolutions gave the name 'safe areas' to these towns and their surrounds as it generated false expectations among the Moslems. Until August 1995, there was no international willingness to enforce a resolution or to punish uncooperative parties with anything other than sanctions and condemnation. This attitude is not limited to the former Yugoslavia. While it is becoming more acceptable to override state sovereignty when human rights are grossly abused, there is, nevertheless, no political will to move to peace enforcement, no willingness to pay the cost in lives or money unless vital national interests are clearly involved.

## **Introduction**

With the potential for a peace agreement in Bosnia being more favourable at present than at any earlier time in the conflict, and with the UN's 50th Anniversary being celebrated, the time is appropriate to attempt a more balanced picture of UN participation in the Balkans conflict. Increasingly since 1992 the general attitude of the media to the UN's role has been highly critical. This paper examines the nature of the UN's contribution, and traces its failure to inappropriate decisions made in the Security Council. A companion paper, 'The collapse of Yugoslavia: background and summary', presents a background to the Balkan wars and a summary of the conflict to date.

A main conclusion of this paper is that the major powers, determined not to become militarily involved in the war but under pressure to act in some way, compromised by sending UN peacekeeping troops into a situation where there was no peace. It could be argued that, in the post-Cold War world, the UN has become something of a dumping basket for difficult problems, and a convenient whipping boy when these problems are not easily resolved.

A section on the implications for Australia of the Balkans conflict has been included in the companion paper, page 22. The companion paper also provides a chronology of the war as an appendix.

## **United Nations High Commission for Refugees (UNHCR)**

In any discussion of the role of the UN in the former Yugoslavia, first mention should probably be made of the UNHCR. The UNHCR's relief agencies were there first and have saved thousands of people from dying through war, cold or starvation. In Bosnia, the peacekeeping force, UNPROFOR, has been deployed with a main purpose of assisting the humanitarian agencies. The UNHCR is spending half its annual budget in the Balkans<sup>1</sup>. It began operating in Bosnia in November 1991, before the war began, with about 20 staff, and within two years expanded to a staff of around 600 officials. This is far smaller than UNPROFOR, and not a lot considering about 4.2 million people within the former Yugoslavia are either refugees or internally displaced. Of Bosnia's 4.4 million people, about 2.3 million have been displaced.

This paper will emphasise that peacekeepers in Bosnia have not been keeping peace, but it is also true that the necessity for the UNHCR in Bosnia to give priority to the delivery of humanitarian aid has taken resources away from its mandate responsibility, the protection of refugees.<sup>2</sup>

The UNHCR lacks experience and training for working in a war zone. Senior officials have admitted their difficulties in understanding the military structure with which they had to work. In contrast to the vertical structure of UNPROFOR, the smaller UNHCR operated with a horizontal management structure, where senior staff made quick decisions that went straight to drivers and warehousemen. With its more flexible structure it made the most of available opportunities. If a convoy was blocked, it would quickly re-route to somewhere that it could reach.<sup>3</sup> Ironically, while the world generally has been critical of UNPROFOR's lack of aggression, the UNHCR has often been frustrated by its links with UN soldiers, regarded with suspicion by many combatants.

One criticism often made is that 50 per cent or more of the food being delivered has fallen into the hands of soldiers of either side, and thus may have prolonged the war. In Banja Luka, where Serbs controlled the distribution of aid as well as the roads, the proportion reaching needy civilians would have been much less. Another criticism has been that the UNHCR has assisted ethnic cleansing and facilitated the task of aggressors by helping refugees leave besieged areas.<sup>4</sup> Former US Army officer John Hillen sums up the results of the UN humanitarian intervention:

That well-intentioned international effort keeps Bosnian society functioning at a level that is just tolerable enough to keep any of the belligerents from negotiating seriously for peace. Freed from the need to keep the basic infrastructure of Bosnia in operation and under no significant political pressure to bargain with their adversaries, the warring factions all feel they have at least as much to gain by continued fighting as by negotiation.<sup>5</sup>

In effect, the work of the UNHCR, together with that of UNPROFOR in providing support, has caused all sides to avoid their responsibilities and to continue fighting.

An even more fundamental criticism can be directed at the policy-makers in Paris, London and Washington, that the whole humanitarian intervention has substituted for a more credible international response to the war, and has been part of an international effort geared to dealing with the consequences of the war rather than the causes.

