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INTERNATIONAL OPERATIONS AND HUMAN RIGHTS

OF THE

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UNITED NATIONS PEACEKEEPING

WEDNESDAY, SEPTEMBER 20, 2000

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL
OPERATIONS AND HUMAN RIGHTS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 10:30 a.m. in Room 2172, Rayburn House Office Building, Hon. Christopher H. Smith [Chairman of the Subcommittee] presiding.

Mr. SMITH. Good morning. The Subcommittee will be in session.

Today's hearing is about the United Nations peacekeeping forces, a review of some of their past successes and failures, and some suggestions about what shape they should take in the future.

At the moment, there are 14 separate U.N. peacekeeping missions around the world. Some have been in existence for less than a year, others for as long as 52 years.

U.N. peacekeepers are fighting and, sadly, dying in East Timor and struggling to protect a cease-fire in Sierra Leone, where violence against civilians continues, where hundreds of peacekeepers have been held hostage by rebel groups, and where open dissent has erupted between various commanders of the peacekeeping force.

Peacekeepers will also be embarking soon on a mission to protect international observers being sent to monitor the cease-fire between Ethiopia and Eritrea. Even as the use of U.N. peacekeepers is expanding, the U.N. and the United States have not fully come to terms with the peacekeeping failures of the mid-1990's.

As this Subcommittee has examined in previous hearings, the worst of those failures from a humanitarian perspective occurred in Rwanda and in Srebrenica in Bosnia.

In April 1994, Hutu extremists in Rwanda began the systematic massacre of that country's minority Tutsi population, as well as of many thousands of moderate Hutus who refused to participate in the bloodshed.

For the next 3 months, mothers and their babies were hacked to death with machetes. Families seeking refuge in churches were butchered inside. Streets, littered with corpses, literally ran with blood. By the time the killing ended, somewhere between 500,000 and 1 million people had been murdered.

Although it already had peacekeepers on the ground, the United Nations failed to take preemptive action to prevent these mass murders, and the U.N. refused to take effective action even after the killing began. After Interahamwe militiamen killed 10 Belgian

peacekeepers, the U.N. focused on avoiding risk to U.N. peacekeepers, rather than on stopping the genocide.

Notwithstanding pleas for increased assistance with a broader mandate by General Dallaire, the U.N. Security Council instead voted to withdraw most of the peacekeepers from that country. Many informed observers, including General Dallaire himself, believed that a modest, strategically placed international force could have put a stop to the killing.

A similarly shameful episode occurred the following year in Srebrenica. During four terrible days in July, 1995, an estimated 8,000 people were executed by Bosnian Serb soldiers who had overrun that United Nations-designated safe haven. The victims were unarmed men, and in some cases women and children, who had been repeatedly assured that they would not be harmed if they surrendered. In some cases, these assurances came not only from the killers, but also from the U.N. peacekeeping forces, whose mission was to protect the victims.

But when the moment of truth came, U.N. forces offered only token resistance to the Serb offensive. Their military and political commanders had redefined their primary mission not as the protection of the people of Srebrenica, but as the self-preservation of the U.N. forces. The peacekeepers became little more than observers to genocide.

Sadly, they also became something other than observers. On July 13, 1995, a Dutch blue helmet battalion handed over to Serb invaders some 300 Bosnian Muslims who had sought safety within the U.N. compound. They watched as the men were separated from the women and children, a process already well known as a sign that the men were in imminent danger of death. These men were never heard from again.

It is my earnest hope that these examples will never be surpassed as the darkest days in the history of U.N. peacekeeping. The mistakes of Rwanda and Srebrenica must not be repeated.

Today, there is a general agreement that there have been and still are serious problems with U.N. peacekeeping, but the more difficult, unresolved questions are: What exactly are those problems, and how should they be fixed?

One set of answers were proposed last month by the Panel on United Nations Peace Operations convened by Secretary General Kofi Annan. The panel's report, also known as the Brahimi report, identifies "serious problems in strategic direction, decision-making, rapid deployment, operational planning and support, and the use of modern information technology."

It also admits moral failures, such as the U.N.'s past "reluctance to distinguish victim from aggressor," as occurred in Rwanda and Srebrenica. In response, the Panel proposes a renewed commitment to peacekeeping on the part of member states, significant institutional change, and increased financial support. It emphasizes the need for stronger ties between peacekeepers and peace-builders from civil society in the areas where U.N. forces are deployed. It calls for robust rules of engagement and for "bigger forces, better equipped and more costly but able to be a credible deterrent."

It highlights the need to streamline the logistics of deployment. It also emphasizes the importance of clear, achievable mandates.

But the bottom line solution proposed by the Brahimi report seems to be "more": more resources, more power, and more autonomy for U.N. peacekeeping efforts.

Other advocates urge changes beyond those envisioned by the Brahimi report, including the creation of a standing U.N. rapid reaction peacekeeping force. They assert that prompt, forceful action would help deter the worst humanitarian costs of many crises. They point to the fact that past U.N. deployments have been too little, too late, and that past multinational forces have lacked cohesion, efficient coordination, and a unified chain of command.

They argue that a standing U.N. force is the best way to correct these deficiencies. However, because of the serious problems of sovereignty and accountability posed by such a freestanding military entity, both the current Administration and many Members of Congress have opposed the rapid deployment force concept.

Still other experts question whether U.N. forces are competent, either legally or militarily, to enforce the unstable peace that exists in the regions where many peacekeepers are deployed.

They warn that by injecting international peacekeeping forces into circumstances where there is no preexisting peace, we are entangling ourselves in an expensive, dangerous, and potentially endless morass.

Furthermore, they note that the robust military engagement contemplated by the Brahimi report and the standing force concept are less like peacekeeping than like making war—a prerogative properly exercised by sovereign states, not by the U.N.

I am happy to note that we have before us today capable experts representing each of these viewpoints, as well as one witness who speaks from personal experience of the tragedies that result from peacekeeping failures.

I hope that our witnesses will propose answers to a number of important questions: How should U.N. peacekeeping be reformed and improved? What is the proper competence of a U.N. peacekeeping force, both legally and operationally? What role should the United States and the U.N. Security Council play in initiating, directing, and supporting U.N. peacekeeping activities? And, finally, how should we balance our proper concerns about United States sovereignty and strategic interests with our moral obligations to act when innocent peoples are threatened with unspeakable evil and extermination?

I would like to yield to my very good friend and colleague, the Ranking Member of our Subcommittee, the gentlewoman from Georgia, Ms. McKinney, and thank her for her leadership on the issue of peacekeeping and for suggesting today's hearing.

Ms. MCKINNEY. Thank you very much, Mr. Chairman. I want to thank you for calling this very important hearing. I want to thank our witnesses for coming to enlighten us on this very important subject.

We are looking today at the future of the United Nations. Our witnesses have specific visions for our world and the United Nations. Mr. Nuhanovic represents a group of people who must not be left behind as we pursue our common vision of the United Nations.

The United Nations is a very important development in the course of human events. The creation of the United Nations, and now, recommendations arising from the Brahimi report, are high water marks in human development and organization.

Today, however, the U.N. proposes having a ready reservoir of able men and women willing to go to places near and far to achieve the objective of peace. That is a laudable mission, but the question we must analyze is the ability of the U.N. to achieve that mission.

The United Nations is supposed to be a force for good in the world, and this principle is enshrined in its charter. However, before I place more authority and responsibility in the hands of the United Nations, I have many questions that remain unanswered. I hope this hearing today will help me begin to answer those questions so I can lend my support to the U.N. in its efforts to become more adept at policing the world and protecting all of us from nefarious and deadly characters.

I have asked representatives from survivors in Rwanda and Srebrenica to present testimony today because they know the horrors of a peacekeeping effort gone bad. I regret the decision of the government of Rwanda to deny my request for a witness. The survivors know that all the best intentions in the world don't bring relatives back. They know, too, that all the best intentions in the world don't help survivors of an effort gone awry.

I was recently alerted that a Bosnia woman who had survived the horrors of Srebrenica and who had been relocated to Missouri committed suicide because she could not cope with a new language, a new culture, isolation from her accustomed environment, no safety net to provide a smooth transition to immigrant life in America.

What went wrong with this peacekeeping operation and its aftermath? What went so wrong that would allow a city to be destroyed, its survivors to be scattered like chaff around the world, leading this one desperate woman to kill herself? Could the United Nations have done something to prevent the double victimization of this woman, the double victimization of its survivors? What are the responsibilities of the U.N. to these families?

For the first time in its history now, United Nations peacekeeping troops have been directly implicated in the crimes of genocide and in crimes against humanity. The Kavaruganda family lives daily with the fact that the Supreme Court Justice, His Honorable Joseph Kavaruganda, of Rwanda was under the protection of U.N. peacekeepers at the time of his handover to the presidential guard for his murder. U.N. peacekeepers then stood by drinking stolen beer and watched as his wife and daughter were tortured by Rwandan soldiers.

Mr. Chairman, I have testimony about this episode from the United Nations Carlsson report on Rwanda, which I would like to submit for the Record.

[The information referred to is available in the appendix.]

Ms. McKINNEY. Hasan Nuhanovic lost his family as U.N. peacekeepers turned over 7,000 Bosnians to the Serbian Army for the slaughter of men and young boys. We know that this happened because of our witnesses and their insistence that the United Nations tell their story.

After reviewing the evidence submitted by the prosecutor, Judge Riad confirmed the indictment of Karadzic and Mladic, stating, "After Srebrenica fell to besieging Serbian forces in July, 1995, a truly terrible massacre of the Muslim population appears to have taken place. The evidence tendered by the prosecutor describes scenes of unimaginable savagery: thousands of men executed and buried in mass graves; hundreds of men buried alive; men and women mutilated and slaughtered; children killed before their mothers' eyes; a grandfather forced to eat the liver of his own grandson."

These are truly scenes from hell written on the darkest pages of human history. The United Nations was forced to write two reports which now tell the world of its gross failures and complicity in these great crimes, but the United Nations has not lifted one finger to help these and other survivors of U.N. peacekeeping atrocities.

In East Timor, the United Nations Special Representative issued an apology for not acting during the razing of Dili during and after the independence referendum. Who will rebuild East Timor?

Secretary General Kofi Annan has said that heads of state and world leaders must not be allowed to hide behind their sovereign immunity, and that they must be prosecuted for their complicity in genocide, in crimes against humanity. The Secretary General remains mute on the responsibility of the United Nations to survivors entrusted in its care.

The loved ones of our witnesses were under the direct care of United Nations peacekeeping troops. But those troops abandoned the people they were sent to protect and left them to be brutally murdered. Shouldn't the U.N. voluntarily live up to its own standard for heads of state and world leaders and be held accountable for its own participation in genocide and crimes against humanity?

The United Nations issued four apologies in 6 weeks for Rwanda, Srebrenica, East Timor, and Kosovo. Sierra Leone and Cambodia I presume will be next. In Sierra Leone, Medecins Sans Frontieres recently struck out at the U.N. When the entire town was abandoned by U.N. peacekeepers and RUF was allowed to go in unhampered. Sierra Leoneans were forced to flee the RUF with intravenous tubes dangling from their bodies because of the collapse of the U.N. peacekeeping effort.

In 1991, Cambodia had one AIDS patient. In 1993, they had three. Now they have almost 200 new infections every day. United Nations peacekeepers are alleged to have infected thousands of Cambodians as they performed their duties in UNTAC's peacekeeping operation in Cambodia.

Will the U.N. do HIV testing on their recruits? How will they repair this damage done to innocent Cambodians? Does the U.N. care?

The United Nations will acquire more and more power and authority to act on our behalf, but will the U.N. have transparency in its operations, and will the victims of its failings be able to hold the U.N. accountable?

More importantly, will governments be able to give big contracts to their friends and escape scrutiny by the public and people like us in Congress by allowing the U.N. to do in peacekeeping and policing what governments previously did?

Probably the more important question is, how will the United Nations prevent itself from being used by other countries for their own purposes and thereby subverting the U.N. mission? Many assert that this is exactly what was done by the United States in Rwanda, in Srebrenica, in Iraq, and in East Timor.

I have read the Brahimi report and I have many questions. NATO has set an important precedent by admitting and paying damages to a family that was able to prove that it was NATO bombs that destroyed their home. NATO stands above no law.

I would like to once again thank the witnesses for appearing, and I look forward to their testimony.

Mr. SMITH. Thank you, Ms. McKinney.

Mr. Delahunt.

Mr. DELAHUNT. No opening statement, thank you.

Mr. SMITH. Let me present the four witnesses, beginning first with Dr. William Durch, a Senior Associate at the Henry L. Stimson Center, and who recently served as project director for the Panel on United Nations Peace Operations, whose report was issued last month, and the former Assistant Director of the Defense and Arms Control Studies Program at the Massachusetts Institute of Technology. Dr. Durch presently teaches courses on international peacekeeping at Georgetown University.

Next we will hear from John R. Bolton, who has served as Senior Vice President of the American Enterprise Institute since the beginning of 1997. Previously, Mr. Bolton served as Assistant Secretary of State for International Organizational Affairs in the Bush Administration, as well as the Assistant Attorney General in the Civil Division of the Reagan Administration. During the early 1980's, he served as General Counsel and as Assistant Administrator for Program and Policy Coordination at the U.S. Agency for International Development.

Next we will hear from Joel Charny, who has served as Vice President of Refugees International since July of this year. Previously he worked in Cambodia as a Deputy Program Manager with the U.N. Development Program, UNDP. Before that, Mr. Charny worked for 16 years with Oxfam America. A graduate of Harvard Graduate School of Education, Mr. Charny has written numerous articles on humanitarian issues.

Finally, we will hear from Hasan Nuhanovic, who was formerly a translator for the United Nations protection force in Srebrenica. Members of his own family have not been seen since they were turned over to Bosnian Serbs by U.N. peacekeeping forces in July 1995. Since that time, Mr. Nuhanovic has investigated the fate of thousands who were turned over to Serb forces and the possible complicity of U.N. forces in those disappearances.

Dr. Durch, if you could begin.

STATEMENT OF DR. WILLIAM J. DURCH, SENIOR ASSOCIATE, HENRY L. STIMSON CENTER

Mr. DURCH. Thank you, Mr. Chairman, for the invitation to testify at this hearing on U.N. peacekeeping.

I am a Senior Associate of the Henry L. Stimson Center here in Washington, and recently served as Project Director for the Panel on U.N. Peace Operations. I am speaking here in my personal ca-

pacity, however, not for the U.N. nor for the Panel. I will be summarizing my prepared statement.

After the disasters of the mid-1990's, which both you and Ms. McKinney spoke about, there was an opportunity, breathing space to correct the more obvious problems with U.N. peacekeeping, but there seemed to be little interest on the part of member states to invest more time and money in what many assumed to be a failed enterprise. The tears in the fabric of U.N. peacekeeping were left largely unmended.

Then last year, the U.N. was suddenly called upon, in rapid succession, to administer Kosovo under the protection of NATO ground forces; and then to replace Australia-led INTERFET and launch a new government for East Timor; then to replace Nigeria-led ECOMOG in Sierra Leone to implement a deeply flawed peace accord that the U.N. did not negotiate; then to oversee a shaky ceasefire in the vast Democratic Republic of Congo. The elements of the U.N. Secretariat responsible for peacekeeping were at this time underfunded, understaffed, unprepared to run a country. Consider the headlines had they been foresighted enough to try to prepare.

Clearly, something needed to be done to better match U.N. capabilities to the operational tasks once again being handed to the organization, the basic choice being either to do these operations right or not do them.

The twin assumptions of the mid-1990's that the U.N. would not again be called upon to undertake tough missions and that regional organizations could handle all elements of such missions seemed to have been invalidated by the resurgence of 1999–2000. Better, then, that the U.N. be prepared; that the Security Council better understand what the U.N. is and is not capable of doing; and that new missions reflect that understanding.

The Panel's report advocates this latter course. The report emphasizes that the U.N. Secretariat is in no position to raise or command a warfighting force. At the same time, unless U.N.-flagged forces deployed to implement accords ending internal conflicts can defend themselves—and the peace they have come to implement—against the opponents of peace and the well-armed criminal gangs who spring up in the wake of war, their deployment is pointless.

Thus, while the report rightly leaves warfighting to states, it urges member states to collaborate among themselves to make better trained, more capable forces available to U.N. operations.

The report recommends that the Secretariat plan for realistic worst case scenarios and be given the capacity to do so, and recommends that the Secretariat dispatch teams to assess whether troops offered to a U.N. operation meet specified high standards of training and equipment, and that the Secretary General decline to accept contingents that fail to meet those standards.

But even if troops offered to a U.N. operation are well-trained and well-equipped, that operation should not go ahead unless they are offered in sufficient quantity to meet anticipated operational challenges. That is, for any given operation, the size of the operating area imposes its own requirements and constraints on U.N. or any other peace operations, which figures 1 and 2 in my submitted testimony help to illustrate.

Most big states that fall prey to internal conflict will remain beyond the reach of peacekeeping, whether U.N.-run or regionally-run. To date, even coalitions of the willing have addressed themselves to fairly small places.

If international remedial efforts can only be applied in such places, a few at a time, then the international community must place greater emphasis on conflict prevention if the need for peace operations is to match either the U.N.'s or regional organizations' capabilities to keep or restore peace. By that, I really mean long-term prevention.

Such operations have been given a wide variety of tasks over time; some easier, some harder. Monitoring international borders is a relatively simple task compared to establishing a safe and secure environment in the aftermath of civil war.

The tasks assigned to post-Cold War operations have been mostly of the harder, more complex variety. Complex peace operations have explicitly political tasks, and deploy in the aftermath of conflicts that nobody has won, conflicts that are really unfinished. If they are skilled, tough, and lucky, the outsiders will help to shift those conflicts from the battlefield to the political arena, breaking the cycle of armed conflict under the protective umbrella of peacekeeping forces.

That is, peacekeeping, the maintenance of a secure environment, and peace-building, all the other tasks that an operation undertakes to implement a peace accord, are inseparable functions. The objective of peace-building is not to remake a society, but to give the members of that society a shot at remaking it themselves. Such peace-building, which aims at a self-sustaining security environment, is a necessary component of the peacekeepers' exit strategy.

To summarize, the report argues that it is better to choose carefully, go in strong, and draw down than to go in weak and build up. National militaries, disaster relief teams, and other crisis response entities cannot function without preparedness, and neither can the United Nations. Preparedness costs money, but in a pinch, the lack of preparedness costs even more.

Thank you.

[The prepared statement of Mr. Durch is available in the appendix.]

Mr. SMITH. Dr. Durch, thank you very much for that testimony.

Without objection, yours and all the other witnesses' full statements will be made part of the record, as well as the attachments that my good friend, the gentlewoman from Georgia, had asked to be made part of the record.

Mr. Bolton.

STATEMENT OF JOHN BOLTON, SENIOR VICE PRESIDENT, AMERICAN ENTERPRISE INSTITUTE

Mr. BOLTON. Thank you very much, Mr. Chairman. It is a pleasure to be here today. I, too, would like to discuss the Brahimi report. If I could, I would just like to put it in context first.

I think the Brahimi report follows logically from the past 8 years of the current Administration's peacekeeping policy. When they came into office, they announced a new doctrine they called "assertive multilateralism." I was never quite sure what assertive

multilateralism meant, but it is pretty clear from the historical record that the principal experiment in that doctrine was intended to and in fact did take place in Somalia.

In 1993, when she was permanent representative to the U.N., Mrs. Albright said, with respect to one of the key Security Council resolutions on Somalia, and I quote now, "With this resolution, we will embark on an unprecedented enterprise aimed at nothing less than the restoration of an entire country as a proud, functioning, and viable member of the community of nations."

The policy, for a lot of different reasons that we don't have time to go into this morning, failed in Somalia with the tragic death of 18 Americans. The rhetoric of assertive multilateralism disappeared from the Administration's speeches, but it did not disappear from their policies. Indeed, as written in PDD 25, the peacekeeping decision directive, even whether or not followed, that notion of assertive multilateralism continued. It has widespread support in many circles in New York. In fact, I think it was the doctrine of assertive multilateralism that led the Secretary General to create the Brahimi Commission, and I think the doctrine informs virtually all of its conclusions and recommendations.

I note to begin with that some of what the Brahimi report says is unquestionably correct. In fact, they make one point, a very courageous statement, where they say that sometimes in the past political compromise has led to confused mandates for U.N. peacekeeping forces.

They say, and I am quoting the report, "Rather than send an operation into danger with unclear instructions, the Panel urges that the Council refrain from mandating such a mission." I think that is a good and important lesson. It is sad that the Brahimi report did not carry through that logic in other contexts.

It is important, as Congress begins to consider the Brahimi report, and the issue I am going to address, is what American foreign policy should be with respect to U.N. peacekeeping operations. I do not think for us this is an abstract discussion of what the best looking U.N. peacekeeping structure should be. I think our issue is what is in the best interests of the United States.

Let me very quickly run through a couple of major respects of the Brahimi report that I think are badly flawed from that perspective. The Brahimi report takes a nod in the direction of principles that underlie successful U.N. peacekeeping missions: the consent of the parties, neutrality of the U.N. force, and limited rules of engagement, rules of engagement confined to its own self-defense.

Then it proceeds basically to write those three heretofore successful preconditions out of its report. It talks about circumstances where the consent of the parties can be manipulated. What it is really talking about is a situation where there is no true peace, where the parties in fact have not given their consent.

I would suggest that in Sierra Leone today we have exactly an example of that kind of problem.

Second, the Brahimi report takes the notion of impartiality and applies it not to the parties to the conflict, but in a very, if I may say so, abstract sense to neutrality and impartiality in the context of the U.N. charter. It talks expressly about taking moral sides in conflicts, which may be appropriate at some points, but which I

would suggest to you, in some conflicts around the world, it is very hard to find out where the white hats are and where the black hats are.

Finally, although the report does state modestly that the U.N. does not wage war, it then proceeds to contradict itself on that point as well. In what I think is really the most intellectually dishonest part of the report, it really is talking about a U.N. capability to engage in combat; not simply the self-defense of its own forces, but with the ability and determination to defeat what it considers to be enemies of the mission. This is not peacekeeping, this is war. I think it is just a mistake for us or for any decision-makers not to understand the consequences of confusing that doctrine.

There is another, I think, very important political point here. The Brahimi report found in its specific discussion of preventive diplomacy, in many of the recommendations it makes for the beefing up of the capabilities of the U.N. Secretariat, its information-gathering capabilities, what in Washington we call its intelligence-gathering capabilities, and in its analytical capabilities generally.

I think that we have made a mistake over the past several years in the extent to which we have provided intelligence information to the United Nations. I make no bones about saying that when it is in the best interests of the United States to provide sensitive intelligence to the United Nations, we should do it, but we should not do it as a matter of course, and we should not under any circumstances permit the United Nations to develop its own autonomous intelligence-gathering capability. Its analytical skills should be really things that we can call on as necessary.

Mr. Chairman, there are a number of unrealistic recommendations in the report on the so-called peace-building side of things. I think as the failure of nation-building in Somalia showed, the ability of external actors to create a functioning civil society in failed states is really quite limited.

A little humility would do us all good here in assessing exactly what responsibilities we should assign the United Nations. Just as I think in this country there is a broad consensus that it is not the government that builds our Nation, it is the people, so, too, in international matters, it is not the United Nations or external observers who are ultimately going to build civil society in troubled states, it is the people who live there themselves.

Finally, Mr. Chairman, one last specific point on the Brahimi report. All of the recommendations about increased capacity and increased resources are written in the context of increasing the Secretariat's capabilities. Completely ignored in this report is the role of the Military Staff Committee which is set up by the Charter.

We are all very familiar with the fact that the Military Staff Committee, gridlocked by the Cold War right from the start, has never functioned, but, Mr. Chairman, the Charter is unambiguous when it comes to military activities. It is the Military Staff Committee that is established to advise and assist the Security Council on all questions relating to the Security Council's military requirements and so on.

If a decision is made to go ahead and implement large chunks of the Brahimi report, it seems to me that there is a very conscious and very clear effect on the United States and the other permanent

members of the Security Council if responsibility for these military and quasi-military operations is vested in the Secretariat and not in the Military Staff Committee, which is the principal arm of the Security Council, which is to say, us, in overseeing the U.N.'s military affairs.

So I think, quite apart from all of the specific defects in the Brahimi report, this is no accident that the Military Staff Committee is not mentioned. This is no accident that all of this additional support is to be given to the Secretary General and not the arm of the Security Council. I think that alone is grounds to reject the Brahimi report's conclusions.

The Brahimi report says very explicitly that if its recommendations are not enacted, and I am quoting again from the report, "The Secretariat will remain a reactive institution, unable to get ahead of daily events." Let me just say, Mr. Chairman, from the point of view of United States foreign policy, I believe the report is correct when it says the Secretariat is a reactive institution. I believe that from the American point of view, it should remain a reactive institution. The movers in the United Nations, the movers in the Security Council, are the members, and particularly the five permanent members. Let us be very clear, it is particularly the United States. We want the Secretariat to react. We know how to do it. I don't think they should be acting on their own.

