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U.S. POLICIES TOWARD U.N. PEACEKEEPING: REINFORCING BIPARTISANSHIP AND REGAINING EQUILIBRIUM

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U.S. POLICIES TOWARD U.N. PEACEKEEPING: REINFORCING BIPARTISANSHIP AND REGAINING EQUILIBRIUM

WEDNESDAY, OCTOBER 11, 2000

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to call, at 10:09 a.m. in Room 2172, Rayburn House Office Building, Hon. Benjamin A. Gilman (Chairman of the Committee) presiding.

Chairman GILMAN. The Committee will come to order. I am pleased to welcome our witnesses this morning to this long-delayed hearing on a review of the Administration's peacekeeping policy blueprint and how the Administration has applied its policy blueprint for four key U.N. peacekeeping operations. We were briefed last week on the long-delayed investigation by the General Accounting Office into the Presidential Decision Directive number 25, PDD–25. The process whereby the U.S. approves U.N. and other multi-lateral peace operations and provides timely and relevant information to the Congress concerning their implementation. This report was requested last year by this Committee on a bipartisan basis and follows a number of GAO reports on peacekeeping-related topics conducted over the past several years on a timely basis with the cooperation of the Administration.

Today U.N. peacekeeping is facing extremely difficult challenges on the ground. The decision by the Indian government to pull out its peacekeepers might well lead to a breakdown of U.N. peacekeeping efforts in Sierra Leone. The government of the Democratic Republic of the Congo has refused to cooperate with the U.N. in the deployment of the peacekeeping force in that nation. And there are continuing obstacles from the Indonesian military and police forces in the ongoing U.N. mission in East Timor.

These developments, in turn, raise key questions about the process and how our Nation approves and supports our peacekeeping missions. Today, we still have many questions about the process whereby the Clinton Administration approved these missions. Regrettably, we received a few satisfactory responses from the GAO on how the Administration has applied its own policy blueprint to the missions now on the ground in Africa, in Asia and in Europe. This process was requested on a bipartisan basis with our Ranking Member, Mr. Gejdenson.

The GAO reported to us that it lacks full and independent access to agency records needed to be able to complete its work. Further-

more, it has no access to key documents that would disclose whether this peacekeeping policy blueprint was fully taken into account when deciding to support some peacekeeping operations. With no independent access to records, the GAO feels that the integrity and the reliability of its work has been compromised. The GAO investigators have produced an extensive summary of their request to the Administration, many of which were ignored or denied on very dubious grounds.

The summary which will be made available later today, documents the extensive efforts made by the GAO to acquire the documents it needs from the Administration to complete this long-delayed investigation. And while the work of the GAO in this area is not yet complete, it is becoming more clear that the Administration has yet to take a cooperative attitude toward the completion of this peacekeeping review by the GAO investigators.

In short, we are still in need of timely and complete cooperation from the Administration on this pending review by the GAO, and how these operations are approved and conducted. And most disappointing of all is the failure of the State Department to make available to this Committee the two witnesses we had requested for today's hearing. It is my understanding that Under Secretary Thomas Pickering and Deputy Legal Advisor James Thessin are unable to join us this morning to discuss how the department is handling policy and process questions relating to the GAO investigation. However, I will be asking for their cooperation in arranging a Members-only briefing tomorrow to pursue the issues and questions relating to the ongoing GAO investigation.

Today we are fortunate to have with us an outstanding private sector panel to review the peacekeeping policy issues before our Committee. Today's panel includes the Honorable John R. Bolton, Senior Vice President of the American Enterprise Institute and former Assistant Secretary of State for International Operations; Ambassador Dennis Jett, Dean of the International Center for the University of Florida, and former ambassador to Mozambique and Peru; and Edward C. Luck Executive Director of the Center for the Study of International Organizations.

I am pleased now to recognize our Ranking Minority Member the gentleman from Connecticut, Mr. Gejdenson.

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

Mr. GEJDENSON. Mr. Chairman, I think you have to excuse the Administration for its caution in dealing with the Congress on foreign policy matters. We have now an almost unending 2-year assault trying to make foreign policy a partisan political battle. We started off with the Republican leadership saying they were going to make foreign policy the issue for the campaign. We have now had two completely partisan reports from Mr. Cox, the last one appropriately titled "The RAG," trying to bring the Committee into the presidential campaign. And I think for the future good of this Committee and whether it is taken seriously in the public, we have to make, I think, a stronger effort to prevent the simply partisan assaults on the Administration.

Having said that, I do think that peacekeeping is an important area for the United States and this Committee to focus on. Frank-

ly, I think all of us need to be embarrassed by what seems to be almost a continental divide where we find in Europe and some other places of the world, Americans are ready to move quickly. In Africa and Asia, it has been hard to mobilize the United States Congress or the Administration. In Rwanda in a 4-month period, 800,000 men, women and children were killed while the western world dithered. When we see what is happening today in Sierra Leone, it is an embarrassment to societies that call themselves civilized as Sierra Leonean children have their limbs hacked from their bodies and their faces scarred for life.

Mr. Royce held a hearing here with a number of victims of that violence. It seems to me that we need to find a way to help international organizations, most likely the U.N., to fulfill its responsibility globally, and that in Africa, we have been embarrassed by our failure to act. Peacekeeping is in America's national interest. Today we have very few American military personnel participating in U.N. peacekeeping operations. Less than 40 military are presently serving in 15 current U.N. peacekeeping operations. We need to take a look at the recent report which delineated some of the shortcomings in the U.N. And it's peacekeeping efforts.

The price tag is significant. But the price tag of not having peacekeeping is far higher. U.N. peacekeeping operations have helped us bring to a close conflicts in El Salvador and Guatemala, saving the American taxpayers millions of dollars and countless lives in those areas.

For Congress and the Administration, there is a choice. Either we will find a way to establish an international peacekeeping force that has a capability to end and prevent conflict, or we will spend our days here debating resolutions and memorializing those who die.

It may be understandable that we spent a day here last week debating the Armenian Genocide. Those were the failures of a past generation, a generation that may have not been informed of what was happening in a timely manner. Today, from CNN and other news sources, every citizen knows almost immediately when ethnic cleansing and murder is brought down on a civilian population. And for those of us who think foreign policy is an important part of a superpower's responsibilities, we have to figure out how to make it a successful effort on every continent and not simply allow mass murder to occur in the continents that either do not have the political appeal or the economic interest immediately at hand.

Chairman GILMAN. Thank you Mr. Gejdenson. Let me just address one point that you've raised, Mr. Gejdenson. We do not feel it is a partisan attack when we simply asked the State Department to cooperate with the GAO and its investigation and review, a review that both you and I requested. And furthermore, we just want to put the facts about PDD–25 before the Congress so that we can examine closely whether or not our peacekeeping missions are properly planned.

Mr. GEJDENSON. Mr. Chairman.

Chairman GILMAN. Yes.

Mr. GEJDENSON. Mr. Chairman you will understand the confusion in the Administration when there seems to have been an almost unending political assault on the Administration's foreign pol-

icy clearly articulated by the leadership of the Republican party here. And again, Mr. Chairman, this is no reflection on you. Actually, I don't think you even participated in the RAG report led by Mr. Cox or the North Korean Advised Group, but for the Administration, viewing what happens here on Capitol Hill, it is very easy to come to a conclusion that the Republican majority's primary purpose in dealing with foreign policy issues is to try to gain political advantage and ignoring the old admonition that partisanship should end at the water's edge here.

I think that we are going to have to work—whoever is in control of the next Congress, to try to rebuild a sense that there is a seriousness to the work of Congress, when it involves itself in foreign policy. And again, the two reports by Mr. Cox in particular, and the public statements by leaders of the Republican party where they said they are going to make foreign policy an issue in the campaign, would give any Administration pause in dealing with the Congress seriously.

Chairman GILMAN. Mr. Gejdenson. I don't want to belabor the point, but if you examine the hearing agenda before the Cox Committee, a Committee that consisted of all of the leading Chairmen in the Congress, you will find that there were bipartisan witnesses, including Mr. Brzezinski, who was a national security advisor.

But I think you will find, if you review the report by the Cox Commission, there are serious problems involving corruption in Russia. It is not intended to be a partisan attack but an attempt to dig into the problems confronting Russia and our Administration and what we should or could be doing to improve that.

Mr. GEJDENSON. Mr. Chairman.

Chairman GILMAN. Mr. Gejdenson.

Mr. GEJDENSON. Did any Democrats serve on those two Cox Commissions?

Chairman GILMAN. The Commission was appointed by the Speaker.

Mr. GEJDENSON. And excluded every Democratic Member of Congress.

Chairman GILMAN. It did not exclude. He appointed the Chairmen of the major Committees in the House.

Now I think it is time we ought to proceed with our testimony. We are pleased to welcome Mr. Bolton back to the Committee where he frequently has testified on a wide range of foreign policy and security issues. Mr. Bolton is the Senior Vice President of the American Enterprise Institute, and he has served as an assistant Secretary of State for International Organizations and has assisted the attorney general at the Department of Justice and is the President of the National Policy Forum.

STATEMENT OF THE HONORABLE JOHN R. BOLTON, SENIOR VICE PRESIDENT, AMERICAN ENTERPRISE INSTITUTE

Chairman GILMAN. Mr. Bolton, you may proceed. And you may summarize if you desire, and your full statement will be made part of a record.

Mr. BOLTON. Thank you very much Mr. Chairman. It is a pleasure to be here today to testify on this important subject, and I do

have a depressingly long, prepared statement that I will try to summarize very briefly.

Chairman GILMAN. If I might interrupt. I am being called to another Committee for a few moments. I am going to ask Mr. Gillmor if he will preside in my place.

Thank you.

Mr. GILLMOR. [Presiding] Thank you, Mr. Chairman. You may proceed, Mr. Bolton.

Mr. BOLTON. Thank you very much. First I would like to spend a minute on PDD–25, the central document defining the Administration's U.N. peacekeeping policy. And I think that the basic issue with PDD–25, although I laid out some details at length in the prepared statement, the central problem with it is that it does not really provide policy guidance on peacekeeping. It is very general and, in fact, in some cases internally contradictory. I think is a good example of the notion that sometimes the U.N.'s best friends can be its worst enemies. Let me just mention two central conceptual problems with PDD–25. The first is it consciously blurs the distinction between traditional U.N. peacekeeping operations on the one hand with peace enforcement on the other.

Traditional peacekeeping basically requires three prerequisites: the consent of the parties involved in the dispute; U.N. neutrality between those parties; and the U.N. use of force essentially only in self defense. Peace enforcement, by contrast, necessarily contemplates the active use of military force by the U.N., or whatever the implementing agency is. It is simply not correct, as PDD–25 asserts, that there is a spectrum between traditional peacekeeping and peace enforcement. There is a very sharp division between them, as both military and political experts would confirm. And I think that central conceptual problem has lead the Administration into a number of difficulties in peacekeeping, some of which I will get into when I come to the five specific examples that I consider.

The second major problem with PDD–25 is its stress, indeed its emphasis on U.N. involvement in intrastate conflicts, conflicts that do not, in my judgment, amount to real threats to international peace and security, which is the triggering threshold for Security Council involvement in international affairs. In fact, this reliance, this emphasis on intrastate conflicts, I believe, is simply the continuation of the Administration's initial effort, sadly unsuccessful and tragically for the United States, in nation-building in Somalia.

The fact is, Mr. Chairman, I believe in flexibility in executive branch decision-making, and I think that the experience of the five cases that I consider here shows that it really is inappropriate to have a one-size-fits-all peacekeeping policy, that a reflexive and indeed, discriminate resort to U.N. Involvement actually can make matters worse.

As I say, I have laid out five examples of current U.N. operations, current or contemplated U.N. operations, and I won't go into details, but I did run through this at some length and with citation to publicly-available information to make the point that these situations are really quite diverse. And let me just consider them quickly in order.

The first, the contemplated U.N. peacekeeping force in the Democrat Republic of the Congo. I think that the history, the recent his-

tory of the Congo shows going back to the fall of the Mobutu and the rise of Laurent Kabila to assume power in that country is the complexity of the situation, not only with the shifting loyalties in support of Kabila, first from the Tutsi minority in the Eastern part of the Congo and now ironically from Hutu—in fact Interahamwe forces in that part of the country—but the substantial involvement of neighboring countries in Africa. This is an extremely complex situation, where the Secretary General has recently reported that military operations in the Eastern Congo and the preparation for military operations continues at a high pace. Now, I do think that the Congo represents a situation where there is a clear threat to international peace and security. That is to say, I think this is at least theoretically a legitimate area for the Security Council to be considering.

But I think that the efforts by the Secretary General, in particular, to press for deployment of a peacekeeping force could result in a premature deployment that could really be a debacle for the United Nations. And it would make the existing already confused political situation even worse.

Indeed, the Secretary General himself has acknowledged this recently when he said it is clear that the United Nations peacekeeping operations cannot serve as a substitute for the political will to achieve a peaceful settlement. Now I think this is a situation where U.N. involvement really has a substantial risk of the U.N. becoming part of the conflict. And I don't think that the Administration has fully appreciated this.

Indeed, in February, Secretary Albright, urging the deployment of a peacekeeping force, testified before this Committee as follows: "We are asking for a peacekeeping operation there. We believe that it is essential that we support that because Congo is not only large, but it is surrounded by nine countries."

Now, I am not sure I quite follow the logic of that, but it has the situation backwards. First there has to be political agreement between or among the parties to the conflict which, as I previously noted, are many and diverse. Then it would be appropriate to consider what kind of peacekeeping Force to deploy. I think it really is premature for a U.N. force in the Congo and may well be premature for a long time, especially as the Lusaka Agreement, the underlying thing that we are supposedly looking at here, appears to be in a near-death situation.

Secondly, let me turn to Sierra Leone, where the U.N. is already deployed, but where instability in that country for nearly 10 years has led to a perhaps equally confused situation on the ground. The National Democratic Institute, recently issued really quite a good paper on Sierra Leone, where they described the origins of the revolutionary united front, Foday Sankoh's organization, which has been accused of uncounted atrocities. The National Democratic Institute characterized the origins of the RUF, and I quote, "as a rebellion against the years of authoritarian one-party state, that had sunk the country into poverty and corruption." And it noted that Sankoh's original platform was "free education and medical care, an end to corruption, nepotism and tribalism."

The situation is not only complicated because of the internal disputes which I think really left on their own would not amount,

would not amount to a threat to international peace and security, but have been complicated by outside intervention, first in the form of ECOWAS, the Economic Organization of West African States intervention led by the Nigerians. The Nigerians quite obviously, I think, had an agenda on their own and ended up participating in the civil conflict within Sierra Leone, in effect, as parties to that conflict, making it harder to get resolution among the Sierra Leonian factions, not easier.

Second, the Lome agreement of July 1999 which was the basis on which the Secretary General recommended deployment of more substantial U.N. peacekeeping forces, I think had two essential problems with it. The first problem was a problem of the Security Council. And I think that this is something quite clearly that is the fault of all of the member governments.

There really was no adequate consideration by the Council whether the Lome agreement represented a true meeting of the minds among the parties to the Sierra Leonian conflict, thus whether there was a consent, and thus whether there was an appropriate basis to deploy a peacekeeping force at all. But second, I don't think adequate attention has been given to the Secretary General's own reservations attached to the Lome agreement, where one of the central elements, at least from the RUF point of view, was an amnesty for Foday Sankoh and his followers.

Now, I just ask you to think about this for a moment from political point of view, without regard to what we think of the RUF or without regard to what we think of the Sierra Leonian government. I think it is fair to say that the RUF regarded that amnesty as a pretty important part of the agreement. And yet the Secretary General of the United Nations specifically disclaimed interest in upholding that part of the agreement. I think it would be reasonable, as a purely political matter, for Sankoh to conclude he did not have agreement on what for him was an essential element of the Lome agreement. And this agreement was backed by the Administration I think for good reasons. Assistant Secretary Susan Rice said "if we want a solution in Sierra Leone, that entails by necessity whether or not we like it, a peace agreement dealing with the rebels."

So if you are willing to follow that logic to undercut it, as the Secretary General's reservation does, it seems to me to call into question whether you have an agreement at all.

Now most recently we have what is essentially an unprecedented public disagreement between the force commander, General Jetley, an Indian and the Nigerian contingent of UNAMSIL, resulting in the Indian government's recent announcement that, it's going to withdraw all of its peacekeeping forces from the country.

So on the one hand, we have the Secretary General recommending the deployment of 20,500 peacekeepers including, 18 infantry battalions, and yet we find that the peacekeepers themselves cannot agree on command and control structures and their appropriate responsibilities.

Let me turn now quickly to the Ethiopia/Eritra conflict. I think this is a classic case and perhaps one of the best ones that I am going to consider this morning, certainly among the three African ones, for the deployment of U.N. peacekeeping observers. This is an interstate conflict. It has a ceasefire in place. The parties have con-

sented to the deployment of the U.N. and I think it is exactly the prototype of what U.N peacekeeping should be. And yet, even there the Secretary General has recommended not simply the deployment of U.N. observers, but the deployment of three battalions of infantry to be prepared for a full combat eventuality. I think this is part of a larger agenda. Mr. Delahunt is here. We talked about this a couple weeks ago in a Subcommittee hearing on the Brahimi report recently submitted to the Secretary General.

I won't cover that ground again, except that I think the recommendation, and indeed it has been accepted by the Security Council to deploy the three infantry battalions, is a real mistake. Quite apart from the extra cost that is involved, I think it risks turning what could be a successful peacekeeping observation mission into something much more complicated.

Now, Mr. Chairman, I have also considered in the prepared statement two examples, two current examples of U.N. civil administration in peacekeeping in Kosovo and East Timor. I began that section by discussing why I think the whole concept of the U.N. Trusteeship does not have—at least as implemented in those two places—does not have support in the U.N. Charter. I really do not think there is authority in the Charter for this. I don't think the U.N. has experience in this kind of activity and I don't think it has capacity.