## **UNPROFOR in Croatia**

Initially the UN (as distinct from its agencies) took no part in the Balkans crisis. One reason was the European Community's<sup>6</sup> enthusiasm for handling the problem itself; the other reason was that the conflict was seen as an internal dispute and therefore not within the ambit of the UN. The US, especially, insisted on a strict interpretation of Article 2 of the UN Charter, which forbids the UN from intervening 'in matters which are essentially within the domestic jurisdiction of any State'. Chapter VII of the Charter provides the exception to this, permitting whatever measures necessary 'to maintain or restore international peace and security'.

The first formal UN action was in September 1991 when the Security Council passed Resolution 713 imposing an embargo on the delivery of arms and other military equipment to the area. In October 1991, the UN Secretary General, Perez de Cuellar, appointed Cyrus Vance as the UN's special envoy to the former Yugoslavia, and Vance was influential in organising a

request from the Yugoslav Presidency for the deployment of UN peacekeeping troops to Croatia. A few days later, Vance put forward the following five conditions for the establishment of a peacekeeping force in Croatia: the agreement of all parties, a clear mandate, the provision of troops and financial backing by UN members, and the support of the Security Council. Vance went on to prepare a peacekeeping plan, which was approved by the Security Council in December 1991, although it was not until 21 February 1992, with Security Council Resolution 743, that authorisation for deployment was given.

The first troops of the United Nations Protection Force (UNPROFOR) began arriving in Croatia in March 1992. The plan called for the deployment of just over 13 000 troops, plus civilian personnel and police. Deployment was in three UN Protected Areas (UNPAs), covering the Krajina region, Western Slavonia and Eastern Slavonia. These areas - which are shown on Map 2 at the beginning of this paper - had been occupied by armed Serbian militias, and had seen the most intense fighting. The population in the UNPAs was largely Serbian. UNPROFOR's main function in Croatia was to stabilise the situation, creating conditions of peace and security within which negotiations for an overall solution to the crisis could take place. More specifically it had to demilitarise or effect the withdrawal of armed forces, protect the local population, monitor traffic in and out of the UNPAs, and assist in the voluntary return of displaced persons and refugees. Another task would be to monitor the local police, who would be responsible for law and order.

With a peace accord having been signed on 3 January 1992, UNPROFOR was able to go into Croatia under conditions that in principle approximated those of traditional peacekeeping. But although it was able to stabilise the cessation of open hostilities and effect the withdrawal of the Yugoslav People's Army (JNA), it was unable to secure the demilitarisation of the UNPAs. A major reason for this was that withdrawing JNA troops were leaving behind arms and equipment for local Serb militias, and UNPROFOR had little success with demobilising these militias. In any case the demilitarisation aim was unrealistic, since this would pave the way for the incorporation of local Serbs into the Croatian state. Another problem undermining the effectiveness of the operation in Croatia was that areas adjacent to the UNPAs (later called the 'pink zones') were also held by the JNA, but did not come under the UN's mandate (which was restricted to the UNPAs) or the cease-fire agreement. The 'pink zones' continued to function both as centres of Croatian Serb aggression and as focal points for Croatian aggression.

An additional problem was that UNPROFOR's mandate was constantly expanding as further complexities were perceived in implementing the plan. The peacekeepers became involved in organising patrols to protect homes, carrying out immigration and customs functions at borders, and supporting the provision of essential humanitarian assistance. In May 1992, the new Secretary-General, Boutros Boutros-Ghali, stated that 'developments since the Security Council approved the Plan for the United Nations peacekeeping operation in Croatia had raised new doubts about the practicability of the operation'.<sup>7</sup>

## **UNPROFOR in Bosnia**

With hindsight it can be regretted that Cyrus Vance's terms of reference were not extended to address the looming confrontation in Bosnia. When total war broke out in Bosnia in April 1992, the international community seemed caught very much without agreed policies, apart from containing the crisis as much as possible and avoiding becoming too deeply enmeshed. In May 1992, with widespread fighting intensifying throughout Bosnia, Boutros-Ghali argued that Bosnia 'in its present phase' was not 'susceptible to the United Nations peacekeeping treatment'<sup>8</sup>. This was understandable, as several of the conditions generally considered essential for traditional peacekeeping were absent, viz. an established cease-fire and the consent of all parties. But in response to international pressure, the Security Council passed a resolution on 30 May which placed a security zone around Sarajevo airport to allow unimpeded delivery of humanitarian supplies. Thus an international force was not deployed in Bosnia-Herzegovina until hostilities there were well under way, and then only a small force taken from UNPROFOR in Croatia in order to open the airport at Sarajevo.