Finally, Mr. Chairman, I conclude with a little study in my testimony of the ongoing U.N. role in the dispute between Ethiopia and Eritrea, because I think in this current peacekeeping operation we see an example of exactly what I have just described as the erroneous conclusions in the Brahimi report itself.

I believe that the conflict between Ethiopia and Eritrea is a classic threat to international peace and security in the language of the charter. I believe that it is entirely appropriate for the United Nations to take the role that it has. I think it is entirely appropriate to deploy observers in that conflict to monitor the cease-fire and the other terms of the agreement that has been reached between Ethiopia and Eritrea.

Where I disagree emphatically with what the Secretary General has recommended is in the deployment of three foreign country battalions, which he justified in an interview with the Washington Post, saying that this is part of his effort to transform peacekeeping into something else, and as he said, "to go prepared for all eventualities, including full combat."

I don't think three battalions or even many more are going to stop war breaking out again between Ethiopia and Eritrea. I think the observers that have been recommended, a total of 220, are sufficient. If it is not, I would be willing to see an increase in the number of observers. It is enough to know whether the cease-fire is holding and where the other terms are being met. But the idea that a size force as he has recommended with these other three battalions is enough to engage in peace enforcement I think is both wrong, and I think it undercuts the vital role of the observers.

Here is the key question for decision-makers, Mr. Chairman. In the end, in the end, if the Ethiopians and Eritreans are not willing to uphold their own peace, what other nationality is prepared to kill and die for it?

Mr. Chairman, I think that your calling this hearing is an important step in the Congress' consideration of the Brahimi report and in peacekeeping. I appreciate your inviting me. I would be pleased to answer any questions you or the Committee may have.

[The prepared statement of Mr. Bolton is available in the appendix.]

Mr. SMITH. Thank you very much, Mr. Bolton.

Mr. Charny?

STATEMENT OF JOEL R. CHARNY, VICE PRESIDENT, REFUGEES INTERNATIONAL

Mr. CHARNY. I would first like to thank the Chairman of the Subcommittee on International Operations and Human Rights, Representative Christopher Smith, for providing the opportunity for Refugees International to testify on the issue of U.N. peacekeeping, one of the most critical issues facing the world today.

As presently organized and as we have heard, there seems to be a consensus that U.N. peacekeeping is not working. The starting point for Refugees International is the fate of the most vulnerable, the mainly women and children who are caught in conflicts.

The failure to act, as in Rwanda and the eastern Congo from 1994 to 1996, or the ineffectiveness of the response, as in Sierra Leone earlier this year, have led to unnecessary deaths numbering in the hundreds of thousands.

More unnecessary deaths are in the offing in the eastern Congo or along the border between Ethiopia and Eritrea because the machinery of international peacekeeping is shamefully inadequate. It is inadequate because it is slow. The time from Security Council authorization to deployment averages 6 months.

It is inadequate because the forces deployed have neither trained together nor used common equipment, leading to chaos in the field. It is inadequate because the forces are feeble, not powerful enough to intimidate even the poorly armed thugs who often make up the primary security threat to humanitarian relief operations, and it is inadequate because the forces have lacked a clear mandate and a unified command.

Refugees International has concluded that the most effective way to address these weaknesses would be the creation of a rapid reaction force, or RRF. An RRF might consist of 5,000 to 10,000 elite volunteers from around the world. They would live and train together, follow the same doctrine, use the same equipment, answer to the same chain of command, and be ready for dispatch with a few days notice.

A rapid reaction force would give the international community a sharp instrument to project military and police power quickly and effectively. The RRF, or part of it, could be deployed for a multitude of purposes: To prevent or mitigate conflicts, protect noncombatants and humanitarian aid workers. We have just in the last week or 10 days had four UNHCR workers killed, three in Timor, one in Guinea. Again, it begs the question of why humanitarian aid workers are putting their lives at risk in a situation where security is not being adequately provided.

An RRF could also supervise cease-fire agreements and police refugee camps.

Let me stress that the RRF should be a standing force. At present, to form a peacekeeping force, the U.N. collects troops from all over the world and attempts to make them into a professional peacekeeping force on short notice. The existence of a standing, highly professional elite force would enhance greatly the speed and quality of the deployment and reduce the possibilities for mission failure.

The personnel of a rapid reaction force should be recruited internationally to the highest standards. However, to try to limit the influence of politics, and in keeping with informal agreements that underlay the original U.N. peacekeeping deployments in the 1950's, perhaps citizens of permanent Security Council members should not be permitted or recruited to serve. The RRF would be an independent entity of the Secretariat for missions enacted by the Security Council.

The idea for the creation of an RRF is not new. Several nations and many prestigious individuals have already endorsed the concept. H.R. 4453, the McGovern-Porter U.N. Rapid Deployment Police and Security Force Act of 2000, was introduced in Congress this session, and includes a concept similar to the one that I am proposing. But the proposals for the creation of a rapid deployment force have not gone very far because the U.S. Government is opposed. Why? First of all, quality costs money, and the U.S. is penny-wise and pound foolish when it comes to international expenditures.

Second, as you well know, the specter of a so-called U.N. army excites a tiny vocal minority of Americans, although calling a rapid reaction force of a few thousand personnel an army is a gross exaggeration.

But for the U.S., the advantages of the creation of an RRF are many. Chief among them is that American lives might be preserved by reducing the pressure on the U.S. to intervene militarily in crises in far away countries in which we have no vital national interest, and at least some of the money the U.S. is spending to respond to unnecessary humanitarian crises could be saved or diverted to other uses, such as investing in programs to address poverty, the root cause of many of the conflicts afflicting the world.

We have already heard in some detail from you, Mr. Chairman, about the Rwanda example. I just want to very quickly state that in four instances in the Rwanda case, the existence of an RRF could have prevented the mass deaths that you were referring to.

First, during the genocide itself, there is now general agreement that an immediate strengthening of peacekeeping forces on the ground would have stopped the genocide and saved 500,000 lives.

The second missed opportunity was in July and August, 1994, when more than 1 million Rwandan refugees crossed the border into Zaire, now the Democratic Republic of the Congo. A peacekeeping force stationed near the border could have disarmed Hutu military units crossing it and prevented much of the later carnage.

The third missed opportunity came later in 1994, when the U.N. Secretary General appealed in vain to the Security Council for 7,000 troops to disarm the Hutu militia now dominating the refugee camps. The camps were increasingly under their control. A peacekeeping force could have been deployed to disarm them.

Finally, the fourth missed opportunity took place in November, 1996, when the Congo rebels broke up the refugee camps and hundreds of thousands of refugees fled deep into the forests of eastern Congo, where they suffered excruciating hardships, and thousands, perhaps tens of thousands, died.

A peacekeeping force could have made a quick excursion in the Congo to set up a safe corridor to deliver aid and repatriate the refugees. Canada proposed that a force be deployed for this very purpose, but the U.S. scuttled the idea, arguing incorrectly that the number of refugees in the Congo was overestimated.

The international community thus failed four times in quick succession with respect to genocide and its aftershocks in Rwanda. Moreover, if an intervention had been carried out successfully on the first occasion, the opportunities for interventions two, three, and four would not have arisen, and arguably, we would not have a massive humanitarian crisis in the Congo at the moment, because this whole situation has come inexorably from the 1994 disaster.

For Refugees International, reforming the entire emergency response system of the international community is thus the number one issue of the post-Cold War world. Again, we start from a humanitarian perspective. Capable rapid reaction to prevent and mitigate the impact of life-threatening conflicts is a critical component of the reform. If we are truly serious about enhancing the international capability for peacekeeping, as President Clinton has indicated, then the U.S. needs to support the creation of a standing international rapid reaction force.

Thank you for your attention.

[The prepared statement of Mr. Charny is available in the appendix.]

Mr. SMITH. Mr. Charny, thank you very much for your testimony.

Mr. Nuhanovic.

STATEMENT OF HASAN NUHANOVIC, FORMER TRANSLATOR, U.N. PEACEKEEPING FORCE IN SREBRENICA

Mr. NUHANOVIC. Mr. Chairman, I want to thank you for having taken the initiative in calling this important hearing today on United Nations peacekeeping.

Congresswoman McKinney, I especially want to thank you, first for inviting me to appear before this honorable Committee, and then second, for the help of all your staff in getting me here from Tuzla, Bosnia.

I come as a victim of the terrible slaughter which followed the fall of Srebrenica in July 1995. I personally lost my entire family there. My mother, my father, and my younger brother were all forced by the United Nations peacekeepers, Dutch battalion, out of the U.N. military compound and handed over to the Serb troops waiting outside.

The Serb soldiers then took my family away and murdered them. My family should not have died. Instead, my family should have been allowed to stay in the U.N. compound and remain protected by the United Nations troops. My family should be alive today. The UNPROFOR Dutch battalion forced around 6,000 men, women and children right into the hands of their executioners. In this way,

they assisted the war criminals in their plan to exterminate the entire male population of Srebrenica. They did not have to do that. They considered the 6,000 civilians on the base to be a burden and handed them over to the Serbs only for one reason, to speed up their own departure from Srebrenica. I should point out that this was in contravention of the written order dated 11 July 1995 from the U.N. Protection Force Commander Major General Gobiliard to the Dutchbat Commander Lieutenant Colonel Karemans.

It said, "Concentrate your forces into the Potocari Camp, including withdrawal of your Ops. Take all reasonable measures to protect refugees and civilians in your care." whatever the reasonable measures may mean, it certainly didn't mean to hand these people over to the executioners.

Second, I come here today to bear witness to the truth of the horrors which occurred in Srebrenica. I was there. I saw what happened. I can confirm for you that on 11 July 1995 the U.N. safe area was allowed to fall to the hands of General Ratko Mladic and his forces. Mladic's forces had a free hand to enter the safe haven and murder over 10,000 Bosnian men and young boys, and rape hundreds of helpless women and young girls. It was a terrifying time for me and all the others trapped in the U.N.-declared safe haven, and it should have never been allowed to happen.

But I do not need to detail today the full extent of the horrors which occurred following the destruction of Srebrenica. Indeed, these horrors are now well known and have become a matter of the international public record. Numerous books, films, and a number of official inquiries, including one conducted in 1998 by this honorable Committee, all catalog in great detail the surrender of the United Nations safe haven and subsequent horrific crimes committed by General Mladic's forces against Srebrenica's civilian population.

Mr. Chairman, what I do want to raise with you is the ongoing struggle for justice by the survivors of Srebrenica. Following the fall of Srebrenica, as many as 10,000 civilians were murdered, a number of women raped and brutalized, and several thousand people were traumatized and brutalized.

The decision to surrender Srebrenica forced thousands of survivors to leave their homes and all their property in Bosnia and relocate in Canada, Australia, the United States, and elsewhere throughout the world.

The extent of the damage and the subsequent cost of these decisions by certain world leaders to surrender the enclave is almost incalculable. What price can be put on the deliberate surrender of a modern European city and the annihilation of 10,000 of its inhabitants? What price can be put on the long-term trauma inflicted upon 30,000 people? What level of accountability can be held against those world leaders who, knowing or suspecting that Srebrenica's civilian population was going to be annihilated, decided to surrender the city to General Mladic anyway?

Despite the enormity of the crimes committed in Srebrenica and the extraordinary amount of evidence available to the international tribunal from the former Yugoslavia, in 6 years only four persons have been indicted for these crimes, and of which only two have been arrested.

I and other survivors from Srebrenica are concerned that there is an ongoing reluctance to aggressively prosecute the Serbian military and its leadership who oversaw the destruction of Srebrenica. We see this as yet another abandonment of the victims of Srebrenica, and part of the ongoing cycle of impunity worldwide which cloaks ethnic cleansing and cleansers and mass murderers from the hand of justice.

How can there be any sense of justice for the victims when we know that mass murderers move about Europe free from fear of arrest?

In addition, the exhumed remains of over 4,000 of Srebrenica's victims are still being stored in the above ground facility in Tuzla. As you could imagine, this is totally unacceptable to the surviving family members. The remains should be shown respect and buried in a dignified place. I am pleased to say that the U.S. Ambassador to Bosnia and Herzegovina supports the families' requests to erect a memorial complex and bury the remains of their loved ones near Potocari.

Regrettably, there is a strong resistance to this by certain Bosnian people in Srebrenica and the Republika Srpska. Mr. Chairman, I think you will agree that 6 years is an unreasonable period of time to have to wait to bury loved ones. We need your help and that of your Committee to end this outrage and ongoing indignity against our loved ones.

I want to commend you, Mr. Chairman, along with the other members of your Committee, for undertaking this important task. I hope that by better understanding what happened in Srebrenica, you all might be able to ensure that there is some kind of honor and sanctity restored in the words "never again."

I hope and pray that you will be able to ensure worldwide observance of international humanitarian law. Those who attempt to commit mass murder and those world leaders who choose to abandon innocent civilians in their care and turn them over to mass murderers must be shown that they will be met with force and prosecuted to the full extent of the law.

There seems to be an uncomfortable paradox: We want more to be put right, but we are only prepared to sacrifice less. Is it right that promises to protect civilians from harm can be made to tens of thousands of helpless men, women, and children, only to abandon them in their hour of need?

In Srebrenica, the survival rate of thousands of men and young boys who believed in the U.N. Protection Force, UNPROFOR, promises for protection and remained behind with the U.N. Protection Force troops in Potocari was zero. The number of men and boys who survived believing in the protection of this force was zero, while the men who chose to disbelieve in the U.N. Protection Force and flee through the minefields and risk attacks by the Serbian troops surrounding the enclave was over 50 percent.

Is there not sometimes a risk that by doing something halfheartedly, we may actually be doing more harm than good?

Mr. Chairman, in spite of all my family has endured, I still believe in the United Nations, and I hope it can fulfill its role in ensuring world peace. But the souls of the victims will not rest and the survivors will not find closure before those responsible for this

great crime, no matter who they may be, are held accountable. If we are ever to ensure that evil is defeated in this world, then we must ensure that justice is triumphant and that the world community once again recognizes the equal and inalienable rights of all members of the human family.

I hope that as a part of that process of overcoming every ill, that one day there is justice for the great wrongs committed in Srebrenica in July 1995.

I would like to comment on a few points made here by the other witnesses.

When it comes to the presence of a rapid reaction force that my predecessor mentioned, a rapid reaction force, to my best knowledge, and I followed the situation as one of the inhabitants of the U.N. safe area by improvised radio stations because we had no means of communication to the outside world, but we knew that a rapid reaction force at least 2 months before Srebrenica was finally attacked by the Serb forces was deployed in the suburbs of Sarajevo, in the vicinity of Sarajevo.

Those were French and British troops. I don't know how many troops were there at that moment, but the deployment started at least one or 2 months before. When Srebrenica was falling, I believe that some strong force could have been used to prevent this massacre, and that can be also, of course, double-checked.

There is another thing concerning the situation in Potocari, which was the U.N.-Dutch battalion base near Srebrenica. These troops, in order to save the lives of those people, these troops did not have to engage in combat. They did not have to fight war.

This is also about the point of Mr. Bolton. The Dutch peacekeepers, U.N. peacekeepers in Potocari, the only thing they had to do was to allow the people to stay on their base. They did not have to fight with anyone at all. Also, the other thing is that Srebrenica as a whole, as an enclave, could have been protected.

Again, I am speaking from the perspective of a survivor and of someone who was looking at the sky 5 years ago. There were no planes in the sky, jets, bombers, even though they were promised many times. There was a substantial force, including American jets and NATO jets from other countries, in the area, and they did not do what they promised to do. They did not prevent the massacre. Use of air power sufficient to stop or even eliminate the attacking Serb units could be used.

That is all I wanted to comment on the points of the other witnesses.

Mr. SMITH. Mr. Nuhanovic, thank you very much. Thank you for coming back to this Subcommittee. Members of the Panel will recall that you were here 2½ years ago and gave very compelling testimony about the horrific events that happened in Srebrenica and your own personal tragedy.

I wonder if you can just tell us if there has been any reckoning, or have any of those who committed the atrocities in Srebrenica been brought to justice at the Hague? Are there pending indictments against those who perpetrated those terrible cruelties?

Mr. NUHANOVIC. To my best knowledge, the U.N. International Crimes Tribunal for the former Yugoslavia has indicted three persons. Their names are on the public list of the indictees. The offi-

cials of the ICTY claim that there is also another list, which is a sealed list not available to the public, but of course I and other survivors do not have access to this list.

So as far as I know, the only war criminals, war crimes suspects so far indicted are Ratko Mladic, Karadzic, and Krstic. He was arrested 1 year ago, and he is being tried in a tribunal at the moment.

Mr. SMITH. When it comes to empowering a U.N. force with the proper mandate, is it your view, and any of the other panelists who might want to speak to this, that it was the lack of a proper mandate, or was it the military personnel on the ground, or was it a combination of both, that led to the significant deficiencies in the U.N.-deployed forces?

I remember as Chair of the Helsinki Commission and the Subcommittee we held a whole series of hearings about the safe havens and the fact that they acted as a magnet for further bloodshed, and did not serve the role that had been envisioned.

Was the U.N. and the Security Council not serious enough? Were we bluffing, or was it poor military people on the ground? Who would like to comment?

Mr. Bolton?

Mr. BOLTON. Thank you, Mr. Chairman. We considered during the Bush Administration in 1992—we expressly considered the issue of endorsing and creating safe havens in Bosnia at several points during 1992. We concluded that it would be a mistake to create safe havens precisely because of the natural reaction: When the United Nations declares a safe haven, reasonable people fearful for their safety we feel were likely to go to the safe havens, and thus attract a vulnerable civilian population that no nation then participating in UNPROFOR, the U.N. Protection Force, was willing to offer up sufficient real military power, real military power, to defend.

We felt that however bad the situation was in Bosnia, and from a humanitarian point of view there is simply no question it was an ongoing tragedy, but we felt it would have been basically just an exercise in feel-good diplomacy at best to create the safe havens and run the risk, I think sad to say, of ultimately what happened there.

The members of the Security Council with whom we discussed this in greatest detail were on the one hand the British and the French and on the other hand the Russians. The British and the French at that time and subsequently had forces in UNPROFOR. They were present on the ground. They were among the strongest voices against creating safe havens. At the same time, at that point, the Russians were much more cooperative. I don't think they would be so cooperative today in doing that type of thing.

This underlines what I think is a very important point. This is almost never a question of capabilities. This is almost certainly a question of the political judgment of the Security Council, which may do what we consider to be the right policy or may not do the right policy, but nobody should think that when members of the United Nations sit on the Security Council they lose their sense of national interest. They pursue it vigorously, and they would on any

international council created to look into these kinds of situations. That is a reality that is not going to change.

Mr. SMITH. Let me just make a point here, that the whole idea of the safe havens and what should be done about the former Yugoslavia was not without another possibility, and that was lifting the arms embargo. I was the prime sponsor of a bill that would have lifted the arms embargo.

Then Prime Minister Silagic appeared twice before the Commission on Security and Cooperation in Europe and said, we don't want your troops, French, British, American, we want the capability that every sovereign state ought to have, and that is to defend itself.

It seems to me there was a double miscalculation. I know there perhaps were good arguments that it would lead to further bloodshed. But it seems to me when we had an aggressor—and I think Dr. Durch, one point that you make is this inability to differentiate between aggressor and victim. It seems to me we are looking at Serbia, Milosevic, somehow as being just another player, perhaps worse than others but still just another player on that scene, rather than an offensive, obscene aggressor against first the Croats and then the people of Bosnia.

I just mention that, and you might want to comment on that. Let me just ask a question of Mr. Charny with regard to the rapid reaction force.

It seems to me we learned the wrong lesson from Somalia. It was not a matter of the deployment. I will never forget Les Aspin, then Secretary of Defense, at a meeting in which both Democrats and Republicans attended. He was trying to defend a statement that it would just not fly on the Hill for us to beef up the local commanders' requests for additional materiel and troop strength because the situation was so volatile.

Then, because of the insufficiency of the force and an opportunity, the warlords took advantage of that and obviously killed our men and dragged them through the street, leading to a policy and humanitarian debacle. We learned the wrong lesson, I think, from Somalia. If you are going to have troops there, have sufficient numbers.

The rapid reaction force, I am not sure how that would differ. The U.N. had, with General Dallaire, a force on the ground in Rwanda. We have seen the memos that went to the Secretary and the faxes that went to Secretary Kofi Annan, then head of the peacekeeping processes, and it was ignored. There was a breakdown. Either he didn't think it was serious enough or had other balls in the air, if you will, but there was a major, major miscalculation.

Why were there not other people in the Secretariat or in some other area—and Dr. Durch, you might want to speak to this—who saw that fact and said, hey, we have a problem here. That could have been mitigated, maybe cut off at the root, before a killing field unfolded. So there was a force there. I am not sure now a rapid reaction force would differ.

Add to that, Mr. Bolton, your assertion that there should not be independent intelligence-gathering capabilities. Perhaps all of you might want to speak to why or why not that is a good or bad thing.

Mr. CHARNY. That is a big question, because I am not here to defend the U.N. as an institution. Therefore, I cannot address the issue of why this cry for help was ignored.

We are interested in, I think, in the first instance having a rapid reaction force under U.N. control precisely because of this issue of the Security Council, and the reality that this force could only be deployed with the support of the great powers within the Security Council.

Some of us are thinking in the back of our minds that because the U.N. has been so dysfunctional and so ineffective, you could actually push this even further and ask, should this somehow be an independent entity? But that raises governance. That opens a whole other Pandora's box about governance issues related to the force.

The issue in Rwanda was that you had a commander on the ground who had an inadequate force. He asked for reinforcements and did not receive them. If a rapid reaction force were available and 300 members of that force were deployed and another thousand were needed, the whole point is they could be deployed immediately if, if it was recognized—if that message gets through and it was recognized that deployment was necessary under those circumstances.

We can look back—the U.N. has to accept responsibility, but we also know that the Secretariat cannot act basically in this system without political will from "the international community." Other great powers, the U.S., France, perhaps other countries in Europe, knew that a genocide was imminent, but for whatever reason they didn't push for a response under those conditions, partially because they didn't then want to be called on to supply troops to such an operation.

That is another advantage of an RRF, that it exists. No one's troops are going to be put on the line. These are people who have volunteered to be a part of this force, and therefore, that deals with one of the political issues, which is we don't want to sacrifice our boys in a useless conflict 5,000 miles away.

Mr. SMITH. Mr. Durch?

Mr. DURCH. Thank you. I can't speak to the command and control failures with the two incidents. I was not there and was not part of the U.N. Certainly there is plenty of blame to spread around among members states as well as the United Nations.

Several developed countries had noncombatant evacuation operations with security forces to protect them in Kigali that probably, if combined, could have provided the force necessary. It is also perhaps not focusing on enough that the killing took a long time. It spread out in a particular way. If at any time the sort of delays that various member states were imposing on the Security Council had not occurred, and instead of 800,000, maybe 400,000 or fewer would have died; it was something that could have been stopped at many steps along the way.

On the other hand, I would like to differ with Mr. Charny about whether the particular kind of rapid deployment force that he is talking about could have done any good in the Goma camps, or could have made the Canadian proposal in 1996 work.

They were about to march into disaster with ordinary peacekeeping rules of engagement against 50,000 heavily armed and relatively fanatical individuals embedded in 1 million civilians.

The thing about the Rwandan genocide or any other comparable tragedy, whether we are talking about Sierra Leone or someplace else, if we go with John Bolton's philosophy, we would essentially ignore future instances and let tragedy unfold, whereas I think what some of the other speakers are trying to get at is to try to figure out how to prevent and contain them; to figure out when they are going to happen and to take rapid action upstream before we have to deal with a holocaust.

That is kind of what we were grappling with with the Brahimi report.

Mr. SMITH. Thank you, Mr. Charny.

Mr. Bolton.

Mr. BOLTON. Thank you. The central problem is that some day somebody might rapidly deploy into a situation where there is no peace to keep, or where the military situation is such that the force itself could get bogged down. Then once those 10,000 are bogged down, what happens then? There is not any question what happens then: Everybody turns to the United States and says: "you get them out."

The basic issue here is what the members of the Security Council are willing to do ultimately, and whether they are willing to think through all of the implications of force. I think it is just bully-boy talk, and dangerous for that reason, to act as though a few thousand people in some of these conflicts are really going to make a difference.

In the case of Rwanda, I think the evidence is overwhelming that the actions of a permanent member of the Security Council—that is to say, France—actually contributed to this genocide by the protection offered to the Hutus, and in a variety of deployments that France undertook.

France is a permanent member of the Security Council. Maybe Mr. Charny wants to throw them off. Good luck. But the idea that the Council is a group of platonic guardians that you can rely on to do the right thing is misplaced in and of itself.