So it is perhaps no surprise that in the two concrete examples that I consider, Kosovo and East Timor, the U.N. is in serious trouble. In the case of Kosovo, very briefly, Mr. Chairman, I don't think this is a case of individuals not performing up to their capacity. I don't think it is so much a question of U.N. mistakes. I think the problem in Kosovo for the U.N. is inherent, and that is, they were inserted into a situation where the political status of the Kosovo remains unresolved.

That is a problem that continues right to the present despite the good news from Belgrade, with the replacement of Milosevic by Kostunica. I think if anything, that situation, that political situation just got more complicated.

Many people have said, "but if you did not have the U.N. involved in civil administration of Kosovo, what would the alternatives be?" I have suggested two. One would be to have KFOR, the Kosovo force itself, responsible for civil administration. I think one of the problems in Kosovo now is that we have got, in effect, turf fights among international organizations. We have KFOR doing one set of things. We have the U.N. Mission in Kosovo, UNMIK doing another set of things. We have the OSCE doing another set of things. Then we have literally hundreds of nongovernmental organizations also doing their own thing. I think it would have been cleaner to have considered simply charging KFOR itself with this operation. Another alternative, I think less desirable from the U.S. point of view, but one which we should have considered, would be to have the European Union responsible for this. That would have been, I think, much more sensible than the situation we have now, where I think with the U.N. civil administration we really have the risk of the worst of both worlds, that we have large responsibilities and insufficient resources. And I think there that the U.N. responsibility in Kosovo is poised at the edge of massive

failure, failure cause by the ambiguous and contradictory nature of its mandate, the inadequacy of the U.N.'s capacity to undertake such a mission, the radical political uncertainty and sometimes violent disagreement among the parties that persists to this very day, and as I said, the tension between unmixed aspirations and its resources.

Finally, the last example, Mr. Chairman, is the U.N. Transitional Authority in East Timor which is, in large part, shaped by the U.N.'s failure in the earlier conduct of the referendum where the violence perpetrated by the anti independence, pro-Indonesian militias caused such death and destruction after the referendum, where the U.N. itself now says "well, we didn't anticipate there was going to be any violence." And the Secretary General said "if we had an inkling, it was going to be this chaotic, I don't think anyone would have gone forward with the vote. We are no fools." And yet it is hard to believe that if you've read anything about the militias, that they would have taken a vote for independence by East Timor lightly, and said "oh well, I guess we lost the vote," and went away.

One thing you can say about the U.N. presence in East Timor is that at least the ultimate political future of East Timor is clear, that it is going to be an independent state. That is obviously unclear in the case of Kosovo where some people want independence, and some people quite obviously want it back as part of Yugoslavia.

But I think, even with the political status clear, that the United Nations has embarked on a kind of mission that it really can't handle. And the Secretary General was quite straightforward about what he thinks that mission is. He says, in discussing the difficulty, he said "the organization has never before attempted to build and manage a state."

I think the performance in East Timor has demonstrated that the U.N. cannot build and manage a state, and that the comments made by some of the East Timor's independence leaders indicate that they are becoming increasingly frustrated. Without necessarily endorsing everything, for example, that Jose Alexander Gusmao has said, I note that he has argued that the East Timorese government could really, logically need to be one-fourth the size of the prior Indonesian government. That sounds like a man after my own heart, and I wish the U.N. would take note of that. I think if you want to build a social democratic state, there is an argument for virtually infinite U.N. participation. I don't think we should encourage that. I don't think that is ultimately best for the people there, and it is certainly not within the U.N.'s capability anyway.

Just to conclude, Mr. Chairman, the U.N., as these examples demonstrate, is overextended and in danger of becoming more so. It is involved or considering involvement in operations where it has neither the competence nor the authority to be effective. Now, to be sure, a large part of the blame here is due to the member governments, and especially to the United States, which have assigned the United Nations contradictory or impossible mandates in ambiguous political situations. What we sorely need, Mr. Chairman, is sensible American leadership to restore U.N. peacekeeping to a more even keel.

Thank you very much.

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

Mr. GILLMOR. Thank you very much, Mr. Bolton. And we are now very pleased to have with us Ambassador David Jett who has served as our Ambassador to both Mozambique and Peru. He has held numerous important policy positions in the Department of State and the National Security Council. He's now the Dean of the International Center at the University of Florida. And the author of *Why Peacekeeping Fails* which was published in March of this year.

Ambassador Jett.

STATEMENT OF THE HONORABLE DENNIS JETT, DEAN OF THE INTERNATIONAL CENTER FOR THE UNIVERSITY OF FLORIDA

Mr. JETT. Thank you, Mr. Chairman. It is an honor and pleasure to be here today to speak on this important topic. I will try to summarize my statement that I have submitted for the record, and try to do so in a way that doesn't repeat too much of what John Bolton just covered. A number of the cases I will touch on, but I will try to do so in a little bit different way, though I agree with much of what John Bolton has said.

Part of the problem in discussing peacekeeping is you immediately get into a problem of definitions. Peacekeeping is a term that gets applied to a lot of different situations from Cyprus to Somalia, and everywhere in between, where there are very different kinds of tasks. The interstate conflicts that John Bolton mentioned are the ones that traditionally the U.N. had to deal with earlier in its history. And they were easier because basically, there was a struggle between two countries over territory. The job of the U.N. Was to get between them when there was a cease-fire, control the contested territory, or at least patrol it, build confidence and allow time for a line to be drawn on the map dividing the territory. Sometimes that takes quite a long time. They've been in Cyprus since 1964. The line is still not on the map. But just the absence of renewed conflict is enough. Unfortunately, there are very few examples of those kinds of conflicts today. Eritrea-Ethopia is one, about the only conflict between countries.

While it has international implications, as long as the Eritreans and the Ethiopians were killing each other, nobody did anything other than send diplomatic missions to try and stop them.

So even though it was a conflict between two countries, it didn't really have the implications for spreading too much beyond that particular area and those particular countries. The problem the U.N. faces is today's war is typically a civil war, a war within a state over political power, and in the third world you cannot divide political power very easily. Basically, you are either in power or you are out of luck. And when there is a peace, the U.N. Is faced with tasks like assembly of troops, demobilizing them, reintegrating them into civil society, forming a new army and eventually holding elections to choose a legitimate leader. All of those are daunting tasks. These were the tasks that were attempted in Angola and Mozambique. I was an ambassador in Mozambique when the U.N. succeeded, so in my book, I look at that and I compare it to Angola where those same tasks the U.N. failed.

When the United States looks at participation in the peacekeeping it has three simple options: it can participate in the peacekeeping operations with its own troops along with U.N. troops; it can allow the U.N. to go in alone without a U.S. presence; or it can use its power as a permanent member of the Security Council to prevent the U.N. from engaging in a peacekeeping operation. I think PDD–25 gives a good framework for analyzing the various factors that come into play in peacekeeping. The central conclusion of PDD–25 is that when properly conceived, a well-executed peacekeeping can be a very important and useful tool. That is not a particularly remarkable conclusion. The catch is how do you properly conceive it and how do you execute it well? The purpose of PDD–25 was to selectively use peacekeeping and to use it more selectively and more effectively. In looking at the history of peacekeeping, it sort of ebbed and flowed through six different periods. Since the creation in the United Nations, somewhere between 5 and 11 years for each period of growth in peacekeeping or contraction with an average of 7 years.

In 1993, we entered a phase of contraction doing less peacekeeping, so I think, in that period, PDD–25 caused peacekeeping to be used more selectively. And perhaps because it was used less, it was done more effectively. But now we seem to be entering into a new phase, a growth period, since we are about 7 years from 1993. That is probably the half life of a bad idea or the institutional memory of your average bureaucrat. 1993 is a watershed date because that is the date in October when the 18 U.S. servicemen were killed in Mogadishu. Ever since then, it has been virtually impossible to use Americans in peacekeeping operations with very few exceptions.

I am sure we will listen to the presidential debate tonight. I was struck in the first debate when candidate Bush said on two occasions that he would allow no U.S. troops to be used for nation-building, and he made no apparent attempt to hide his disdain for the term. I don't know whether that is an applications of the Powell doctrine or his defense strategy is based on the idea that we have to be ready to fight two regional wars. And the Powell doctrine seems to state that you never deploy the U.S. Armed Forces in a size less than an division and never outside of Europe, Japan, Korea or a Middle Eastern oil producer.

The problem is there will be very few Desert Storms, I doubt there will ever be two, there may not even be one in the future. But there will be a lot of Sierra Leones and Somalias in the future. So that is what the U.N. has to deal with. Nevertheless given the unpopularity of the first option, the U.N. can't rely on U.S. participation with troops. We are left with the two remaining options, letting the U.N. do it alone or doing nothing. The problem with that second option is the U.N. does not do it very well. In this regard it is useful to think of the U.N. in terms of two different aspects, the U.N. as a bureaucracy and the U.N. as organization of 189 member states. You've heard the testimony about the Brahimi report. One of the things the Brahimi report mentioned was that U.N. bureaucrats aren't always of the best quality and that the U.N. should become more transparent and become a meritocracy.

Unfortunately, this flies in the face of longstanding tradition, and I don't think it is going to happen. The Brahimi report also says that the 189 members should support peacekeeping politically, financially and operationally. Well, politically, it is difficult because the 189 members are typically pursuing their national interests through this international organization, and they rarely seem to sacrifice them for the common good. Financially, 97 percent of the peacekeeping is paid for by the first world for peacekeeping operations that all happen in the third world. I doubt, given the fact that we are hundreds of millions of dollars in arrears now, that there is any particular sentiment iin Washington for spending more money on peacekeeping operations.

Operationally, I have talked about the difficulty of engaging American troops. The problem is that is not unique to the United States. In general, in the first world, and the countries with the best armies but they are the ones that are least likely, least enthusiastic about participating in peacekeeping. The countries with the worst armies are the ones that have them available for these kinds of tasks.

That said, I think the Brahimi report was a good effort. It was at least honest. I think you have to congratulate Secretary General Annan. The Rwanda report, the Srebrenica report, the report on Angola diamonds and now the Brahimi report, now show a remarkable bucking of the long-standing tradition of the United Nations to avoid introspection.

The other thing that the Brahimi report said is that the bedrock principals of peacekeeping are consent of the parties, impartiality, and the use of force only in self-defense. Unfortunately, that almost never exists in today's kinds of conflicts. You can imagine if there were a repetition of Rwanda and you tried to apply those three bedrock principles, you would not get very far. I think the real fault though of the Brahimi report or the U.N. in general is that it mentions in passing three factors, that are critically important, but doesn't suggest any way to deal with those. And part of the problem is these are factors that the U.N. can influence but can't control. Those three factors are the local actors, the internal resources and the external forces.

The local actors are the people on the ground, the players in the conflict who usually see peacekeeping as a way to further their own political goals through different means other than using military means. And their sincerity in signing the peace is usually suspect and it lasts only as long as they are not losing power or losing out in the struggle for power. The internal resources are diamonds typically. The big difference between Angola and Mozambique is that Mozambique has shrimp and cashews. And while it makes a nice stew, it doesn't fuel a civil war the way diamonds have in Angola or as diamonds have in Sierra Leone or in the Congo. And the external forces are the neighboring countries. In Sierra Leone the big problem is not because the RUF decided it was a corrupt regime in power and they were going to overthrow it. You could take Foday Sankoh's political philosophy and it wouldn't fill the back of a napkin. The real problem is that when the peacekeeping forces came into Monrovia and Liberia, west African peacekeeping forces, Charles Taylor looked at them as an obstacle to power. And I hap-

pened to be there at the time in Monrovia and I can tell you, the peacekeepers probably didn't even have a street map of downtown Monrovia, let alone a clue as to what they were going to do. But they did freeze the situation militarily.

To get back at the Nigerians, Taylor basically inspired the unrest in Sierra Leone. He continues to do it today, simply because he wants to control Sierra Leone's diamonds. There are about $200 million in diamonds exported out of Liberia, a country that only produces about $25 million in diamonds. Until you control Charles Taylor's greed you will not have peace in Sierra Leone. Since the Nigerian peacekeeping force which was in Liberia and Sierra Leone for almost all the decade of the 90's was never able to impose a military solution to the conflict, the U.N. should prepare for a long term commitment in Sierra Leone.

In the Congo, you have a situation that is even worse. You have the armies of six countries, as John Bolton described, and no peace to keep. It is almost a cliche. And so until you influence those countries and solve the problem about what to do with the people who committed genocide in Rwanda who are now fighting in the Congo, then you will probably never have a chance for any peacekeeping operation to succeed. As John pointed out, there is a proposal to go up to 20,000 U.N. troops in Sierra Leone. The Congo is 10 times larger in terms of population and 32 times larger than Sierra Leone in terms of territory. So you can imagine what kind of peacekeeping force you would have to put in there. Another problem is they would probably have a muddled mandate, and be just standing around.

Another example of the way that the U.N. doesn't do a very good job on peacekeeping is the one that John Bolton mentioned, Eritrea and Ethiopia. There you have a classical peacekeeping scenario, a struggle over territory between two countries. It is something that the U.N. has done well in the past and could do well and probably will do well in this instance, but it won't do it very efficiently.

As John pointed out, there are three battalions, 3,000 of the 4,200 troops will be these three infantry battalions. Their task is to man checkpoints and to provide security for the members of the military coordination commission. That is the group that is implementing the peace treaty. I suspect that they are providing security to the members of the coordination commission, from irate taxpayers, since having 3,000 troops stand around will undoubtedly be expensive.

But I think the reason this was added late, these troops into the peacekeeping mix for this particular operation, is that bureaucracies tend to ignore problems when they can, and when they can't, they tend to overreact and do things that are wasteful and inefficient but at least display action, zeal if not effectiveness. So when the peacekeepers were attacked in Sierra Leone, people got concerned about the security of peacekeepers. Therefore these three battalions were added, not that they will do anything, not that they will have any particular result.

In that regard, if I could offer an aside, this all sounds like the security measures being taken at the State Department. I am sure Madeleine Albright will sleep better at night knowing that if I return, or any other retired officer misses the food in the State De-

partment cafeteria and we drop by for a meal, that we will be escorted by a security officer. But I don't think that is where the problem is, and I don't think spending resources on dealing with that aspect of security is going to be particularly effective.

The third option I mentioned was doing nothing. That is a real option but a real problem. Certainly, when you let the U.N. do it, there is the possibility of a great deal of waste and also the possibility of failure. But to do nothing is basically to say, for large parts of the world, there is no superpower. We simply don't care enough to do anything and whoever is the meanest person or the meanest power in the neighborhood is the one that is going to dominate.

So I think doing nothing is a difficult option and the U.N. ought to be pressured to do better. And the U.S. needs to carefully evaluate its contribution. I think perhaps more military observers—I can recognize the reluctance to deploy units of armed forces to these operations. But there is a military observer component, those are individual officers who play critical roles in making sure that confidence building exercises succeed. So that would be one area where the U.S. could have a presence with very little exposure, very little risk.

I think there are logistics and intelligence support that could be provided without trying to underwrite a major portion of the Pentagon's budget by charging the U.N. for these services. But I think basically they will all have to lean on the U.N. to do better, to do more when it comes to dealing with these external factors, or in some cases, to do less. In the case of the Congo, I think that is one where basically you just walk away from it until you can find a political solution. And perhaps you can stop treating Mr. Kabila like the president and more like the gangster that he is. The same with Charles Taylor.

In any event, one critical aspect is what we are here to do today, and that is, to have a dialog about peacekeeping. I hope the Administration will come back to the table. I hope that when Congress interacts with the Administration, it is designed to evaluate some difficult situations, evaluate some unpleasant alternatives, none of which is particularly good and come up with what is right for the United States, and not get into a partisan game of gotcha. And in that spirit, I am very honored and pleased to be here today.

Thank you, Mr. Chairman.

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

Chairman GILMAN [presiding]. Thank you very much for your extensive analysis, Mr. Ambassador Jett, and now we turn to Edward C. Luck. We are pleased to have on our panel Mr. Luck, the Executive Director of the Center for the Study of International Organization and a recognized authority on U.N. issues. He has held numerous key positions with the United Nations Association and is the author of scores of articles on international organizational issues. You may proceed Mr. Luck. You may summarize your statement, put the full statement on the record or in any manner in which you deem appropriate. Please proceed.

STATEMENT OF EDWARD C. LUCK, EXECUTIVE DIRECTOR, CENTER FOR THE STUDY OF INTERNATIONAL ORGANIZATIONS OF THE NEW YORK UNIVERSITY SCHOOL OF LAW AND THE WOODROW WILSON SCHOOL OF PRINCETON UNIVERSITY, PRESIDENT EMERITUS, UNITED NATIONS ASSOCIATION OF THE UNITED STATES

Mr. LUCK. Thank you very much, Mr. Chairman, for that offer of flexibility. However, I will exercise uncharacteristic self restraint and avoid commenting on the points made by my two colleagues on the panel. And I will indeed offer an abbreviated version orally of my testimony, and if I could submit the written for the record, I would appreciate that.

Chairman GILMAN. Without objection.

Mr. LUCK. Thank you. It is certainly an honor, Mr. Chairman, to testify before this distinguished Committee and certainly on such a timely and important topic. Over the past decade, our nation's support for peacekeeping has resembled nothing so much as a roller coaster ride; rising, falling and rising again in breathless succession. In the process, we have accumulated peacekeeping arrears on the order of $1 billion, undermined our credibility as a reformer and a leader in the world body, and crippled the U.N.'s ability to do the job right in the first place. This hearing will serve our national interests well if it calls for two things: one, a bipartisan approach that meets the legitimate needs of both Congress and the executive branch; and two, an equilibrium between the overuse and underuse of this often misapplied and misunderstood security tool.

Mr. LUCK. In fact, one of the things I agreed with in John's testimony was his reference to needing to keep peacekeeping on an even keel. I think that is something we can all agree on.

In terms of the first point, on bipartisanship, Mr. Chairman, we would do well to recall that the surest route to a strong and affirmative foreign policy is maximizing executive-legislative cooperation and minimizing partisanship.