As the Security Council, under pressure to 'do something', imposed additional disciplines on the Serbs, such as the ban on military flights, the task of implementing these initiatives was also handed to UNPROFOR, causing a progressive broadening of the mandate of the already overstretched UN force. In June, UNPROFOR's mandate was extended with the deployment of military observers in Sarajevo to supervise the withdrawal of heavy weapons from the city and surrounding area. A dispute occurred between Boutros-Ghali and the Security Council, with the Secretary-General complaining of tasks being thrust upon UNPROFOR without proper consultation, of lack of adequate financial and other material provision, and of the new mandate being virtually impossible to carry out. Boutros-Ghali protested that other crises were more deserving of UN resources than was Yugoslavia, and was reluctant to allow involvement beyond humanitarian assistance until criteria for successful peacekeeping could be defined.<sup>9</sup> But the Security Council continued to press for action, although without providing the necessary resources for a credible force.

In September 1992, when widespread war had been taking place in Bosnia for nearly six months, the UN Secretariat presented its report on a 'concept of operations' for Bosnia. During this period, the EC's Lord Carrington had persisted with peace efforts, which consisted of a series of brokered and then broken cease-fire agreements.<sup>10</sup> The Security Council, under strong international pressure to take enforcement action, authorised the extension of UNPROFOR's mandate, with the main task being the provision of 'protective support to UNHCR-convoys'. This led to the creation of a separate UNPROFOR command in Bosnia, with troops from eight European countries plus Canada, and a field hospital from the United States. While its main task was supporting UNHCR aid convoys and relief work, its mandate was continually being broadened by Security Council resolutions. For example, it took on a monitoring role at airports to check compliance with the 'no-fly zone'; and a similar role at numerous crossing points along the Bosnian border to observe violations of the arms embargo and the economic sanctions.

By the end of 1993, with UNPROFOR numbering 34 000 troops,<sup>11</sup> but with the war continuing unabated, UN involvement was being written off as a failure. The UN-EU mediators were widely criticised for assisting Serb aggressors. Humanitarian relief organisations threatened to withdraw. The way in which peacekeepers were used was labelled 'misuse of peacekeeping'.<sup>12</sup>

## **UNPROFOR's Problems**

Whereas the role of UNPROFOR in Croatia was along the lines of traditional peacekeeping, with a cease-fire to be monitored, in Bosnia there was never a ceasefire of any permanence to be monitored, and the UN peacekeepers were loaded with a variety of non-peacekeeping tasks. Unlike the UN's task in Croatia, the mandate for Bosnia was never clear. Generally the UN's presence in Bosnia was intended to promote a peace rather than keep one, and one major activity fell into the category of conflict-mitigation. Peacekeepers were required to moderate the ongoing conflict by limiting the parties' recourse to certain military means (eg the use of combat aircraft) or protecting cities or areas from attack. Although the Security Council resolutions for Bosnia were passed under the enforcement provisions of Chapter VII of the UN's Charter, the constant concern was that the use of force would compromise the peacekeeping operation, contradict the impartiality which is the hallmark of UN peacekeeping, and endanger the relief agencies. Consequently UNPROFOR was never given the resources to carry out many of its tasks.

Peacekeeping doctrine dictates that the responsibility for a political solution rests principally with the belligerents, i.e. it assumes the willing consent and cooperation of the belligerents to work out a settlement which the peacekeepers can help sustain. Peace enforcement, on the other hand - as in the Gulf War - creates the settlement by compelling the warring parties to accept the conditions. Not until the NATO air onslaught in August 1995 did the UN-NATO effort move to peace enforcement. For three and a half years, regardless of the tasks it gave the UN force under Chapter VII authority, the Security Council did not provide the means to enforce its resolutions. UNPROFOR has been required to find some sort of middle way between peacekeeping and peace enforcement. As Boutros-Ghali acknowledged in January 1995:

The UN operation in Bosnia-Herzegovina...was given additional mandates which required the use of force. These were incompatible with existing mandates requiring consent of the parties, impartiality, and the non-use of force. The resultant combination was inherently contradictory. It jeopardised the safety and success of the peacekeeping mission.<sup>13</sup>

One consequence was that the warring parties had no serious incentive to cease fighting and come to the negotiating table. Another consequence was a general lack of respect for UNPROFOR, both within the former Yugoslavia and internationally.