I don't want to add to the Committee's burdens, but I would strongly urge you to read a pamphlet that has recently been published by the U.S. Institute of Peace written by Amadou Ould Abdullah, the former Foreign Minister of Mauritania and the Secretary General's Special Representative in Burundi in 1993–1995, which both lays out his experiences there during a time that Rwanda was collapsing into genocide, but Burundi was not.

Some of his observations, which are very powerful, I think, one of which is pertinent here, is that it is not inevitably the case that outside intervention makes things better. Outside intervention, and particularly the interposition of military forces, can complicate things and make things worse.

Mr. CHARNY. Mr. Chairman, I think Mr. Bolton should respond to the issue in the eastern Congo at the moment, where the International Rescue Committee has documented with their 2-month medical investigation, that in the last 2 years, 1.7 million Congo-

lese have died basically because of humanitarian reasons caused by the war.

Now, to simply ignore that, and try to work this issue through Lusaka, through a peace process, is proving extremely difficult for reasons that we are aware of. The parties are at serious odds with each other, and the war continues.

At the same time, you have a humanitarian catastrophe unfolding. The basic question is, are we just going to sit here and do nothing, and allow 2,000 people a day to continue to die? It is very easy to talk about political interests and the narrow interests of the United States and other members of the Security Council. However, that just condemns many people to death that don't deserve to die.

The other issue is the balance question. It is very easy to ignore catastrophes in Africa that far exceed the magnitude catastrophes in other parts of the world. Again, as a humanitarian organization, for what it is worth, we can't accept that.

Mr. SMITH. Mr. Charny, there are 5 minutes remaining.

Mr. Bolton, we will go to you, and then I will yield to Ms. McKinney. There is a vote and there are 5 minutes remaining. We will be in recess for 5 minutes or so. I want to say something in response to that.

Mr. Bolton?

Mr. BOLTON. Thank you very much, Mr. Chairman. To answer the question that was put before we broke about the situation in eastern Congo, I think that is a classic case of a confused and very uncertain military and political environment that leaves the outside world few, if any, realistic options at this point.

I think one of the reasons for that is that one of the principal problems is in fact the government of the Congo, and the most efficacious way to deal with that would be to change the government. But I don't know of any potential contributor, United States or anybody else, that is really willing to do that.

I think that goes to the core of the decision-making, not talking about abstractions and theories, but talking about hard decision-making, being able to contemplate at the beginning of an operation the possible consequences and really being able to commit to it. That is why the notion of a rapid reaction force is ultimately more dangerous than it is naive, although it is certainly naive.

I believe that the events in the eastern Congo are a proof of that.

Mr. SMITH. Ms. McKinney.

Ms. MCKINNEY. Thank you, Mr. Chairman. I have many questions. I will start off with the ones that I posed in my opening statement.

Mr. Durch, I have read the Brahimi report. The one thing that is not mentioned in there is the responsibility to the survivors of the victims of United Nations failures. We have Mr. Nuhanovic here, who has lost his entire family. What is the responsibility of the United Nations to the survivors of its victims, and why was that left out of the Brahimi report?

Mr. DURCH. Ms. McKinney, I have, obviously, the deepest sympathy for Mr. Nuhanovic and his family and their loss, all of those losses. I cannot answer you what the U.N.'s responsibility is.

What we tried to do with the report was to look forward and try to gauge reforms, restructuring, decision-making, analytical ability, cooperation among states, such that these things would not happen again if the U.N. was called upon to deal with them. So we have been trying to go forward from this point and look back to the reports on Rwanda and Srebrenica that had been issued as the U.N.'s statement on those tragedies.

But if you are looking at accountability, I would also look at member states. I would look at the states that voted for too few forces to implement what was a rather slickly worded, and probably misguided, safe havens policy for Bosnia. I would look at NATO countries that were unwilling to take forceful action against Mr. Milosevic and his people under the Bush Administration when conflict first broke out in 1991 and 1992.

The same goes for early action in Somalia after that country lost its government in 1991, before people starved to death. There was an opportunity to move early and strongly before the situation became so difficult.

So you could ask the government of the Netherlands or Britain or France that were in the chain of command in UNPROFOR. You could ask the United States Government about the delays in deploying forces in Rwanda. You could ask a lot of governments.

Mr. Bolton is right, that to a very great degree, certainly up to now, the U.N. and its ability to do peacekeeping is the sum of its national parts. What we are suggesting is that there should be a bit more than the sum of the parts; that it not be totally reactive, even if Mr. Bolton is worried about that. Otherwise, when it is given the go sign from the Security Council, from the member states, it is flat-footed. It knows nothing, it has nothing on tap, it has no people, no money, no goods, no doctrine.

So there should be some sort of advanced ability to think and plan, to strategize, and to be ready when its members call. This is critical to respond to any of these kinds of situations, whatever the kind of situation you think it is that the U.N. should work with.

That kind of gets to our question on robustness and the use of force. The report says that you really should be very careful in picking your missions and picking your deployment areas. But when we get to the use of force, we tried to deal with a very complicated issue in what we hoped was a rather nuanced fashion, and I guess I resent Mr. Bolton's characterization of the report as intellectually dishonest. We are not trying to pull a fast one, we are trying to deal with complex issues that have arisen from real operations faced by real troops on the ground, and to work out practical means of addressing them.

Our point was that if you think there is a risk of violent challenge when you are implementing a peace on behalf of the survivors of a civil war, if there is a challenge, for whatever reason—factions break off, new factions form that had nothing to do with signing the peace accord, all sorts of possibilities—if you can't defend yourself and cannot defend the peace accord there is really no point in going out there. I think that is an intellectually honest conclusion and really the only one you can draw if you intend at all to grapple with these issues.

Ms. McKINNEY. Mr. Bolton, did you want to respond?

Mr. BOLTON. Just a brief point with an example from a practical situation where the involvement of the United Nations in a peacekeeping capacity actually may have made things more difficult.

I am speaking again specifically of our experience in the Bush Administration in 1992 in Bosnia, where the UNPROFOR, the U.N. Protection Force, was deployed there, and where, during that period in the late summer and early fall in particular, the Serbs undertook very substantial activities against the delivery of humanitarian assistance, particularly in and around Sarajevo, but basically throughout Bosnia it was becoming more difficult to deliver humanitarian assistance.

The reaction that many people had in the United States within the Administration was to say that we ought to toughen up the reaction of the UNPROFOR soldiers already on the ground, or resort to outside military force if need be.

That possibility, which we urged publicly, was rejected by every troop-contributing country that had troops on the ground in UNPROFOR; that is to say, the British and French in particular, but many others as well, on the ground. Attempting to have, in effect, both peacekeeping and peace enforcement activities in the same place at the same time by the same organization was in fact, one, destabilizing, and, two, risky to the peacekeepers.

I think in fact that subsequent developments there and elsewhere showed that to be the case, that you can't have an on-off switch in effect between peacekeeping and peacemaking. Once you cross the line, once the United Nations or anybody else crosses the line, as happened in Somalia, and becomes a military force in a confused and ongoing military situation, it cannot pull back later and say "we are neutral again."

That is an important lesson that I think the Brahimi report completely misses.

Ms. MCKINNEY. Mr. Nuhanovic.

Mr. NUHANOVIC. I would like to say something concerning this role of peacekeeping and peacemaking or peace-imposing.

I was in the Hague tribunal speaking with the deputy prosecutor, Mr. Graham Bluett. I asked him if there was a possibility for the tribunal to consider indicting some individuals present in the area that in my opinion, based on what I saw there, did assist in the war crimes. There was also—the political adviser of Mr. Bluett said that the troops in Srebrenica had a peacekeeping mission.

So I asked the man who made this remark, I asked him, what is the rifle in the hands of a peacekeeper used for? And he immediately replied, self-defense. I knew he was going to say that. I asked him, is it self-defense to come with a rifle in the hands and chase my family out of the enclave? He said no, it is an offense.

So I think they crossed the line, not in the way they should have, but in totally the wrong way.

Ms. MCKINNEY. Mr. Durch, I find your response about shifting the blame to member states, or accountability to member states, to be totally unacceptable.

The fact of the matter is that the United Nations was calling the shots. The United Nations ought to pay reparations for those that it has damaged.

It is my understanding in 1961 that the United Nations did just that with citizens of Belgium during the Belgian Congo conflict. So now why is it that the United Nations will not pay reparations to Mr. Nuhanovic and the other members, the survivors of U.N. debacles where the United Nations has admitted that it was wrong and that it was complicit in these crimes? This was left out of the Brahimi report?

Mr. DURCH. Ms. McKinney, as I said at the beginning of my testimony, I am not speaking for the U.N. You will really have to ask them that. The terms of reference for the report did not consider reparations, they considered how we move forward and do operations more effectively if they are called upon to be done in the future. Our job is to try to repair the damage that everyone acknowledged had accumulated, and to move ahead from this point. I'm sorry, it was not in our terms of reference.

Ms. MCKINNEY. That is a fundamental problem if it was not in your term of reference.

Mr. Chairman, I am concerned about the testimony of Mr. Nuhanovic, who says that there are thousands of bodies that need to be buried. Certainly there is something that we can do to assist in that situation, but I would like to ask if the United Nations is doing anything to assist in the proper burial of the victims of Srebrenica.

Mr. Durch?

Mr. DURCH. Ms. McKinney, I will ask my colleagues up at the U.N. and perhaps they can communicate with you.

Ms. MCKINNEY. Thank you. Who will you be talking with, so I can look out for that call?

Mr. DURCH. I will call Mr. Brahimi and ask him.

Ms. MCKINNEY. Thank you.

Additionally, Mr. Durch, could you tell me if United Nations peacekeepers are ever allowed not to prevent genocide or crimes against humanity?

Mr. DURCH. I am sorry, ma'am, I don't quite understand the question.

Ms. MCKINNEY. Is the prevention of genocide or crimes against humanity inherent in the mandate of any peacekeeping operation?

Mr. DURCH. In the past year the Security Council and the Secretariat have issued reports on the protection of civilians in armed conflict. I believe in the last—I can't give you the actual resolution number, but roughly in March the Security Council listed that the protection of civilians in armed conflict, where there are U.N. forces deployed—it listed that as a general objective or desirable objective, within the means of those forces, when U.N. forces are deployed.

What we wrote into the report was to take language from the Rwanda report, actually, the Carlsson report from last December, saying that when U.N. police forces or military forces, military peacekeepers, are confronted with violence against civilians, they should take action to stop it, regardless of what their mandate says, because that is consistent with the principles of the United Nations charter.

Now, you can understand that when there are 10 peacekeepers, let's say, and a thousand armed challengers, they are not going to be able to do very much.

Ms. MCKINNEY. That is not the situation with respect to Mr. Kavuraganda in Rwanda. He was one individual with his family, and there were United Nations peacekeepers there. In fact, those peacekeepers handed Mr. Kavuraganda over to his killers, so you have in this instance United Nations peacekeepers who are complicit in crimes against humanity.

What is the responsibility of the United Nations in this particular situation?

Mr. DURCH. Yes, ma'am. In that instance, that is an indefensible action. There were many indefensible actions in the course of the Rwandan genocide, and that is one of them.

Ms. MCKINNEY. And the United Nations to date has done nothing to assist the Kavuraganda family, yet in 1961 the precedent has been set that reparations were paid to Belgian citizens who were damaged by the U.N.

I just think that it is a very important tenet of whatever it is that you are going to do or propose to the United Nations, that damages be paid to people or redress to people who feel they have been damaged by the U.N.

Otherwise, you leave people like that woman I talked about in Missouri, who have no safety net at all, to commit suicide. You have Mr. Nuhanovic searching around for land to try and find a burial place for I don't know how many, is it 4,000 people, whose bodies are stored in a refrigerator.

Mr. DURCH. Actually, I would talk to Mr. Mladic and Mr. Karadzic about that. I would get some reparations from them first.

Ms. MCKINNEY. Actually, Mladic and Karadzic did the killing, but it was the United Nations that turned in Nuhanovic's family over to them for the killing. If those instances are not addressed, as you are trying to establish—I have read your report and I think you did a wonderful first step, but it certainly isn't enough.

Mr. DURCH. No, ma'am.

Ms. MCKINNEY. It is not enough to encourage me to support the recommendations thus far.

I have many more questions, but I want to allow my colleague an opportunity to ask some questions.

Mr. SMITH. Mr. Delahunt.

Mr. DELAHUNT. Mr. Chairman, I presume we will have a second round. This has been very informative and very enlightening.

Let me express my sympathies to Mr. Nuhanovic. To pick up on the comment of Ms. McKinney, I would hope that maybe this Subcommittee could draft an appropriate letter to inquire as to the concerns that you expressed about the proper burial. Maybe that is something we could do, Mr. Smith, Ms. McKinney, and myself, in the form of a resolution which would hopefully prompt some sort of a response.

Mr. Bolton, you talked about sort of multilateralism and your confusion with the term. I want you to know I have the same confusion with the concept of the new world order that I think was part—let me finish—maybe it was just an extension of the new world order, multilateralism.

Dr. Durch, thank you for taking on a very unenviable effort. You really deserve to be acknowledged and praised for the effort. I have not had an opportunity to read the report, but I intend to. It is extremely challenging.

Maybe you could all help me here. I guess I would direct this rather vague question to Mr. Charny and Dr. Durch.

As you see the problem, and I think it was you, Mr. Charny, that indicated that in your eyes, a specific problem was the lack of ability to respond quickly. I guess I would say that if that ability was present, in whatever form this rapid deployment force may or may not take—and again, I direct this to both Dr. Durch and yourself—if that ability was there with 5,000 or 10,000 military personnel available, do you believe in any way, given your review of these situations—and I might add, it is clear that the problem is in the area of humanitarian issues, because I have no doubt that the states that could be directly implicated, if their economic interests were at risk, they would find a way to respond. But I guess, who really needs Rwanda? What do they have except just a bunch of people? And of course, you know, they are black people, they are not Europeans.

In any event, do you think that that ability, that capacity, might serve as a deterrent, not particularly in Rwanda but in other cases that you are familiar with?

Mr. CHARNY. I think the best recent example I believe is the case of Sierra Leone. I believe had a rapid reaction force been available with a unified command, adequate troops available on short notice, and they had been deployed, I think that would have had on the one hand potentially a confidence-building effect on the population, and to some extent there is an intimidation factor.

If you look at the difference between the reaction of the parties to the conflict to the U.N. deployment and the deployment of British troops, I think what we are looking for through the existence of a rapid reaction force is more of the latter effect; in other words, a capable unified force, force under a unified command——

Mr. DELAHUNT. Let me interrupt you. Maybe I am not being clear enough. Maybe I am not understanding your response.

Clearly, I think it would be more effective in terms of on-the-ground combat or its capability on the ground. I am talking about its mere existence serving as a deterrence, if you will.

Have there been instances where, in your opinion, you believe that merely the existence of this particular force may have made a difference in the decision-making of those that were perpetrating the kind of outrages that occurred?

Mr. CHARNY. I apologize. I misunderstood the question.

I have to say, the deterrent impact I think at least initially would be minimal, because these conflicts are driven by local forces, local factors, local injustices. I do find it hard to believe that someone in Sierra Leone or in Angola would sit back and say, whoa, there is a rapid reaction force now, and not be as aggressive as he might have been otherwise. So I would have to say no, I don't see an immediate deterrent impact.

Mr. DELAHUNT. Dr. Durch, do you agree with that statement?

Mr. DURCH. I would agree with that. As you know, or I should have made clear, I am not a big fan of an independent sort of rapid

reaction force. I am a fan of states getting together and improving their ability to respond when there is a need.

Mr. DELAHUNT. Has there ever been an effort in the United Nations to have a centralized training function, and I can't quite articulate it, but something less than an independent force where training would occur on a rotating basis with commitments by member nations so that the infrastructure itself, i.e., accountability, chain of command, communication, would be available?

Clearly there would be more delay, as opposed to an independent force, but in your opinion, would that reduce the delay that Mr. Charny expressed concern about in terms of terminating at the incipient stage, if you will, these outrages?

Mr. DURCH. Yes, sir, it would have a contribution. There are two separate problems, though. One is stopping an ongoing tragedy, which I think we try to make clear—and certainly I believe—is the job of a coalition of willing national states who have banded together to do something. The United Nations is never going to be in a position to be able to stop a war, but those coalitions often want to hand off to someone, whether it is in Somalia or Haiti or Sierra Leone or East Timor. They want to do the job of creating initial order, and then hand off to someone to do the longer term reconstruction task.

Mr. DELAHUNT. Usually it is the United Nations.

Mr. DURCH. Yes. If there were stronger regional organizations outside of Europe, then certainly that would be a preferred option. But even in Europe, even with Kosovo and Bosnia, we find a mixture of the U.N. and Europe's organizations sharing responsibility for trying to put the place back on its feet.

The second case, then, is either taking such a hand-off or implementing a peace accord where you have a nominal peace but you may have challenges built into it. Now, if you have—right now there are national peacekeeping training centers in places like Canada, Malaysia, and in the Nordic countries and in Austria, but these are for traditional border monitoring kinds of missions, observation missions.

What the report is urging countries to do, either on a north-south basis or a south-south basis, is to really enhance cooperation, to promote interoperability, and to give the U.N. enough resources so they can develop doctrine—just simple handbooks, things countries can use to then have a common playbook. We do think that would improve the ability to respond when the Council gets what we hope are better-informed assessments of conflicts and accords, that they would then be able to move a little faster.

The people we talk to who try to do this for a living say that anywhere between 2 to 3 months, if nothing has happened after an accord has been signed, then everyone begins to think nothing is going to happen and maybe we can get away with backing away from it. The momentum of the peace is really lost.

So if it does take 6 months to deploy, that is bad. What we have set are the first benchmarks ever set for the deployment of peacekeeping operations. We would like to see a traditional operation like the one between Ethiopia and Eritrea on the ground in 30 days, and we would like to see more complex ones in 90 days.

Mr. SMITH. Mr. Delahunt.

Mr. DELAHUNT. One final question. Is it possible to expand your terms of reference, your mandate, to review the issue of reparations?

Mr. DURCH. I can certainly raise that point.

Mr. DELAHUNT. Part of that, I presume, would be the United States, which has to pay its dues in a timely fashion.

Mr. DURCH. There is that.

Mr. SMITH. Thank you, Mr. Delahunt.

Let me ask Mr. Bolton, what is the current role of the U.N. military staff Committee in overseeing U.N. peacekeeping operations, and what should that role be? Anyone else who would like to speak on that, Dr. Durch or Mr. Charny, may. What should the role be?

Mr. BOLTON. I'm sorry Mr. Delahunt had to leave. He did raise a point that I wanted to respond to with regard to a comment that President Bush made about the new world order.

I think the President has made it clear since he raised that that what he had in mind was trying to describe the post-Communist world; not to imply that in fact some new world order existed, but that the Cold War structure had broken down.

The response to your question is that, fundamentally, the Military Staff Committee has, and has had, almost no role. During the Persian Gulf crisis we did use it I think effectively to provide limited military briefings to other members of the Council and other members of the United Nations, but that was really a one-time proposition.

My argument is that if there is to be a substantial enhancement of any kind of military capability, that the role of the Military Staff Committee envisioned, as it was, flowing from the authority of the five permanent members, has to be implemented, and that the Brahimi report or other recommendations that would lodge any kind of substantial military authority beyond traditional peacekeeping in the Secretariat is a derogation of the authority of the membership of the U.N. in general, and specifically of the five permanent members. It would be contrary to the intent of the drafters of the Charter, and would be adverse to the interests of the United States.

Mr. SMITH. Dr. Durch?

Mr. DURCH. As far as I know, the Military Staff Committee is not utilized for anything substantive at this time. There are options under the charter for the Security Council to establish subsidiary advisory groups if it wishes to.

The problem with the Military Staff Committee, I guess, is that it is an original item of the charter that was really designed to prevent and, if necessary, provide strategic direction to fight World War III if the Nazis ever came back, or something of that nature.

In the 1940's, the system got so far as to make some plans for joint military operations. This thing would kind of replicate the combined Joint Chiefs. Since then, I guess more by tradition than explicit authority in the charter, the notion of peacekeeping has arisen that is managed within the Secretariat as kind of a working political substitute.

Mr. SMITH. In the Brahimi report the statement is made, "the Secretariat must tell the Security Council what it needs to know, not what it wants it hear, when recommending force and other re-

source levels for a new mission. It must set those levels according to realistic scenarios that take into account likely challenges to implementation. Security Council mandates in turn should reflect the clarity that peacekeeping operations require for unity of effort when they deploy into potentially dangerous situations."

Did your panel find that that was not the case, that there was a lack of candor or realistic assumptions as to what would be needed?

Mr. DURCH. I think repeatedly what the system has tended to do is self-censor, partly in response to private communications from member states that say, look, we cannot go there, you cannot go here, you cannot go somewhere else with the analysis.

We think that it is important that the Secretariat have the capability and the will, have the capability to give the Secretary General the will to really do serious threat assessments, serious assessments of the problem on the ground, so that the Security Council has no excuse but to say that it has been very well informed of what it might be getting peacekeepers into before they go ahead. I think that is actually vital.

Mr. SMITH. Before Mr. Bolton answers, were there any peacekeepings in the past, like Srebrenica, like the debacle in the Balkans, that were used to look back and say, this is where we were, with a snapshot in time, this is what the recommendations were, that is where the assumptions were flowing?

Mr. DURCH. Certainly we were aware of and paying close attention to the Rwanda and Srebrenica report, but also watching the situation unfold in Sierra Leone as kind of the last and latest example of the old system in operation whereby forces are sort of trickled in.

But one should also emphasize here that the other thing about Sierra Leone, the Sierra Leone operation, was that the U.N. had nothing to do with negotiating that accord, as it had nothing to do with negotiating the terms of reference for the Kosovo deployment.

So that is kind of the other side of the coin, that really, people that know about the capabilities and the limitations of the tool should be actively involved in the run-up to the settlement that asks for U.N. implementation assistance, and that therefore the Security Council should be made specifically aware of what the limitations are.

Mr. SMITH. Mr. Bolton?

Mr. BOLTON. I think the record of the Secretariat is mixed in this regard. There have been unquestionably cases where the Secretariat and sometimes even the Secretary General himself said, "this is not going to work. I don't have the resources to do this, and I don't think it is doable, anyway."

The result—and I am just thinking specifically about the case of the weapons internment program around Sarajevo and the weapons exclusion zone, where Secretary General Boutros-Ghali on several occasions said he did not think UNPROFOR as constituted was capable of undertaking the tasks that the Security Council gave it. The Security Council members went ahead and gave it the tasks anyway.

In that sense, there is no doubt—and I think it is a mistake not to assign blame to the member governments, because it is fre-

quently their unrealistic expectations, and indeed, to a certain extent, their own domestic political constraints or pressures that induced them to give the United Nations responsibilities which it cannot handle or for which the member states are not willing to give it resources, but which look good domestically.

I can say on any number of occasions I have seen that discussion in the State Department where people say, why can we not just give this to the United Nations, as if there really is a "there" there. There is not a "there" there. The "there" is the countries, and unless the countries that are members of the Security Council make the conscious decision to implement what they are saying, it should be no surprise that the U.N. deployment fails.

Mr. SMITH. Let me ask a question with regard to the rapid deployment force idea. No one ever knows the exact numbers, 15,000, or who knows if it is going to be a 30,000 over time contingent—but it seems to create questions about the analysis that would be needed to support the informational and analytical needs of the Secretary General and the members, when you have such a force ready to be deployed. Earlier, Secretary Bolton admonished us that there should be no intelligence-gathering capability.

How do you configure such a force that does everything except what is also a very important component of any force, and that is, eyes and ears, intelligence gathering? How is that perceived going forward? Will there be the equivalent of the CIA in the future so those troops could operate, if they are configured, in a way that achieves the mandate and saves lives?

Mr. DURCH. Mr. Smith, we are not advocating in the report a CIA for the U.N. There is so much open source information that is generated within the system and by U.N. NGOs in the field and by the U.N.'s own people that is simply not brought together and analyzed for purposes of looking ahead and anticipating problems that I think you could do quite well with open source information and selective requests for classified data as needed.

We were not in a position to advise those who would form the military units, the effective military units to go into the field, how they should do their intelligence, but we did make a note that the U.N. should get over its aversion to allowing or encouraging field units to have good intelligence capabilities.

Those are going to have to come from the states themselves deployed with the units. They should work together beforehand so they can act effectively in the field.

But obviously, you need to know what you are getting into. You need to know how it is changing when you are there. If you don't, you can get into trouble, and that has happened. So we encourage that, but we encourage an open source capability within the U.N., and cooperation on the part of states for field deployments.