None of us would embrace all of the provisions of PDD–25 or the Helms-Biden bill with great enthusiasm, yet they do offer the basis for a politically sustainable approach to peacekeeping, one that may even permit our nation to speak with a single voice in international fora. Of course, that again makes me an optimist, but I think it is at least conceivable.

On the one hand, an overly rigid interpretation of the tenets of PDD–25 ensured international inaction in the face of unfolding genocide in Rwanda in the spring of 1994. On the other hand, the prudence embodied in PDD–25 has encouraged some positive steps as well.

One, command and control arrangements have been clarified.

Two, greater discipline and selectivity have governed Washington's choices about whether peacekeeping is the right option and whether the U.N. is the right vehicle.

Three, full transparency has been introduced into Security Council decision-making and into U.N. operations on the ground.

Four, the Security Council has worked to bring greater clarity and specificity to peacekeeping mandates to deal more explicitly with the economic motivations to conflict, to bring the perpetrators

of war crimes to justice, and to undertake more on-site inspection tours like the current one in Sierra Leone this week.

Five, sharing the burden, NATO has been given responsibility for the largest operations, in Bosnia-Herzegovina and in Kosovo, and regional actors originally took the lead in East Timor, Liberia, and Sierra Leone.

Six, others are supplying 97 percent of the U.N. forces and taking most of the risks.

And, finally, seven, the executive branch is consulting earlier, more frequently, and more fully with Congress and is encouraging more congressional visits to field missions.

I am pleased to see that over the past year legislators on both sides of the aisle have supported a series of new or expanded missions aimed at either stemming violence in places like East Timor, Sierra Leone and the Democratic Republic of the Congo or securing internationally recognized borders, as between Lebanon and Israel and between Ethiopia and Eritrea. There appears to be a growing recognition even in this town that while peacekeepers are not miracle workers, and conditions often are not propitious for U.N. intervention, there are times when peacekeeping offers the best available option. This is particularly the case where we share with others an interest in seeing a conflict dampened, but our national security interests are not so acute as to justify unilateral action.

Turning to my second theme, regaining equilibrium, it is worth recalling that from 1998 to 1994 U.N. peacekeeping deployments quadrupled, reaching unprecedented levels. This rapid expansion was propelled by the end of the Cold War, the changing nature of conflict and the "CNN effect," not, I would emphasize, by the predilections of one party or Administration. The initial surge, in fact, occurred under the Bush Administration, which approved a dozen new U.N. peacekeeping operations and several U.N. observer missions.

At its outset the Clinton Administration maintained this momentum, but, with rising concerns on Capitol Hill and reverses in the field, it, in fact, led a rapid retreat from peacekeeping after 1994.

By mid-1999, just a little over a year ago, the number of deployed peacekeepers had fallen to a post-Cold War low of just over 12,000, about one-sixth of the levels in 1994. Today, the total number of peacekeepers, including soldiers, observers, and police, has grown to a bit under 40,000, of which less than 900 are Americans, and, of course, many of those Americans are police or observers.

The expansion over the past year has been rapid by any standard, tripling in just 12 months, but the current level is still only one-half of that of 6 years ago.

Now, should Members of Congress be concerned that peacekeeping is growing out of control? At this point, I would say no for several reasons. One, the U.S. and other permanent members of the Security Council are monitoring the situation and are quite cautious about undertaking new commitments.

Two, it is generally acknowledged that the growth rates of the early 1990's were not sustainable, and there is no desire to repeat the mistakes of a decade ago.

Three, the near debacle in the early stages of the Sierra Leone operation this past May rang alarm bells at the U.N. and in national capitals about the capacity of the system for further growth.

Four, the Secretary General, sharing the caution of key member states—and I would say that the three of us agree on this on this panel—has refused early deployment in the Congo given uncertain conditions there and doubts about the adequacy of the current plans.

And fifth, as Ambassador Jett has properly noted, the fact that the U.N. has commissioned a series of candid assessments on Srbrenica, on Rwanda, and by the Brahimi panel is itself an encouraging sign of the growing openness to external and internal criticism. Each of these reports contained sober warnings about again promising more than the U.N. or its member states individually are prepared to deliver.

In assessing U.N. capacity to oversee its peacekeeping operations, I would stress that it would be wrong to overemphasize the importance of quantitative measures. Capacity depends essentially on the willingness of member states to provide military, political and financial support for the missions they vote for. Qualitative factors—and, again, I think the three of us would agree on this—particularly the attitudes and motivations of the parties on the ground, usually matter more in determining the success of a mission than the numbers of blue helmets. Therefore, it is easier and more productive to undertake a number of well-conceived and well-received missions than just a few problematic ones. The key is getting the mandate right through stronger staffing, better intelligence and analysis, and the employment of prudent worst-case reasoning in Security Council deliberations.

In closing, let me offer a few words on how to encourage further steps to strengthen U.N. peacekeeping capacity. The prospects for achieving further reforms, such as those proposed by the Brahimi panel, will depend in part on the maintenance of bipartisanship in our national policies. The willingness of other member states to go along with the U.S.-backed reform proposals and the Helms-Biden benchmarks, including a reduction in U.S. assessments, could well be undermined if the U.S. approach again becomes subject to strident partisanship, sudden fluctuations, and uncertain or inadequate funding.

Last month's Millennium Summit, including sessions of the Security Council and the P–5, reaffirmed the continuing need for strong and effective peacekeeping. The world's leaders all recognized that peacekeeping is just one tool in our security tool kit, which includes conflict prevention, peaceful settlement, peace-building and peace enforcement, and, yes, John, sometimes nation-building as well, and that the burdens should be shared with regional actors wherever possible.

They acknowledged that a great deal needs to be done before the U.N. can even begin to realize its potential as a force for peace, and that it is in national capitals and in parliamentary hearings such as this that this vital work must begin.

Thank you, Mr. Chairman, for the opportunity to contribute to what hopefully will be a process of reflection and reaffirmation. Thank you.

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

Chairman GILMAN. Thank you, Mr. Luck, and the entire panel for your excellent testimony today. We are very much concerned in the Congress that there is proper oversight and proper review before engaging in peacekeeping. We are also concerned about a report recently issued by the GAO at our request that estimated the cost of U.N. peacekeeping for the current U.N. budget will be about $2.7 billion, which is something that gives a great deal of concern to many of the Members of Congress.

Mr. Bolton, let me address the first question to you. What are the chances that the U.N. can effectively implement the recommendations of the recent report issued by the former Algerian Foreign Minister Mr. Brahimi, and will the organizational culture of the U.N. block such an implementation?

Mr. BOLTON. Mr. Chairman, I think that the odds of being able to implement many of the recommendations of the Brahimi report are quite small for a number of reasons, but I think the problem with the Brahimi report comes not so much from the technical aspects of what that group recommended as from the fact that it basically misses the larger point.

The problems in U.N. peacekeeping are not primarily technical in nature. They are primary political in nature. Let me just go back to the example of Sierra Leone, because I think that is a good illustration of the point.

The Brahimi report makes a lot of recommendations about command and control interoperability, joint training and things like that. The dispute that now exists between the Indian force commander General Jetley and the Nigerians has nothing to do with training, or communication; it has to do with fundamental political differences. General Jetley believes the Nigerian forces and indeed the Nigerian Government are pursuing their own separate agenda in Sierra Leone. The arguments that the Nigerians are making go to the fact that they resent being controlled by General Jetley and the U.N. as a whole, which to me tends to corroborate what General Jetley has been saying from the outset. But these are not fundamentally technical questions.

Second, I think the thrust of the Brahimi report—and I did elaborate on this in my prepared statement before the International Operations Subcommittee—the thrust of what they argue would transfer substantial responsibility to the Secretariat, on the assumption that you are going to have a large increase in U.N. peacekeeping responsibilities of some variety. I am not going to argue whether that is good or bad at the moment. It just simply assumes that that happens, that it has already happened. The Brahimi report vests most of the operational functions necessary to carry these new mandates out in the Secretariat, in parts of the U.N. that are responsible directly to the Secretary General rather than being directly responsible to the Security Council. I think that is fundamentally wrong.

I think that even though, obviously, large parts of the Charter have never come into operation, as contemplated by Chapter 7, if you were to have a continuation and expansion of U.N. peacekeeping activity, I think operational responsibility for those U.N.

operations should be responsible to the members of the Security Council, and particularly responsible to the five permanent members, whether that is through the Military Staff Committee, as the Charter provides, or something else.

I think the Brahimi report is a conscious and fundamental recommendation to shift responsibility from the member governments to the Secretariat, and I think that is wrong.

Chairman GILMAN. Mr. Bolton, what are the main deficiencies of the Administration's overall implementation of our policy toward U.N. peacekeeping as embodied in PDD–25?

Mr. BOLTON. Mr. Chairman, I think the central problem with PDD–25 is that it really does not put constraints on what the Administration wants to do. And I would have to say here that while, as a former executive branch official myself, I am a vigorous advocate for flexibility in executive branch decision-making, I think when the executive announces a policy that it intends to follow, it ought to be something that can be debated and that the Administration can be judged on. And I think the problem with PDD–25 is that fundamentally it is so internally contradictory that it does not really provide policy guidance at all. I think that is reflected in the recent upsurge in Administration support for the peacekeeping activities we have been discussing here today.

I don't think this is a partisan issue, I really do not. I know that from times I used to testify before this Committee when I was in the executive branch, I know what it is like for the Administration to be on that side of the dispute, but would argue that the fundamental incoherence of PDD–25 is what causes much of the problem in the ongoing disagreements between Congress and the executive branch. I think the real impetus within the Administration is to be extremely supportive of peacekeeping. I think that is why in principle they have been as vigorous as they have been, and I do not think that we have had a real discussion of where that leads.

For example, the next big peacekeeping operation, UNGWB, the U.N. Gaza-West Bank mission, which I think is something that we are going to start hearing about in the near future, I think that would be a catastrophe, but I think the Secretary General's wheels are already spinning on that.

Chairman GILMAN. Thank you, Mr. Bolton.

Mr. Jett, Ambassador Jett, I am going to ask you the same question I have asked. What are the chances the U.N. can effectively implement the recommendations of the recent report of the former Algerian Foreign Minister Mr. Brahimi?

Mr. JETT. I think, Mr. Chairman, it will be able to make some of the changes. Some of the organizational changes are possible. I think changing the basic character of the institution is probably not possible, but for me I don't think it matters all that much whether the changes are made if the U.N. continues to ignore the other factors that I mentioned, the factors like a country's resources, whether the diamonds are fueling the civil war, what role the neighboring states are playing, what role the politicians within the country are playing.

Until you attempt to influence those factors, you can have the best peacekeepers in the world and put as many of them as you want into a situation, but if the local actors are determined to

fight, if there are diamonds there to fuel their arms purchases, if the neighboring countries are all involved either for profit or for other reasons, then you have got a hopeless situation, and peacekeeping will not succeed.

Chairman GILMAN. Thank you. And my time—I am overstaying my time here, and just, Mr. Jett, would you comment on the same question, the Brahimi report, Mr.—Mr. Luck, would you be able to tell us whether that report issued by Mr. Brahimi, what are the chances it can be effectively implemented?

Mr. LUCK. Yes, I would be happy to.

There are a number of aspects. I agree that some parts would be difficult to implement. There is one very important provision that I think is utterly implementable, in some ways is already happening. That is the Secretary General and the Secretariat ought to be able to tell the member states in the Security Council when the mission is not implementable, when the plans are not sensible. And that, in fact, is what has happened in the case of the Democratic Republic of Congo. The Secretariat has said, no, let's slow this down. We are not ready to go forward. These plans simply do not make sense. And I think that is very refreshing and is very much needed.

Second of all, there are a number of things that individual member states can do if they want to in terms of stand-by sources and interoperability and other things. And the initiative is up to the individual member states, not up to the Secretariat, although the Secretary General has been encouraging such steps for many, many years.

There are some dollar signs attached to the Brahimi report, and a lot of what they recommend is a bolstering of the Secretariat capability, and that would cost money, and that may not be a popular thing in this town, particularly with our arrears in peacekeeping being so large.

Finally, I would say that much of the report reads really as a wakeup call to the member states, telling them to get serious about this if they want positive results. And that, I think, is something which is utterly implementable, but unfortunately the track record has been quite lamentable in terms of most member states.

Chairman GILMAN. I regret I am going to have to go on to another hearing. I am going to ask Mr. Bereuter to conduct the balance of the hearing.

And Mr. Delahunt is recognized.

Mr. DELAHUNT. Thank you, Mr. Chairman.

I agree with some statements by Mr. Bolton, interestingly. I would direct my questions to Mr. Luck.

You indicated earlier in broad terms that these issues are very complex, and there are no simple answers, and that flexibility is essential, and that the idea or the concept that there is a one-size-fits-all approach is just simply unworkable.

My own sense is that each of these cases, I would suggest that the only true measurement in terms of potential success and in terms of what should be done is the adequacy of that particular plan and whether, after careful and thorough review, there is a level of expectations of success that meet the requirements. Any comment?

Mr. LUCK. Yes, I would be happy to. And actually I did agree with a number of things that John said, but we have done this back and forth so many times, we have to kid each other a little bit.

But I certainly agree with his point about one size fits all. I would say, though, that if you look at the last 5 or 6 years, there, in fact, has been a lot of flexibility both on the part of the Administration and on the part of the U.N. The approach has been different, really, in one case after another. We see cases where NATO has taken the lead in Bosnia-Herzegovina and Kosovo. We see places where an individual member state, in the case of Australia, takes the lead in East Timor, and others follow where there is no strong regional organization. And we have seen the up-and-down effort by ECOWAS and others to try to resolve problems in Liberia and Sierra Leone. So I think we have seen a lot of flexibility on this.

Again, what matters in the end is whether the parties to the conflict are at all amenable to a reasonable solution. If they are, then the international community can be very helpful. But it is very, very difficult to impose that. Ambassador Jett mentioned his experience in Mozambique, where the people really ran with it, and it was a considerable success, and as he pointed out——

Mr. DELAHUNT. But I think that underscores my point about individual cases and conditions and the analysis and evaluation of conditions and circumstances in a particular situation. And if there is a certain clarity, whether it is the United Nations or whether there is an alternative response available, that, in my opinion, ought to be the measurement of particularly United States engagement, United States involvement.

Mr. LUCK. I think there is a sense by many other member states that the U.S. and Congress in particular are fundamentally allergic to peacekeeping and fundamentally allergic to involvement. It is a political feeling as much as anything else——

Mr. DELAHUNT. I think there is a certain validity to that sentiment, because I think we find ourselves in a conundrum. We have the GAO report. The Chairman indicated that there are a lot of Members concerned about a $2.7 billion financing of peacekeeping. Yet I think it was your term, unless our national interests are particularly acute, i.e., oil or some other something else that fits the description of acute, we do not want to make a commitment of American troops.

So there is a utilization, I do not want to call it a manipulation, of the United Nations to do the dirty work—and I think the most clear case is Rwanda. I mean, what do we do in a situation intrastate like Rwanda where there is a genocide that is occurring, where 800,000 people are being slaughtered? Do we do nothing? Do we take the third option? I think maybe that was Ambassador Jett's—what do we do? Is that an option that is available to a civilized superpower?

Mr. LUCK. If I could just make one a little comment on that, it seems to me that there is a tendency very often to say that we either have national interests or we don't have national interests. Like a light switch, it is either on or off when most of these cases are shades of gray. We have some interests, and I think upholding

international human rights and humanitarian standards and preventing genocide are part of our fundamental national values. But we have to sort of calibrate this and not say we have zero interest or total interest——

Mr. DELAHUNT. I do not disagree, and the reason why I utilized the Rwanda case is I think there is a degree there, there is a level of atrocities or crimes against humanity that are committed that almost compels something to happen. What do we do? What do we do, Mr. Bolton, in the case of Rwanda?

Mr. BOLTON. Well, to take the specifics of Rwanda, it seems to me that the cold, cruel fact is there is very little that we are able to do. And I think that while there is certainly a moral outrage that everybody feels watching what happened there, there are moral obligations that the President of the United States has as well for the protection of American life.

Mr. DELAHUNT. Can I ask you this question? What would have been—this is hypothetical, obviously—in terms of intervention by the United States in a lead role in Rwanda to save 800,000 lives, what would have been our exposure even just simply to freeze the situation?

Chairman GILMAN. The time of the gentleman has expired, but I want him to have the leeway, so please proceed with your response.

Mr. BOLTON. I don't think it is possible at this removed date to calculate what the risk to Americans or others who might have taken part in such an intervention would be. But I think that the decision-maker, in this case the President, has an obligation, has a moral obligation to be able to justify what interest it is of ours that permits him, or compels him if you will, to put American troops in a situation where we could be pretty sure that some substantial number were going to be killed or wounded.

And I think if I could refer to the example of Somalia, it was the feeling in Congress, after the deaths of the 18 Rangers in Mogadishu, on a bipartisan basis really, that the Administration was not able to explain why they had died. It was not a case where Congress said "18 dead Americans is too many." It was a case where Congress said "18 dead Americans for no reason is too many."

Mr. DELAHUNT. I guess what I am saying, Mr. Bolton—if I could have another additional minute or so, Mr. Chairman?

Chairman GILMAN. The gentleman is recognized for an additional minute without objection.

Mr. DELAHUNT. In the case of Rwanda, it is my memory that there was substantial information and available data that indicated that hundreds of thousands of people were being slaughtered. If that in and of itself is not sufficient rationale for action to be taken, hopefully multilateral, for some sort of intervention to prevent that from happening, where are we? Where have we come?

Mr. BOLTON. Well, I think in that sense it would be extremely helpful to hear the debate within the Administration. Secretary of State Albright has said publicly now that although she cast the U.S. votes in the Security Council while the Rwanda situation was unfolding, that she did so under instructions and in protest.

Mr. DELAHUNT. What is your opinion, Mr. Bolton; where would you be in that situation in that—I am not sure I have all the facts available to me, so acknowledging that, do you agree with me in terms of my conclusion that, if there is anything that should be a vital interest of the United States, it is the calculation that we do have the capacity to stop a genocide of hundreds of thousands of people, and there is some sort of moral obligation on the part of this country to prevent that from happening.