Humanitarian relief was the main assistance the Security Council felt obliged and willing to give, and the delivery of aid to civilians went ahead in the midst of an ongoing conflict, and not necessarily with the consent of the parties through whose territories the aid must be delivered. The result for aid convoys was the frustration of regularly having to negotiate their way through

roadblocks controlled by militia groups, and the risk of suffering unexpected attacks. As one UNPROFOR officer notes:

We were therefore thrown into peacemaking whether we liked it or not because without some form of peace we could not possibly get the humanitarian convoys through.<sup>14</sup>

These blockages, which complicated access to many of the areas most in need of humanitarian assistance, were caused mainly, but not only, by Serbs. All sides tended to see the UN as anti-them and pro-opposition. In addition, the small contingents of lightly armed troops were always vulnerable to retaliatory action by the Serbs, and always at risk of becoming hostages. The Bosnian Serb force, particularly, consisted of a number of virtually independent militias, which adopted a warlord type mentality. The result was that political agreements were not necessarily honoured at the military level in the field.

In general, conditions in Croatia and, especially, Bosnia were wholly inappropriate for passive peacekeeping and humanitarian operations. One requirement for peacekeeping is the consent of the conflicting parties, but far from cooperating with the UN, Serb and Croat forces impeded UN operations from the beginning. 'The process that led to the deployment - with its haggling about mandate, size, and rules of engagement - demonstrated to the Serbs the UN reluctance toward expansion.'<sup>15</sup> Later, as the Bosnians increasingly felt betrayed by the UN, they too withheld cooperation.<sup>16</sup> Because of the differences in the relative strengths among Serbs, Croats, and Moslems in Bosnia, UN involvement on the basis of impartiality - treating both aggressors and the victims of such aggression equally - has been seen by the Moslems as intervention on the side of the aggressor.

UNPROFOR personnel were generally referred to as 'UN peacekeepers', and their title is 'United Nations Protection Force'. Both titles created false impressions. As has been indicated, its main task was essentially a humanitarian intervention, accompanying UNHCR relief deliveries. There was very little protection for the population, except what came from its status as a UN force. But local people, naturally unaware of the subtleties of Security Council resolutions, tended to take the view that the UN was there to protect them:

When it failed to do so, it appeared that UN forces were either partial, or frightened, or simply ineffective.<sup>17</sup>

Similar misconceptions were held in other countries:

'Outside the former Yugoslavia, the growth in expectations was no less evident. Since the UN was deploying no fewer than 40 000 military and civilian personnel and had taken over 1000 casualties - 98 of them fatal - and was backing those forces up with national and NATO military assets operating from outside the theatre, surely, it was felt, the UN was capable of more resolute action?'<sup>18</sup>

UNPROFOR's role was alleviating the consequences of war; it was not there either to bring the conflict to an end or to make protecting human rights a priority.<sup>19</sup> Certainly there was a readiness to authorise action to protect their own people, but they were unsure about doing so on behalf of those they were supposed to be helping.<sup>20</sup>



In theory, NATO airpower was intended to provide some enforcement provision for UNPROFOR, and could be called upon for a strike. But in practice disagreements were common between UNPROFOR and NATO over the nature and extent of the use of air power. Until August 1995, only 10 'pin-prick' strikes had been made. Although according to Security Council resolutions NATO was acting in support of UNPROFOR, in practice NATO made its own decisions when called on by UNPROFOR to interdict 'no-fly zone' violators, or to carry out air strikes. As Shashi Tharoor, a Special Assistant in UN Peacekeeping Operations, sums up:

The problem of competing credibilities is a particularly serious one between an organisation designed to fight war and another dedicated to keep peace.<sup>21</sup>

John Hillen sums up the plight of UNPROFOR, and attributes the failure clearly to the Security Council:

So what is the UN strategy for formulating realisable and sustainable military objectives in the former Yugoslavia? What are its 33 000 peacekeepers doing beyond the humanitarian mission? The simple answer, which discredits the Security Council but not the peacekeepers themselves, is everything and nothing. In more than 60 resolutions passed since the conflict began, the Security Council has enlarged or expanded the mandate of UNPROFOR over a dozen times. Those resolutions have become increasingly disconnected from the situation on the ground and the military resources of UNPROFOR. The UN commanders in the field have reportedly quipped that they do not even bother reading the strategic directives from New York anymore.<sup>22</sup>

## **The Role of the Security Council**

The inadequacies of the UN operation should be seen as mainly the fault of the five permanent members of the Security Council, and particularly of the UK, France and the USA. Throughout the Balkans crisis the international community has been making policy on the run, and decisions were made on initial UN intervention and subsequent modification of UNPROFOR's mandate without finding time to agree on conceptual issues and an overall strategy that tied the military means being exercised to the political goals of the Security Council. The centrepiece of the SC's strategy was to impose indirect pressure on the Bosnian Serbs through direct economic pressure on Serbia itself, mainly by the enforcement of sanctions. The early decision of the major powers was that Bosnia-Herzegovina had no strategic significance and they would not become militarily engaged in the war, but pressure to act in some way came from the global mass media and the general public. The result was a compromise, the sending of UN peacekeeping troops to deliver humanitarian assistance to civilians.

Because the major powers were not willing to create a peace enforcement mission, the Security Council decisions, heaping additional tasks on already overburdened troops, could be implemented only to the extent that the warring parties gave their consent. As has been seen, the result for the UN force was disastrous:

- Mandates were not practicable. As a senior British officer has written: 'The UN should never again betray the security or credibility of its peacekeepers by saddling them with

mandates that are unmanageable or that demonstrate partiality'.<sup>23</sup> Each new Security Council Resolution does not eliminate earlier Resolutions; rather it adds to, and must be read in conjunction with, the earlier decisions. Impossible demands were placed on troops, and the world censured the UN force when the tasks were not properly carried out.

- The rules of engagement for UNPROFOR, an attempt to mix the principles of peacekeeping with limited enforcement measures, were so ineffectual and confusing that they were printed verbatim in the international foreign policy journal *Orbis* under the title 'UN Theater of the Absurd'.<sup>24</sup>
- Command and control arrangements were chaotic. In theory, troops provided for peacekeeping operations are under the command and control of the Secretary-General. In practice, the Secretariat leaves command in the hands of the commanders in the field, and provides only political guidance. As UN operations have increased in complexity and risk, however, member-states have strengthened their lines of communication to their contingents in UN service. This is understandable as governments are politically accountable to their publics for the risks taken by their soldiers. But this can lead to contingents operating individually rather than in the UN command structure, and this tendency must be reconciled with the need to maintain force cohesion and the distinctive characteristics of a UN peacekeeping operation.
- There was a serious lack of financial resources, with most contingents receiving less than the amount allocated. As Fetherston observes: 'the lack of financial support for UNPROFOR...stood in stark contrast to the international community's enthusiasm for providing peacekeepers with new tasks'.<sup>25</sup>
- One of the most unfortunate aspects of the UN in Bosnia has been the contrast between the shrill rhetoric, particularly from the Clinton administration, which has accompanied Security Council resolutions and the lack of accompanying military commitment to implement the mandates. Security Council resolutions usually pronounce that 'all measures necessary' are to be used in implementation, but this, as Thomas Weiss puts it, is 'quintessential doublespeak'.<sup>26</sup> Without adequate means or authority, UN forces have been left 'wandering in the void' between peacekeeping and enforcement.<sup>27</sup> At least until 1995, US statements on Bosnia seem to have been 'designed more to assuage public conscience and satisfy the 'CNN factor' than to have a conclusive impact on the conflict'.<sup>28</sup>

The result was disillusionment among the UNPROFOR troops, with local commanders finding it increasingly difficult to maintain a clear definition of their military objectives as more and more was expected of them with forces mainly equipped for lesser tasks.<sup>29</sup> The Belgian General Briquemont, who was withdrawn early from his UN command in Bosnia because of his criticisms, 'denounced as pure hypocrisy the tendency of the P-5 powers to pass resolutions without offering troops to execute them'.<sup>30</sup> He suggested his replacement 'constantly remind those politically responsible about the difficulties in which they put us [UNPROFOR] because there is no coherence in their strategies'.<sup>31</sup>