Mr. SMITH. Let me just ask—I think the word you used, Mr. Bolton, was "platonic." We shouldn't necessarily assume that the best interests of mankind are pursued by the U.N. Security Council. I saw that when I was arguing in the eighties, along with the Administration, for corridors of tranquility for Ethiopia during one of the major famines, and I was flabbergasted by the insensitivity of some members of the Security Council and others, including the ambassador, from Ethiopia to the U.N., about that situation. It was

indifference that I was not prepared for. It certainly was a wake-up call for me.

When it comes to any future operation either by rapid deployment forces or in the current mode, perhaps enhanced and made better, where will the final decision be made? Will it still be the Security Council, or will that decision-making migrate somehow into the executive branch, for want of a better word, the Secretary-General?

There certainly are precedents once you go down that road. We have a War Powers Act here in the United States, and it is not worth the paper it is written on, because time and again an executive will deploy, and it is a matter of what do you do once the deployment has happened, because obviously now men and women are in harm's way. Maybe it is even a good deployment.

The point is, Dr. Durch, did the Panel suggest that the Security Council retain the absolute power to make that decision? You do talk about doing advance work in anticipation of the Security Council resolution. Does that also mean that there might be an advance deployment?

Mr. DURCH. Advance preparation, yes, in anticipation of a Security Council decision, but all decision-making on moving that force, deploying it, remains strictly with the Security Council.

Mr. BOLTON. I think, Mr. Chairman, the question really goes to the core of the U.N.'s capability for large and complex missions. I think that the inherent political difficulties in the Security Council and the manifest weaknesses of the Secretariat over the years—and I think these would apply whether the Brahimi report's recommendations were implemented or not. It cautions against U.N. involvement in massive, complex operations.

Again, I don't really think this is a question of capabilities, as Mr. Delahunt was asking before. In Sierra Leone, the Washington Post reported recently about the dispute at the top of the command of the U.N. forces in Sierra Leone between the Indian commander and two of his senior subordinates, who were Nigerians.

I am not taking sides in that dispute, but I think what is clear is that the Nigerian officers were representing what they believed to be the larger interests of Nigeria in West Africa. I understand why they are doing that. There are forces in—political and military forces in West Africa, some of which support that role and some do not.

But I don't think better training would have made the Nigerian officers less willing to advance Nigerian interests, or the Nigerian government less assertive in trying to use the U.N. peacekeeping force there and elsewhere to advance them. Those are issues of politics and national policy, they are not issues of capability.

Mr. SMITH. Let me ask Mr. Charny, in your testimony you obviously spoke about the rapid deployment force. What happens in situations like Chechnya or any other matter of "internal affairs," so-called, that is trotted out by the offending country?

In that case, there were 80,000 people killed in the Chechen war, and untold thousands in this second war. How do you see such a force working in a context like that? Or is that something that remains a problem?

Mr. CHARNY. In my mind, it simply remains a problem. There is no obvious solution to an issue like that. We have already—I am not as naive, perhaps, as Mr. Bolton would suggest. I know that the idea of any standing force for the United Nations right now is politically a rather tough sell, both in the United States and indeed, in many other countries.

So I think the only way you ever get anywhere near such a concept is to maintain Security Council oversight and authorization of such a force. Therefore, by definition, that means if there is an internal conflict in Russia or, as there may well be in the next decade, serious internal conflicts in China, you are not going to see a rapid reaction force, even if it existed, zipping off to the far west of China to deal with ethnic tensions there, or possibly serious human rights violations, or whatever. It simply isn't going to happen. I recognize that.

Nonetheless, we have to also recognize that as an issue, because what it means is that if you have deployments, you do tend to have these deployments in failed states, weak states, states which simply do not carry much political weight. Again, I think that is a reality that would have to be accepted or worked around in the political forum.

Mr. SMITH. Just two final questions.

Dr. Durch, in the report, you say that the total cost of the DKPO and related support offices for peacekeeping does not exceed $50 million per annum, or roughly 2 percent of the total peacekeeping costs. Your panel recommends that that be substantially beefed up.

Could you elaborate on that? How much do you think is needed to get the job done adequately?

Mr. DURCH. As we speak, the Deputy Secretary General of the U.N. is heading up a working group that is trying to come up with an implementation plan based on the recommendations in the report. When that plan is drafted, they will carefully cost that out. So I don't have numbers that I could give you.

Even if one were to, in hypothetical terms, double the number of folks trying to give support to peacekeeping at headquarters, you would be talking about maybe another 50 million at best, and the U.S. share $12 million a year.

We think that probably great strides can be made, in other words, in improving the planning, the backstopping, the recruiting, all of these things to get ready to go into the field, for a relatively modest amount of money.

Mr. SMITH. Do you know when those specs are going to be developed?

Mr. DURCH. I am sure they are aiming to give them to the General Assembly in this session, so sometime later this fall.

Mr. SMITH. The report focuses on expanding the role of the international civilian police. Obviously, once the peacekeepers leave, or as they are transiting, out a good police force is needed to keep the order.

Could you expand on the recommendations that have been made by the Panel with regard to those areas?

Mr. DURCH. Yes. We don't view the U.N. international civil police as the replacement for the peacekeepers, and until now only in two places have U.N. cops had executive authority, law enforcement re-

sponsibility. That is East Timor and Kosovo. Elsewhere they are monitors of the local police behavior.

We think you really need to do more, that you really need to try and configure the mandate such that you can retrain the local police and judiciary according to modern principles of democratic policing; in other words, to make them—help them contribute to the security situation and to the development of a society—rather than go back to being politicized thugs—as one component of peace-building.

What we hope is that when a mission departs, the peace-building components—the unarmed components of the mission, the electoral people, people who work with civil society, the folks who try and jump-start some reconstruction and generate voluntary long-term funds to kind of segue into development—will leave behind a stable situation so everybody can exit and leave behind something better than they found when they got there.

Mr. SMITH. I recently sent staff to the Kosovo training center to try to ascertain how well or poorly that was working. Do you have any feedback as to the efficacy of the training that is going on in Kosovo?

Mr. DURCH. For the police?

Mr. SMITH. Yes, for the police.

Mr. DURCH. Not immediate feedback. The basic problem is that there is not sufficient capacity within the system to implement more than a basic screening program in advance of deployment. There are nine personnel in the civil police unit at U.N. headquarters. They have the responsibility of vetting all of the 8,000 people who deploy. They are trying to vet them before they come up to missions to make sure they have minimally competent people. They are also supposed to be doing doctrine and drafting budgets and writing strategy. You simply cannot do all that with nine people.

We think that with the increases for those folks that we recommend, they will be able to do a little bit better.

The lack of experience with executive policing is another problem, and at the moment you get police from very different traditions brought together, with very different sets of procedures that they are used to operating under, and different law codes, maybe from 40 or 50 different countries to make up a force of that size.

We hope that the kind of regional training that we are recommending, as well as the small core of 100 folks that could go out early to provide that training and be ready to go in advance, could remedy these kinds of problems that we face right now.

Mr. SMITH. Thank you.

Ms. McKinney.

Ms. MCKINNEY. Thank you, Mr. Chairman.

Dr. Durch, I understand that after I had left the room, you made a commitment to go back to those who wrote your terms of reference to ask that they include reparations in your terms of reference. Is that the commitment that you made?

Mr. DURCH. I said that I would certainly get back to the folks at the U.N. about the question of reparations. I can't commit them to doing something, as you understand.

Ms. McKINNEY. I understand you can't commit them, but you can commit yourself. So is it my understanding that you are making a commitment to go back to them and raise the issue of reparations with them to be included in your terms of reference.

Mr. DURCH. I will certainly raise the issue. The Panel's work is finished. This issue would have to be addressed by some sort of a follow-on effort.

Ms. McKINNEY. Okay. Many of our panelists have talked about getting the politics out of politics. I don't know if that is possible.

The Brahimi report talks about making sure that the information stream from the Secretariat to the Security Council is a continuous flow of information, but I would say that that is politics. In the Rwanda report on the now infamous cable sent from General Dallaire up to New York, a decision was made by DPKO Chief Kofi Annan to not transmit the contents of that cable to the Secretary General, Boutros-Ghali, or to the Security Council.

In fact, the Rwanda report says, "Annan's and Risa's instructions to UNIMR and the caution which dominates those instructions show that they did realize that the cable contained very significant information. However, they did not brief the Secretary General about it, and the Security Council, which a week before had conditioned its continued support for UNIMR on progress in the peace process, was not informed."

The decision to not inform the Secretary General and the Security Council was a decision that was made by the Assistant Secretary General, or whatever the appropriate title is, by Kofi Annan, who was in charge of DPKO. That was politics. That was a political decision that was made to withhold critical information and vital information that could have saved hundreds of thousands of lives. That decision was made by that one man, perhaps in collusion with others, because I cannot believe that a decision of that importance would be made with just one person.

Is there anything in your recommendations that can keep politics out of political decisions?

Mr. DURCH. I don't think there is any way you can keep politics out of political decisions. The U.N. is a very political organization, as are governments, democracies in particular. But what we hope can come of implementing the recommendations in the Brahimi report is better informed decision-making, better capacity for analysis, less chance for things to fall through the cracks.

Ms. McKINNEY. This January 11 cable didn't fall through the cracks. I need to correct myself, the Chairman reminds me that I misspoke. I wanted to make sure that I am perfectly clear, that we want to take the politics out of peacekeeping decisions.

This was a peacekeeping decision about what was going on in Rwanda at the time. The current Secretary General, who was then chief of DPKO, chose not to turn over vital information to the Secretary General or to the Security Council.

So I rephrase my question: How is it possible to keep politics out of peacekeeping decisions?

Mr. CHARNY. Maybe I can jump in and try and address this. I think—I am certain that probably the one thing that the four of us would agree on is that it is impossible to take politics out of this process. It is by definition a political process.

Refugees International wants to see more humanitarian values, if you will, humanitarian criteria inserted into that political process. But a political process is inevitable, and no reform that any of us is suggesting is going to create a perfect system. There are always going to be individuals who make major errors that have major humanitarian consequences.

We don't live in a perfect world. There would be no way to design a system, neither in the U.N. nor, quite frankly, in the U.S. Government, that would prevent incorrect decisions from being made. Hindsight is 20/20. It is very easy to look back on any particular circumstance and say, if X had only done this, then things would have been different.

I think—again, it is not my role on the Panel to defend the U.N., nor, I believe, is it Dr. Durch's. There is some attempt to have better accountability. This rash of reports that you are seeing is an attempt to—in the most transparent way that the U.N. is capable of to own up to some of the errors that have been made. But to take politics out of peacekeeping is impossible.

Ms. McKINNEY. I would suggest that accountability, yes, and the rash of reports that has been written, and the four apologies that were given in 6 weeks, they are a step in the right direction, but it is not nearly enough.

I am driving right now my car on Firestone tires, and I am afraid that I might be the next victim of Firestone. Those people who made the decisions in all of the various offices to ignore the information that was coming through their offices about the problems of Firestone tires, particularly on Ford Explorer cars, are pretty much—I would say that the United Nations is about in that same league right now.

But there is one big difference. That is, people, individuals who have been harmed, are holding Firestone accountable. If the United Nations sets itself up as accountable to no one and above every aspect of the law, then there is no possibility of reparations, of that accountability meaning something.

So that is why this is critical. We can have an intellectual conversation about how we are going to take the politics out of peacekeeping decisions, but until the people who made those decisions that failed are held accountable and made to pay, just in the same way as Firestone and Ford are going to have to pay, then I would say that we don't have real accountability.

That leads me to my next question, which is about the recommendation for one-stop shopping for military and police officers.

I am concerned about the impact that this one-stop shopping will have on my ability to exercise scrutiny over what my government and its subcontractors do.

For instance, I can see in this recommendation or this set of recommendations the ability for private military companies that were formerly known to be mercenary companies, but now they have gotten a fancier name, to become the subcontractors of the U.N., and the U.N. then fight wars and do other things that I would have no ability to understand or ferret out or understand the decision-making process that resulted in a particular deployment.

Could you talk to me about transparency and decision-making and accountability in the process, so, one, we don't have soldiers

going to places like Cambodia infecting people with AIDS, to make sure that the soldiers—it is alleged that in Sierra Leone the Nigerian soldiers are mining as many diamonds as the RUF; so we don't have headlines like this, "Split in U.N. Sierra Leone Mission." Could you just sort of talk to me about accountability and transparency in the decision-making process so these things that are going wrong right today won't happen, and that I can have confidence in the decisions that are made by the U.N., the DPKO and the Security Council?

Mr. DURCH. Okay. I think with the one-stop shopping, you are referring to the 100 military observers that are on call for mission setup?

Ms. MCKINNEY. For instance, you recommend that each country have a central person or office that handles the military and that handles the policing.

Well, it is my understanding that—for instance, we have the Haliburton Company, which has as its subsidiary Brown & Root; we have MPRI. They are these private military subcontractor organizations that are doing—right now that are doing the work, subcontracted by DOD and by the Department of State, and they are in charge of whatever it is that the U.N. needs in terms of providing police in Kosovo or helping to set up military bases in the Great Lakes, whatever it is.

My question is, it appears to me that your recommendation encourages that kind of centralization and that kind of mercenary operation over which I as a Member of Congress would have no oversight. That bothers me. That concerns me.

Mr. DURCH. Okay. I think what you are referring to is the use by governments like the United States of subcontracting places like Dyn Corp for recruiting police, et cetera.

Ms. MCKINNEY. Absolutely. That is exactly what I am talking about.

Mr. DURCH. That is a chain that flows up through governments and then to the U.N. It is not something that the United Nations is governing directly.

Ms. MCKINNEY. So the United Nations will not then be subcontracting, say, for instance, to DyneCorp or to MPRI directly?

Mr. DURCH. Well, it is a question of whether you are talking about fighting forces or you are talking about logistical support.

Ms. MCKINNEY. I am talking about all of it.

Mr. DURCH. Let's talk for the moment about logistical support in terms of what the U.N. does. It does have long-term what they call systems contracts with the civilian logistical elements of places like Dyn Corp or places like Brown & Root, who can provide efficient food contracts or longer-range lift or those kinds of logistical support with civilian folks, civilian contractors. In the military, you would have military support units doing it. It is less expensive to do it with civilian contractors, especially in some of the less dangerous areas that the U.N. operates.

So there are those contracts. They allow the U.N. to respond faster than having to go out for bids for 60- or 90-day-tenders to get basic supplies and transport and equipment for their operations.

So they have, for example, a standing contract at the moment with Toyota to provide 4-Runners or Land Cruisers on relatively

short notice for operations in sort of the hundreds and thousands of units. Even so, it takes maybe 18 weeks for those to be delivered. So it is an effort at efficiency from the U.N.'s perspective.

In terms of the training of troops or the training of police folks, that is, and using the private sector to do that, that is a matter for governments themselves. I don't think the U.N. does that directly.

Ms. MCKINNEY. Is that something that you could pose to your people? I would like to know if the United Nations is subcontracting or is contracting to Dyn Corp and MPRI directly now.

Mr. DURCH. All right.

[The information referred to is available in the appendix.]

Ms. MCKINNEY. Mr. Chairman, I think I have concluded.

Mr. SMITH. That pretty much concludes the hearing.

I just want to note for the record that we did have an extensive hearing back in May, on May 5 of 1998, in our Subcommittee. We assembled a very powerful panel of people, including from the United Nations and the Belgian parliament, to focus on the Rwandan killing.

We paid special attention to the New Yorker expose that had been done on the so-called "genocide fax." Maybe I will ask one final question of Dr. Durch, because we tried and failed to some extent to get very specific information with regard to who knew what and when, the whole line of authority.

Obviously, when any panel looks at something, they try to reconstruct where the failures were in order to learn from them, and perhaps—although I don't think it is going to happen here—to hold to account those who dropped the ball, which led to massive slaughter.

The information we had was overwhelming. Refugees International testified at that hearing, as did many, many others. What about the genocide fax? Will that never again happen under the recommendations that are being suggested by your panel, so that there is more than just one set of eyes, so that a merely political perspective does not prevail?

When General Dellaire, your eyes and ears on the ground in Rwanda, says that something is imminent, as was pointed out by Holly Burkhalter, who had testified that day as well, you listen. Our own embassy had clear and compelling reporting about this. Killings like this do not happen usually without a large number of people at least being suspicious, if not having some timely information that could prevent or mitigate it from happening. Yet, have we really learned from it?

Dr. Durch, I wonder if you might want to take a stab at that, and Srebrenica. Look at these profound, preventable mistakes that were made. We are all human, we are all prone to error. But it seems to me that to ignore that kind of information, and then to be—in Kofi Annan's case—kicked upstairs rather than held to account, something is wrong. If you could respond to that.

Mr. DURCH. Yes, sir, I would hope that the kinds of structural changes that we recommend would prevent that sort of thing from happening again.

There was a combination of the information—the analysis at the Secretariat that we hope to have to look forward, and what we call

integrated mission task forces to plan and implement operations, where you would actually co-locate people from many departments of the U.N., the refugee people, the military, the police folks, the logistics people, and sharing information that comes in from all their different feeds.

So if you had three different groups with three different views on the ground of danger arising, that would go straight to that group and everyone would know what was going on.

I think it would be much more difficult to drop the ball in that case.

Mr. SMITH. Unless any of our panelists have anything further, let me just thank our very expert witnesses for their information. It does help this Subcommittee. We do have prime jurisdiction, as you know, over the United Nations and the State Department. Obviously, peacekeeping comes under that. This helps us to do our job better.

Please stay in contact with us as we go forward, because we do want to be very much a part of the process to reform and hopefully to improve the efficacy and responsiveness of peacekeeping.

Thank you very much. The hearing is adjourned.

[Whereupon, at 1:08 p.m., the Subcommittee was adjourned.]

A P P E N D I X

SEPTEMBER 24, 1999

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CHAIRMAN

Statement of Rep. Christopher H. Smith
Chairman, Subcommittee on International
Operations and Human Rights
September 20, 2000

Hearing on "United Nations Peacekeeping"

Today's hearing is about United Nations peacekeeping forces --- a review of some of their past successes and failures, and some suggestions about what shape they should take in the future. At the moment there are 14 separate U.N. peacekeeping missions around the world. Some have been in existence for less than a year, others for as long as 52 years. U.N. peacekeepers are fighting and dying in East Timor, and struggling to protect a cease fire in Sierra Leone where violence against civilians continues, where hundreds of peacekeepers have been held hostage by rebel groups, and where open dissent has erupted between various commanders of the peacekeeping force. Peacekeepers will also be embarking soon on a mission to protect the international observers being sent to monitor the cease-fire between Ethiopia and Eritrea.

Even as the use of UN peacekeepers is expanding, the UN and the United States have not fully come to terms with the peacekeeping failures of the mid-1990s. As this Subcommittee has examined in previous hearings, the worst of those failures (from a humanitarian perspective) occurred in Rwanda and at Srebrenica in Bosnia.

In April of 1994, Hutu extremists in Rwanda began the systematic massacre of that country's minority Tutsi population, as well as of many thousands of moderate Hutus who refused to participate in the bloodshed. For the next three months, mothers and their babies were hacked to death with machetes. Families seeking refuge in churches were butchered inside. Streets littered with corpses literally ran with blood. By the time the killing ended, somewhere between 500,000 and 1,000,000 people had been murdered.

Although it already had peacekeepers on the ground, the United Nations failed to take preemptive action to prevent these mass murders, and the U.N. refused to take effective action even after the killing had begun. After Interahamwe militiamen killed 10 Belgian

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peacekeepers, the UN focused on avoiding risk to UN peacekeepers rather than on stopping the genocide. Notwithstanding pleas for increased assistance and a broader mandate by General Dallaire, the UN Security Council instead voted to withdraw most of the peacekeepers from that country. Many informed observers — including Gen. Dallaire himself — believe that a modest, strategically placed international force could have put a stop to the killing.

A similarly shameful episode occurred the following year in Srebrenica. During four terrible days in July 1995, an estimated 8,000 people were executed by Bosnian Serb soldiers who had overrun that United Nations designated safe area. The victims were unarmed men — and in some cases women and children — who had been repeatedly assured that they would not be harmed if they surrendered. In some cases, these assurances came not only from the killers, but also from the UN peacekeeping forces whose mission was to protect the victims.

But when the moment of truth came, the UN forces offered only token resistance to the Serb offensive. Their military and political commanders had redefined their primary mission not as the protection of the people of Srebrenica, but as the self-preservation of the UN forces. The peacekeepers became little more than observers to genocide.

Sadly, they also became something other than observers. On July 13, 1995, a Dutch blue-helmet battalion handed over to the Serb invaders 300 Bosnian Muslims who had sought safety within the UN compound. They watched as the men were separated from the women and children — a process already well known as a sign that the men were in imminent danger of death. These men were never heard from again.

It is my earnest hope that these examples will never be surpassed as the darkest days in the history of UN peacekeeping. The mistakes of Rwanda and Srebrenica must not be repeated.

Today there is general agreement that there have been – and still are – serious problems with United Nations peacekeeping. But the more difficult, unresolved questions are: What exactly are those problems, and how should they be fixed?

One set of answers was proposed last month by the Panel on United Nations Peace Operations convened by Secretary General Annan. The Panel's report, also known as the "Brahimi Report,"[1] identifies "serious problem[s] in strategic direction, decision-making, rapid deployment, operational planning and support, and the use of modern information technology." It also admits moral failures, such as the UN's past "reluctance to distinguish victim from aggressor," as occurred in Rwanda and Srebrenica. In response, the Panel proposes a "renewed commitment [to UN peacekeeping] on the part of Member States,

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[1]After the Panel Chairman, Lakhdar Brahimi of Algeria.

significant institutional change, and increased financial support." It emphasizes the need for stronger ties between "peacekeepers" and "peacebuilders" from civil society in the areas where UN forces are deployed. It calls for robust rules of engagement and for "bigger forces, better equipped and more costly but able to be a credible deterrent." It highlights the need to streamline the logistics of deployment. It also emphasizes the importance of clear, achievable mandates. But the bottom line solution proposed by the Brahimi report seems to be "more" — more resources, more power, and more autonomy for UN peacekeeping efforts.

Other advocates urge changes beyond those envisioned in the Brahimi report, including the creation of a standing UN rapid reaction peacekeeping force. They assert that prompt, forceful action would help to deter the worst humanitarian costs of many crises. They point to the fact that past UN deployments have been too little, too late, and that past multinational forces have lacked cohesion, efficient coordination, and a unified chain of command. They argue that a standing UN force is the best way to correct those deficiencies. However, because of the serious problems of sovereignty and accountability posed by such a free-standing military entity, both the current Administration and many members of Congress have opposed the rapid deployment force concept.

Still other experts question whether UN forces are competent -- either legally or militarily -- to enforce the unstable peace that exists in the regions where many peacekeepers are deployed. They warn that by injecting international peacekeeping forces into circumstances where there is no preexisting peace, we are entangling ourselves in an expensive, dangerous, and potentially endless morass. Furthermore, they note that the robust military engagement contemplated by the Brahimi report and the standing force concept are less like peacekeeping than like making war — a prerogative properly exercised by sovereign states, not by the UN.

I am happy to note that we have before us today capable experts representing each of these viewpoints, as well as one witness who speaks from personal experience of the tragedies that result from peacekeeping failures. I hope that our witnesses will propose answers to a number of important questions: How should UN peacekeeping be reformed and improved? What is the proper competence of a UN peacekeeping force (both legally and operationally)? What role should the United States and the UN Security Council play in initiating, directing, and supporting UN peacekeeping activities? And, finally, how should we balance our proper concerns about United States sovereignty and strategic interests with our moral obligation to act when innocent peoples are threatened with unspeakable evil and extermination?

I look forward to the testimony of our witnesses.

Statement of

John R. Bolton

Senior Vice President,
American Enterprise Institute

before the

Subcommittee on International Operations and Human Rights

International Relations Committee
United States House of Representatives

on

The Millennium Summit and Current United States Policy on United Nations Peacekeeping

10:00 A.M.
September 20, 2000
Room 2172
Rayburn House Office Building
Washington, D.C.

Mr. Chairman and Members of the Subcommittee, I would like to thank you very much for the invitation to appear before you today to discuss the critically important subject of United Nations peacekeeping operations, including current American policy on approving such missions; the relative likelihood of success or failure in several ongoing or proposed peacekeeping operations; and the policy direction in which the UN Secretariat and the present Administration are moving. I have a prepared statement, which I will summarize, and ask that it be inserted in the record. I would, of course, be pleased to answer any questions that you or other Members of the Subcommittee might have.

There is little doubt that, after an explosive growth in UN "peacekeeping" operations in the early and mid-1990s, followed by a decline in new activities, we are again in a period of massive increases. We face potentially enormous and seemingly limitless commitments in both military and civilian deployments in East Timor, Kosovo, Sierra Leone, the Democratic Republic of the Congo, and between Ethiopia and Eritrea. Many of these operations, like several of their predecessors earlier in the Clinton Administration, are very emphatically *not* "peacekeeping" as that term has conventionally been understood. Therein lies much, but certainly not all, of the problem that Congress now confronts, in both policy and budget terms.