Mr. BOLTON. I think it was very hard to see at the time and to predict what the extent of it was going to be. What went through the Administration's mind, I cannot say. But I can say that looking at decision-making in Washington and in London, and in the other capitals of the five permanent members of the Security Council, that it was not simply in Washington that there was no desire to be involved. Quite the contrary. In the case of France, I think there was active involvement on the other side.

So while in retrospect the moral question looked clear at the time, I think it is a lot more complicated. And I am not defending the Administration's position. I do not know what I would have done in those circumstances. But I think it is a mistake simply to say that there is a moral obligation on the part of the United States that triggers an unlimited, immeasurable commitment of American blood.

Mr. BEREUTER. [Presiding.] The time of the gentleman has expired.

The Chair recognizes himself under the normal order.

Gentlemen, thank you very much for your testimony.

Mr. Luck, there is an allergy about the use of peacekeeping forces of the United States abroad, and it relates, I think, to very bad decisions by Secretary of Defense Les Aspin and those around him in terms of what happened in Mogadishu. Let's be blunt. The Defense Department ignored the requests of the field commanders for additional resources that caused us to be unable to respond. The United Nations got the blame, in large part without cause, for what happened there. And, the U.N. got the blame because the Congress was bypassed with respect to peacekeeping operations in Bosnia, and because the best advice of Congress was ignored in the case of Kosovo.

Ambassador Jett, you have two points I want to follow up on in your testimony. First, your comments about the impact of patronage on the leadership necessary at the United Nations to lead 28,000 peacekeepers with only 32 officers in New York. The developing countries or less developed countries object because those officers in New York are primarily from developed country military as you put it. What do we do about that situation? Do we persist and say, okay, that is where the leadership comes from, and we simply have to have greater capacity there even if it comes mostly from developed countries? What do we do with what I think is a real problem that you point out?

Mr. JETT. Well, Mr. Chairman, I do not have an easy solution to that problem either, but I think we have to be fairly insistent. The gratis personnel were offered—I think some of them were there, and then this objection came from people who saw those as plum jobs to be had for their people.

The Brahimi report it talks about changing the culture of the organization. That is one of the ways that the culture of the organization has to be changed.

There is this attitude that peacekeeping is something somebody else pays for, when 97 percent of it is paid for by the First World, and so it is a cost-free exercise for everybody else, and, in fact, may result in a few jobs. So that kind of attitude needs to change. I am not sure it will, but I think we should be insistent that it does.

Mr. BEREUTER. You also point out in your paper that you believe the U.S. should push the U.N. to look beyond internal reforms to control those external factors that prevent successful peacekeeping. Can you give me an example of what you mean there, please?

Mr. JETT. Yes, sir. Again, those external factors are the local actors in the conflict, the country's resources and the country's external forces or neighbors usually. In the case of the Congo, you have the armies of six countries involved, some for—like Rwanda, because they are not going to stand by and see the people who committed genocide be given safe haven in the Congo. You have other countries like Zimbabwe involved because the President there supposedly is making a profit off diamond concessions. So you have all of those countries involved for various interests, generally playing an unhelpful role.

You have Mr. Kabila, who is as irresponsible a leader as one could find these days, who seems ready to pay any price as long as it is not his hold on power. Yet he comes to New York, and he is feted and treated like a world leader. And then you have the diamonds in the Congo that are again being used to fuel the conflict. You have got diamonds in Angola which the U.N. has attempted to control, but did not do very well at. One of the reports that Secretary General Annan has had come out recently is showing up how porous the sanctions against Angola were, and it named names. It named the President of Burkina Faso as taking an envelope of diamonds to allow fuel and weapons to go into Savimbi's territory and diamonds to go out.

Yet but what happens when they were confronted with that evidence? The U.N. appointed a commission to study the question. So you have got to connect with some enforcement.

Chairman GILMAN. Thank you. I appreciate those examples.

I do want to fit in one more question for any and all of you. I would like to know what you think about PDD–25 or about American foreign policy with respect to our role as a world leader to try to motivate other countries to take an appropriate role.

For example, in the case of Rwanda, what was the responsibility of the European countries, because of the colonial heritage that they left, because of closer association with the situation in Rwanda, to act? Was what happened in East Timor with the Australians stepping forward to take a very important leadership role something that we should suggest should happen in Africa and other places as part of our world responsibility for leadership? To what extent do we have a responsibility to motivate other countries to take the lead for peacekeeping activities?

Mr. BOLTON. Perhaps I could take a quick shot at that. I think that it is pretty clear that particularly in those areas where the United States has only the slightest interest, that it is important

that others who feel that their circumstances are more directly threatened do have a larger role. But I also think we have to acknowledge, and I think the case of Sierra Leone is a good example, that the regional powers can have interests as well, and that their interests may fall on one or another side of a conflict like that. So that in the case of Indonesia, where the prior role of the Australians in supporting the Indonesian takeover, the military takeover, or where the Portuguese role has long been seen as unhelpful by the Indonesians, that ultimately these things cannot be just devolved to the regional organizations.

The real issue is what the United Nations—from the American point of view—what the United Nations can do. It has to be very carefully limited. And I think part of the problem is member governments too readily throwing something into the United Nations' lap without knowing what the consequences are going to be. I think the referendum in East Timor is a good example of that. I think everybody said, "let's have the referendum," without thinking through what the militias would do, what the consequences of that would be, and what would follow from it.

So I want to be clear. I do assign a major part of the responsibility here to the member governments, including the United States, for not being clear in what they are asking the U.N. to do.

Chairman GILMAN. I want to give these gentlemen a chance to respond to this. Mr. Luck, I noticed you had your hand up.

Mr. LUCK. It is a very interesting question. From the outside, PDD–25 looks like a treaty between Congress and the executive branch. It looks like it is primarily dealing with consultations, relationships, prerogatives between the two branches of government.

And I think what many countries see when they look at it, and see in addition the Helms-Biden legislation, is, one, an inability of the U.S. to speak with a single voice, and that, I think, undermines a lot of this. They feel the Administration will say one thing, and Congress will undercut it, and the Administration is not able to deliver the money, is not able to deliver Congress. And that, I think, is a very serious problem.

And I would point out that in the Helms-Biden legislation, there is a provision saying that if any country—if any of the 189 member states—signs an article 43 agreement with the U.N., which is part of the U.S. Charter, for standby forces, then the arrearage will not be paid.

So this is extraterritoriality writ large. We are not only saying we do not want to have any standby forces for this kind of contingency, we say no one should have these kinds of arrangements with the U.N. In that sense I think we are extending ourselves a little far, and that is not the kind of leadership role that we ought to be playing.

Mr. BEREUTER. That is the kind of issue of sovereignty that some European countries do not share with us, as we do in the United States, the loss of sovereignty to the United Nations.

The gentleman from New Jersey? Unless the Ambassador has a comment.

Mr. JETT. Just one comment. I think you are right. I think we do need to encourage other countries to take the lead. Peacekeeping operations work best when there is a First World country

taking the lead, or NATO in the case of Kosovo, Bosnia. In the case of East Timor, the Australians took the lead, because they saw it in their vital national interest to do so and committed somewhere between one-half and a quarter of their army, navy, and air force to the initial operation, and it was very successful. Whether it succeeds in the longer term depends on the Indonesian military and whether they will stop supporting the militias.

Chairman GILMAN. Thank you, Ambassador.

The gentleman from New Jersey Mr. Payne is recognized.

Mr. PAYNE. Thank you very much. And I thank the gentlemen for their very important testimony.

I tend to agree with the line of questioning that Mr. Delahunt started with regarding the appropriateness of when we do intervene. I guess that is going to be the question in the future. When is it right, I guess, for us to become involved? And that is going to be a very difficult question to answer in light of what we have seen in the past.

I agree that the Rwanda situation—I tend to disagree—one of the answers that was we don't know what the loss of life would have been if we had intervened militarily, say, the Western countries or the U.S.-led forces. It would appear to me if a group of exiles in Uganda, the RPF, not even a real army per se, but people who had been refugees from Rwanda could have come down to Rwanda and defeated the entire militia—not militias, but the entire army of Rwanda and had them eventually go—with protection of the French go into Goma, it would appear to me that if sort of an unorganized group could have routed an entire military, then I think we are disingenuous and really have a low opinion of our military if we question what the result would have been if they were U.S. Rangers or Green Beret. I think that it would have probably have been an operation that would have seen virtually no casualties in that particular situation.

The other example, we are dealing with Charles Taylor, and it seems that it has been proven that he is involved with the rogue state and their leaders in Sierra Leone, but once again, when Doe, who was the military dictator, was held up in Monrovia, that there was an expectation that the marines were just going to come in and take him out. That would have ended the whole situation. Once again it has been calculated that there would have been no opposition to the U.S. military. As a matter of fact, it was expected that the marines would have gone in. That is why he stayed in Monrovia and did not leave, because they just assumed that that would have happened. But, of course, at the same time we had the Persian Gulf situation, and the Administration at that time, the Bush Administration, felt that we shouldn't get involved.

So I do think that we have really an instance where there, in my opinion, should have been involvement on the part of our Administration. There was none, and I think that it is perhaps a trend for the future, which I do not see being in the best interest of stability around the world.

I just have a question in regard to Sierra Leone with the Indian officer in charge resigning or withdrawing and Nigerians feeling that they should have the command. Could any of you comment? What do you think should be—if the fact that Nigeria is going to

have and has had the largest number of peacemakers attempting to make peace, that is it out of line for them to feel that they should have control and command, or do you think that there is other reasons why that is being requested?

Mr. BOLTON. Perhaps I could give a brief answer to that. It seems to me there is the question of the Nigerian role, going to the implications for peace and stability in Sierra Leone, to have a country that has—and I am not being critical here, but that has had a prior role, in this case the restoration of the Kabbah government, and has in effect been deemed by the RUF to have taken sides. Again not being critical—I am just asking as a matter of basic political perception, whether you want a government like that substantially involved in the follow-on U.N. peacekeeping force that at least in the first instance was supposed to be neutral among the parties implementing the Lome Agreement.

The example that occurs to me, thinking about that, was in Somalia when Mohammed Farah Aideed saw the Pakistani battalion land in Mogadishu and immediately make a deal with the Hawadle subclan to provide them security at the Mogadishu airport. Aideed concluded that the U.N. had sided with his enemies, and from that relatively simple misperception, the involvement of one small subclan, affected Aideed's view about the subsequent U.N. deployment, which I think was not the only, but a major contributing factor to the ongoing problems we had in Somalia.

I think there is an argument in the case of Sierra Leone, given the ECOMOG role and the leading Nigerian role in it, that a truly neutral U.N. peacekeeping force, which was what was envisioned under the Lome agreement, should not have included participation by forces in the prior ECOMOG force. Now, that would have entailed bringing in new troops and would have involved a higher cost. That is something that the United States and the other members of the Security Council should have faced at the front end. It just seemed easier to rehat the ECOMOG force and the Nigerians, I think, without adequate consideration of what that did to the political balance and political perceptions within Sierra Leone, and that, I think, in turn caused some of the problems.

I don't think you can move from peace enforcement back to peacekeeping to peace enforcement, whatever flag is flying over the troops. I think once a force loses its neutrality, it cannot get it back.

So the question about the use of the Nigerians seems to me to precede who ought to be in command. I think bringing in an outsider was probably a good thing to show that the new U.N. force was not simply going to be nothing but a follow-on to the original ECOMOG force.

Mr. BEREUTER. Mr. Luck wants to respond to your question, too, and perhaps Ambassador Jett.

Mr. LUCK. If I could just respond quickly. It is a judgment call, but I would see the situation a bit differently than John. I think Sierra Leone was not a place for peacekeeping; it was a place for peace enforcement. People are afraid to use that term anymore partly because of the resistance in this town to anything that says "enforcement" in it. It was a place to take sides. There were bad guys and good guys. There were an elected government and others

who were committing the most incredible atrocities one can imagine.

And, yes, when the Nigerian forces were there as part of ECOMOG, they did commit some violations here and there. That, unfortunately, comes with the territory. It wasn't a place where you send in disinterested peacekeepers from far away, because, quite frankly, when things get nasty, countries have to have an interest to stay. The disinterested stay home, or they do not fight effectively.

And, in fact, the two Sierra Leone resolutions were in part or in whole taken under Chapter 7, the enforcement part of the Charter. And I think the problem was that it was implemented as if it was peacekeeping. So I think I would have seen that a bit differently.

Mr. BEREUTER. Ambassador Jett?

Mr. JETT. Just a comment. I think John and Ed are both correct, but the idea of replacing the Nigerians with somebody else begs the question: Who? There did not seem to be anybody willing to step up to the plate and play that role, and you are left just as the Lome accord was the only deal possible because nobody wanted to impose peace, as Ed suggested. The Nigerians are basically there because nobody else wants to do it, and they have a long history of corruption. The best news that has happened for democracy in Africa has been the election of President Obasanjo, but he can't change the culture of his military or his country overnight. And ECOMOG was known as "every car or movable object gone" because they spent most of their time looting.

I might note that when the British sent in troops, to Mr. Delahunt's question, they had 400 troops in Sierra Leone in the beginning to stabilize things and did it very quickly with very few casualties. I think a first-rate army with a relatively few number of troops and casualties can stabilize these situations. That also begs the question of how do you get out? What is your exit strategy, because you might be there for a long time.

Mr. BEREUTER. I need to adjourn. I thank the panel for their excellent testimony, oral and written, and to my colleagues for their questions. I know we could go on. The gentlewoman from Florida, I am going to have to turn the chair over if the gentlewoman would take her questions from here.

Ms. ROS-LEHTINEN. Thank you, Mr. Chairman. I am going to look at their written statements. I have not had a chance to review them yet.

Mr. BEREUTER. I do not want to cut the gentlewoman off if she has questions.

Ms. ROS-LEHTINEN. I will check back.

Mr. BEREUTER. Mr. Delahunt.

Mr. DELAHUNT. If the gentlewoman will take the chair for a moment, I just have one question.

Mr. BEREUTER. And as I leave, I would like to mention—address the point Mr. Luck brought up, and that is that PDD–25 has no congressional input. It is not a treaty; this is something the Administration has set out. And under article 7 it would be interesting to see—that is the one labeled Congress and the American people trying to build support—whether or not—if the staff would examine whether or not we have had the kind of consultation with the Con-

gress from the Administration that they in their own PDD–25 said they would conduct. Thank you.

Mr. PAYNE. Mr. Delahunt, since the gentlewoman is in the chair, would you yield for a second?

Ms. ROS-LEHTINEN. [Presiding.] Mr. Delahunt is recognized.

Mr. DELAHUNT. I yield to my friend from New Jersey.

Mr. PAYNE. Did Mr. Bolton want to respond?

Mr. BOLTON. I just wanted to make one point about the Lome agreement, to disagree with what Ed said about sending in the peace enforcement force from the U.N. The Lome agreement agreed to by all the parties made Foday Sanko Vice President of Sierra Leone and put him in charge of natural resources, including the diamonds.

Now, you can say that the Lome agreement was flawed and that that is the wrong thing to do, although our government supported it, but I understand why there is an adage that says you can't make peace unless you include the people who are causing the war.

So the whole idea of the Lome agreement was an effort at national reconciliation. Maybe they never should have agreed to it, and that goes to the point I made earlier that the Security Council, before agreeing to any deployment, should have said: Do we have a real agreement here? And I think the subsequent events proved that we did not. But what the parties thought they were doing was classic peacekeeping.

Mr. PAYNE. And I couldn't agree more. That was a peacemaking operation. The same way in Liberia, the Nigerians were there to make peace, not to keep peace. There was no peace there, and had the Nigerians not been there, there would never have been an election. And the election turns out looks like the bad guy won, but it was the Nigerians making peace in order to have the elections.

And, secondly, in Sierra Leone there is no question about the fact that they were peacemakers. If it wasn't for the Nigerians there trying to make peace, the Kabbah government had no military at all, and it was the Nigerian military that kept the RUF from just consuming the whole country and taking it over. And it definitely was a flawed peace plan, as I conclude, but at the time there was no other solution. Nigerians were talking about leaving because they had—you know, both Presidents ran on "bringing the boys home," so to speak, in their Presidential election. They both agreed that they want to bring the Nigerians home. Now they have agreed that they would go back.

But that was a political position, and so there wasn't very much—if the Nigerians left being as strong as they were at the time, then they would have consumed the whole country. And so in hindsight there is a lot of criticism about the Lome accords, but at the time they had to stop the RUF some way. They couldn't do it militarily. They tried to come up with the accord. They broke it. Now I think peacemakers should go back in and make the peace and then scrap the Lome accords and start with a whole new system. Thank you very much.

Ms. ROS-LEHTINEN. Mr. Delahunt.

Mr. DELAHUNT. I would like to just listen or hear your thoughts on the concept of nation-building. Obviously, at least it is obvious to me, that there are situations such as East Timor where there

is a need for nation-building, and yet the idea does not have much currency here. It immediately evokes a negative response. Yet we have done that in the past. I can't think of an example where, you know, security, military presence has not been required in terms of nation-building.

In the aftermath of the Second World War, I am thinking of Japan right now, and that might not be an appropriate analogy. I think it was Mr. Bolton that talked about the lack of capacity of the United Nations in terms of providing an appropriate trusteeship. Well, where those situations cry for nation-building, where is that initiative, where is that effort, where does the mechanism exist for that responsibility to be posited? Mr. Luck?

Mr. LUCK. If I could comment briefly, I am sure that John or Ambassador Jett may have comments on my comments.

But if one thinks of nation-building as something that we do for other countries, I would agree that is probably not a doable proposition. But if it is a question of the international community providing some sense of stability, then I think you are right; some sense of security, providing some of the tools, providing encouragement, providing incentives, then I think, in fact, we can assist and have assisted quite successfully in a number of cases of peacebuilding. I would point to Namibia as one case in point, Mozambique being another, El Salvador, Cambodia, which is a mixed case, but at least much better than the "killing fields."