One of the most regrettable failures was the failure to protect the six 'safe areas', which had been designated by Resolution 819 in April 1993 and Resolution 824 in May 1993. On 4 June, Resolution 836 seemed to give some teeth to the 'safe areas' initiative by extending UNPROFOR's mandate 'to enable it to protect the safe areas...and to use force in self-defense or in deterring attacks against the safe areas.' Member States were to support UNPROFOR through air power. However, when the Resolution went on to spell out UNPROFOR's duties, the enforcement nature of its role disappeared, and the impression is given that the Force's main deterrent capacity was to flow from its presence. To secure the 'safe areas', UNPROFOR was tasked with monitoring any ceasefire, promoting the withdrawal of any non-Bosnian Government forces, occupying some key points in and around the 'safe areas' and participating in the delivery of humanitarian relief.

Later in June, Boutros-Ghali made it clear that the viability of the 'safe areas' would depend on a credible UN military presence, and that 34 000 troops were needed to ensure 'deterrence through strength'. When it became obvious that these resources would not be provided, Boutros-Ghali claimed 7500 troops as an initial 'light minimum option'. However the additional troops eventually supplied numbered around 3000, and the 'safe areas' mandate was never enforced. Later it was stated that the real intention was that the areas were to be safe only for the UN forces, not for the inhabitants or for refugees seeking asylum.<sup>32</sup> World criticism of UNPROFOR's performance in the 'safe areas' was largely based on the misunderstanding that it was authorised and equipped for an enforcement role. In fact UNPROFOR was never given the capacity to 'defend' the areas or 'enforce' the withdrawal of attacking forces.<sup>33</sup> It was unfortunate that the Resolutions gave the name 'safe areas' to these towns and their surrounds, as it generated false expectations among the Moslems. There was no international willingness to enforce a resolution or to punish uncooperative parties with anything other than sanctions and condemnation.

The other aspect of this failure to de-militarise the 'safe areas' is that it allowed these areas to be chronically misused by Bosnian Government forces. They became convenient centres for re-equipping Government forces and for mounting attacks on surrounding Serb areas.

## **Macedonia**

A major problem of Bosnia Herzegovina has been its geographic location in the centre of the former Yugoslavia, positioned between Croatia and Serbia, and containing good numbers of representatives of both groups. Its lack of external borders meant that the war could not directly spill over into other countries. However if war occurred in either the southern Serbian province of Kosovo or in Macedonia it would have significant international implications, threatening to involve Albania, Bulgaria, Greece and Turkey. Macedonia faces twin threats, the first and main danger being internal tensions over the status of its Albanian minority, the second being the possibility of conflict spilling over the border from an explosion in Kosovo. However, it should be emphasised that, in the last few years, these dangers have not been substantial.

On 9 December 1992, the Secretary General recommended, on the basis of the report of an assessment team, authorisation of an UNPROFOR presence along the Macedonian border with Serbia and Albania, to monitor conditions and report any threatening movements. In January 1993, a joint-Scandinavian battalion of around 700 peacekeepers, plus military observers and police, was deployed to the border area. In June 1993 they were joined by 300 US marines.

Generally the threat of war has receded in Macedonia, although there are still ominous clashes between Macedonian police and ethnic Albanians, and President Gligorov of Macedonia was injured in a recent assassination attempt. To that extent this exercise in preventive peacekeeping has been a successful and innovative step. However it must be acknowledged that the aim, to avert the spread of war to Macedonia, is limited. It seeks only to deter conflict, rather than help resolve its potential causes.

### **Should the UN have Imposed Peace with a 'Desert Storm'-type Operation?**

It is clear that the answer to aggression is not a peacekeeping mission, which requires a peace to keep. Although in the face of continuing conflict, UNPROFOR was given increasing coercive responsibilities, only lip-service was paid to these Chapter VII tasks as the force was not given the authority or the means to carry them out.