In this testimony, I would like to review briefly the course of the Clinton Administration's policy development concerning UN peacekeeping and the recent "experts' report" to the UN Secretary General, which was largely endorsed both by the Security Council and by the final declaration of the Millennium Summit earlier this month in New York.[1] I believe that it has been consistent Administration policy, from its first day, to expand the size, scope, and mission of UN peacekeeping activities; that it has not been entirely candid with Congress in so doing; and that its support for such policies is at the heart of the Secretary General's expansive peacekeeping agenda, and the actions of the Millennium Summit. I also provide a brief case study of a pending peacekeeping operation (in the Ethiopian-Eritrean conflict) to show how the policy predilections of the Administration and the UN Secretariat are currently being implemented in the field.

I. THE CLINTON ADMINISTRATION'S PEACEKEEPING POLICY

From its very first days, the Clinton Administration advocated a policy of "assertive multilateralism," in contrast to the policies of its predecessors, which were thought to rely insufficiently on the United Nations and other international organizations for the conduct of American foreign policy. The Clinton Administration moved very early in its tenure to translate the rhetoric of "assertive multilateralism" into concrete

[1] The Secretary General transmitted the formal document, known as the *Report of the Panel on United Nations Peace Operations*, by identical letters dated August 21, 2000 to the President of the General Assembly and the President of the Security Council. UN Docs. A/55/305 and S/2000/809 [hereinafter, the "Brahimi Report"].

policy, and its chosen vehicle was Somalia. There was little or no consultation with Congress at any stage of the process. On March 26, 1993, just two months after President Clinton took office, and under intense American lobbying, the Security Council adopted Resolution 814, directing the UN Secretary General's Special Representative for Somalia "to assume responsibility for the consolidation, expansion, and maintenance of a secure environment throughout Somalia." In addition, Resolution 814 asked that the Secretary General obtain financial support for "the rehabilitation of the political institutions and economy of Somalia." U.S. Permanent Representative Madeleine K. Albright said unequivocally, "With this Resolution, we will embark on an unprecedented enterprise aimed at nothing less than the restoration of an entire country as a proud, functioning and viable member of the community of nations."[2] Indeed, "peacekeeping" as it was traditionally understood was being replaced in Somalia by the sharply different notion of "peacemaking," involving the direct use of UN military force to shape the outcome on the ground.

This policy of "nation building" in Somalia continued through the spring, summer, and early fall of 1993 despite increasing levels of violence and instability. On August 27, in a major address, Secretary of Defense Les Aspin said "We went there to save a people, and we succeeded. We are staying there now to help those people rebuild their nation." He added "President Clinton has given us clear direction to stay the course with other nations to help Somalia."[3] On September 22, 1993, again following extensive American diplomatic efforts, the Security Council adopted Resolution 865, which would have locked in a UN "nation building" presence for some time into the future. That Resolution reaffirmed the Council's support for "the process of national reconciliation and political settlement" begun earlier. Resolution 865 also provided for the UN to assist "in the furtherance of the national reconciliation process and to promote and advance the re-establishment of regional and national institutions and civil administration in the entire country." Disaster followed in Mogadishu on October 3, less than two weeks later.

Even as the Administration was experimenting with "assertive multilateralism" in Somalia, it was proclaiming and elaborating on the new policy in a variety of forums. President Clinton's September, 1993 speech to the General Assembly, for example, suggested that the following questions be asked in deciding whether or not to undertake a new "peace operation":

> Is there a real threat to international peace? Does the proposed mission have clear objectives? Can an end point be identified for those who will be asked to participate? How much will the mission cost? From now on, the United Nations should address these and other hard questions for every proposed mission before we vote and before the mission begins. The United Nations simply cannot become engaged in very one of the world's conflicts."

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[2] *See generally*, my "Wrong Turn in Somalia," 73 *Foreign Affairs* Number 1, p. 56, at p. 62 (1994).
[3] *Id.* at p. 64.

While the President and his senior advisors were speaking publicly on the subject, the Administration was also engaged in an intense internal discussion to draft guidelines for US involvement in UN peacekeeping activities, eventually promulgated in Presidential Decision Directive 25 ("PDD-25") released in unclassified form in May, 1994.

Although PDD-25 purports to establish decision-making criteria that determine when and under what circumstances the United States will vote in the Security Council to support UN peacekeeping, when it will itself participate, and when it will support "peace enforcement" operations, the document is surprisingly unrestrictive. As Michael T. Clark points out, PDD-25 provides

> "no assurance . . that the administration will not continue to pursue a particular peace operation should any, or all, of the criteria fail to be met. Indeed, PDD-25 avers that 'these factors are an aid in decision-making; they do not by themselves constitute a prescriptive device.' . . . [Thus], it cannot be known with any degree of precision or certainty when, where, or with what degree of support the United States may engage in U.N. peace operations. There is no commitment to vote against a resolution or an operation should it fail to meet PDD-25 conditions."[4]

Clark also points out that the final version of PDD-25 raises concerns "about the manner in which the president may subordinate U.S. forces to the operational control of a U.N. commander," because of changes made to an earlier draft, submitted in August, 1993 by then-Chairman of the Joint Chiefs of Staff, General Colin Powell.[5] Finally, Clark also asserts that "much of the language in the unclassified version, widely distributed to members of Congress and the public, is 'tougher' than the tentative, vague wording in the full, classified PDD."[6]

Indeed, in this last point lies much of the problem. Although the Administration has purportedly kept Congress closely informed about UN "peace operations," there is evident dissatisfaction both with its explanations, and with apparent inconsistencies between the stated policies of the Administration and the votes being cast in the Security Council. Nowhere is this divergence clearer than in the budget implications revealed last week by the General Accounting Office ("GAO") in its report "Cost of Peacekeeping Is Likely To Exceed Current Estimate." There, the GAO projects that the annual cost of peacekeeping, due to new and expanded missions, will be approximately $ 600,000,000 (or 28 %) larger than the $ 2,100,000,000 currently budgeted. Moreover, these expenditure projections coincide with other troubling aspects of the peacekeeping missions GAO examined:

> -- In the case of Sierra Leone, for example, however distressing are the conditions within that country, it is difficult if not impossible to identify a real threat posed to international peace and security, which is the only

[4] Michael T. Clark, "The Trouble with Collective Security," *Orbis*, Spring, 1995, at pp. 249-50.
[5] *Id.* at pp. 250-51.
[6] *Id.* at p. 251.

jurisdictional basis for action by the Security Council provided in the UN Charter. Recent press reports of dissension within the UNAMSIL force can only increase the level of concern for the coherence and direction of the entire UN operation.[7]

-- In the proposed Congo operation, while a threat to international peace and security is much stronger, the mission is ill-defined, potentially endless in duration, and with long-term financial costs that defy quantification. The persistent inability of the parties to come to a true meeting of the minds in a sustainable peace agreement brings forebodings of Somalia.

-- In Kosovo, the UN's civilian administrative efforts have been widely criticized, including by the UN's own Administrator.

-- In the conflict between Ethiopia and Eritrea, considered in more detail below, the UN's proposed peacekeeping force, endorsed in principle already by the United States, goes well beyond the actual resources needed for a cease-fire observation mission.

These current and proposed new actions form a pattern that is uncomfortably reminiscent of the Administration's first years in office, when peacekeeping operations seemed to be approved reflexively, and to expand unchecked.

Indeed, it is legitimate to ask now whether PDD-25 in any of its several versions has ever been an effective guide to Administration decisions on UN "peace operations." To the contrary, faith in the credo of "assertive multilateralism" seems a more reliable explanation of what the Administration has been doing in practice, and enthusiastically so within the last twelve months. Even more troubling, the way forward is already clear, as the next section examines, and that way forward looks, not surprisingly, like "assertive multilateralism" redivivus.

II. THE BRAHIMI REPORT ON UNITED NATIONS PEACEKEEPING

Debate in Washington has not yet really begun over the full implications of the experts' report on United Nations peacekeeping (known as the "Brahimi Report," after its chairman, former Algerian Foreign Minister Lakhdar Brahimi), but it was clearly commissioned and designed as part of the Secretary General's efforts to enhance the role of the United Nations in international conflict resolution. Endorsement by the Security Council (in Resolution 1318, September 7, 2000) and the Millennium Summit was ceremonial and perfunctory, as intended, and the real issue now is whether the Report is

[7] *See, e.g.*, Douglas Farah, "Internal Disputes Mar U.N. Mission," *Washington Post*, September 10, 2000, p. A1, column 6.

simply accepted essentially as gospel, or whether it received adequate scrutiny. This hearing is certainly an important step in beginning the necessary attention and debate.

The importance of the Brahimi Report to Secretary General Kofi Annan cannot be underestimated. His transmittal letter to the Security Council and the General Assembly described the group's recommendations as "far-reaching," and their "expeditious implementation" was "essential to make the United Nations truly credible as a force for peace."[8] The Clinton Administration's warm support for the Secretary General, and the Report's quick endorsement by the Security Council provide clear evidence that its conclusions were entirely predictable and well-briefed in advance to minimize possible objections.

Some aspects of the Brahimi Report are clearly correct, although these seem awkwardly out of place when compared to other aspects of its work. The Report properly stresses the importance of "clear, credible and achievable mandates" when the Security Council creates peacekeeping forces. Noting the important but often overlooked fact that the Council is "a political body," the Report observes that the need for political compromise can create ambiguities and compromises in its mandates that can spell serious trouble in implementing that mandate. It then concludes:

> "While it acknowledges the utility of political compromise in many cases, the Panel comes down in this case on the side of clarity, especially for operations that will deploy into dangerous circumstances. *Rather than send an operation into danger with unclear instructions, the Panel urges that the Council refrain from mandating such a mission.*"[9]

This is precisely what the Security Council should be doing, but which too often it has failed to do in the recent past, including in currently proposed operations such as the Congo.

The Report itself admits that recent peacekeeping operations have often been combined with "peace-building in complex peace operations deployed into settings of intra-State conflict," and that such complex and risky mandates have been the rule rather than the exception."[10] There no attempt to justify this radical departure from the requirements of the UN Charter, which limit Security Council jurisdiction to threats to and breaches of "international peace and security." It is, in fact, the promiscuous resort to UN peacekeeping over the recent past that has inserted the UN into situations it was not intended to handle, and, in fact, is not competent to handle. This is the real place to begin the debate on *American* policy about United Nations peacekeeping. Congress has repeatedly made its skepticism on this point known. Unfortunately, the Clinton Administration has repeatedly ignored not only Congress, but also its own publicly stated limitations to U.S. support for "peace operations."

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[8] Brahimi Report, *supra*, n. 1, at page i.
[9] *Id.* at paragraph 56, p. 10 (emphasis added).
[10] *Id.* at paragraphs 18-19, p. 3.

There are many recommendations aspects of the Brahimi Report that are wrong-headed, inadequately considered or simply confused, several aspects of which are discussed below. In fact, most of its conclusions are foreordained given the eleven "premises"[11] from which the Report begins, many of which simply assume a conclusion that other knowledgeable observers would argue is at least subject to reasonable debate or qualification. The report is woefully insufficient in even considering alternative analyses to the problems within its purview. What follows in this prepared testimony is only a limited overview of the Brahimi Report, which deserves careful attention and review by Congress.

1. Peacekeeping Doctrine and Strategy

For present purposes, however, we should focus first on the most egregiously mistaken section, "Implications for peacekeeping doctrine and strategy."[12] In these few paragraphs are concentrated the real agenda behind the Secretary General's request for this Report, and the most intractable unwillingness to learn from past UN mistakes.

Although the Brahimi Report's doctrinal section begins by reaffirming the traditional preconditions for successful peacekeeping -- "consent of the local parties, impartiality and use of force only in self defense" -- it quickly moves to jettison all three of them. First, the Report lists examples where "consent may be manipulated" by "the local parties" and where the UN has been "unable to respond effectively to such challenges." Second, the Report defines "impartiality" to mean "adherence to the principles of the Charter" and to UN mandates rooted in those principles. Third, the Report rejects the "symbolic and non-threatening" force structures of traditional peacekeeping in favor of "bigger forces, better equipped and more costly" that will "pose a credible deterrent effect," and which will have "a robust force posture" and "robust rules of engagement."

In the first two instances of rejecting traditional peacekeeping criteria, the Brahimi report is intellectually muddled. The examples of "manipulating" consent are in fact instances where one or all of the parties to a conflict have not in fact truly given consent. They are not problems of peacekeeping military operations or doctrine, but of fundamental political failure to reach actual agreement on ending conflict. As such, they are circumstances where the United Nations should not deploy a peacekeeping force at all, not one where more "robust" rules of engagement will make a perceptible difference.

Equally muddled is the Brahimi Report's concept of "impartiality," which would make the UN forces "morally compelled" to use force where the local parties are not "moral equals." Calling this approach "peacekeeping" is actually more than muddled: it is intellectually dishonest. The UN has had success in restoring international peace and security between parties of varying morality, and that is why it has been a useful instrument of international policy. If the Brahimi Report truly contemplates that the UN

[11] *Id.* at paragraph 6, pp. 1-2.
[12] *Id.* at paragraphs 48-55, pp. 9-10.

will be picking white hats and black hats, its failure to so explicitly, relying instead on distorting the "impartiality" principle, will not pass unnoticed.

Even more intellectually dishonest is the third point, dealing with UN peacekeepers and the use of force. "Robust" is the often-used word of choice for the new look, which has a fine rhetorical tone, but very little military substance. Despite all of the muscular rhetoric, however, the Report modestly observes "the United Nations does not wage war." Earlier, however, the Report had said precisely that: "when the United Nations does send its forces to uphold the peace, they must be prepared to confront the lingering forces of war and violence with the ability and determination to defeat them."[13] What this really says, however, is that the UN now wants the capacity to wage small wars (small, "moral" wars, of course). One cannot talk about the use of force, even for "moral" purposes without being prepared for retaliation, either against the UN or against other parties to the conflict. This involves combat, and it most assuredly will involve casualties. This *is* war, not peacekeeping.

2. The Limitations of "Preventive Diplomacy"

"Preventive diplomacy" rapidly became a contemporary buzz phrase for several obvious reasons. It is virtually impossible to argue with the abstract proposition that preventing conflicts is superior to resolving them after they have erupted into military violence. The costs in human life, property, and lost political and economic opportunities will almost certainly be higher once conflict breaks out, both for the parties directly involved and for interested outsiders. Successful preventative efforts, moreover, may lessen the inclination to resort to force in the future by building trust and confidence, and by actually helping to solve underlying disagreements.

Moreover, as the Brahimi Report concedes, UN peacekeeping "addressed no more than one third of the conflict situations of the 1990s."[14] Like so much of the rest of the Report, however, the section on "Implications for preventive action"[15] is really little more than an ill-disguised call for more financial and other resources, to close "the gap between verbal postures and financial and political support for prevention."[16] Of course, another way to close the gap is to reduce the level of verbal posturing, which I consider below.

If preventive diplomacy is so attractive, why is it so infrequently successful? In particular, why has the United Nations not achieved a better record at prevention? First, hard as it is for many people to believe, war is often an entirely rational calculation, and preventive diplomacy can no more stop it than it can reverse the power of gravity. Second, the UN is (and is likely to remain) only a collection of governments, the sum of whose efforts will not be greater than their individual exertions. Third, governments should understand that the UN Secretariat, especially the Secretary General, does not

[13] *Id.* at paragraph 1, p. 1.
[14] *Id.* at paragraph 29, p. 5.
[15] *Id.* at paragraphs 29-34, pp. 5-6.
[16] *Id.* at paragraph 33, p. 6.

operate on a higher plane than mere mortal national officials, and that the Secretariat's contribution is more likely to be at the molecular rather than the molar level. Let us consider each point in turn.

First, Clausewitz correctly noted that war is a combination of "hate and enmity," "the play of probabilities and chance," and "the province of pure intelligence."[17] Advocates of UN preventative diplomacy typically assume that only "hate and enmity" are at work, and, therefore, that "good offices," mediation, and conventional diplomacy will frequently be successful in preventing the resort to force. Unfortunately, this is both naïve and often dangerous. Where UN efforts have played a role in preventing conflict, such as the efforts of played by former Mauritanian Foreign Minister Ahmedou Ould-Abdallah in Burundi in 1993-95, it often has more to do with the abilities and personality of the individual involved than it does with the UN as an institution.[18] This is because the UN's capabilities and resources, although often cited as inadequate, as in the Brahimi Report, are rarely the real issue. The real issue is the balance of calculations between the potentially warring sides, which may be susceptible to political resolution or may not be.

Second, UN member states do not put aside their national interests when they enter the General Assembly or the Security Council chambers, a point the Brahimi Report essentially ignores. Indeed, obtaining two-year, non-permanent seats on the Council is often a national policy objective precisely so that the new Council member can take care of national business during a particularly critical or sensitive time. Even where direct national interests are not at stake, broader political alignments and the potential precedential importance of Council decisions, among other factors, will play an important role in decision making. In short, the Council is not composed of Platonic guardians, but states pursuing interests, often seemingly far removed from the subject under debate. Thus, Ecuador abstained on Resolution 687, the post-Persian Gulf War cease-fire text, because it contained provision for demarcating the Iraq-Kuwaiti border, which might turn out later to have an impact on the long-standing Ecuadorian-Peruvian border dispute. To be sure, such behavior may say more about human nature than the UN institutionally, but it is unmistakably pervasive. For that very reason, moreover, the oft-mentioned alternative to the UN -- reliance on regional security organizations as such -- is also not really likely to provide measurably different results.[19]

Third, the "Dag Hammarskjold myth" has unusual persistence in UN circles, but it is nonetheless still just a myth. The Secretary General is only the UN's "chief administrative officer,"[20] and has neither the political legitimacy nor the authority to exceed the wishes of member governments. Thus, the Soviet Union would surely have vetoed Hammarskjold, the poetry-writing idealist, for a third term as Secretary General had he not died during a 1961 mission to the Congo. In precisely the same vein, the

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[17] Karl von Clausewitz, *War, Politics, and Power*, edited by Edward F. Collins (Gateway, Washington, 1997). The phrases quoted are from *On War* at p. 55.
[18] *See* Ahmedou Ould-Abdallah, *Burundi on the Brink 1993-95: A UN Special Envoy Reflects on Preventive Diplomacy*, (U.S. Institute of Peace, Washington, 2000).
[19] The Brahimi Report does recognize this particular inhibition. *See* Brahimi Report, supra, n. 1, at paragraph 32, p. 6,
[20] United Nations Charter, Article 97.

Clinton Administration savaged Boutros Boutros-Ghali when he became inconvenient to its objectives in the 1990's. Any Secretary General who ignores this reality will suffer the same fate. On the other hand, when a Secretary General is serving the interests of a Security Council majority, he can typically expect ample support as a useful surrogate. Ironically, where the Secretariat can be most effective -- on the ground in specific crisis and pre-crisis situations -- it is often the most cautious and bureaucratic. Thus, where a Special Representative acts decisively and even boldly (as did Martti Ahtisaari during the 1989 Namibian elections), the UN's chances of success are higher, but these cases are unfortunately rare.

While conflict prevention by the United Nations is attractive in the abstract, its desirability should not obscure either international political reality. In all likelihood, therefore, the United Nations will continue to play only a highly limited, if occasionally useful, role well into the foreseeable future. The Brahimi Report, however, flatly rejects this analysis, and proposed instead a substantial strengthening of the independent capacity of the UN Secretariat to act in advance of the wishes of Member States. Such a capacity would give the Secretariat an autonomy that is both illegitimate under the UN Charter, and quite likely contrary to the broader interests of the United States in pursuing its national interests on a world-wide basis.

3. The Unrealistic Objectives of "Peace Building"

One of the more remarkable aspects of the Brahimi Report is its virtually unrestrained confidence in the ability of the United Nations of what the Clinton Administration used to refer to, back in 1993, as "nation building." Although "nation building disappeared from the Administration's record after the debacle in Somalia, the policy has continued -- unsuccessfully to be sure -- in Haiti, Bosnia, Kosovo, and east Timor. The Brahimi Report, for example, quotes approvingly from a 1998 statement by the President of the Security Council in support of the UN "establishing post-conflict peace-building structures," and actually cites Haiti as one example.[21]

In a breathtaking series of recommendations, the Report asserts that: (1) "*all* peace operations should be given the capacity to make a demonstrable difference in the lives of the people in their mission areas"; (2) the UN should support "a broader process of democratization and civil society building"; and (3) "a doctrinal shift is required in how the [UN] Organization conceives of and utilizes civilian police in peace operations."[22] The Report even suggests that prior "missions' tasks would have been much easier if a common United Nations justice package had allowed them to apply an interim legal code. . . ."[23] In short, UN peace missions "must also try to rebuild civil society,"[24] as blatant a statement of the philosophy of social engineering as we are likely to hear in the foreseeable future.

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[21] Brahimi report, *supra*, n. 1 at paragraph 35, p. 6.
[22] *Id.* at paragraphs 37-39, p. 7.
[23] *Id.* at paragraph 81, p. 14.
[24] *Id.* at paragraph 77, p. 13.

These and other related proposals are surely "nation building" with a vengeance, culminating in the Brahimi Report's conclusion that "the United Nations should be considered the focal point for peace-building activities by the donor community."[25] Once this point finally emerges, of course, all of the Report's earlier suggestions fall into place, in what is manifestly a brief for expanding the UN's turf. There are strong reasons and considerable empirical evidence underlying our conclusion in U.S. domestic policy that it is not within the Federal government's competence to build civil society. In light of that experience, why should any of us believe that the UN possesses that competence internationally?

4. The Trouble with Increased UN Funding and Personnel

The largest part of the Brahimi Report is dense bureaucratic prose on suggested changes in the UN Secretariat, virtually every single one of which, without exception as far as I can discern, calls for increased funding, personnel, and responsibilities for the UN Secretariat.[26] Here, the agenda is not hidden at all, because the report acknowledges that increased resources will enable the Secretariat "to prepare well and be asked to undertake [peacekeeping missions] more often because it is well prepared."[27] Although the Brahimi report does not repeat the call for a UN "rapid deployment force" -- undoubtedly in part because of the forceful opposition to such a force so widely expressed in the United States -- it comes as close as one can imagine without actually using the phrase itself. Indeed the report acknowledges that it is precisely this American opposition that much change to make implementing its recommendations possible.[28]

All of the these doctrinal changes in peacekeeping, and all of the proposals for increased financial, personnel and other resources for the Secretary General have the same consequences: strengthening the independent capacity of the UN Secretariat and the personnel assigned to it at the expense of the Security Council collectively, the Five Permanent Members in particular, and all of the UN's member governments individually. Curiously, however, the report nowhere involves the mechanism contemplated by the UN Charter: the Military Staff Committee ("the Committee" or "MSC"). If any of the Brahimi report's recommendations on UN military structures are to be implemented, it should be the position of the United States that they take place through the MSC, not just in the Secretariat.

No one seriously believes that the Security Council itself can direct military operations. Indeed, the Charter explicitly provides in Chapter VII for a Military Staff Committee -- comprised of the Chiefs of Staff of the Council's Five Permanent Members, or their representatives -- to oversee the UN's military activities. It is no accident that the MSC reports to the Security Council, and effectively, therefore, to the Perm Five -- not to the Secretary General.

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[25] *Id.* at paragraph 44, p. 8.
[26] *Id.* at paragraphs 84-264, pp. 14-44.
[27] *Id.* at paragraph 78, p. 14.
[28] *Id.* at paragraph 90, pp. 15-16.

The language of the UN Charter on these points is unequivocal. The MSC's function is to "advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments and possible disarmament."[29] In addition, the MSC "shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council."[30] To be sure these provisions originally contemplated a very different relationship of national forces to the United Nations than now exists in any peacekeeping mission. Rendered impotent by the Cold War, the Committee has never fulfilled the Charter's expectations, but that does not mean, if major improvements of the military capabilities of the UN were to be made, as the Brahimi Report suggests, that the MSC should simply be ignored. So doing would dramatically undercut the role of the Perm Five, and strengthen the role of the Secretariat.

Significantly, the Brahimi report proposes no new role whatever for the MSC. None of its recommendations even mention the Military Staff Committee. All of the bureaucratic and structural changes proposed are in the existing civilian bureaus (such as the Department of Peace Keeping Operations, or DPKO) of the Secretariat. How obvious can one make the total exclusion of the MSC -- and hence the Perm Five -- from the central reforms proposed by the Report? This exclusion is a direct, unambiguous effort to shift power from the Perm Five to the Secretary General, amounting virtually to amending the UN Charter itself. It should be flatly unacceptable to the United States, and indeed to all of the Security Council's Permanent Members. If the Clinton Administration is unable to understand why this should be unacceptable to the United States, perhaps Congress can assist it.