And if you go back—though it is often said that this is brand new, the U.N. has never done this before, never intervened in internal conflicts before—I would remind people that the largest U.N. peacekeeping operation was in the Congo in the 1960's. It was a rough one and had lots of enforcement aspects to it. Maybe in a sense the results did not last forever, but they did give stability and installed someone at least the West liked, our country liked, for a number of years. It controlled the security situation, it controlled the government and really ran the Congo in those early days.

So I think it can be done and has been done, and the main question in terms of who does it best, I think, is who has political legitimacy on the ground, who is accepted by the people. And largely, if one nation state intervenes, it is not in a position to achieve that. It involves an obviously postcolonial kind of mentality. It may be, as John suggested, that the EU would do a better job than the U.N. in Kosovo. I am not sure that is true. I think it is awkward to have the military side run by one organization and the civilian side run by another organization. That certainly is very awkward.

But it seems to me that the U.N. has done at least a respectable job in Kosovo under extremely difficult circumstances, and we will see in a few years whether, in fact, it produces a sensible result.

Mr. JETT. Well, I think it is a good question, Mr. Delahunt. I don't know the responsibility can lie besides the U.N. in most cases. There may be a regional organization, like John suggests, in Europe, but I think Europe is sort of organization-rich. There is an alphabet soup of organizations in Europe all looking to justify their existence, including NATO, and so they are willing to take these tasks on.

But that is not true in most of the rest of the world. And basically nation-building is looked at with some disdain because it is hard to do. How long does it take to construct an institution? But I think the U.N. has to do it in these cases. You cannot ignore them. And I would say that U.N. can do much more, particularly when, like in the case of Mozambique, essentially they walked away from Mozambique after the elections. And there are a lot of imperfect institutions. I am not sure how long the peace will last in Mozambique if they do not stop having elections where the outcome is rigged by the ruling party that has been ruling every since independence.

So I think it is something—I don't think the U.N. does anything particularly effectively, but if there is nobody else, the U.N. has to do it.

Mr. BOLTON. I don't think the U.N. has ever done this before. In other cases like Namibia, the U.N. supervised an election, and then it left. In the case of El Salvador and Nicaragua, it oversaw elections, had some minimal role after that, but basically in both Nicaragua and El Salvador, the people tried to put aside their differences and put a government back together again.

I do not want to disguise this. I think in part this depends on your philosophy of government. I don't believe that the Government of the United States can do nation-building in this country very effectively. I think we are engaged in a 220-plus-year effort of our own in nation-building exercise, and we are far from complete.

Mr. DELAHUNT. Maybe they should call it nation-nurturing or the nurturing of democratic institutions. I think we all become the captive of these labels that for different reasons have different implications for different folks.

Mr. BOLTON. Let's just call it the "X factor" for a minute. In East Timor the people who are going to accomplish the X factor are the East Timorese, and I think it is patronizing to assume they can't do it.

Mr. DELAHUNT. As you said earlier, each of these situations have different attendant circumstances and conditions. And, of course, there is a point in time when there should be a phasing down or a winding down, and these nations have to evolve on their own, given their culture, their philosophy of government.

But you know, I think just to say it can't be done, I think, opens us to potential instability all over the planet, which I dare say is vital in terms of our national interests to see that from not occurring, that from not happening.

Mr. BOLTON. May I just follow up on one small point there that I quoted earlier. Let me just read it again. These are not my words. This is what the Secretary General said about what is going on in East Timor. And referring to the difficulties that the U.N. faces, and he says, and I quote, "The organization has never before attempted to build and manage a state."

Now, it is my contention that it is neither the function nor within the competence of the United Nations to build and manage a state. It is not within the competence or the authority of the United Nations. I think the people who are going to build and manage the new state of East Timor are the East Timorese——

Mr. DELAHUNT. Let me interrupt you. You made that quote, and I have no reason to disagree with its accuracy. But at the same time my interpretation is that the context there is much larger in terms of an incremental, early-on investment of resources, assistance, guidance, for lack of better terms, and as some institutions, some of the infrastructure take hold, a withdrawal. Ambassador Jett is right, we do not want to talk about it because it is tough. Maybe it is impossible. I don't know. But if you do not give it a try, I think the alternative carries with it a much higher risk.

Mr. Luck?

Mr. LUCK. I would just say that I suppose what the Secretary General was referring to, in saying that this is so new, is that this really a case of self-determination, where there was no nation, there was no identity, there was no governance whatsoever by the local people. And that is very tough, and in a sense that is what one might or might not face in Kosovo, but I think, as John pointed out rightly earlier, it is very uncertain which way this is going to go.

But clearly most of the cases that we have talked about, Mozambique, El Salvador, Cambodia, are places where there was, in fact, a sovereign government, there was some kind of internal disturbance, and things needed to be solved. I think the Namibia case was a little bit closer. I would say it was more than what John suggested, but there was a case of moving from a colonial situation to a postcolonial situation. But in that sense East Timor is special. But some of these are rather different; in that case not just nation-building, but creating any sense of a nation and having it accepted as a sovereign state.

Ms. ROS-LEHTINEN. Thank you. And following up on Mr. Delahunt's questions related to the missions and the competence of our U.N. peacekeeping missions, do you think that we should try to move our U.N. peacekeeping efforts back to an earlier period when it monitored cease-fires, it kept opposing armies apart until a permanent peace could be established? And that is what we have been talking about, whether that is time to get back to the basics and let that be really the policy blueprint for the U.N. peacekeeping missions.

Mr. Luck?

Mr. LUCK. Well, I would say that, while it would be very attractive to be able to follow that option, it is really saying let's go back to the old-Cold War days when things were defined in a very different way. Unfortunately, most of the security challenges that we are facing are not of that nature. And, yes, occasionally there is an Iran and Iraq, or there is an Iraq and Kuwait, or an Ethiopia and Eritrea, and then, yes, we can go back to traditional peacekeeping.

Mr. LUCK. To me, what the problem is, and I think this is a problem in the Brahimi report as well, and John suggested this earlier as a problem with PDD–25, is fuzzing traditional peacekeeping roles with some kind of enforcement role. I think most of these situations what we are seeing are really not truly intrastate conflicts. We are seeing some kind of trans-national conflict, where the resources and the forces and the refugees and the populations travel back and forth across borders that are very poorly defined. And most of those require some real use of force to create a secure envi-

ronment. It would be nice simply to say let us do the easy ones. Let us only go back to cases where the U.N. would only be doing traditional peacekeeping. But then the question comes, who is going to handle all the rest of the situations? And these are the really dangerous ones. Someone will have to do it or else I think we will have a great deal of chaos in many parts of the world.

Ms. ROS-LEHTINEN. In following up on the PDD–25 reference, how can we improve the consultation process between Congress and the executive branch, and what comments do you have about the ongoing efforts on the GAO to investigate this presidential decision directive 25?

Mr. BOLTON. I think there is a fundamental problem between Congress and the executive at this point because the—precisely because PDD–25 is so unclear and so vague. And it permits so many different kinds of U.N. operations under the broad and elastic language that it contains. But I think there is also a question of disagreement over what legitimate role the U.N. can play. There I do disagree with Ed Luck in where the U.N. has utility. I think the U.N. has a role, but I think it is a limited role. And I think it is useful in relatively small number of conflicts. Ethiopia, Eritrea today we have discussed seems to me to be a classic place where the U.N. can play a role. In Sierra Leone, I think it is almost inevitably not going to succeed. And if the question is what other options are there, I think you are hindering the development of thinking on that if you reflexively use the United Nations. So part of this is a disagreement between the executive branch and Congress over what the role of the U.N. is. I wish we could have a more straightforward debate about that and have the Administration here and go at it. I think that is the way you move these debates forward.

Mr. JETT. I would just add again that the only options I see here is the U.S. participates, the U.S. lets the U.N do it without United States participation, or we do nothing. Unfortunately, the Eritrea/Ethiopia conflict where classical peacekeeping is possible is the rare exception today. It is a civil war that is today's typical conflict and those are much more messy situations. Would we really stand by and let Rwanda happen again in a place like Burundi or somewhere else. I suspect that actually we might because we haven't gotten very far in the discussion about what we would do in such a situation, and I hope this hearing pushes that discussion a little further forward.

Ms. ROS-LEHTINEN. MR. LUCK.

Mr. LUCK. Just to comment briefly on the question about PDD–25 and congressional-executive relations, I agree with John that there is a general problem on foreign policy, and I would guess on domestic policy as well, between the executive branch and Congress these days. I don't recall, going back 10, 20 years, that on peacekeeping and other things having to do with the U.N., there was this very intense partisanship and mistrust on both sides. And I think that very often the U.N. is used as a way of getting after the Administration or vice versa. I think a lot of it has to do with money and the prerogatives of Congress over finance.

And I understand why Congress does not like being presented with bills and told oh, we have already signed off on this in New

York. I think a much better and much earlier form of consultation needs to be worked out. And I hope after the elections and after we get to a new Administration and a new Congress, this can be looked at again because viewed from New York and viewed from other member states, the U.S., for all of its unprecedented power in the world, seems totally unable to deliver on our power and our promise because of this kind of blockage, which comes up again and again and again.

We will see what the dynamics and what the relationships are come January. But I hope we can start anew, because otherwise I think we will look like a rather pathetic giant up in New York.

Thank you.

Ms. ROS-LEHTINEN. Thank you so much. Thank you, gentlemen, and I thank the visitors for being here with us. The Committee is now adjourned.

[Whereupon, at 12:10 p.m., the Committee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF HON. BENJAMIN A. GILMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

I am very pleased to welcome our witnesses this morning to this long-delayed hearing on a "Review of the Administration's Peacekeeping Policy Blueprint" and how the Administration has applied its policy blueprint for four key UN peacekeeping operations.

We were briefed last week on the long-delayed investigation by the General Accounting Office into the Presidential Decision Directive Number 25—the process whereby the U.S. approves U.N. and other multilateral Peace Operations and provides timely and relevant information to Congress concerning their implementation.

This report was requested late last year by this Committee on a bipartisan basis and follows a number of similar GAO reports on peacekeeping-related topics conducted over the past several years on a timely basis and with the cooperation of the Administration.

Today, U.N. peacekeeping is facing very difficult challenges on the ground—The decision by the Indian Government to pull its peacekeepers might well lead to a breakdown of UN peacekeeping efforts in Sierra Leone, the Government of the Democratic Republic of the Congo has refused to cooperate with the UN in the deployment of a peacekeeping force in that country, as there are continuing obstacles from the Indonesian military and police forces in the ongoing mission in East Timor. These developments in turn raise key questions about the process on how the U. S. approves and supports these missions.

Today we still have many questions about the process whereby the Clinton Administration approved these missions. Unfortunately, we got few satisfactory responses from the GAO on how the Administration has applied its own policy blueprint to the missions now on the ground in Africa, Asia and Europe.

This project was requested on a bipartisan basis with the Ranking Member Mr. Gejdenson. The GAO reported to us that it lacks full and independent access to agency records needed to complete its work. Furthermore, it has no access to key documents that would show whether this peacekeeping policy blueprint was fully taken into account when deciding to support some peacekeeping operations. With no independent access to records, the GAO feels that the integrity and reliability of its work has been compromised.

The GAO investigators have produced an extensive summary of their requests to the Administration, many of which were ignored or denied on very dubious grounds. The summary, which I will make available at today's hearing fully documents the stone-walling and delaying tactics from State department officials that has seemed to characterize this entire investigation into the process by which we review and approve multilateral peace operations, including U.N. Peace Operations.

While the work of the GAO in this area is not yet complete, it is becoming clear that the Administration has yet to take a cooperative attitude toward the completion of this peacekeeping review by the GAO investigators.

In short, there is a concern that Congress is being shortchanged in the quality, quantity and timeliness of the information we require to make our own decisions concerning these missions.

In short, we are still in need of timely and complete cooperation from the Administration on this pending review by the GAO of how these operations are approved and conducted. And most disappointing of all is the failure of the State Department to make available to the Committee the two witnesses we had requested. Undersecretary Thomas Pickering and Deputy Legal Adviser James Thessin are evidently not

going to join us and discuss how the department is handling policy and process questions related to this GAO investigation.

I will, however, ask for their cooperation in providing answers within 48 hours to questions related to this ongoing GAO investigation.

Today, we are very fortunate to have with us an outstanding private sector panel to review the peacekeeping policy issues before the Committee today. The panel includes the Honorable John R. Bolton, Senior Vice President of the American Enterprise Institute and former Assistant Secretary of State for International Organizations, Ambassador David Jett, Dean of the International Center at the University of Florida and former Ambassador to Mozambique and Peru and Mr. Edward C. Luck, Executive Director of the Center for the Study of International Organization.

Statement of

John R. Bolton

Senior Vice President,
American Enterprise Institute

before the

International Relations Committee
United States House of Representatives

on

United States Policy on United Nations Peacekeeping: Case Studies in the Congo, Sierra Leone, Ethiopia-Eritrea, Kosovo and East Timor

10:00 A.M.
October 11, 2000
Room 2172
Rayburn House Office Building
Washington, D.C.

Mr. Chairman and Members of the Committee, I wish to thank you for inviting me to testify before you this morning on United States policy toward United Nations peacekeeping operations, and how decision making by the present Administration conforms to its own announced standards in several specific contexts. I have a prepared statement that I ask be included in the record, and that I will summarize, and I would then be pleased to answer any questions the Committee might have.

I. UN PEACEKEEPING IN THE CLINTON ADMINISTRATION

President Clinton signed Presidential Decision Directive 25 ("PDD 25") for "U.S. Policy on Reforming Multilateral Peace Operations" on May 3, 1994. Unclassified versions of PDD 25, which had been under discussion within the Administration from its outset, were released subsequently.[1] I understand that the General Accounting Office has conducted an evaluation of the Administration's compliance with PDD as written, and I will not attempt to duplicate that here. Instead, I will examine briefly some of the flaws inherent in PDD-25 as written, and as are currently being demonstrated even as we meet here this morning in a number of ongoing or contemplated UN operations. This is obviously a complex subject, which we can analyze only summarily today, but the Committee's continuing interest in this subject is extremely important and worthwhile.[2]

The central deficiency of PDD-25 is that it really provides no policy guidance at all. Despite rhetorical gestures in the direction of limiting and rigorously analyzing proposed peacekeeping operations, loose language throughout the document permits justification of nearly anything the Administration ultimately decides to do. As a former official in the Executive Branch, I strongly support flexibility in Presidential decision-making, but I also believe that when the President purports to announce a policy decision, it should be a real decision, and he should mean it. I do not believe that PDD-25 meets these minimal standards.

The White House press announcement on PDD 25 says that "peace operations can be a useful element in serving America's interests," and that PDD-25 is intended "to ensure that use of such operations is selective and more effective."[3] President Clinton and other Administration officials have made similar remarks about "selectivity" on several occasions. For example, the President said to the UN General Assembly in September, 1999: "I know that some are troubled that the United States and others cannot respond to every humanitarian catastrophe in the world. We cannot do everything

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[1] The public version relied upon in this testimony is "Clinton Administration Policy on Reforming Multilateral Peace Operations (PDD 25)" from the Bureau of International Organization Affairs, U.S. Department of State, February 22, 1996 [hereinafter, referred to simply as "PDD-25].

[2] The Subcommittee on International Operations and Human Rights held a hearing on UN peacekeeping on September 20, 2000, at which I was privileged to provide testimony. My prepared statement there considered a number of issues posed by peacekeeping policy in the Clinton Administration, as well as examining the "experts report" recently submitted to the Secretary General ("the Brahimi Report").

[3] The White House, Office of the Press Secretary, "Statement by the Press Secretary: President Clinton Signs New Peacekeeping Policy," May 5, 1994.

everywhere." Just before her trip to Sierra Leone in October, 1999, Secretary of State Albright said: "We have to resist the temptation to use our forces in every dispute that catches our eye or our emotions."[4]

The State Department version of PDD-25 seems to track these objectives when it says that "peacekeeping can be one useful tool to help prevent and resolve [regional] conflicts before they pose direct threats to our national security."[5] However, it then immediately adds that "peacekeeping can also serve U.S. interests by promoting democracy, regional security and economic growth." This is the critical sentence that has, in the actual unfolding of Administration policy, made the rest of PDD-25 essentially superfluous. The real issue for top decision-makers is not what a proposed policy *might* do, but what it *will* do in concrete cases presented to them for resolution. By turning from "direct threats to national security" to generalities and abstractions, however desirable they are, PDD-25 deserts the world of policymaking for the world of philosophy. While of philosophical interest, at least for some, it should come as no surprise that PDD-25 seems to be typically ignored by those whose decisions it purportedly constrains and directs.

Specifically, there are two important ways in which PDD-25, at its very outset, confuses or obscures political-military realities, obliterating distinctions that should be important in formulating American policy. *First*, it says that "[f]or simplicity, the term peace operations is used in this document to cover the entire spectrum of activities from traditional peacekeeping to peace enforcement aimed at defusing and resolving international conflicts."[6] While simplicity is generally commendable, it can be affirmatively dangerous when it conceals important differences among fundamentally divergent alternatives. "Peacekeeping" has been traditionally understood in the UN context to mean the deployment of UN "blue helmets" subject to three preconditions: (a) consent among the parties to the dispute; (b) neutrality of the UN forces deployed; and (c) the use of force by UN personnel essentially only for self-defense. By contrast, "peace enforcement," a relatively new term, means the UN's willingness and the ability to use force to achieve its objectives. The best synonyms for "peace enforcement" are words like "war" and "combat," which probably explains why they are not favored at the United Nations. (Some have gone so far, for example, as to characterize "Desert Storm" as a "peace enforcement" action.)

The UN's actual roles in "peacekeeping" and "peace enforcement," however, could not be more widely divergent, a divergence utterly lost by PDD-25's reference to a "spectrum of activities," as if they all fit together seamlessly. Slurring these two concepts together under the term "peace operations" thus virtually guarantees that proposed missions for the United Nations will be confused and misunderstood, and, therefore, that their goals will be unclear, resources inadequate or misallocated, and end-points indeterminate. This confusion has been graphically demonstrated by failed UN efforts in

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[4]Both quotes from Steven Mufson, "U.S. Backs Role for Rebels in W. Africa," *Washington Post*, October 18, 1999, p. A13, col. 5.
[5] PDD-25, Executive Summary, para. 2.
[6] *Id.*, Key Elements of the Clinton Administration's Policy, para. 1.