In its main task, UNPROFOR was essentially a humanitarian intervention, accompanying UNHCR relief activities. But UNPROFOR's humanitarian role has been referred to as a 'false humanitarianism' in that, while giving assistance to the local people, it was not protecting their fundamental human rights - for example, by attempting to stop terrorism and ethnic cleansing. On the grounds that a proven violation of human rights had taken place, some have argued that a humanitarian intervention with large combat forces should have taken place to stop abuses such as genocide and the large-scale movement of peoples. Others have argued that the UN should have carried out a much more aggressive intervention, a Desert Storm-type operation, which would have stopped the aggressors and saved thousands of lives, enforcing peace in Bosnia.

A central problem in such intervention proposals is that the UN is an intergovernmental organisation, and the UN Charter is much more concerned with the rights of states than those of individuals or groups. A conservative view of the Charter would hold that:

- Articles 2(4) and 2(7) of the Charter reject any intervention in the internal affairs of a state unless the Security Council has determined that a threat to international peace and security exists. Thus the UN could not have intervened in Croatia at the time of the bombardment of Dubrovnik as Croatia was still formally part of Yugoslavia. In addition, it could hardly be argued that a threat to international order, which would justify action under Chapter VII, has existed at any stage of the Balkans crisis.

- While Bosnia was an independent state shortly after widespread fighting broke out, it cannot be said that Serb aggression involved the same clear-cut violation of a border as did, for example, the invasion of Kuwait. The fact that a considerable portion - 80 000 troops - of the Yugoslav People's Army was already based in Bosnia at the time of independence diminished the aspect of invasion, although significant incursions from Serbia did take place. And the withdrawal of the JNA to Belgrade and the formation of the Army of the Serbian Republic (ie. in Bosnia) in May 1992, comprising largely Serbs from Bosnia, gave the war a strong element of internal conflict.<sup>34</sup>

Several conventions have developed in UN peacekeeping which have served to protect the sovereignty of the state, and thus preserve the structure of the international system. For example, one accepted requirement for a peacekeeping mission has been the consent of the warring parties. But strict adherence to this principle would serve to exclude the UN from many current disputes. For example, in the case of internal conflicts, it is often difficult to identify the aggressor from the aggrieved, or legitimate authority from despots. This makes the gaining of local consent for UN operations problematical.

Another accepted principle is the view that armed force should be a last resort in any dispute. However, choosing the right time is difficult. As a crisis builds up, natural caution will lead governments to stay their hands, because of costs, fear of inflaming the situation, and fear of being charged with imperialist meddling. But often by the time the 'last resort' arrives, the situation has become so dire that the demands on the armed forces are too severe. The best times for intervention have traditionally been regarded as early in the conflict, before opposing positions have hardened, or much later, when the parties have fought themselves to exhaustion. With hindsight it seems that a better alternative in Bosnia would have been either to intervene early in the conflict with decisive military force and clearly defined, attainable objectives, or not intervene at all, hoping war weariness would soon bring the fighting to an end. Of course, the first alternative is completely theoretical. There was never any possibility that the US would intervene early in a decisive way.

However, since the end of the Cold War, the world has been gradually moving away from the idea that sovereignty is an absolute, to be used as a convenient rationalisation for narrowly defined national interests. Certainly a tension will always exist between the independence of the nation-state and the right of humanitarian intervention, but it is becoming more acceptable that state sovereignty may be overridden when human rights are grossly abused.<sup>35</sup> Nevertheless, while lip service has been paid to the relevance of Chapter VII of the UN Charter, there is, in fact, no political will to move to enforcement.<sup>36</sup> This is not just confined to the major powers. Boutros-Ghali is more cautious than his predecessor, Perez de Cuellar, regarding intervention,<sup>37</sup> even though Boutros-Ghali has acknowledged that 'the time of absolute and exclusive sovereignty...has passed'.<sup>38</sup>

While military intervention is sometimes the most appropriate policy alternative, it must be recognised that military force has limitations. The Gulf War led to the unfortunate belief that the UN can, more or less at will, impose order on violent and unruly humanity, but military force has rarely proved an effective instrument in the post-war years. There is a variety of views, even

within the military, on how attractive military intervention could be.<sup>39</sup> Civil wars are a complicated terrain for the UN or anyone else. Humanitarian intervention in civil wars would seem to require a different set of military skills, more akin to counterinsurgency. In the Bosnian situation, the generally small and mobile targets are inconvenient for the limited airstrike option. Also the very dispersed presence of UN troops in their endeavours to relieve suffering, by rendering them vulnerable to Serb counter-attack, ruled out a more aggressive intervention in the form of an air strike from the point of view of the major contributing nations, the UK and France. There are also political considerations. For example, if there had been intervention early in the conflict, Serbia might have been provoked to respond. Also the Bosnian Government, buoyed by outside support and hopeful of retaining a united Bosnia-Herzegovina, might not easily have agreed to a settlement.