5. The Unacceptability of the Brahimi Report

In short, the Brahimi Report is badly flawed. In virtually every respect, its recommendations for the Secretariat and the UN as an institution can be boiled down to one word: "more." It is not an exaggeration, in response, to say that the appropriate answer is almost equally simply: "no" or "not now." The central point is that inadequate policies or the reluctance of member governments to adopt more interventionists policies -- for reasons good bad or indifferent -- will not be corrected by increasing the resources available to the Secretariat or otherwise strengthening its capacities. Only if one's objective is to strengthen the independence and capabilities of the Secretariat vis-a-vis member governments *per se* -- and particularly as against the United States -- will such policies as those recommended in the Brahimi Report make sense. I do not believe that it serves American foreign policy interests generally to cede such capabilities to any international organization.

The Report states that without increased capacity "the Secretariat will remain a reactive institution, unable to get ahead of daily events." But the United Nations *should* be a reactive institution, reactive to the desires of the member states. It is not in the

[29] UN Charter, Article 47(1).
[30] *Id.* Article 47(3).

interests of the United States for the United Nations to develop an autonomous capacity to act without our knowledge and without our express prior approval. When it is in the interests of the United States to bring the UN in on a problem early, we will do so. When it is not, it is flatly contrary to our interests to have the UN off operating essentially on its own.

III. A CURRENT CASE STUDY -- THE UNITED NATIONS MISSION IN ETHIOPIA AND ERITREA ("UNMEE")

The pending Security Council decision on a peacekeeping force in the conflict between Ethiopia and Eritrea is an excellent contemporary case study of the dangerous shift underway in UN peacekeeping policy. The UN's significant involvement in that conflict began after Ethiopia and Eritrea signed a cease-fire agreement on June 18, after a year of armed conflict, and a bloody struggle for Eritrean independence before that. In Resolution 1312 (adopted on July 31, 2000), the Security Council authorized deployment of 100 military observers, which is currently in preparation. The Council also requested further planning for the UN's role. Secretary General Kofi Annan supplied a report on August 10, recommending, *inter alia*, an additional 120 military observers, plus three infantry battalions, landmine clearance units and accompanying logistical support, for a total strength of 4,200 personnel. The Council is now considering the report.

The central philosophical and policy issue is posed by the proposal for three infantry battalions. What exactly are they supposed to do? Monitoring compliance with a cease-fire and the disengagement of combatant forces are tasks eminently suited to military observers, a classic peacekeeping task. If 220 military observers are insufficient, then no one would quarrel with an appropriate increase. But by recommending three infantry battalions and their attendant logistical support, the Secretary general has added an entirely new and unnecessary dimension to the UN Mission in Ethiopia and Eritrea ("UNMEE"). This is not simply a budgeteer's bean-counting quarrel over personnel levels, but a fundamental disagreement about the most appropriate and feasible role for the UN in international conflicts.

Peacekeeping, as noted above, historically has relied upon the consent of and cooperation by parties to a conflict. Where that is absent, not only does peacekeeping fail, but so too will "peace" itself. Many UN advocates are dissatisfied with the limited UN role such hard-headed assessments imply, and the Brahimi Report is an express attempt to transform their analysis into accepted doctrine. Annan, for one, has been very explicit about his preference for transforming "peacekeeping" into something else: "to go prepared for all eventualities, including full combat."

The three infantry battalions proposed for UNMEE are admittedly but a small step toward "full combat" preparedness, but it is in any case the wrong step in the wrong direction. If the Ethiopian-Eritrean cease-fire breaks down, military observers will be able to detect and report it for appropriate political or diplomatic action. Moreover, if

such a breakdown occurs, signaling a true political disagreement, the three infantry battalions will neither resolve the dispute nor be numerous enough to deter combat. They certainly will not be able to "enforce" the parties' compliance with a disintegrating peace agreement. In the end, if Ethiopians and Eritreans are not willing to uphold their own peace, what other nationality is willing to kill and die for it?

So what is the point of the Secretary General's proposal to deploy the three battalions? Perhaps it is simply idealism about the UN role, but more likely it reflects a determination (fully supported by the Clinton Administration, and abundantly reflected in the Brahimi report) to make the UN Secretariat a more active player in international disputes. But introducing a substantial outside presence into such a conflict is no guarantee of increased security -- for the parties or the UN observers -- and it may contribute to greater animosities if one side (or both) sees the UN assuming an openly partisan role. Abandoning the UN's historical peacekeeping role is a prescription for higher UN expenses, more failures and less support in Washington. Sending observers to the Horn of Africa is sensible, but the infantry battalions should stay home.

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Mr. Chairman, I have not attempted here a comprehensive assessment here of either the entire Clinton Administration policy on UN peacekeeping or of the full scope of the Brahimi report. Nonetheless, I think even this brief analysis shows the consistency of the Administration's pursuit of "assertive multilateralism" from its very first days right through to its closing moments. The risks and pitfalls for the United States, and indeed for the United Nations itself, in pursuing these flawed and potentially dangerous policies have rightly attracted extensive Congressional attention during the Clinton Administration. The need for that scrutiny has not declined, and indeed has increased substantially in light of recent developments. I would be pleased to answer any questions the Subcommittee may have.

REFUGEES INTERNATIONAL

MAINTAINING PEACE AND SECURITY

Testimony by
Joel R. Charny
Vice President for Policy, Refugees International

To the House Committee on International Relations
Subcommittee on International Operations and Human Rights

September 20, 2000

I want to thank the Chairman, Subcommittee on International Operations and Human Rights, Representative Christopher H. Smith, for providing the opportunity for *Refugees International* to testify on the issue of UN peacekeeping, one of the most critical issues facing the world today.

Maintaining peace and security is one of the truly vital tasks of the United Nations and its member states. But international peacekeeping machinery is shamefully inadequate. Everyone -- or virtually everyone -- will agree with that statement.

After years witnessing hundreds of thousands of unnecessary deaths of innocent civilians, *Refugees International* has concluded that a complete overhaul of the creaking machinery of international peacekeeping is needed now. **We support the creation of a standing international rapid reaction peacekeeping force.**

The blame for the present inadequacy of peacekeeping machinery can be shared among many parties. The most guilty are the horrendous governments and armed movements that threaten the lives of millions of non-combatants, mostly women and children, around the world. But the United States, also, must take its share of the blame. Our interventions in Kosovo and Bosnia came late, but ultimately they were successful in restoring peace. In other situations our response has been tragically inadequate. We failed to act -- and discouraged others from acting -- in Rwanda in 1994 and eastern Congo in 1996. Moreover, the U.S. has been

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an obstacle to reforming peacekeeping machinery and providing the UN with the resources needed for peacekeeping.

The problems and the solutions are not unknown. President Clinton outlined the deficiencies of peacekeeping in his speech to the Millennium Summit on September 6.

"We need better machinery to ensure UN peacekeepers can be rapidly deployed, with the right training and equipment, the ability to project credible force, and missions well-defined by a well functioning headquarters."

Let us examine each of the four areas for improvement the President identified as they relate to a concrete example: the recent peacekeeping mission to Sierra Leone.

- First, the deployment of the peacekeepers to Sierra Leone was slow. The UN Security Council didn't authorize a peacekeeping force for three months after a peace agreement was signed and another three months passed before the peacekeeping force was deployed in reasonable numbers, although the force *never* reached its authorized strength.

- Second, the peacekeeping force lacked training and equipment, especially joint training and standardized equipment. Unit cohesion is vital for the success of a military mission. Coming as they did from 32 countries, the peacekeepers had no opportunity to work with each other before arriving willy-nilly in the country.

- Third, the peacekeepers failed to project credible force. They dribbled into the country in small numbers and the rebels quickly showed their contempt by taking hostage several hundreds of them. Even the most cowardly thugs were not deterred by such a weak performance.

- Fourth, the peacekeepers lacked a functioning headquarters and clear mandate as shown by the leadership squabbles among officers in the force. A unified chain of command that knows what it can and should accomplish is critically important in any military operation. This was sadly lacking in Sierra Leone.

The failures in Sierra Leone are serious, not only because of the human toll of renewed conflict and instability, but also because they raise doubts that the UN can meet other and even larger peacekeeping challenges.

There are at least two major peacekeeping challenges before the international community at this moment: the Democratic Republic of the Congo (DRC) and Ethiopia and Eritrea.

- In the case of the DRC, the UN authorized in February 2000 a peacekeeping force of 5,500 personnel to supervise a peace agreement between the government in Kinshasa and opposition forces. Only a tiny percentage of the authorized peacekeepers have been deployed, however, because of lack of cooperation of the parties to the agreement, especially the government of the DRC.

- In the case of Ethiopia and Eritrea, the Security Council just last week authorized the deployment of up to 4,200 troops to monitor an accord halting a two-year border conflict between the two countries. The agreement is fragile, however, and deployment is urgently needed to help prevent an outbreak of hostilities.

In both the DRC and along the Ethiopian-Eritrean border, the consequences of inaction or ineffectiveness will be grave. A recent study by the International Rescue Committee concluded that in the eastern Congo alone 2,500 people per day are dying due to starvation and disease as the result of the war. About one-third of the 1.7 million who have died in the past two years are children under five years old. In Ethiopia and Eritrea the war has displaced 900,000 people on both sides of the border and jeopardized badly needed famine relief operations as the result of the drought in the region. Peace is required in the Congo and between Ethiopia and Eritrea to halt this unnecessary death and displacement.

In each of these areas of suffering in Africa there is a compelling humanitarian rationale for an immediate UN deployment: in the case of the Congo to save lives and in the case of Ethiopia and Eritrea to maintain a fragile peace. The current system, however, is not set up to respond with the urgency that is required. Lack of budget, lack of contributions of personnel and equipment, and political foot dragging by one or more countries can

delay the dispatch of the required force. It generally takes about 180 days after the Security Council authorizes a peacekeeping force for it to arrive in the country and begin its work. In those six months many things can go wrong, not least that the war will begin again, either through accident or by action of one of the combatants.

It is the prospect of further unnecessary loss of life that leads *Refugees International* to conclude that the best response to these and similar crises is the creation of a rapid reaction force (RRF).

An RRF might consist of 5,000 to 10,000 elite volunteers from around the world. They would live and train together, follow the same doctrine, use the same equipment, answer to the same chain of command and be ready for dispatch with a few days notice. A rapid reaction force (RRF) would give the international community a sharp instrument to project military and police power quickly and effectively. The RRF -- or a part of it -- could be deployed for a multitude of purposes: to prevent or mitigate conflicts, protect non-combatants and humanitarian aid workers, supervise ceasefire agreements, and police refugee camps.

Let me stress that the RRF should be a standing force. At present, to form a peacekeeping force the UN collects troops from all over the world and attempts to make them into a professional peacekeeping force on short notice. The existence of a standing, highly professional, elite force would enhance greatly the speed and the quality of the deployment and reduce the possibilities for mission failure.

I would suggest that the personnel of a rapid reaction force be recruited internationally to the highest standards. However, to try to limit the influence of politics, perhaps citizens of permanent Security Council members should not be recruited or permitted to serve. The RRF would be a UN entity under the management of the Secretariat for missions authorized by the Security Council. (If this model proves ineffective, however, consideration might be given to making it a free-standing entity, with a close relationship to the UN and other international organizations, but with organizational independence.)

The idea for the creation of an RRF is not new. Several nations and many prestigious individuals have endorsed the concept. H.R. 4453, the McGovern-Porter UN Rapid Deployment Police and Security Force Act of

2000, was introduced in Congress this session and includes a concept similar to what I am proposing. But such proposals for the creation of a rapid deployment force haven't gone very far because the United States government is opposed.

Why? First of all, quality costs money and the U.S. is penny-wise and pound foolish when it comes to international expenditures. Second, as you well know, the specter of a so-called "UN army" excites a tiny vocal minority of Americans -- although calling a rapid reaction force of a few thousand personnel an "army" is a gross exaggeration. But for the U.S., the advantages of the creation of an RRF are many. Chief among them is that American lives might be preserved by reducing the pressure on the U.S. to intervene militarily in crises in far-away countries in which we have no vital national interest.

To illustrate the uses that might be made of a Rapid Reaction Force, let me give just one example: Rwanda. There were four opportunities in three years in which a well-trained and equipped peacekeeping force with a mandate for action could have intervened to mitigate a humanitarian disaster.

- The first missed opportunity was during the genocide of April and May 1994. Many experts believe that several thousand peacekeepers could have saved hundreds of thousands of lives by protecting non-combatants from a genocide that took more than 500,000 lives. But the international community failed to act promptly and decisively.

- The second missed opportunity was in July and August 1994 when more than one million Rwandan refugees crossed the border into Zaire, now the Democratic Republic of the Congo. A peacekeeping force stationed near the border could have disarmed Hutu military units crossing the border and prevented much of the later carnage. But the international community failed to act.

- The third missed opportunity came later in 1994 when the UN Secretary General appealed in vain to the Security Council for 7,000 troops to disarm the Hutu militia in the refugee camps. The camps thus increasingly came under the control of armed

militia. A peacekeeping force could have been deployed to the camps to disarm the militia and free the refugees from their control. But no action was taken by the international community to respond to the Secretary General's appeal.

- The fourth missed opportunity took place in November 1996 when the Congo rebels broke up the refugee camps and hundreds of thousands of refugees fled deep into the forests of eastern Congo where they suffered excruciating hardships and thousands – perhaps tens of thousands – died. A peacekeeping force could have made a quick excursion into Congo to set up a safe corridor to deliver aid and repatriate the refugees. Canada proposed that a force be deployed for this purpose, but the U.S. scuttled the idea – arguing incorrectly that the number of refugees in the Congo was overestimated.

The international community thus failed four times in quick succession with respect to genocide and its aftershocks in Rwanda. Moreover, if an intervention had been carried out successfully on the first occasions, the opportunities for interventions two, three, and four would not have arisen.

The inadequacies of the peacekeeping mission in Sierra Leone, the failures in Rwanda, the challenges of the Congo and Ethiopia and Eritrea point up the need for a reform of peacekeeping machinery. We can throw good money after bad, risk failure after failure, and see innocent lives lost because of the present inadequate system. Or, we can find a better way of doing things.

For *Refugees International* reforming the entire emergency response system of the international community is the number one issue of the post cold war world. Capable rapid reaction to prevent and mitigate the impact of life-threatening conflicts is a critical component of the reform. If we are truly serious about enhancing the international capability for peacekeeping -- as President Clinton has indicated – then the U.S. needs to support the creation of a standing international rapid reaction force.

Thank you for your attention. I would be pleased to answer your questions.

PREPARED STATEMENT OF WILLIAM J. DURCH BEFORE THE SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS, COMMITTEE ON INTERNATIONAL RELATIONS

SEPTEMBER 20, 2000

Thank you, Mr. Chairman, for the invitation to testify at this hearing on United Nations peacekeeping. My name is William Durch, and I am a senior associate at the Henry L. Stimson Center, here in Washington, D.C, and recently served as project director for the Panel on United Nations Peace Operations, whose final report was issued in late August.[1] This morning I will be discussing issues related to the restructuring and reform of UN peacekeeping and related programs that together contribute to UN peace operations. I speak in my personal capacity, and not for the United Nations, nor for the Panel.

After the disasters of the mid-1990s, including the UN's failure to prevent the 1994 genocide in Rwanda or the 1995 massacres in Srebrenica, Bosnia-Herzegovina (both detailed in unusually frank UN reports issued late last year), UN member states largely turned away from the Organization for major peacekeeping initiatives. Between 1995 and 1999, the UN launched one robust operation in eastern Croatia and a police monitoring mission in Bosnia, but both were backed up by NATO military power. The remaining new starts were small observer missions. This relatively fallow period could have been viewed as breathing space to correct the more obvious problems with UN peacekeeping, but there seemed to be little interest on the part of states to invest more time and money in what was assumed in many quarters to be a failed enterprise. Funders' arrears mounted and the budget for the UN's Department of Peacekeeping Operations was throttled back; military planning personnel loaned to the UN by member states departed en masse. Modest lessons learned reports were written and filed; the tears in the fabric of UN peacekeeping were left largely unmended. Then, last year, the UN was suddenly called upon, in rapid succession, to administer Kosovo under the protection of NATO ground forces; then to replace Australia-led INTERFET and launch a new government for East Timor; then to replace Nigeria-led ECOMOG in Sierra Leone to implement a deeply flawed peace accord that the UN did not negotiate; and finally, to plan to oversee a shaky cease-fire in the vast Democratic Republic of Congo. The elements of the UN Secretariat responsible for peacekeeping were at this time underfunded, understaffed, unprepared to run a country (consider the headlines had they been foresighted enough to try to prepare), and not up to dealing with ruthless, diamond-smuggling gangs who passed for treaty signatories, such as Sierra Leone's Revolutionary United Front.

Clearly, something needed to be done to better match UN capabilities to the operational tasks once again being handed to the Organization, the basic choice being either to do

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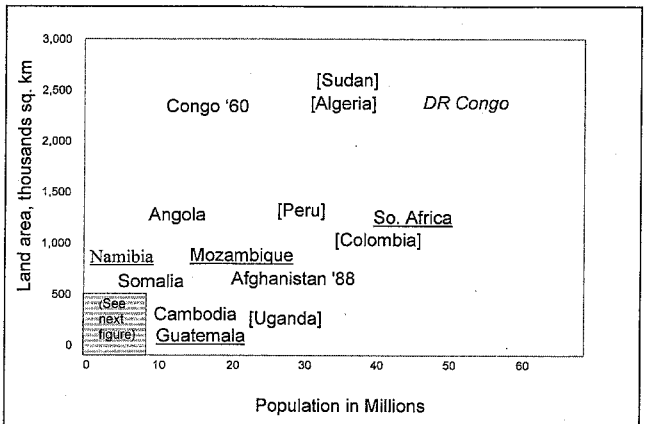
[1] The Panel on UN Peace Operations was announced March 7, 2000, by UN Secretary-General Kofi Annan. The high-level Panel chaired by Ambassador Lakhdar Brahimi, Under-Secretary-General for special assignments (preventive action and peacemaking), supervised a four-month study effort that culminated in "The Report of the Panel on UN Peace Operations," commonly known as the "Brahimi Report." Copies of the full report, its executive summary, and its summary recommendations may be found on the UN's website at http://www.un.org/peace/reports/peace_operations/ or on the Stimson Center's website at http://www.stimson.org/unpk/panelreport/.

these operations right or not do them. The twin assumptions of the mid-1990s --- that the United Nations would not again be called upon to undertake tough missions and that regional organizations could handle all elements of such missions --- seem to have been invalidated by the resurgence of 1999-2000. Better, then, that the UN be prepared; that the Security Council better understand what the UN is and is not capable of doing; and that new missions reflect that understanding. The Brahimi Report advocates this latter course.

The report emphasizes that the UN Secretariat is in no position to raise or to command a war-fighting force. At the same time, unless UN-flagged forces deployed to implement accords ending internal conflicts can defend themselves -- and the peace they have come to implement -- against the opponents of peace and the well-armed criminal gangs who spring up in the wake of war, their deployment is pointless. Thus, while the report rightly leaves war-fighting to states, it urges UN member states to collaborate to make better-trained, more capable forces available to UN operations. The report recommends that the Secretariat plan for realistic worst-case scenarios, and be given the capacity to do so. It also recommends that the Secretariat dispatch teams to assess whether troops offered to a UN operation meet specified high standards of training and equipment, and that the Secretary-General decline to accept troop contingents that fail to meet those standards. But even if troops offered to a UN operation are well-trained and well-equipped, that operation should not go ahead unless they are offered in sufficient quantity to meet anticipated operational challenges. That is, for any given operation, the size of the contemplated operating area imposes its own requirements and constraints on UN or any other peace operations, which figures 1 and 2 help to illustrate.

Fig. 1: UN Peace Operations: Larger States

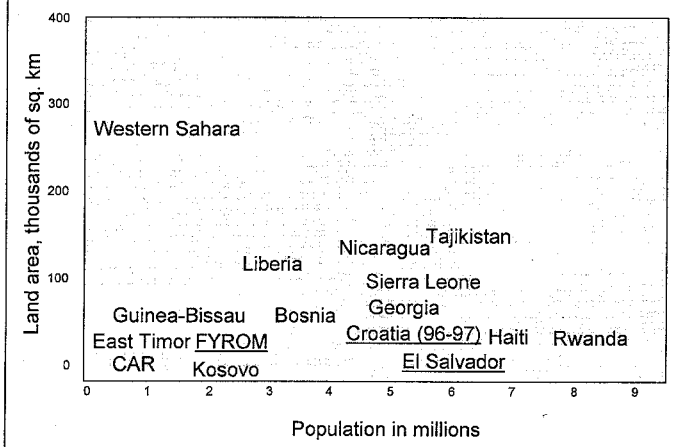


Note: Underlining indicates mission regarded as especially successful in building peace. [Brackets] indicate ongoing conflicts, or conflicts recently ended, without peace operations.

Over the past half-century, the UN has mounted dozens of peacekeeping operations, some in fairly large countries, the largest so far being the Congo (1960-64, now Democratic Republic of Congo), which is once again a candidate for a peacekeeping operation, this time to oversee a complex cease-fire accord. Brackets indicate a few of the countries consumed by civil conflict that have not hosted UN peacekeepers. Were peace agreements in those countries to call for international implementation, the forces required could be quite large. Thus far, however, a majority of UN operations involving internal conflicts have been mounted in fairly small areas, represented by the shaded box, above, and in figure 2.

In figure 2 one finds sixteen operations, past and present, including the current "big three" — in Kosovo, East Timor, and Sierra Leone. Tough problems can come in small packages, and an enterprise that cannot score consistent successes in smaller venues is unlikely to do better in larger ones, unless those larger venues present significantly less complicated scenarios, which is itself unlikely.

Fig. 2: UN Peace Operations: Smaller States



Note: Underlining indicates mission regarded as especially successful in building peace.

Thus, most big states that fall prey to internal conflict will remain beyond the reach of international peacekeeping, whether UN-run or regionally-run. To date, even "coalitions of the willing" have addressed themselves to fairly confined geographic areas (e.g., Bosnia, Kosovo, Kuwait and adjacent areas of Iraq).

If the remedial efforts that complex peace operations embody can only be applied in relatively small places, and in just a few places at a time, then the international community must place greater emphasis on conflict prevention if the need for such operations is to be kept commensurate with either the UN's or regional organizations' capabilities to keep or restore the peace.

Prevention comes in two forms: long-term and short-term. Factors working in favor of long-term prevention include open markets that favor economic growth, representative government that respects human rights and is responsive to an active civil society, and equitable opportunities for women to participate in government, civil society, and the market. Recent research, cited at the back of the Panel's report, argues that economic stagnation, high unemployment, plunderable resources, and a dominant ethnic minority

(among which grievances can be amplified by predatory leaders) all render a country vulnerable to civil strife. These and other indicators of instability can provide early warning of conflict and trigger crisis-preventive action, but the UN itself currently lacks the ability to perform the necessary monitoring and analysis, and crisis-generated outside action is often too late. Conflict prevention, for the most part, requires a longer-term, "up stream" emphasis. Unfortunately, many more resources today are put into crisis response and remediation than into long-term prevention.

Peace operations have been given a wide array of tasks over time; some easier, some harder. The next chart (figure 3) is a back-of-the-envelope ordering of those tasks from the relatively straightforward and lower risk, to the very complex and risky, reading down the left-hand column and then down the right-hand. Monitoring an international border, a cease-fire, or a force separation agreement between two conventional armies is a relatively simple task compared to establishing a safe and secure environment in the middle of an ongoing civil war, which may require engaging all local combatants simultaneously. Similarly, attempting to disarm local combatants without their consent amounts to having to defeat them militarily. The U.S. and UN engagements in Somalia (1992-95) included both of these latter objectives, with lethal consequences.

Fig. 3: Operational Tasks Vary in Difficulty and Risk

Generally, easier to harder, reading down the columns:

Preventive Border Presence	**Police/Judicial Monitoring/Training**
Observe Cease-fire, Force Separation	**Supervision of Civil Administration**
Voluntary Weapon Control, Demobilization, Reintegration	**Executive Policing, Judicial Responsibility**
Refugee/IDP Relief/ Return	**Protect Humanitarian Relief**
Post-conflict Reconstruction	**Protect Civilian Victims of Conflict**
Other Civil Society Support	**Maintain Safe/Secure Environment**
Peacebuilding - Good Offices	**Conduct of Civil Administration**
Observe/Certify Elections	***Establish* Safe/Secure Environment**
Human Rights Monitoring/Reporting	**Mandatory Weapon Control**
Supervise/Conduct Elections	

In between monitoring and enforcement are a wide array of activities ranging from *voluntary* surrender of weapons (in the context of a peace accord that demobilizes local fighting factions), to conduct of elections, responsibility for law enforcement, and de facto responsibility for local government.