Somalia and Bosnia, where attempts to shift UN missions from "peacekeeping" to "peace enforcement" (and back again) resulted in tragedy for the United States in Somalia, and humiliation for the United Nations in Bosnia. As will be described more fully below, this confusion continues to haunt both the UN and the United States in several current crises.

Second, PDD-25 states that "[t]erritorial disputes, armed ethnic conflicts, civil wars (many of which could spill across international borders) and the collapse of governmental authority in some states are among the current threats to peace."[7] Critically absent here, however, is any reference to the UN Charter's triggering threshold for jurisdiction by the Security Council, which is "the maintenance of international peace and security."[8] This omission is not accidental, since even PDD-25's language about civil wars expressly concedes the possible absence of a true international threat, and the other categories (apart from territorial disputes) implicitly contemplate entirely intra-state disputes. This essentially open-ended expansion of the Security Council's role eviscerates the Charter's limitations, making it impossible in principle to explain why the Council should not be involved in virtually every case of armed conflict around the globe. Accordingly, this is not simply a technical issue of breaching a jurisdictional limit, but a fundamental policy shift, even if little noticed in media reporting.

Moreover, the change from basically international to basically intra-state conflicts involves more than simply a matter of degree. PDD-25 itself admits this when it refers to American support for "peace operations . . . as a tool" to allow "failed societies to begin to reconstitute themselves."[9] While PDD-25 does not elaborate on what "reconstituting failed societies" might entail, a subsequent presidential decision, PDD-56 ("Managing Complex Contingency Operations") lists at least some of them:

> "political mediation/reconciliation, military support, demobilization, humanitarian assistance, police reform, basic public services, economic restoration, human rights monitoring, social reconciliation, public information, etc."[10]

The breadth of this list sounds much like the requirements for an exercise in "nation building," the vaulting phrase used by the Clinton Administration in 1993 to describe its policies in Somalia.

Rather than simply assessing PDD-25 in the abstract, however, it is far more instructive to examine current and proposed UN involvement in several ongoing crises. So doing demonstrates that, after a hiatus in the middle of President Clinton's tenure, United Nations "peace operations" (however defined) are indeed back in the forefront of Administration policy, unconstrained either by PDD-25 or sound policy analysis. This policy shift also has obvious budget implications for the United States, and GAO now

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[7] *Id.*, Key Elements of the Clinton Administration's Policy, para. 3.
[8] UN Charter, Article 24, Section 1.
[9] *Id.*, Supporting the Right Peace Operations, para 1.
[10] Presidential Decision Directive 56, Managing Complex Contingency Operations, May, 1997, at Annex A.

estimates that total peacekeeping costs in 2001 will be approximately $ 2.67 billion, some $ 600 million more than current projected peacekeeping expenditures.[11] To consider the specific implications of the Administration's renewed emphasis on UN peacekeeping, we turn, therefore, to several contemporary case studies.

II. UN PEACEKEEPING: THREE CASE STUDIES IN AFRICA

The United States now confronts many diverse conflicts in Africa, three of which are considered here. In all three, the Clinton Administration has vigorously advocated "peacekeeping" operations, which ffigured prominently during the U.S. presidency of the Security Council in January, 2000, the "month of Africa" as it was billed. Yet, as even a brief comparison of the three -- the prolonged conflict in the Democratic Republic of Congo ("DRC"), the civil war in Sierra Leone, and the war between Ethiopia and Eritrea -- shows how different the political and military conditions are, and how poorly an overly-enthusiastic "one size fits all" approach to peacekeeping works in the real world.

In the DRC, a multiparty conflict is far from even temporary political resolution, and accordingly there is no warrant whatever to deploy a UN peacekeeping force. In Sierra Leone, there is no discernable threat to international peace and security, and hence no jurisdiction of the Security Council to intervene; indeed, the history of the UN operation there to date graphically demonstrates the inadequacy of the politico-military rational for deployment. In the Ethiopia-Eritrea conflict, where there is a clear threat to international peace and security and where UN observers could play an important role in implementing a cease fire between the parties, the ambitions by the UN Secretariat for a larger political role, and the unsupported devotion to abstract, theoretical notions about such a role, have led the UN to propose a force structure and size (and hence cost and risk) well beyond anything reasonably necessary to accomplish its objectives.

Earlier this year, a journalist observed that:

> "Sierra Leone's conflict, though unusually cruel, was simple -- essentially a fight over power between a government and a rebellion. Congo by contrast, is caught up in a bewilderingly complex war involving six nations, three rebel groups and several militias, each fighting for different reasons in a country the size of Western Europe. The United Nations peacekeeping force in Sierra Leone is expected to reach 11,000; a force in Congo, to be effective, would have to number in the tens of thousands, rather than the 5,000 the United Nations is preparing to send."[12]

This contrast highlights some, but by no means all, of the differences between the Congo and Sierra Leone, and yet even in the "simple" case of Sierra Leone, the United Nations is failing badly; the prospects in the DRC are hardly any brighter. Combined with the

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[11] U.S. General Accounting Office, *Cost of Peacekeeping Is Likely to Exceed Current Estimate*, August, 2000, at p. 13.

[12] Norimitsu Onishi, "A Shadow on Africa: News Analysis," *New York Times*, May 5, 2000, p. A1, col. 1.

prospect of a mis-conceived force between Ethiopia and Eritrea, the prognosis for the UN in Africa is not good, as we consider below.

DEMOCRATIC REPUBLIC OF THE CONGO

Since the fall from power of former Zairian President Mobutu Sese Seko in mid-May, 1997, if not before, there have been no effective governmental structures in much of the eastern Democratic Republic of the Congo "(DRC"). Indeed, the speed with which rebels under Laurent Kabila defeated Mobutu's armed forces -- just over six months from when the rebels captured Goma on the eastern border until Mobutu fled from Kinshasa -- shows how unstable and close to disintegration the country already was. Moreover, the importance of outside assistance to Kabila (notably, at the outset, from Rwanda's Tutsi government, and from Angola and Uganda),[13] further demonstrated the complex political currents at work throughout the Great Lakes region. Although Kabila's home region was Lubumbashi in Shaba (formerly Katanga) Province, his first victories in 1996-97 came in North and South Kivu Provinces, aided by Banyamulenge/Tutsi forces.

Kabila's own antiquated Marxist notions (he began as a supporter of Patrice Lumumba) and his variegated political support guaranteed virtually from the outset that dealings with him would be highly uncertain. During his rebel years in Eastern Zaire, one writer described him as "a typical African warlord."[14] Just before his troops drove Mobutu out of the country, Kabila, who routinely described Mobutu as "the devil," announced: "I will only say I am a symbol of the resistance of my people against the foreign domination of this country. Our message is very clear. We want to rid the country of the old regime and poverty."[15] This comment might well have applied as well to the several hundred thousand (perhaps up to one million) Rwandan Hutu refugees who fled into Zaire after the collapse of the extremist government responsible for exterminating hundreds of thousands of Tutsis in 1994. The success of Kabila's rebels resulted in many of these Hutus fleeing back into Rwanda, but also allegations of brutal retaliation against them. Shortly after gaining power, Kabila repeatedly obstructed international efforts to investigate allegations about massacres and other atrocities.[16]

Significantly, many familiar with the region immediately saw France, a Permanent Member of the Security Council, as the biggest outside "loser" in Mobutu's collapse. Journalists explained that:

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[13] James C. McKinley Jr., "Congo's Neighbors Played Crucial Role in Civil War," *New York Times*, May 22, 1997, p. A1, col. 1; and John Pomfret, "Rwandans Led Revolt in Congo," *Washington Post*, July 9, 1997, p. A1, col. 1.

[14] Cindy Shiner, "Kabila: Despot or Democrat?," *Washington Post*, May 19, 1997, p. A1, col. 6, at p. A16.

[15] Quoted in James C. McKinley Jr., "Rebel Leader And His Plan Puzzle West," *New York Times*, May 18, 1997, p.1 col. 5, at p. 8.

[16] *See. e.g.*, John Pomfret, "U.N. Accuses Kabila Of Delaying Probe," *Washington Post*, June 30, 1997, p. A12, col. 5; Howard W. French, "Refugees from Congo Give Vivid Accounts of Killings," *New York Times*, September 23, 1997, p. A1, col. 1; and Lynne Duke, "Kabila Wants U.N. Probers To Quit Congo," *Washington Post*, October 1, 1997, p. A19, col. 5. When finally released, although incomplete, the UN report verified many of the allegations previously made against Kabila's forces. *See* John M. Goshko, "Forces in Congo Charged With Massacre of Hutus," *Washington Post*, July 1, 1998, p. A27, col. 5.

> "the dictator regained Paris's favor in 1994 when he allowed French troops to use bases in Zaire for their operation to stop revenge massacres of Hutus in Rwanda following the genocide of Tutsis and moderate Hutus. Some believe that France's unwavering support of the deposed dictator in the current crisis persuaded him he could survive and kept him hanging on when it was clear to the rest of the world he would have to go."[17]

One unidentified diplomat reportedly said "The French resisted to the very last. Their policy seems to have been frozen in time."[18]

Although the United States pressed Kabila on the war crimes allegations,[19] Secretary of State Albright, in a December, 1997 visit, said that "President Kabila has made a strong start toward [the] goals" of "commitment to open markets, honest government and the rule of law."[20] Even so, just fourteen months after Kabila came to power, many of his original Tutsi supporters revolted against him with assistance from Rwanda (and later Burundi and Uganda).[21] Kabila sought support from other African states such as Angola, Zimbabwe and Namibia, as well as from Hutu *Interahamwe* fighters still in Congo, and in effect a new regional war broke out.[22] Negotiations to resolve the conflict began in September, 1998, and interspersed with renewed outbreaks of fighting and allegations of atrocities,[23] lasted until several national leaders signed a July, 1999, agreement in Lusaka, Zambia. Unfortunately, none of the rebel factions (often excluded from the ongoing negotiations[24]) initially agreed to the deal.[25] Moreover, even after the rebels signed on, all sides have routinely ignored the promised cease-fire.[26]

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[17] David Owen and Michela Wrong, "Fresh setback for France in Africa," *Financial Times*, May 19, 1997, p. 2, col. 2.
[18] *Id.*
[19] John M. Goshko, "Richardson to Lead U.S. Envoys to Kinshasa," *Washington Post*, October 16, 1997, p. A22, col. 4, and John M. Goshko, "Richardson Embarks on Last-Ditch Effort in Congo for U.N. Probe," *Washington Post*, October 24, 1997, p. A28, col. 1.
[20] Quoted in Howard W. French, "On Visit to Congo, Albright Praises the New Leader," *New York Times*, December 13, 1997, p. A3, col. 1.
[21] Karl Vick, "Rebellion Breaks Out On Congo Army Bases," *Washington Post*, August 4, 1998, p. A1, col. 1; "Congo's bloody-go-round," *The Economist*, August 15, 1998, p. 33, col. 1.
[22] Lynne Duke, "Kabila Solicits Angolan Aid Against Insurgents," *Washington* Post, August 17, 1998, p. A13, col. 3; Michela Wrong, "Neighboring states take sides in Congo conflict," *Financial Times*, August 18, 1998, p. 6, col. 1; Norimitsu Onishi, "Congo Gets More Help In Africa In Rebel War," *New York Times*, August 23, 1998, p. 8, col. 1; Robert Block, "Congo Revolt Erupts Into Regional War," *Wall Street Journal*, August 24, 1998, p. A8, col. 1; and Lynne Duke, "Revolt in Congo Had Multiethnic Genesis," *Washington Post*, October 27, 1998, p. A20, col. 1.
[23] Ian Fisher, "500 Are Massacred in Congo, Missionaries Report," *New York Times*, January 6, 1999, p. A3, col. 1.
[24] *See, e.g.*, Karl Vick and Charles Truehart, "Four Nations Move to End Congo War," *Washington Post*, November 29, 1998, p. A 25, col. 6, and Karl Vick "Include Us In Any Deal, Rebels Warn," *Washington Post*, November 30, 1998, p. A19, col. 6.
[25] Jon Jeter, "Congo Cease-Fire Signed, but not by Rebels," *Washington Post*, July 11, 1999, p. A21, col. 1.
[26] Compare Jon Jeter, "Congo Rebels Sign Accord Designed To End War," *Washington Post*, September 1, 1999, p. A1, col. 6, *with* Jon Jeter "Congo Rebels Say They Will Resume Fight," *Washington Post*, November 8, 1999, p. A15, col. 5.

The Congo is unquestionably a conflict that crosses national borders and, in the UN Charter's words, "endangers the maintenance of international peace and security." Thus, Security Council involvement is legitimate, and may ultimately prove helpful through diplomatic efforts. Unfortunately, however, pushed by certain of the African leaders, and pulled by their own confusion about workable UN peacekeeping, Council members may have made a bad situation worse. They adopted, on February 24, 2000, a resolution authorizing a UN peacekeeping force of approximately 5,500 troops, which could cost up to $ 500 million in its first year of actual operations (the United Nations Organization Mission in the Democratic Republic of the Congo, or "MONUC").[27]

The Council's plan, however, promptly ran into political opposition from Kabila,[28] and was put on hold indefinitely, despite active diplomacy by the Clinton Administration.[29] As recently as September 21, Secretary General Kofi Annan reported to the Security Council that it was not advisable to deploy further peacekeeping forces, and suggested the possibility of withdrawing the approximately 250 advance troops already there. The Secretary General said that during the prior three months, "the parties continued to conduct significant military operations. Moreover, there have been indications of intensive military preparations by the parties."[30] This extensive military activity is not at all surprising, given the Secretary General's further observation that "I regret to inform the Security Council that there has been little progress, if any, in the implementation of the Lusaka Ceasefire Agreement. The ceasefire has been consistently violated in the intensified fighting between government and rebel and UPDF forces in northern Equateur province."[31] The Secretary General also said expressly -- and correctly -- that "It is clear that United Nations peacekeeping operations cannot serve as a substitute for the political will to achieve a peaceful settlement."[32] *The Economist*, however, concluded that the peace agreement "looks fatally wounded."[33]

By attempting to deploy a peacekeeping force prematurely into a decidedly confused and unstable military and political context, the Security Council could well impede its ability to act effectively down the road. As in cases like Cyprus, the UN presence may simply freeze existing divisions and actually ossify political negotiations.

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[27] Colum Lynch, "Council Approves Proposal to Send U.N. Force to Congo," *Washington Post*, February 25, 2000, p. A24, col 1. MONUC had been previously established by Security Council Resolution 1279 (November 30, 1999) to consolidated for organizational purposes UN personnel already working on DRC matters,

[28] Barbara Crossette, "U.N. Peacekeeper Gives Council a Gloomy Briefing on Congo," *New York Times*, March 29, 2000, p. A8, col. 2.

[29] Betsy Pisik, "Holbrooke begins new mission as another teeters," *Washington Times*, May 5, 2000, p. A13, col. 5.

[30] *Fourth Report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo*, September 21, 2000, UN Doc. S/2000/888, at para. 21 [hereinafter, *Fourth DRC Report*]. Significantly, the Secretary General emphasizes the security risks that already exist to UN personnel by stating that "the most serious threat facing MONUC personnel is the highly volatile confrontations between the belligerent parties." *Id.* at para. 41.

[31] *Id.* at para. 74.

[32] *Id.* at para. 85.

[33] "In Congo, war gets serious," *The Economist*, September 23, 2000, p. 51, col. 1.

And that would be the good news. The other possibility is that by deploying lightly-armed observers into the eastern Congo, the Security Council risks making them hostage to the warring parties, or even becoming combatants themselves (as happened in Somalia and Bosnia). A really muscular force that could impose peace is not on the table, nor should it be in this multi-sided, highly ambiguous context, where what appear to be innocent civilians in need of protection at one point become marauding guerrillas the next. Inserting UN troops before the parties are truly reconciled, at least in the short term, is never a purely neutral act, as most combatants fully understand, and which the Council needs to understand as well.

Loose in the Security Council, however -- and implicit in PDD-25 -- is the idea that "it can't be a real conflict unless the UN has inserted a peacekeeping force." Secretary of Albright testified in February before this Committee that "We are asking for a peacekeeping operation there [in Congo]. We believe that it's essential that we support that, because Congo is not only large, but it's surrounded by nine countries."[34] Secretary Albright's statement is, at best, exactly backwards. First must come the essential political meeting of the minds of the parties to the conflict, then, and only then should there be consideration of instrumentalities, such as a UN peacekeeping force, to implement the agreement. Today, we can see that the Lusaka Agreement is not being honored even by the states and rebel forces that signed it, let alone those that did not. Indeed, Secretary General Annan has pointed out that the DRC government has now "questioned the validity" of the Agreement itself, and that

> "While it is up to the signatories themselves to agree to a revision of the Agreement, it should be recalled that the Agreement is the basis of all relevant Security Council resolutions authorizing the presence of MONUC in the Democratic Republic of the Congo. Clarity on this fundamental issue would be indispensable for any decision on the future deployment of United Nations troops."[35]

Although proponents of a UN force scaled back their initial proposals to a 5,500-person observation force, their stated expectation remains that this deployment is just the precursor to a much larger force, of 15,000 or more.

Thus, the underlying Lusaka Agreement on which the Security Council -- and, presumably, United States -- policy has been relying is in question, actual implementation of the Agreement has been minimal, and the military situation in the DRC has been worsening and seems likely to get worse. There is simply no basis here, under PDD 25 or any other conceivably coherent American peacekeeping policy, to support the further deployment of UN forces into the region.

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[34] Quoted in Chuck McCutcheon, "Albright and Holbrooke Find Republicans a Tough Sell On U.N. Mission to Congo," *CQ Weekly*, February 19, 2000, p. 376.
[35] *Fourth DRC Report, supra,* at para. 78.