While it is unrealistic to expect national interests to be put to one side, it is possible that as humanitarian intervention becomes more acceptable in the West, it will become more of an option for governments. There will not be the 60 per cent opposition to intervention in Bosnia which confronted President Clinton at his inauguration in February 1993. Certainly US participation is important for most missions of this sort. If, for example, the US had organised a mission to Bosnia centered on its own troops, the European powers would have supported it.

However, the UN remains the only venue where decisions should be made on how far a country's sovereignty will be compromised in order to protect vulnerable populations in specific emergencies.<sup>40</sup> Ideally Security Council decisions should be based on an objective assessment of the seriousness of the situation rather than on political interests which dictate that intervention only takes place where national interests are at stake or when public outcry is loudest.<sup>41</sup>

## **Impartiality**

Effective humanitarian interventions by the UN would need to have a stronger mandate to enable the causes of the suffering to be addressed rather than just the symptoms. But this would require lack of impartiality, and impartiality is considered a prerequisite for UN missions. As Tharoor points out:

The only way peacekeepers can work is when they are trusted by both sides, are clear and transparent in their dealings, and keep lines of communication open. The moment they lose this trust and are seen as the enemy by one side, they become part of the problem they were sent to solve.<sup>42</sup>

A UN force's attempt to be impartial is shown by dispersion of personnel, all unarmed or lightly armed, and by travelling in highly visible white vehicles. But a force's impartiality becomes dubious in situations like Bosnia when the UN is at the same time seen to be exercising positive or negative coercion through sanctions, embargoes, the imposition of air-exclusion zones and threats of air-strikes and enforcement.<sup>43</sup> UNPROFOR cannot credibly declare that its work is entirely without prejudice to the claims and aspirations of the Bosnian Serbs; yet many of its humanitarian tasks cannot be performed without their active day-to-day cooperation. At the

same time, the very obligation to request consent from the Serbs for passage of relief convoys can be seen by the Muslims and Croats as making concessions to an opponent, and jeopardises the UN's appearance of neutrality to these groups. Thus, in Bosnia, impartiality is almost impossible to maintain.

Increasingly it is being questioned whether impartiality is necessarily desirable. The attempt to maintain impartiality prevents efforts to solve the underlying problems, or to establish peace and stability.

## **Conclusion**

Michael Clarke considers that the 'Bosnia operation...will probably be judged a military/humanitarian success and a political failure'.<sup>44</sup> While acknowledging that the combined UNHCR/UNPROFOR effort saved many lives, and that the support of UNPROFOR enabled aid convoys to gain access to areas that UNHCR alone could not have, I am more inclined to see it as only a partial humanitarian success in view of the many reports that much of the aid went to soldiers rather than the needy. Disasters such as Srebrenica and the other 'safe areas' make the military operation a general failure, at least until the recent NATO strikes. However, I agree with Clarke completely on the political nature of the operation:

From the point of view of the forces, it is evident that they were engaged in a constant struggle against an imprecise political mandate, generally rising expectations and inadequate numbers and equipment to cope with a growing requirement to 'enforce' UN resolutions in some way.<sup>45</sup>

An obvious conclusion from the paper is that UN peacekeeping was an entirely unsuitable instrument for dealing with an ongoing conflict of the kind taking place in Bosnia. If the major powers do not see it in their national interests to conduct peace enforcement - a Gulf War-type action under UN authority - they should not attempt to soothe public opinion and give the appearance of doing something by using UN peacekeeping inappropriately. As Cedric Thornberry, Assistant UN Secretary-General, concludes:

Only in the rarest cases should the UN, at this stage in its evolution, and only to the extent to which the parties give genuine cooperation, deploy a peacekeeping force in an internal situation where peace is still a far-distant goal.<sup>46</sup>

## Endnotes

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