The next two charts (figures 4 and 5) apply this rank-ordering of tasks to UN peace operations during and after the Cold War. Cold War operations (figure 4) mostly involved the more straightforward tasks of border monitoring and force separation. The first Congo operation, on the other hand, involved some of the toughest tasks in peacekeeping and was mired in operational and political controversy. The tasks assigned to post-Cold War operations (figure 5) have mostly shifted to the right, that is, have become more complex, harder to accomplish. Most of these operations have involved internal rather than interstate conflicts. Whereas traditional peacekeeping between states largely holds the line while political grievances are worked out (or not), it is not a direct part of that political process. Complex peace operations, on the other hand, have explicitly political tasks, working within a society to implement a peace accord that local parties have signed, but with varying motives and varying degrees of commitment.

Fig. 4: United Nations Peace Operations Mandates, 1948–88

Easier → Harder

Location/Country	UN Mission Acronym	Year Begun	Preventive Border Presence	Observe Cease-fire/Force Separation	Voluntary Weapon Control/DD&R	Refugee/IDP Relief/ Return	Post-conflict Reconstruction	Other Civil Society Support	Peacebuilding - Good Offices	Observe/Certify Elections	Human Rights Monitoring/Reporting	Supervise/Conduct Elections	Police/Judicial Monitoring/Training	Police/Judicial Responsibility	Supversion of Civil Administration	Protect Humanitarian Relief	Protect Civilian Victims of Conflict	Maintain Safe/Secure Environment	Conduct of Civil Administration	'Establish Safe/Secure Environment	Mandatory Weapon Control/ Disarm't
Congo (Kinshasa)	ONUC	1960													X		X	X	X	X	X
W New Guinea	UNTEA/UNSF	1962		X														X	X		
Cyprus	UNFICYP	1964		X				X										X			
Lebanon	UNIHL	1978		X				X													
Israel, Egypt, Lebanon	UNTSO	1948		X																	
India, Pakistan	UNMOGIP	1949		X																	
Israel, Egypt	UNEF I	1956		X																	
Lebanon	UNOGIL	1958		X																	
Yemen	UNYOM	1963		X																	
India, Pakistan	UNIPOM	1965		X																	
Israel, Egypt	UNEF II	1973		X																	
Israel, Syria	UNDOF	1974		X																	
Afghanistan	UNGOMAP	1988		X																	
Angola	UNAVEM I	1988		X																	
Iran, Iraq	UNIMOG	1988		X																	

Fig. 5: United Nations Peace Operations Mandates, 1989–99

Easier → Harder

Location/Country	UN Mission Acronym	Year Begun	Preventive Border Presence	Observe Cease-fire, Force Separation	Voluntary Weapon Control/DD&R	Refugee/IDP Relief/ Return	Post-conflict Reconstruction	Other Civil Society Support	Peacebuilding - Good Offices	Observe/Certify Elections	Human Rights Monitoring/Reporting	Supervise/Conduct Elections	Police/Judicial Monitoring/Training	Supervision of Civil Administration	Police/Judicial Responsibility	Protect Humanitarian Relief	Protect Civilian Victims of Conflict	Maintain Safe/Secure Environment	Conduct of Civil Administration	Establish Safe/Secure Environment	Mandatory Weapon Control
Somalia	UNOSOM II	1993			X	X	X	X				X	X			X	X	X			X
Kosovo	UNMIK	1999			X	X	X	X	X	X		X	X		X		X		X		
East Timor	UNTAET	1999			X	X	X	X				X			X		X	X	X		
Cambodia	UNTAC	1992		X	X	X	X		X	X	X	X	X	X				X			
Haiti	UNMIH, et al.	1995						X	X	X			X					X			
Croatia (E. Slavonia)	UNTAES	1996		X	X	X												X			
Sierra Leone	UNAMSIL	1999		X	X	X	X		X				X				X	X			
Dem Rep. Congo	MONUC	1999		X				X									X				
Bosnia, Croatia	UNPROFOR	1992		X		X										X					
Somalia	UNOSOM I	1992														X					
Angola	UNAVEM II	1991		X	X	X				X			X								
El Salvador	ONUSAL	1991		X	X	X			X				X								
Mozambique	ONUMOZ	1992		X	X	X				X		X	X								
Guatemala	MINUGUA	1994		X	X			X	X		X		X								
Angola	UNAVEM III, MONUA	1995, 1997		X	X	X				X			X								
Bosnia	UNMIBH	1995											X								
Central America	ONUCA	1989		X	X					X		X									
W. Sahara	MINURSO	1991		X		X				X		X									
Namibia	UNTAG	1989		X		X				X											
Rwanda	UNAMIR	1993		X						X											
South Africa	UNOMSA	1993							X	X											
Cent. Af. Rep.	MINURCA	1998	X	X						X											
Tajikistan	UNMOT	1994		X					X												
Kuwait, Iraq	UNIKOM	1991		X																	
Georgia, Liberia	UNOMIG, UNOMIL	1993		X																	
Chad, Libya	UNASOG	1994		X																	
Croatia	UNMOP	1996		X																	
Sierra Leone	UNOMSIL	1998		X																	
FYR Macedonia	UNPREDEP	1993	X																		

Conflicts that result in victory for one side or the other are not the ones that attract peace operations, although, depending on which side wins, they may attract outside reconstruction assistance. The political-military question at the heart of the conflict is, however, settled. That is not the case with conflicts where peace operations are dispatched.

Wars that do not end in victory for somebody come to an end either when an end is imposed from outside, for political or humanitarian reasons, or when they are stalemated and a compromise agreement is reached and implemented, sometimes with the help of an international peace operation. The coalitions of the willing that intervened in several conflicts in the 1990s sought, in several instances (Somalia, Haiti, East Timor) to quickly turn over responsibility for maintaining peace to the United Nations, and sought in other instances (Bosnia, Kosovo) to share that responsibility. All of these cases share the characteristic of having transferred a fight to the political arena that was unfinished or unwinnable on the battlefield. The hope of the peacemakers, and the task of the international peace operation, is to help make that shift permanent.

The peacemakers (negotiators, mediators) may or may not be UN affiliated, and may or may not have a good sense of what is feasible for a peacekeeping operation to implement, or within what time frame it is feasible. The Secretariat was assigned responsibility for pulling together a transitional administration for Kosovo, for example, on little more than a week's notice, with no prior experience in the area, and no role in the crafting of its mandate. The report recommends that, as a condition of the Security Council's agreement to implement a peace accord, the UN Secretariat or even representatives of the Security Council itself must have been able to advise the peacemaking process, so that it produces realistic, implementable peace accords. Those observer/advisors can also keep Secretariat planners informed as to the likely responsibilities to be shouldered by a UN mission, so that planning can start early.

Presently, UN survey teams can and do determine the extent of infrastructure damage, or the prevalence of anti-personnel mines and unexploded ordnance, or the number of refugees likely to return to a recent war zone, but the Secretariat does not presently have the capability to assess all the dimensions of the situation on the ground, that is, the motivations of the local parties, their field strengths, or the likelihood that they will act to undermine the accord if an election does not go their way. The current UN Standby Arrangements System (UNSAS) gives the Secretariat a glimmer of what military forces might be available from what countries to fill out an operation but actual commitments are made on a case by case basis and states do not now collaborate within the UNSAS to enhance their readiness or their interoperability. Finally, the system does not now have the capacity to effectively integrate peacekeeping (the maintenance of a secure environment) and peacebuilding (all the other tasks that an operation undertakes to implement a peace accord).

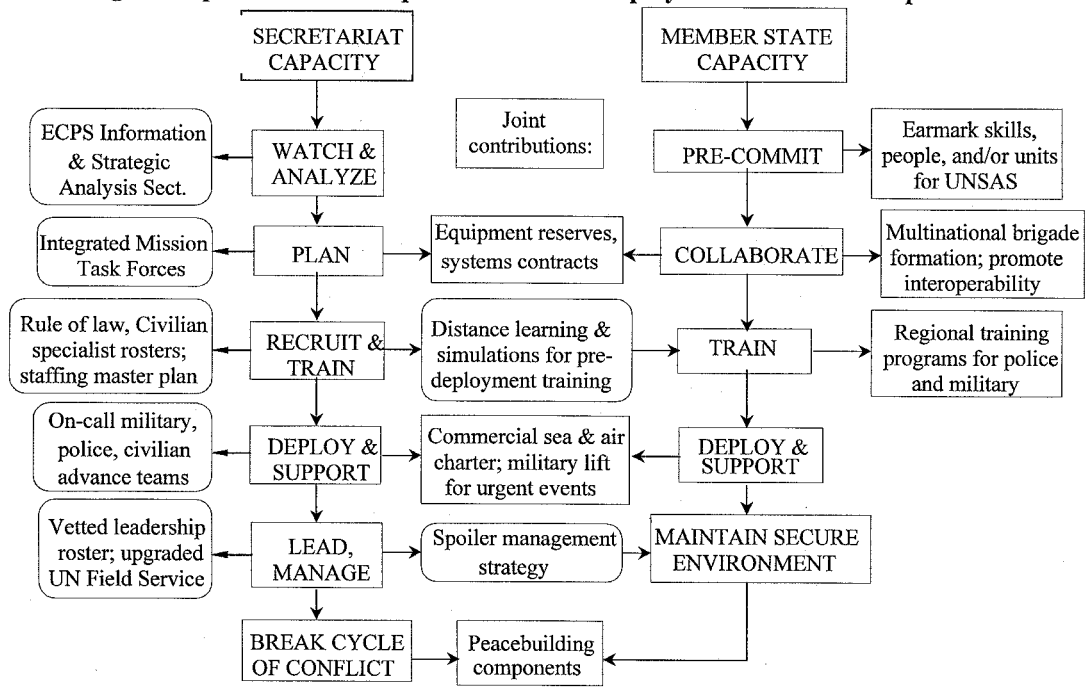
Were the UN to develop the capacity to do these things, as the report recommends, and if it assessed an agreement to be feasible to implement and the necessary resources to be within reach, the report recommends that the Council nonetheless await the Secretary-General's receipt of commitments from member states to provide those resources (troops, police, transport, etc.) before passing the mission's enabling resolution. This would reverse the order in which things are presently done to set up a new operation. That is, the report recommends lining up political support, military forces, civilian police, related rule of law specialists, and other civilian expertise before you decide to go ahead, rather than deciding to go ahead and only then trying to line up all of the necessary mission components. Although the argument can be made that a delay in Council decision-making might allow support for a new operation to dissipate, a voting coalition on the Council that cannot be sustained even long enough to assemble the forces needed to conduct the operation for which the Council is voting is not likely to be there if that operation later runs into trouble; an operation with such tenuous political support may be ill-advised in the first place.

Since one of the Panel's major tasks was to recommend ways of improving the speed and effectiveness with which UN peacekeepers deploy into new missions, and another was to improve UN headquarters ability to plan for and to support peace operations, the report focuses on those elements of reform. There are always a host of issues that each operation faces once it does deploy, and the report could not address each of them in detail, due in part to the short time available to research and write it (just over four months). What the report attempted to do, instead, was to make recommendations that would improve the training and readiness of the Secretariat, of member states, and of individual specialists to cope with the situations they may face in field operations.

A number of structural reforms should be undertaken to enable peace operations to deploy more quickly and effectively. Field experience indicates that the momentum for peace created by the signing of an accord dissipates fairly quickly if there is no visible movement to implement that accord. This led the Panel to recommend benchmarks for deployment of UN operations: 30 days to deploy a traditional peacekeeping operation (e.g., border monitoring) and 90 days to deploy a complex operation (such as the mission in East Timor). There are presently no such benchmarks against which planners can work. The chain of structural changes required is depicted in figure 6.

The end-point of all of this analysis, planning, recruiting, training, and leadership should be a field operation that is ready and able to do its part to help break the cycle of conflict in a war-torn society, under the security umbrella of peacekeeping forces provided by member states.

Fig. 6: Requirements for Rapid and Effective Deployment of UN Peace Operations



It takes time for a country to recover from major conflict. Consider, for example, how long the United States has wrestled with the aftermath of its own civil war, and then consider how unrealistic it is to expect war-torn societies, with stalemated conflicts that nobody really won or lost, to resume a normal existence. Complex peace operations — whether they are wholly UN in makeup like the one in East Timor, or a blend of UN and regional organizations, as in Bosnia and Kosovo — often deploy, as noted, into situations where conflict is, in effect, on hold. Yet a competent peace operation can help such societies get past the worst elements of destruction and distrust generated by war, and can help keep those societies from being hijacked once again by their worst elements before new political institutions have a chance to jell.

In short, peacekeeping and peacebuilding are inseparable functions when one is dealing with situations of recent internal conflict and trying to implement a peace agreement. The objective of peacebuilding is not to remake a society but to give the members of that society a shot at remaking it themselves. Successful implementation of a peace accord helps to build a security environment that can sustain itself once a peace operation comes to an end; that is, unless the international community is willing to tolerate a relapse into war once a mission departs, successful peacebuilding is a necessary component of the peacekeepers' exit strategy.

The report urges greater international collaboration to create well-trained and appropriately-equipped forces for peacekeeping. Willingness not only to collaborate but to commit forces to potentially risky operations requires a sense that national interests are engaged in such enterprises, as well as a good sense of the real risk involved, and considerable trust in the competence of mission leaders. The UN cannot do the national interest calculations for its member states, but it could do a much better job of analyzing potential risks in a new mission, and a much better job of providing competent, well-informed, trustworthy mission leadership, and responsive headquarters support for operations.

The report argues that operational risks can be mitigated by better advance intelligence about the mission area, by better field intelligence for the operations themselves, and by more robust operations that would clearly cost more initially, but would be better able to deter or rebuff violent challenge, and would thus facilitate speedier peace implementation and a speedier mission exit. For UN peace operations as for more traditional military action, gradualism increases risk and ultimately increases cost. The report argues, in effect, that it is better to go in strong and draw down than to go in weak and build up; and better to invest in recruitment and training up front than to hurriedly scour the world for talent when an urgent need arises. National militaries, disaster relief teams, or other crisis response entities cannot function without preparedness; neither can the United Nations. Preparedness costs money, but in a pinch, lack of preparedness costs much more.

STATEMENT OF HASAN NUHANOVIC
FORMER TRANSLATOR
UNITED NATIONS PROTECTION FORCE IN SREBRENICA, 1995

Mr. Chairman, I want to thank you for having taken the initiative in calling this important hearing today on United Nations Peacekeeping. Congresswoman McKinney, I especially want to thank you. First for inviting me to appear before this honorable committee and then second for all your help and that of your staff in the getting me here from Tuzla.

I come as a victim of the terrible slaughter which followed the fall of Srebrenica on 11 July, 1995. I personally lost my entire family there. My mother, my father and my younger brother were all forced by United Nations "Peacekeepers", Dutch battalion, out of the U N Dutch battalion military compound in Potocari and handed over to the Serb troops waiting outside. The Serb soldiers then took my family away and murdered them. My family should not have died. Instead my family should have been allowed to stay in the UN compound and remain protected by the United Nations troops. My family should be alive today.
The UNPROFOR Dutch battalion forced around 6,000 men, women and children right to the hands of their executioners. In this way they assisted the war criminals in their plan to exterminate the entire male population of Srebrenica. They did not have to do that.
They considered the 6,000 civilians on the base to be a burden and handed them over to the Serbs only for one reason – to speed up their own departure from Srebrenica.
I should point out that this was in contravention of the written order dated 11 July 1995 from the UNPROFOR Commander Major General Gobiliard to the Dutchbat Commander Lt. Colonel Karemans:

"Concentrate your forces into the Potocari Camp, including withdrawal of your Ops. Take all reasonable measures to protect refugees and civilians in your care."

Second, I come here today to bear witness to the truth of the horrors which occurred in Srebrenica. I was there, I saw what happened. I can confirm for you that on 11 July, 1995 the United Nations "Safe Area" was allowed to fall to the hands of General Ratko Mladic and his forces. Mladic's forces had a free hand to enter the "safe haven" and murder over 10,000 Bosniac men and young boys and rape hundreds of helpless women and young girls. It was a terrifying time for me and all the others trapped in the UN declared "safe haven" and it should have never have been allowed to happen.

But I do not need to detail today the full extent of the horrors which occurred following the destruction of Srebrenica. Indeed, these horrors are now well known and have become a matter of the international public record. Numerous books, films and a number of official inquiries, including one conducted in 1998 by this honorable committee, all catalogue in great detail the surrender of the United Nations "safe haven" and the subsequent horrific crimes committed by General Mladic's forces against Srebrenica's civilian population.

Mr. Chairman, what I do want to raise with you today is the ongoing struggle for justice by the survivors of Srebrenica.

Following the fall of Srebrenica as many as 10,000 civilians were murdered, a number of women raped and brutalized and overall some 30,000 people were traumatized and victimized. The decision to surrender Srebrenica forced thousands of the survivors to leave their homes and all their property in Bosnia and relocate in Canada, Australia, the United States and elsewhere throughout the world. The extent of the damage and the subsequent cost of this decision by certain world leaders to surrender the enclave is almost incalculable.

What price can be put on the deliberate surrender of a modern European city and the annihilation of 10,000 of its inhabitants? What price can be put on the long-term trauma inflicted upon 30,000 people? What level of accountability can be held against those world leaders who knowing or suspecting that Srebrenica's civilian population was going to be annihilated decided to surrender the city to General Mladic anyway.

Despite the enormity of the crimes committed in Srebrenica and the extraordinary amount of evidence available to the International Tribunal for the Former Yugoslavia in six years only 4 persons have ever been indicted for these crimes, and of which, only 2 have been arrested.

I, and other survivors from Srebrenica, are concerned that there is an ongoing reluctance to aggressively prosecute the Serbian military and civilian leadership who oversaw the destruction of Srebrenica. We see this as yet another abandonment of the victims of Srebrenica and part of the ongoing cycle of impunity worldwide which cloaks ethnic cleansers and mass murderers from the hands of justice. How can there be any sense of justice for the victims when we know that mass murderers move about Europe free from fear of arrest.

In addition, the exhumed remains of over 4,000 of Srebrenica's victims are still being stored in an above ground facility in Tuzla. As you could imagine this is totally unacceptable to the surviving family members . The remains should be shown respect and buried in a dignified place. I am pleased to say that the US Ambassador to Bosnia and Herzegovina supports the families' request to erect a memorial complex and bury the remains of their loved ones near Potocari. Regrettably, there is strong resistance to this by certain Bosnian people in Srebrenica and the Republika Srpska. Mr. Chairman, I think you will agree that 6 years is an unreasonable period of time to have to wait to bury loved ones. We need your help and that of your committee to end this outrage and ongoing indignity against our loved ones.

I want to commend you Mr. Chairman along with the other members of your committee, for undertaking this important task. I hope by that by better understanding what happened in Srebrenica you all might be able to ensure that there is some kind of honor and sanctity restored to the words NEVER AGAIN. I hope and pray that you will be able to ensure worldwide observance of international humanitarian law. Those who attempt to commit

mass murder and those world leaders who choose to abandon innocent civilians in their care and turn them over to mass murderers must be shown that they will be met with force and prosecuted to the full extent of the law.

There seems to be an uncomfortable paradox. We want more to be put right, but we are only prepared to sacrifice less. Is it right that promises to protect civilians from harm can be made to tens of thousands helpless men, women and children only to abandon them in their hour of need. In Srebrenica, the survival rate of thousands of men and young boys who believed in the UNPROFOR promises for protection and remained behind with the UNPROFOR troops in Potocari was zero. While the men who chose to disbelieve the UNPROFOR and flee through the minefields and risk attacks by the Serbian troops surrounding the enclave was over 50%. Is there not sometimes a risk that by doing something half -heartedly we may actually be doing more harm than good. Mr. Chairman, despite all that my family has endured I still believe in the United Nations and hope that it can fulfil its role in ensuring world peace.
But the soles of the victims will not rest, and the survivors will not find closure, before those responsible for this great crime, no matter who they may be, are held accountable.

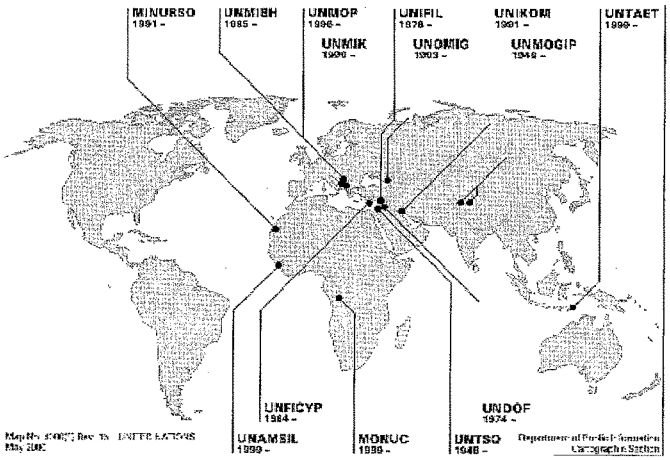
If we are ever to ensure that evil is defeated in this world then we must ensure that justice is triumphant and that the world community once again recognizes the equal and inalienable rights of all members of the human family.

I hope that as part of that process of overcoming evil that one day there is justice for the great wrongs committed in Srebrenica in July of 1995."

BACKGROUND NOTE: 1 August 2000

UNITED NATIONS PEACEKEEPING OPERATIONS

PEACEKEEPING OPERATIONS 1948 to 1 August 2000 53
Current operations on 1 August 2000 14



PERSONNEL

Military personnel and civilian police serving in missions on 1 August 2000..... About 37,350
Countries contributing military and civilian police personnel on 1 August 2000..... 89
International civilian personnel ..... About 3,243
Local civilian personnel ..... About 8,422
Total number of fatalities in peacekeeping operations since 1948 (as of 30 June 2000)..... 1,648

United Nations

FINANCIAL ASPECTS

Estimated cost of operations from 1 July 2000 to 30 June 2001..... About $2.2 billion
Estimated total cost of operations from 1948 to 30 June 2000..... About $20.7 billion
Outstanding contributions to peacekeeping on 1 August 2000..... About $2.4 billion

NOTE: UNTSO and UNMOGIP are funded from the United Nations regular budget. Costs to the United Nations of the 12 other current operations are financed from their own separate accounts on the basis of legally binding assessments on all Member States. For these missions, budget estimates and appropriations indicated on the reverse side are, in most cases, for one year from 1 July 2000 to 30 June 2001. Military personnel refers to military observers and/or troops, as applicable. Strength figures valid 1 August 2000. Fatalities figures include military, civilian police, and civilian international and local personnel as of 30 June 2000.

CURRENT PEACEKEEPING OPERATIONS

UNTSO Since June 1948
United Nations Truce Supervision Organization
Strength: military 143; international civilian 103; local civilian 115 Fatalities: 38
Appropriation for year 2000: $23.0 million

UNMOGIP Since January 1949
United Nations Military Observer Group in India and Pakistan
Strength: military 46; international civilian 27; local civilian 51 Fatalities: 9
Appropriation for year 2000: $8.3 million

UNFICYP Since March 1964
United Nations Peacekeeping Force in Cyprus
Strength: military 1,219; civilian police 32; international civilian 42; local civilian 153
Fatalities: 170
Appropriation 07/00-06/01: $43.4 million (gross)
UN assessment, $23.1 million; voluntary contributions by Cyprus, $13.8 million and Greece, $6.5 million

UNDOF Since June 1974
United Nations Disengagement Observer Force
Strength: military 1,035; international civilian 63; local civilian 96
Fatalities: 40
Appropriation 07/00-06/01: $37.0 million (gross)

UNIFIL Since March 1978
United Nations Interim Force in Lebanon
Strength: military 5,619; international civilian 125; local civilian 344 Fatalities: 239
Appropriation 07/00-06/01: $146.8 million (gross)
Revised budget to be submitted

UNIKOM Since April 1991
United Nations Iraq-Kuwait Observation Mission
Strength: military 1,111; international civilian 55; local civilian 159
Fatalities: 13
Appropriation 07/00-06/01: $52.7 million (gross)
$33.5 million to be paid by Kuwait

MINURSO Since April 1991
United Nations Mission for the Referendum in Western Sahara
Strength: military 231; civilian police 34; international civilian 275; local civilian 112
Fatalities: 10
Appropriation 07/00-06/01 $49.3 million (gross)

UNOMIG Since August 1993
United Nations Observer Mission in Georgia
Strength: military 102; international civilian 85; local civilian 148
Fatalities: 3
Appropriation 07/00-06/01: $30.0 million (gross)

UNMIBH Since December 1995
United Nations Mission in Bosnia and Herzegovina
Strength: civilian police 1,644; military 4; international civilian 349; local civilian 1,633
Fatalities: 8
Appropriation 07/00-06/01: $158.7 million (gross)
Budget figures include UNMIBH, UNMOP, and United Nations liaison offices at Belgrade and Zagreb

UNMOP Since January 1996
United Nations Mission of Observers in Prevlaka
Strength: military 27; int'l civilian 6; local civilian 20
Appropriation included in UNMIBH

UNMIK Since June 1999
United Nations Interim Administration Mission in Kosovo
Authorized strength: civilian police 4,718; military 38
Current strength: civilian police 3,969; military 37 international civilian 964; local civilian 3,421
Fatalities: 10
Proposed budget 07/00-06/01 $461.4 million (gross)

UNAMSIL Since October 1999
United Nations Mission in Sierra Leone
Authorized strength: military 13,000; civilian police 60
Current strength: military 12,447; civilian police 34; international civilian 207; local civilian 175
Fatalities: 8
Appropriation 07/00-06/01: $504.4 million (gross)
Revised budget to be submitted

UNTAET Since October 1999
United Nations Transitional Administration in East Timor
Authorized strength: military 9,150; civilian police 1,640
Current strength: military 8,084; civilian police 1,268; international civilian 803; local civilian 1,848
Fatalities: 6
Proposed budget 07/00-06/01: $584.1 million (gross)

MONUC Since December 1999
United Nations Organization Mission in the Democratic Republic of the Congo
Authorized strength: military 5,537
Current strength: military observers 264; international civilian 139; local civilian 147
Commitment authority 07/00-06/01: $141.3million (gross)
Full budget proposal pending

Forthcoming peacekeeping mission:
UNMEE
United Nations Mission in Ethiopia and Eritrea
The Security Council, by its resolution 1312 of 31 July 2000, decided to establish UNMEE in anticipation of a peacekeeping operation subject to further Council authorization. In the current phase, UNMEE is to consist of u t 100 military observers with support staff.