SIERRA LEONE

Political instability, military conflict and civil strife are, sad to say, nothing new to Sierra Leone. For example, following a coup in April, 1992, which he called a "people's revolution," Valentine Strasser, an infantry captain fighting against rebel forces, and dissatisfied at not receiving regular pay and benefits, overthrew then-President (and former Major General) Joseph Momoh, who had been installed by the previous ruler, who had himself taken power in a coup. Although Momoh proposed to return to democracy, he faced rebellion by the Revolutionary United Front ("RUF"), founded by another disgruntled army man, Foday Sankoh, who has been described as "a populist former army corporal who led a . . . bush war with a force of marginalized rural youths."[36] The National Democratic Institute recently characterized the RUF "as a rebellion against the years of an authoritarian, one-party state that had sunk the country into poverty and corruption," and that Sankoh "promised free education, and medical care, an end to corruption, nepotism and tribalism."[37]

Strasser became Chairman of the Supreme Council of State after his coup, and continued the conflict against the RUF. Amnesty International said that Strasser's troops committed "torture, ill-treatment and arbitrary killings of unarmed civilians," including the execution by firing squad of 26 (or 29, reports differ) political opponents without trial eight months after seizing power. Amnesty also reportedly said that: "Strasser's men attacked several villages, and, in the guise of rebel forces, lopped off the hands and feet of civilians while using others for bayonet practice."[38] Strasser was overthrown in January, 1996, and was succeeded by Ahmed Tejan Kabbah, Sierra Leone's first democratically elected President.

Yet another disgruntled group of soldiers, led by Major Johnny Paul Koroma, overthrew Kabbah in late May, 1997, and the RUF this time joined forces with the military junta.[39] On October 8, the Security Council unanimously adopted Resolution 1132, imposing economic sanctions against the junta, including a general arms embargo, and Koromo agreed to allow Kabbah to return to power by April, 1998. When Koromo appeared to be reneging on the agreement, Kabbah, with considerable help from Nigerian-led ECOMOG ("Economic Community of West African States' Monitoring Observer Group") forces, as well as a British mercenary company, Sandline International launched an offensive in early February.[40] The ECOMOG intervention encountered

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[36] James Rupert, "Sierra Leone Junta Leader Refuses to Abdicate Power," *Washington Post*, August 1, 1997, p. A23, col. 1.

[37] National Democratic Institute for International Affairs, *Sierra Leone: Political Parties & Processes: An Assessment Mission Report, March 6-10, 2000*, at pp. 2-5.

[38] Ian Cobain, "'Butcher of Sierra Leone' on dole in suburbia," *The Times* (London), September 16, 2000, p. 12, col. 1.

[39] Antony Goldman, "Army ousts Sierra Leone government," *Financial Times*, May 26, 1997, p. 4, col 7.

[40] There was considerable controversy in the United Kingdom over whether Sandline's activities, undertaken with the knowledge and approval of the Blair government, had violated Resolution 1132. *See* Nicholas Wood, "Cook faces Commons row over arms deal licenses," *The Times* (London), May 4, 1998, p. 2, col. 1. The Security Council's sanctions committee subsequently took the view that arms sales to ECOMOG enjoyed an implied exemption to Resolution 1132's weapons embargo, and no charges were

substantial difficulties, however, and several of its initial forays were routed by the junta and the RUF; the situation was sufficiently dangerous that American Marines were required to evacuate over 1,200 foreigners in early June.[41] Moreover, Kabbah's restoration came "partly at the hands of a rural militia made up mainly of Mende tribal hunters called *kamajors*. While Nigerian troops seized Freetown, the kamajors swept across much of the countryside. They are a decentralized, ill-disciplined force that Kabbah's government -- and reportedly, Nigeria -- armed with more and heavier weapons than they have ever had."[42]

Following Kabbah's return to power, Sankoh remained under arrest in Nigeria (where he had been held for arms smuggling and for supporting the junta), and the RUF resumed its rebel activities. Although the Kabbah government granted amnesty to the former junta's soldiers, Sankoh was sentenced to death for his role in the coup (stayed pending his appeal).[43] Nigerian forces remained in Sierra Leone to assist Kabbah, and by early January, 1999, had up to 20,000 troops there, nearly one quarter of the entire Nigerian army.[44] Nonetheless, in January the RUF almost captured the capital, Freetown, causing the UN Observer Mission in Sierra Leone ("UNOMSIL") to evacuate its foreign personnel. Sankoh was flown to Guinea for talks with ECOMOG representatives.[45] Both Sankoh's troops and the ECOMOG forces reportedly engaged in atrocities:

> "A United Nations human rights mission has charged that regional peacekeepers in Sierra Leone have summarily executed dozens of civilians. Numerous reports of rebel violence against civilians in Sierra Leone have circulated, but in a report the mission describes systematic rights violations by both insurgents and peacekeepers. . . . The report accuses the monitoring group established by the Economic Community of West African States, or Ecomog, of executing groups including children and some 20 patients at Connaught Hospital on Jan. 20. The report says that Ecomog forces bombed civilian targets, shot at 'human shields' formed by the rebels and mistreated the staffs of the Red Cross and similar groups."[46]

Despite this setback, the Security Council extended UNOMSIL's mandate in Resolution 1220 (January 12), and again in Resolution 1231, endorsing the Secretary General's

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brought against Sandline. Laura Silber and David Wighton, "UN lawyers rule on Sierra Leone arms," *Financial Times*, May 23-24, 1998, p. 5, col. 1.

[41] Howard W. French, "Marines Evacuate 1,200 From Sierra Leone Chaos," *International Herald Tribune* (London ed.), June 4, 1997, p. 1, col. 1.

[42] James Rupert, "Sierra Leone's President Reinstalled," *Washington Post*, March 11, 1998, p. A26, col. 1.

[43] James Rupert, "Sierra Leone Reels as Rebels Revive War," *Washington Post*, January 3, 1999, p. A23, col. 2.

[44] William Wallis, "Sierra Leone peace hopes prove premature," *Financial Times*, January 4, 1999, p. 7, col. 2.

[45] Jeff Koinange, "Jailed Sierra Leone Rebel leader Is Flown to Guinea for Truce Talks," *Washington Post*, January 13, 1999, p. A24, col. 1.

[46] Judith Miller, "U.N. Monitors Accuse Sierra Leone Peacekeepers of Killings," *New York Times*, February 12, 1999, p. A10, col. 1.

desire to reestablish UNOMSIL in country, and authorizing an increase in the number of military observers from eight to fourteen.

On July 7, 1999, following two months of extensive discussions, the RUF and the Sierra Leonean government signed the Lome Peace Agreement in Togo, about which there is considerable controversy in light of subsequent developments. The agreement provided for "the permanent cessation of hostilities"; the transformation of the RUF "into a political party and its access to public office" and the holding of elections; "the creation of a broad-based Government of National Unity through cabinet appointments for representatives of the RUF," including making Foday Sankoh the Vice President of Sierra Leone under President Kabbah; a pardon for Sankoh "and a complete amnesty for any crimes committed by members of the fighting forces during the conflict from March 1991 up until the date of the signing of the agreement"; and several other provisions pertinent to the United Nations, including the disarmament and demobilization of RUF troops, and the restriction of Sierra Leonean government forces to their barracks.[47]

Over all, the Secretary General concluded that:

> "[t]he signing of the Lome Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front is a great step forward for Sierra Leone. It provides the Sierra Leonean people a unique opportunity to bring an end to the conflict. . . .. Both sides are to be congratulated for showing the flexibility that has made this agreement possible."[48]

Significantly, however, he also reported to the Security Council: "I instructed my Special representative to sign the agreement with the explicit proviso that the United Nations holds the understanding that the amnesty and pardon in article IX of the agreement shall not apply to international crimes of genocide, crimes against humanity, war crimes and other serious violations of international humanitarian law."[49] He also reported that "[t]he military and security situation in Sierra Leone has improved significantly since the ceasefire agreement took place on May 24 [the day immediately before the start of the negotiations which led to the Lome Agreement on July 7] and has remained generally calm since the signing of the agreement."[50]

Sierra Leone's parliament ratified the Lome Agreement on July 15.[51] On August 20, 1999, the Security Council endorsed the Lome Agreement in Resolution 1260, and authorized the expansion of UNOMSIL to 210 military observers. Resolution 1260 contemplated that security for the UN observers would continue to be provided by ECOMOG forces still in country. At the time, up to 12,000 Nigerian troops were still

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[47] *Seventh Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone*, UN Doc. S/1999/836, July 30, 1999, at paras. 6-7 and 13-16.
[48] *Id.* at para 52.
[49] *Id.* at para 7.
[50] *Id.* at para. 24.
[51] *Id.* at para. 23.

present, but the Nigerians had said they would begin withdrawing those troops rapidly.[52] Accordingly, the Council expanded the UN role still further in October by adopting Resolution 1270, establishing a new mission (the UN Mission for Sierra Leone, or "UNAMSIL") to help implement the Lome Agreement, including the disarmament, demobilization and reintegration of the rebel soldiers. Up to 6,000 UN military personnel were now authorized, including 260 military observers, with Nigerian forces forming a large part of the UN contingent.[53]

The Clinton Administration fully supported both the Lome Agreement and the creation of UNAMSIL. Secretary of State Albright visited Freetown in October during her trip to Africa. Assistant Secretary of State for Africa Susan Rice said on October 15:

> "There will never be peace and security and an opportunity for development and recovery in Sierra Leone unless there is a solution to the source of the conflict. And that entails, by necessity -- whether we like it or not -- a peace agreement dealing with the rebels."[54]

After several incidents in which UN peacekeepers were stripped of their weapons by various rebel forces, the Security Council, in Resolution 1289 (February 7, 2000), again authorized an expansion of UNAMSIL to 11,000 troops.[55] Nonetheless, key elements of the Lome Agreement, notably provisions for disarming and demobilization, simply were not implemented, which in turn meant further delaying elections, as the Secretary General's special representative, Oluyemi Adeniji, a Nigerian, confirmed in April.[56]

In fact, the situation got far worse. In early May, the RUF killed seven UN peacekeepers and captured over fifty others.[57] Those captured quickly rose to over 500, as "U.N. peacekeepers began surrendering without a fight."[58] Over 200 of the captured soldiers were from Zambia, and the Zambian President sharply criticized the United Nations, and, at least indirectly, the force commander, Major General Vijay Kumar Jetley of India.[59] British forces, operating independently from UNAMSIL, then landed in Sierra Leone, ostensibly at first to help evacuate foreign nations,[60] but increasingly to help

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[52] Christopher Wren, "U.N. Is Ready to Consider Sending Peacekeepers to Sierra Leone," *New York Times*, September 30, 1999, p. A5, col. 1.
[53] Barbara Crossette, "6,000 U.N. Peacekeepers Planned for Sierra Leone," *New York Times*, October 23, 1999, p. A4, col. 5.
[54] Quoted in Steven Mufson, "U.S. Backs Role for Rebels in W. Africa," *Washington Post*, October 18, 1999, p. A13, col. 5.
[55] Colum Lynch, "U.N. to Double Troop Strength In Sierra Leone," *Washington* Post, February 8, 2000, p. A20, col. 1.
[56] Norimitsu Onishi, "An Uneasy Peace in Sierra Leone Poses test for U.N. Africa Policy," *New York Times*, April 5, 2000, p. A1, col. 5.
[57] Colum Lynch, "U.N. Calls for More Troops in Africa," *Washington Post*, May 4, 2000, p. A1, col. 6; Betsy Pisik, "U.S. joins outcry at savagery by rebels," *Washington Times*, May 4, 2000, p. A3, col. 6.
[58] Colum Lynch, "U.N. Force Crumbles in Sierra Leone," *Washington Post*, May 6, 2000, p. A1, col. 1.
[59] Barbara Crossette, "Zambian Criticizes Leadership of Sierra Leone Peacekeepers," *New York Times*, May 7, 2000, p. 12, col. 2.
[60] William Wallis, "UK troops seek rapid result in Sierra Leone," *Financial Times*, May 9, 2000, p. 10, col. 1

stabilize the government of Sierra Leone.[61] With the government's capture of Sankoh, however, and the release of some of the UN hostages, the situation began to defuse,[62] but ended only after further military action.[63] Moreover, despite early indications that British forces would withdraw completely by mid-June, their presence continued to stretch out.[64]

As a result, implementation of key elements of the Lome Agreement essentially "came to a standstill."[65] The Secretary General subsequently recommended to the Security Council, in August, that UNAMSIL's mandate be substantially modified, in effect changing from neutral peacekeeper to ally of the government of Sierra Leone.[66] He recommended increasing UNAMSIL's military strength to 20,500 personnel, including 18 infantry battalions,[67] although there were apparently no member states willing to provide troops under the proposed new and expanded mandate.[68] Accordingly, the Security Council did not approve the Secretary General's recommendations, but merely extended UNAMSIL's mandate until September 20, 2000.[69] While the Council still had the Secretary General's recommendation under consideration, however, the situation was again thrown into turmoil when a dissident militia group known as the "West Side Boys" (not an element of the RUF) seized eleven British soldiers,[70] who were in turn rescued by other British forces in a surprise attack.[71]

In the midst of this ongoing crisis, a new crisis erupted in the form of a public and highly embarrassing debate among UNAMSIL's top military leadership. General Jetley, the force commander, had earlier endorsed a secret report highly critical of the Nigerian forces in Sierra Leone, accusing them of undermining the UN mandate and pursuing their own agenda. In turn, Nigerian officials said that Jetley should be relieved of command, and threatened to withdraw their troops.[72] Although disclaiming any connection with the

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[61] Michael Evans and Tim Butcher, "RAF role in Freetown draws Britain deeper," *The Times* (London), May 11, 2000, p. 18, col. 2.
[62] William Wallis, "Sankoh's capture poses risk for Sierra Leone peace deal," *Financial Times*, May 19, 2000, p. 6, col. 5.
[63] Douglas Farah, U.N. Rescues Hostages in Sierra Leone," *Washington Post*, July 16, 2000, p. A20, col. 1.
[64] Brian Groom, "Britain plans to train and arm Sierra Leone forces," *Financial Times*, May 24, 2000, p. 1, col. 3; James Rupert, "Looming British Pullout Worries Sierra Leoneans," *Washington Post*, May 28, 2000, p. A24, col. 1; Norimitsu Onishi, "British Plans to Leave Sierra Leone Prompt Worry," *New York Times*, June 7, 2000, p. A14, col. 2.
[65] *Fifth Report of the Secretary General on the United Nations Mission in Sierra Leone*, UN Doc. S/2000/751, July 31, 2000, *passim*.
[66] *Sixth Report of the Secretary General on the United Nations Mission in Sierra Leone*, UN Doc. S/2000/832, August 24, 2000, paras 3-6 and 49-56.
[67] *Id.* at paras. 13-39.
[68] Carlos Hoyos, William Wallis, and David Buchan, "UN struggles to replace Indian peacekeepers in Sierra Leone," *Financial Times*, September 22, 2000, p. 8, col. 5.
[69] UN Security Council Resolution 1317, September 5, 2000.
[70] Michela Wrong, "Britain turns to former coup leader for help," *Financial Times*, August 28, 2000, p. 3, col. 1; Andrew Parker, "Britain insists troops will stay in Sierra Leone," *Financial Times*, August 30, 2000, p. 6, col. 8.
[71] Clarence Roy-Macaulay, "British troops rescue colleagues in dawn attack," *Washington Times*, September 11, 2000, p. A8, col. 2.
[72] John Chiahemen, "General calls for new UN officer," *Washington Times*, September 11, 2000, p. A8, col. 6.

controversy, India announced on September 20 that it was withdrawing its entire 3,000 peacekeeping troops from UNAMSIL.[73]

The apparent implosion of command-and-control within UNAMSIL, combined with concern about and lack of response to the Secretary General's proposal to radically change the Mission's mandate, brought the Security Council to a standstill. Instead of approving the Secretary General's recommendations, the Council in Resolution 1321 (September 20, 2000) has recently once again simply extended UNAMSIL's existing mandate, this time until October 31. There, the situation on the ground currently rests.

The meltdown of UNAMSIL is simply the latest in a long and unfortunate series of problems and errors in UN involvement in Sierra Leone. First and foremost, of course, is the mistaken view that the civil war in that country amounted to a legitimate threat to "international peace and security" justifying Security Council involvement at all. It is not sufficient to argue that the conflict in the Sierra Leone has an international dimension, because all civil wars around the world have at least one such dimension, typically in the acquisition of arms and ammunition. If an international "connection" is all that is required, then by definition the Security Council will be involved in every civil war. But the Charter never contemplated such a role, and the United States should never acquiesce in such an interpretation of the Council's function. Sierra Leone does not cross the Charter's jurisdictional threshold, and the Council should never have gotten involved to the extent that it has.

Second, there was never any serious review by the Security Council or the Secretariat whether the Lome Agreement represented a true meeting of the minds of the parties, and whether it provided any real basis to believe that the peacekeepers could undertake the misisons contemplated for them. This failure is a damning indictment of the Council's entire approach to Sierra Leone, and the decision to deploy substantial UN peacekeeping forces reflects a simplistic, knee-jerk to conflict resolution. Subsequent events demonstrate beyond question that there was never any real peace to keep, and that the peacekeepers' mission was almost certainly doomed from the start. The United States cannot avoid a large share of the blame for this ongoing UN failure.

Third, the UN itself likely played a major role in torpedoing the Lome Agreement. The Secretary General's conscious -- indeed, proudly stated -- decision to enter a reservation upon signing the Agreement may well have undermined its viability from the outset. Considered simply as a political matter, Sankoh unquestionably saw the amnesty for himself and his supporters as a critically important element of Lome, for obvious reasons. And yet, the United Nations, which would have central and continuing responsibilities under the Agreement, refused to accept this vital element. Sankoh could certainly have concluded that there was no truly valid amnesty with the UN withholding assent from such a major component of the agreement, and, therefore, that Lome was not a valid deal at all from his perspective.