Prepared by the United Nations Department of Public Information, Peace and Security Section, in consultation with the Department of Peacekeeping Operations and the Peacekeeping Financing Division, Office of Programme Planning, Budget and Accounts.
Visit the UN Home Page http://www.un.org DPI/1634 Rev.16

Report of the Panel on UNITED NATIONS **Peace Operations**

A far-reaching report by an independent panel

EXECUTIVE SUMMARY

| Experience of the past | Implications for preventive action and peace-building: the need for strategy and support |
| Implications for peacekeeping: the need for robust doctrine and realistic mandates |
| New headquarters capacity for information management and strategic analysis |
| Improved mission guidance and leadership | Rapid deployment standards and "on-call" expertise |
| Enhance Headquarters capacity to plan and support peace operations |
| Establish Integrated Mission Task Forces for mission planning and support |
| Adapting peace operations to the information age | Challenges to implementation |

The United Nations was founded, in the words of its Charter, in order "to save succeeding generations from the scourge of war." Meeting this challenge is the most important function of the Organization, and to a very significant degree it is the yardstick with which the Organization is judged by the peoples it exists to serve. Over the last decade, the United Nations has repeatedly failed to meet the challenge, and it can do no better today. Without renewed commitment on the part of Member States, significant institutional change and increased financial support, the United Nations will not be capable of executing the critical peacekeeping and peace-building tasks that the Member States assign to it in coming months and years. There are many tasks which United Nations peacekeeping forces should not be asked to undertake and many places they should not go. But when the United Nations does send its forces to uphold the peace, they must be prepared to confront the lingering forces of war and violence, with the ability and determination to defeat them.

The Secretary-General has asked the Panel on United Nations Peace Operations, composed of individuals experienced in various aspects of conflict prevention, peacekeeping and peace-building, to assess the shortcomings of the existing system and to make frank, specific and realistic recommendations for change. Our recommendations focus not only on politics and strategy but also and perhaps even more so on operational and organizational areas of need.

For preventive initiatives to succeed in reducing tension and averting conflict, the Secretary-General needs clear, strong and sustained political support from Member States. Furthermore, as the United Nations has bitterly and repeatedly discovered over the last decade, no amount of good intentions can substitute for the fundamental ability to project credible force if complex peacekeeping, in particular, is to succeed. But force alone cannot create peace; it can only create the space in which peace may be built. Moreover, the changes that the Panel recommends will have no lasting impact unless Member States summon the political will to support the United Nations politically, financially and operationally to enable the United Nations to be truly credible as a force for peace.

Each of the recommendations contained in the present report is designed to remedy a serious problem in strategic direction, decision-making, rapid deployment, operational planning and support, and the use of modern information technology. Key assessments and recommendations are highlighted below, largely in the order in which they appear in the body of the text (the numbers of the relevant paragraphs in the main text are provided in parentheses). In addition, a summary of recommendations is contained in the annex.

Experience of the past

It should have come as no surprise to anyone that some of the missions of the past decade would be particularly hard to accomplish: they tended to deploy where conflict had not resulted in victory for any side, where a military stalemate or international pressure or both had brought fighting to a halt but at least some of the parties to the conflict were not seriously committed to ending the confrontation. United Nations operations thus did not *deploy into* post-conflict situations but tried *to create* them. In such complex operations, peacekeepers work to maintain a secure local environment while peacebuilders work to make that environment self-sustaining. Only such an environment offers a ready exit to peacekeeping forces, making peacekeepers and peacebuilders inseparable partners.

Implications for preventive action and peace-building: the need for strategy and support

The United Nations and its members face a pressing need to establish more effective strategies for conflict prevention, in both the long and short terms. In this context, the Panel endorses the recommendations of the Secretary-General with respect to conflict prevention contained in the Millennium Report (A/54/2000) and in his remarks before the Security Council's second open meeting on conflict prevention in July 2000. It also encourages the Secretary-General's more frequent use of fact-finding missions to areas of tension in support of short-term crisis-preventive action.

Furthermore, the Security Council and the General Assembly's Special Committee on Peacekeeping Operations, conscious that the United Nations will continue to face the prospect of having to assist communities and nations in making the transition from war to peace, have each recognized and acknowledged the key role of peace-building in complex peace operations. This will require that the United Nations system address what has hitherto been a fundamental deficiency in the way it has conceived of, funded and implemented peace-building strategies and activities. Thus, the Panel recommends that the Executive Committee on Peace and Security (ECPS) present to the Secretary-General a plan to strengthen the permanent capacity of the United Nations to develop peace-building strategies and to implement programmes in support of those strategies.

Among the changes that the Panel supports are: a doctrinal shift in the use of civilian police and related rule of law elements in peace operations that emphasizes a team approach to upholding the rule of law and respect for human rights and helping communities coming out of a conflict to achieve national reconciliation; consolidation of disarmament, demobilization, and reintegration programmes into the assessed budgets of complex peace operations in their first phase; flexibility for heads of United Nations peace operations to fund "quick impact projects" that make a real difference in the lives of people in the mission area; and better integration of electoral assistance into a broader strategy for the support of governance institutions.

Implications for peacekeeping: the need for robust doctrine and realistic mandates

The Panel concurs that consent of the local parties, impartiality and the use of force only in self-defence should remain the bedrock principles of peacekeeping. Experience shows, however, that in the context of intra-State/transnational conflicts, consent may be manipulated in many ways. Impartiality for United Nations operations must therefore mean adherence to the principles of the Charter: where one party to a peace agreement clearly and incontrovertibly is violating its terms, continued equal treatment of all parties by the United Nations can in the best case result in ineffectiveness and in the worst may amount to complicity with evil. No failure did more to damage the standing and credibility of United Nations peacekeeping in the 1990s than its reluctance to distinguish victim from aggressor.

In the past, the United Nations has often found itself unable to respond effectively to such challenges. It is a fundamental premise of the present report, however, that it must be able to do so. Once deployed, United Nations peacekeepers must be able to carry out their mandate professionally and successfully. This means that United Nations military units must be capable of defending themselves, other mission components and the mission's mandate. Rules of engagement should be sufficiently robust and not force United Nations contingents to cede the

initiative to their attackers.

This means, in turn, that the Secretariat must not apply best-case planning assumptions to situations where the local actors have historically exhibited worst-case behaviour. It means that mandates should specify an operation's authority to use force. It means bigger forces, better equipped and more costly but able to be a credible deterrent. In particular, United Nations forces for complex operations should be afforded the field intelligence and other capabilities needed to mount an effective defence against violent challengers.

Moreover, United Nations peacekeepers — troops or police — who witness violence against civilians should be presumed to be authorized to stop it, within their means, in support of basic United Nations principles. However, operations given a broad and explicit mandate for civilian protection must be given the specific resources needed to carry out that mandate.

The Secretariat must tell the Security Council what it needs to know, not what it wants to hear, when recommending force and other resource levels for a new mission, and it must set those levels according to realistic scenarios that take into account likely challenges to implementation. Security Council mandates, in turn, should reflect the clarity that peacekeeping operations require for unity of effort when they deploy into potentially dangerous situations.

The current practice is for the Secretary-General to be given a Security Council resolution specifying troop levels on paper, not knowing whether he will be given the troops and other personnel that the mission needs to function effectively, or whether they will be properly equipped. The Panel is of the view that, once realistic mission requirements have been set and agreed to, the Council should leave its authorizing resolution in draft form until the Secretary-General confirms that he has received troop and other commitments from Member States sufficient to meet those requirements.

Member States that do commit formed military units to an operation should be invited to consult with the members of the Security Council during mandate formulation; such advice might usefully be institutionalized via the establishment of ad hoc subsidiary organs of the Council, as provided for in Article 29 of the Charter. Troop contributors should also be invited to attend Secretariat briefings of the Security Council pertaining to crises that affect the safety and security of mission personnel or to a change or reinterpretation of the mandate regarding the use of force.

New headquarters capacity for information management and strategic analysis

The Panel recommends that a new information-gathering and analysis entity be created to support the informational and analytical needs of the Secretary-General and the members of the Executive Committee on Peace and Security (ECPS). Without such capacity, the Secretariat will remain a reactive institution, unable to get ahead of daily events, and the ECPS will not be able to fulfil the role for which it was created.

The Panel's proposed ECPS Information and Strategic Analysis Secretariat (EISAS) would create and maintain integrated databases on peace and security issues, distribute that knowledge efficiently within the United Nations system, generate policy analyses, formulate long-term strategies for ECPS and bring budding crises to the attention of the ECPS leadership. It could also propose and manage the agenda of ECPS itself, helping to transform it into the decision-making body anticipated in the Secretary-General's initial reforms.

The Panel proposes that EISAS be created by consolidating the existing Situation Centre of the Department of Peacekeeping Operations (DPKO) with a number of small, scattered policy planning offices, and adding a small team of military analysts, experts in international criminal networks and information systems specialists. EISAS should serve the needs of all members of ECPS.

Improved mission guidance and leadership

The Panel believes it is essential to assemble the leadership of a new mission as early as possible at United Nations Headquarters, to participate in shaping a mission's concept of operations, support plan, budget, staffing and Headquarters mission guidance. To that end, the Panel recommends that the Secretary-General compile, in a systematic fashion and with input from Member States, a comprehensive list of potential special representatives of the Secretary-General (SRSGs), force commanders, civilian police commissioners, their potential deputies and potential heads of other components of a mission, representing a broad geographic and equitable gender distribution.

Rapid deployment standards and "on-call" expertise

The first 6 to 12 weeks following a ceasefire or peace accord are often the most critical ones for establishing both a stable peace and the credibility of a new operation. Opportunities lost during that period are hard to regain.

The Panel recommends that the United Nations define "rapid and effective deployment capacity" as the ability to fully deploy traditional peacekeeping operations within 30 days of the adoption of a Security Council resolution establishing such an operation, and within 90 days in the case of complex peacekeeping operations.

The Panel recommends that the United Nations standby arrangements system (UNSAS) be developed further to include several coherent, multinational, brigade- size forces and the necessary enabling forces, created by Member States working in partnership, in order to better meet the need for the robust peacekeeping forces that the Panel has advocated. The Panel also recommends that the Secretariat send a team to confirm the readiness of each potential troop contributor to meet the requisite United Nations training and equipment requirements for peacekeeping operations, prior to deployment. Units that do not meet the requirements must not be deployed.

To support such rapid and effective deployment, the Panel recommends that a revolving "on-call list" of about 100 experienced, well qualified military officers, carefully vetted and accepted by DPKO, be created within UNSAS. Teams drawn from this list and available for duty on seven days' notice would translate broad, strategic-level mission concepts developed at Headquarters into concrete operational and tactical plans in advance of the deployment of troop contingents, and would augment a core element from DPKO to serve as part of a mission start-up team.

Parallel on- call lists of civilian police, international judicial experts, penal experts and human rights specialists must be available in sufficient numbers to strengthen rule of law institutions, as needed, and should also be part of UNSAS. Pre-trained teams could then be drawn from this list to precede the main body of civilian police and related specialists into a new mission area, facilitating the rapid and effective deployment of the law and order component into the mission.

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

The Secretariat should also address, on an urgent basis, the needs: to put in place a transparent and decentralized recruitment mechanism for civilian field personnel; to improve the retention of the civilian specialists that are needed in every complex peace operation; and to create standby arrangements for their rapid deployment.

Finally, the Panel recommends that the Secretariat radically alter the systems and procedures in place for peacekeeping procurement in order to facilitate rapid deployment. It recommends that responsibilities for peacekeeping budgeting and procurement be moved out of the Department of

Management and placed in DPKO. The Panel proposes the creation of a new and distinct body of streamlined field procurement policies and procedures; increased delegation of procurement authority to the field; and greater flexibility for field missions in the management of their budgets. The Panel also urges that the Secretary-General formulate and submit to the General Assembly, for its approval, a global logistics support strategy governing the stockpiling of equipment reserves and standing contracts with the private sector for common goods and services. In the interim, the Panel recommends that additional "start- up kits" of essential equipment be maintained at the United Nations Logistics Base (UNLB) in Brindisi, Italy.

The Panel also recommends that the Secretary-General be given authority, with the approval of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) to commit up to $50 million well in advance of the adoption of a Security Council resolution establishing a new operation once it becomes clear that an operation is likely to be established.

Enhance Headquarters capacity to plan and support peace operations

The Panel recommends that Headquarters support for peacekeeping be treated as a core activity of the United Nations, and as such the majority of its resource requirements should be funded through the regular budget of the Organization. DPKO and other offices that plan and support peacekeeping are currently primarily funded by the Support Account, which is renewed each year and funds only temporary posts. That approach to funding and staff seems to confuse the temporary nature of specific operations with the evident permanence of peacekeeping and other peace operations activities as core functions of the United Nations, which is obviously an untenable state of affairs.

The total cost of DPKO and related Headquarters support offices for peacekeeping does not exceed $50 million per annum, or roughly 2 per cent of total peacekeeping costs. Additional resources for those offices are urgently needed to ensure that more than $2 billion spent on peacekeeping in 2001 are well spent. The Panel therefore recommends that the Secretary-General submit a proposal to the General Assembly outlining the Organization's requirements in full.

The Panel believes that a methodical management review of DPKO should be conducted but also believes that staff shortages in certain areas are plainly obvious. For example, it is clearly not enough to have 32 officers providing military planning and guidance to 27,000 troops in the field, nine civilian police staff to identify, vet and provide guidance for up to 8,600 police, and 15 political desk officers for 14 current operations and two new ones, or to allocate just 1.25 per cent of the total costs of peacekeeping to Headquarters administrative and logistics support.

Establish Integrated Mission Task Forces for mission planning and support

The Panel recommends that Integrated Mission Task Forces (IMTFs) be created, with staff from throughout the United Nations system seconded to them, to plan new missions and help them reach full deployment, significantly enhancing the support that Headquarters provides to the field. There is currently no integrated planning or support cell in the Secretariat that brings together those responsible for political analysis, military operations, civilian police, electoral assistance, human rights, development, humanitarian assistance, refugees and displaced persons, public information, logistics, finance and recruitment.

Structural adjustments are also required in other elements of DPKO, in particular to the Military and Civilian Police Division, which should be reorganized into two separate divisions, and the Field Administration and Logistics Division (FALD), which should be split into two divisions. The Lessons Learned Unit should be strengthened and moved into the DPKO Office of Operations. Public information planning and support at Headquarters also needs strengthening, as do elements in the Department of Political Affairs (DPA), particularly the electoral unit. Outside the Secretariat, the ability of the Office of the United Nations High Commissioner for Human Rights to plan and support the human rights components of peace operations needs to be reinforced.

Consideration should be given to allocating a third Assistant Secretary-General to DPKO and

designating one of them as "Principal Assistant Secretary-General", functioning as the deputy to the Under-Secretary-General.

Adapting peace operations to the information age

Modern, well utilized information technology (IT) is a key enabler of many of the above-mentioned objectives, but gaps in strategy, policy and practice impede its effective use. In particular, Headquarters lacks a sufficiently strong responsibility centre for user-level IT strategy and policy in peace operations. A senior official with such responsibility in the peace and security arena should be appointed and located within EISAS, with counterparts in the offices of the SRSG in every United Nations peace operation.

Headquarters and the field missions alike also need a substantive, global, Peace Operations Extranet (POE), through which missions would have access to, among other things, EISAS databases and analyses and lessons learned.

Challenges to implementation

The Panel believes that the above recommendations fall well within the bounds of what can be reasonably demanded of the Organization's Member States. Implementing some of them will require additional resources for the Organization, but we do not mean to suggest that the best way to solve the problems of the United Nations is merely to throw additional resources at them. Indeed, no amount of money or resources can substitute for the significant changes that are urgently needed in the culture of the Organization.

The Panel calls on the Secretariat to heed the Secretary-General's initiatives to reach out to the institutions of civil society; to constantly keep in mind that the United Nations they serve is *the* universal organization. People everywhere are fully entitled to consider that it is *their* organization, and as such to pass judgement on its activities and the people who serve in it.

Furthermore, wide disparities in staff quality exist and those in the system are the first to acknowledge it; better performers are given unreasonable workloads to compensate for those who are less capable. Unless the United Nations takes steps to become a true meritocracy, it will not be able to reverse the alarming trend of qualified personnel, the young among them in particular, leaving the Organization. Moreover, qualified people will have no incentive to join it. Unless managers at all levels, beginning with the Secretary- General and his senior staff, seriously address this problem on a priority basis, reward excellence and remove incompetence, additional resources will be wasted and lasting reform will become impossible.

Member States also acknowledge that they need to reflect on their working culture and methods. It is incumbent upon Security Council members, for example, and the membership at large to breathe life into the words that they produce, as did, for instance, the Security Council delegation that flew to Jakarta and Dili in the wake of the East Timor crisis in 1999, an example of effective Council *action* at its best: *res, non verba*.

We — the members of the Panel on United Nations Peace Operations — call on the leaders of the world assembled at the Millennium Summit, as they renew their commitment to the ideals of the United Nations, to commit as well to strengthen the capacity of the United Nations to fully accomplish the mission which is, indeed, its very *raison d'être*: to help communities engulfed in strife and to maintain or restore peace.

While building consensus for the recommendations in the present report, we have also come to a shared vision of a *United* Nations, extending a strong helping hand to a community, country or region to avert conflict or to end violence. We see an SRSG ending a mission well accomplished, having given the people of a country the opportunity to do for themselves what they could not do before: to build and hold onto peace, to find reconciliation, to strengthen democracy, to secure human rights. We see, above all, a United Nations that has not only the will but also the ability to fulfil its great promise, and to justify the confidence and trust placed in it by the overwhelming majority of humankind.

REPORT OF THE INDEPENDENT INQUIRY INTO THE ACTIONS OF THE UNITED NATIONS DURING THE 1994 GENOCIDE IN RWANDA

15 DECEMBER 1999

I. Introduction

Approximately 800,000 people were killed during the 1994 genocide in Rwanda. The systematic slaughter of men, women and children which took place over the course of about 100 days between April and July of 1994 will forever be remembered as one of the most abhorrent events of the twentieth century. Rwandans killed Rwandans, brutally decimating the Tutsi population of the country, but also targetting moderate Hutus. Appalling atrocities were committed, by militia and the armed forces, but also by civilians against other civilians.

The international community did not prevent the genocide, nor did it stop the killing once the genocide had begun. This failure has left deep wounds within Rwandan society, and in the relationship between Rwanda and the international community, in particular the United Nations. These are wounds which need to be healed, for the sake of the people of Rwanda and for the sake of the United Nations. Establishing the truth is necessary for Rwanda, for the United Nations and also for all those, wherever they may live, who are at risk of becoming victims of genocide in the future.

In seeking to establish the truth about the role of the United Nations during the genocide, the Independent Inquiry hopes to contribute to building renewed trust between Rwanda and the United Nations, to help efforts of reconciliation among the people of Rwanda, and to contribute to preventing similar tragedies from occurring ever again. The Inquiry has analysed the role of the various actors and organs of the United Nations system. Each part of that system, in particular the Secretary-General, the Secretariat, the Security Council and the Member States of the organisation, must assume and acknowledge their respective parts of the responsibility for the failure of the international community in Rwanda. Acknowledgement of responsibility must also be accompanied by a will for change: a commitment to ensure that catastrophes such as the genocide in Rwanda never occur anywhere in the future.

The failure by the United Nations to prevent, and subsequently, to stop the genocide in Rwanda was a failure by the United Nations system as a whole. The fundamental failure was the lack of resources and political commitment devoted to developments in Rwanda and to the United Nations presence there. There was a persistent lack of political will by Member States to act, or to act with enough assertiveness. This lack of political will affected the response by the Secretariat and decision-making by the Security Council, but was also evident in the recurrent difficulties to get the necessary troops for the United Nations Assistance Mission for Rwanda (UNAMIR). Finally, although UNAMIR suffered from a chronic lack of resources and political priority, it must also be said that serious mistakes were made with those resources which were at the disposal of the United Nations .

In a letter dated 18 March 1999 (S/1994/339), the Secretary-General informed the Security Council of his intention to appoint an independent inquiry into the actions of the United Nations during the 1994 genocide in Rwanda. In their reply (S/1999/340), the members of the Council expressed their support for the initiative in this unique circumstance. In May 1999, the Secretary-

General appointed Mr Ingvar Carlsson (former Prime Minister of Sweden), Professor Han Sung-Joo (former Foreign Minister of the Republic of Korea) and Lieutenant-General Rufus M Kupolati (rtd.) (Nigeria) to conduct the inquiry.

The Independent Inquiry was given the mandate of establishing the facts related to the response of the United Nations to the genocide in Rwanda, covering the period October 1993 to July 1994, and to make recommendations to the Secretary-General on this subject. The present report is submitted pursuant to that mandate.

The terms of reference stated that the Inquiry should establish a chronology of key events pertaining to UN involvement in Rwanda from October 1993 to July 1994. It should evaluate the mandate and resources of UNAMIR and how they affected the response of the United Nations to the events relating to the massacres. The Inquiry was asked to draw relevant conclusions and identify the lessons to be learned from the tragedy and to report to the Secretary-General not later than six months from the commencement of the inquiry. The terms of reference also stated that the Inquiry would have unrestricted access to all UN documentation and persons involved.

The Inquiry began its work on 17 June 1999.

The mandate of the Independent Inquiry covered the actions of the United Nations as a whole. The task of the Inquiry thus included studying the actions of UNAMIR, the Secretary-General and the Secretariat, as well as the Member States of the organization and the political organs in which they are represented. With respect to actions of Member States, the Inquiry has focussed on positions taken which affected the response of the United Nations to the tragedy in Rwanda. It will be task of other bodies to analyse the broader issues raised by individual countries' positions on the Rwandan issue.

The Organization of African Unity (OAU) and other regional actors played important roles throughout the peace process and during the crisis in Rwanda. The mandate of the Inquiry being focussed on the role of the United Nations, emphasis is placed in this context on the influence which regional actors had on that role. The OAU International Panel of Eminent Persons, whose report is due to come out next year, will no doubt be able to reflect fully all the various aspects of the regional perspective on the genocide in Rwanda.

In the course of its work the Inquiry interviewed a large number of persons with knowledge relevant to its mandate. A list of those interviewed is contained in Annex II.

The Inquiry conducted research into the archives of the United Nations as part of its work. In addition to documents contained in the central archives of the organization, the Inquiry also studied files maintained by different departments within the United Nations, including the Executive Office of the Secretary-General, the Department of Peacekeeping Operations and the Department of Political Affairs, and files from the archives of UNAMIR. The Inquiry also benefitted from documents and materials made available to it by governmental and non-governmental sources. In a letter dated 8 September, the Inquiry invited all countries which contributed troops to UNAMIR during the period covered by the mandate to make available comments or information to the Inquiry.

The 1948 Convention on the Prevention and Punishment of the Crime of Genocide lays down the criteria for what acts are to be considered a genocide, one of the most heinous crimes which can be committed against a human population. Essentially, the Convention requires both that certain acts have been committed, and that they be done with a particular intent: that of destroying, in whole or in part, a national, ethnic, racial or religious group, as such. The Security Council used the same criteria in outlining the mandate of the International Criminal Tribunal for Rwanda (ICTR), contained in resolution 955 (1994). The ICTR has determined that the mass killings of Tutsi in Rwanda in 1994 constituted genocide. It was a genocide planned and incited by Hutu extremists against the Tutsi.