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[73] Colum Lynch, "India to Withdraw Large U.N. Force from Sierra Leone," *Washington Post*, September 21, 2000, p. A30, col. 1/

Fourth, both the Lome Agreement and its subsequent implementation were fatally defective in not dealing with the inherent problem of involving Nigerian and other ECOMOG forces. From the public record, it seems simply to have been assumed that it was proper for Nigeria, far and away the largest country in the region, to have a major role, without considering either the Nigerian agenda or the view of Nigeria and ECOMOG within Sierra Leone, and within the Security Council. As one journalist put it, "[d]epending upon who is speaking, that nation [Nigeria] is viewed as either the only serious force for stability or a mischievous and determined plunderer of weaker states."[74] In response, say some analysts, "[a]t virtually every step of the way, . . . France has maneuvered to keep the Nigerian giant in check. The French motivation: eagerness to retain a hold on heavily dependent former colonies."[75] At the time of Nigeria's intervention to restore Kabbah, many believed it was "likely to be long and costly, . . . tying down thousands of troops for months or years in an operation undertaken largely to preserve Nigeria's regional leadership role."[76] A journalist observed "[w]hile Nigeria easily outguns the junta's forces, it could face a tough guerrilla war."[77] Moreover, Terry Taylor, assistant director of the International Institute for Strategic Studies said "I do not think anyone has really taken in what the Nigerians are up to. The [diamond] mines are up for grabs, and there will certainly be some sort of deal."[78]

Why should Nigerians have been embraced by UNAMSIL? Given that the RUF effectively considered them the enemy, this was virtually a guarantee of a repetition of the Somalia problem, when Mohammed Farah Aideed saw the UN forces allying themselves with local clans and subclans that he considered his enemies. Thus, the seemingly innocuous decision of Pakistani peacekeepers at the Mogadishu airport to contract for security with the Hawadle subclan was the first of many mistakes that led Aideed into bloody confrontation with the UN and the United States. Inexplicably, the lessons of Somalia do not seem to have been applied in Sierra Leone. Moreover, the open political disagreements between the Indian force commander and Nigerians officers under his command can only play into the hands of those wish nothing good for the UN in Sierra Leone. This disagreement is not about technical matters, which better radios or additional training could fix, but is a fundamental political divergence that may not be reparable in a satisfactory fashion.

ETHIOPIA AND ERITREA

On September 20, I was privileged to testify before the Subcommittee on International Operations and Human Rights on UN peacekeeping, and, in that testimony, touched briefly on the situation between Ethiopia and Eritrea. For the convenience of the full Committee, I provide below some excerpts from that testimony (with a few small changes) that are pertinent to today's hearing:

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[74] Howard W. French, "A West African Border With Back-to-Back Wars," *New York Times*, January 25, 1998, p. 3, col. 1.
[75] *Id.*
[76] James Rupert, "Nigeria Weighs Risks, Benefits of Involvement in Sierra Leone," *Washington Post*, February 18, 1998, p. A12, col. 1.
[77] *Id.*
[78] James Rupert, "Sierra Leone's President Reinstalled," *Washington Post*, March 11, 1998, p. A26, col. 1.

The recent 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 when 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 underway, and also requested further planning for the UN's role. Secretary General Kofi Annan supplied a report on August 9, 2000,[79], 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 authorized the additional force levels requested on September 15, in Resolution 1320, and preparations for the full deployment are substantially underway.[80]

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[81] is an express attempt to transform their analysis into accepted doctrine. The Secretary General, 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 authorized 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

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[79] UN Doc S/2000/785.

[80] *Report of the Secretary General on Ethiopia and Eritrea*, UN Doc. S/2000/879, September 18, 2000.

[81] *Report of the Panel on United Nations Peace Operations*, transmitted by identical letters from the Secretary General, dated August 21, 2000, to the Presidents of the General Assembly and the Security Council. UN Docs A/55/305 and S/2000/809.

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.

III. UN CIVIL ADMINISTRATION IN PEACEKEEPING: CASE STUDIES IN ASIA AND EUROPE

THE TRUSTEESHIP MYTH

It is an extraordinarily widespread misconception that the United Nations Charter confers on the organization a general power to put "failed states" into international receivership. Leaving aside the issue of the UN's *competence* for such undertakings, there should be no misunderstanding about what the Charter actually provides.

Chapter XII of the Charter establishes an "International Trusteeship System," for the "administration and supervision of such territories as may be placed thereunder by subsequent individual agreements" under Article 75.[82] Article 77 specifies the three categories of territories that may be placed within the system:

> a. territories now held under mandate;
> b. territories which may be detached from enemy states as a result of the Second World War; and
> c. territories voluntarily placed under the system by states responsible for their administration.

To dispel any confusion, Article 78 expressly provides that the "trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality."

The mandates that the United Nations inherited from the League of Nations were essentially transferred intact, and the former "mandatory powers" under the League became the "administering authorities" for the United Nations under Article 81, except

[82] *See generally* Bruno Simma, ed., *The Charter of the United Nations: A Commentary*, Oxford University Press, 1994, at pp. 933-972, from which the following discussion draws extensively for history under the UN Trusteeship System.

for the Pacific Trust Territories taken from Japan and given to the United States. As a practical matter, the mandatory powers had essentially unfettered discretion under the League, and the League had no administrative or management role with respect to the mandates. When the mandates became trust territories, the United Nations likewise assumed no administrative or management role. Only one territory was detached from an "enemy state" after World War II, with the colony of Somaliland being taken from Italy. (Ironically, Italy was subsequently named as the administering authority for the territory until it became independent.) No territories were ever "voluntarily placed under the system by states responsible for their administration," a provision that had been intended to assist the transition of colonies toward independence. Instead, the colonial powers invariably preferred to handle the issue of independence on their own.

Significantly, there never existed under the Charter's Trusteeship provisions (specifically Article 81) a case where the United Nations itself served as the "administering authority" for any trusteeship. In all cases, the authorities were individual member states. The Trusteeship Council, created by Chapter XIII of the Charter, had only broad oversight responsibility under the authority of the General Assembly. Recognizing the effective end of its duties, the Trusteeship Council suspended operations effective November 1, 1994, upon the independence of Palau, the last trust territory.

The only case of even marginal UN administrative authority was the UN Temporary Executive Authority in West New Guinea ("UNTEA").[83] After the Netherlands granted independence to Indonesia in 1949, it held on to West New Guinea, with the status of that territory to be agreed later between Indonesia and the Netherlands. When agreement proved impossible to reach, Indonesian forces began attacking what they called Irian Jaya, precipitating direct UN involvement through Secretary General U Nu. Indonesia and the Netherlands reached agreement for the transfer of authority first from the Netherlands to UNTEA, and then from UNTEA to Indonesia during an agreed-upon, seven-month period from October 1, 1962 to April 30, 1963.

During this fixed period of time, officials from the Netherlands were replaced by officials from Indonesia, or local inhabitants of Irian Jaya designated by Indonesia, and the actual United Nations role was quite limited. Moreover, the assignment for the UN was not to create a new government for the province, but to transfer power from one UN member state to another. The governments of Indonesia and the Netherlands paid the full costs both of UNTEA, and the UN Security Force in West New Guinea in equal amounts.

Similarly, in cases as diverse as Namibia, El Salvador, and Cambodia, where there were extensive roles for the United Nations in a variety of civil matters, none of them involved the complete administrative responsibility for a country, however small. In each such case, an existing administrative authority, whether or not of questionable legitimacy until elections could be held, existed and could carry out most if not all of the regular functions of government (even if not adequately by "Western" standards). By contrast, in Kosovo and East Timor, the UN was given essentially complete

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[83] *See generally* United Nations Department of Public Information, *The Blue Helmets: A Review of United Nations Peace-keeping*, Third Edition, 1996, at pp. 641-648.

administrative control over two political entities, an unprecedented (and virually simultaneous) expansion for which the UN was singularly unprepared.

KOSOVO

Following NATO's air campaign against former Yugoslavia, the Security Council established the United Nations Interim Administration Mission in Kosovo ("UNMIK") in Resolution 1244 on June 10, 1999. This decision came as part of a complex, proposed post-war operation that saw various roles in Kosovo divided among UNMIK, several specialized agencies of the United Nations such as UNHCR, the Organization for Security and Cooperation in Europe ("OSCE"), and the NATO-led Kosovo Force ("KFOR"). Indeed, one may realistically ascribe a major share of responsibility for the current uncertainty in Kosovo precisely to the large number of international organizations (not to mention the accompanying non-governmental organizations) that descended on Kosovo after the war. The lack of clear division of responsibility among the various international components, and the desire of the interested parties to play one off against the other was evident from the beginning. For example, then-Serbian President Slobodan Milosevic, in the negotiations resulting in the withdrawal of Serbian forces from Kosovo, repeatedly sought a larger role for the United Nations, especially in the oversight of NATO troops in Kosovo.[84] From Milosevic's viewpoint, the greater the Security Council's authority in Kosovo, the greater the role that the Russian Federation and China, Permanent Members of the Council, could play. By contrast, most NATO members wanted the "peacekeeping" force to be kept under NATO control.[85]

As adopted, Resolution 1244 (fourteen in favor, China abstaining) authorized deployment of a UN civil and security presence in Kosovo, pursuant to Chapter VII of the Charter, in order to assist in implementing the principles contained in the G-8 agreement of May 6, and the May 3 paper agreed between former Finnish President Martti Ahtisaari, the EU representative and Igor Ivanov, Russian Foreign Minister. The Resolution called for "an immediate and verifiable end to violence and repression in Kosovo"; the "complete withdrawal" of all Yugoslav military and police forces from Kosovo; and the demilitarization of the Kosovo Liberation Army ("KLA"). The Resolution also authorized the deployment of KFOR, established an "international civil presence . . .to provide an interim administration," and provided for creation of a political process leading to substantial self-government. Resolution 1244 authorized the Secretary General to appoint a Special Representative to head the international civil presence, and charged it with: promoting "substantial autonomy" and self-government in Kosovo; launching a political process to decidee Kosovo's future status; supporting humanitarian and disaster relief and the reconstruction of key infrastructure; maintaining civil law and order through an international police force; promoting human rights; and assuring "the safe and free" return of all refugees and displaced persons to their homes in Kosovo.

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[84] Michael Dobbs and Daniel Williams, "Milosevic Still Angling for Last-Minute Concessions," *Washington Post*, June 8, 199, p. A15, col. 1.

[85] David Buchan and John Thornhill, "Resolution allows UN to return to center stage," *Financial Times*, June 9, 1999, p. 2, col. 1.

Although there has been intense criticism of UNMIK in virtually all respects of its mandate, the central policy issues remains, as it has been from the outset, whether any UN administrative activity had a realistic chance for success in the muddled international political environment in which it was placed.[86] In turn, this basic dilemma underscores the American and NATO policy failures that led to UNMIK's creation in the first place, and to the inherent unlikelihood that it could perform the tasks assigned to it. In short, we should not conclude too readily that UNMIK is a "UN failure" only, but is at least as much -- and perhaps primarily -- an American and European failure as well. (NATO and KFOR have also been heavily criticized, starting from the outset when NATO was surprised and outflanked by a rapid Russian redeployment from Bosnia.[87])

Beyond any doubt, the unresolved political status of Kosovo after the NATO air campaign made it effectively impossible for UNMIK or KFOR to operate under traditional peacekeeping rules. Obviously, there is no agreement whatever among the parties on what the future of Kosovo should be, and this disagreement is not likely to be made any easier even Milosevic removed from power in Belgrade. The Serbian position remains that Kosovo is part of Yugoslavia, even as the leadership of the KLA continues to insist on independence and retains at least some of its weapons.[88] (Fewer Kosovars seem to have unification with Albania as a longer-term objective, although some have not given up.[89]) Whether the Rambouillet formula of substantial autonomy for Kosovo within Yugoslavia still has any effective support remains to be seen, with press reports indicating that even the American authors of the formula had begun to doubt whether it had any life left.[90] Numerous other problems revolve around this fundamental political question, notably the return of Serbian refugees and the instruments of Serbian authority, such as police and other security forces,[91] and hampered economic recovery efforts from the outset.[92] In turn, these issues implicate the question whether Kosovo can ever be a truly multiethnic society, the professed objective of the NATO war effort,[93] or whether the Serbs will be just as effectively ethnically cleansed from Kosovo as they had hoped to

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[86] Press reports indicate that UN Special Representative Bernard Kouchner directly raised this point with the Security Council some nine moths after UNMIK was created. Barbara Crossette, "U.N. Council Urged to Debate Political Future of Kosovo," *New York Times*, March 7, 2000, p. A6, col. 2.

[87] William Drozdiak, "NATO Commanders Caught Off Guard As Russian Troops Speed to Kosovo," *International Herald Tribune* (London ed.), June-12-13,1999, p. 1, col. 6.

[88] Guy Dinsmore "KLA vows to keep weapons in its pursuit of statehood," *Financial Times*, June 15, 1999, p. 1, col. 2. To be sure, substantial amounts of disarmament did in fact occur subsequently, although exactly how much remains to be seen. R. Jeffrey Smith, "Kosovo Rebels Turn in Weapons," *Washington Post*, June 29, 1999, p. A12, col. 4.

[89] Chris Hedges, "In Kosovo, Gangs Dim Luster of a 'Greater Albania,'" *New York Times*, August 8, 1999, p. 4, col. 1.

[90] R. Jeffrey Smith, "U.S. Officials Expect Kosovo Independence," *Washington Post*, September 24, 1999, p. A1, col. 5.

[91] The Russians, for example, announced near the outset of their participation in KFOR that they would not seek to apprehend indicted war criminals. Andrew Jack, "Russians 'will not arrest war criminals,'" *Financial Times*, June 26-27, 1999, p. 2, col. 1.

[92] Thomas W. Lippman, "U.N.-Led Meeting on Rebuilding Kosovo Resolves Little," *Washington Post*, July 1, 1999, p. A24, col. 1.

[93] The Secretary General said on announcing France's Bernard Kouchner as his Special Representative that "[w]e are determined to try and create a multiethnic Kosovo." Colum Lynch, "Annan Appoints French Health Minister to Key U.N. Post in Kosovo," *Washington Post*, July 3, 1999, p. A22, col. 1.

do to the Kosovar Albanians,[94] or effectively confined to "safe areas" under UNMIK protection.[95]

Accordingly, one can readily sympathize with UNMIK's personnel as they struggle in the inherently ambiguous -- contradictory would be a better description -- milieu of attempting to reconcile what the KFOR contributing governments really want, compared to what Serbs and Albanians want.[96] That said, however, it is not simply the policy confusion surrounding UNMIK and KFOR (a large, perhaps dispositive measure of which is American) that is troubling, but the nature of its mandate itself that should particularly concern the United States. The Serbian withdrawal left much of Kosovo without effective administration, and the Kosovar Albanian civil structures in 1999 were inadequate (or nonexistent) to assume the burdens of interim government; as Ambassador Richard Holbrooke said then, Kosovo will be "a mess for a long time."[97] Accordingly, Americans should question whether the United Nations was the proper vehicle to assume the responsibility, and we should question further why essentially statist civil models were accepted as the proper administrative mode.

First, on the role of the United Nations, as explained briefly above, there is no real UN experience in civil administration of the type required in Kosovo. Clearly, in the aftermath of the NATO air campaign Kosovo faced a collapse of governmental authority somewhat comparable to Germany at the end of World War II.[98] There, the victories Allies installed military government until new political institutions could arise. While not free from critics, the Allied occupation, the values transmitted by the occupying forces, and the rapidity with which new indigenous, democratic German political entities arose, has to be judged a success. Accordingly, it is legitimate to ask why KFOR was not straightforwardly given analogous responsibilities, with the UN role limited to the targeted provision of humanitarian assistance through its various specialized agencies, rather than creating a large UN presence.

Moreover, since the UN was slow to deploy compared to KFOR,[99] the result was to expand KFOR's responsibilities, and hence the role and cost of American forces. Indeed, most of the hard decisions on key security questions appear to have been made by

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[94] An early indication to Serbs in Kosovo that the tables were being turned on them came with Kouchner's decision to allow former KLA fighters to serve in the new police force being created. "Yes, why not?" said Kouchner. "The people need and want a police [force] that is close to them because they have been so badly treated." Colum Lynch, "KLA Troops Can Serve on Kosovo Police Force," *Washington Post*, July 10, 1999, p. A14, col. 2.

[95] David Buchan and Guy Dinsmore, "Multi-ethnic Kosovo 'at risk from UN offer,'" *Financial Times*, August 28-29, 1999, p. 3, col. 7.

[96] *See, e.g.*, Peter Finn, "NATO Losing Kosovo Battle: As Killings of Serbs Continue, Vision for Multi-Ethnic Society Fades," *Washington Post*, August 4, 1999, p. A1, col. 1.

[97] Quoted in Steven Erlanger, "U.N. Envoy Pushes for Kosovo Democracy," *New York Times*, August 30, 1999, p. A6, col. 4.

[98] Matthew Kaminski, "U.N. Struggles With a Legal Vacuum in Kosovo," *Wall Street Journal*, August 4, 1999, p. A12, col. 2.

[99] Carlotta Gall, "Ensnared in Logistics, the U.N. Lags in Asserting Control," *New York Times* June 27, 1999, p. 8Y, col. 3.

KFOR in any event,[100] and many UNMIK civilian police were simply not prepared for the violent conditions they faced.[101] Secretary of Defense Cohen said expressly at the time that "[t]he more we do, the less incentive there is for the U.N. to come in and assume that burden. This is a mission that doesn't belong to NATO forces."[102] As it turns out, the multiplicity of international parties involved in the Kosovo effort has itself also been a problem from the outset.[103] Moreover, the Kosovar Albanians had little desire to put aside their long-held political ambitions to gain complete control of the province, thus complicating every step the UN had to take.[104] Indeed, one important KLA leader called quite early on for Kosovo to be represented in the United Nations and said of Special Representative Bernard Kouchner that he and the UN mission "behave as if the people of Kosovo were at their service, and not the United Nations and Mr. Kouchner trying to help the people of Kosovo."[105]

Second, having chosen the United Nations as the vehicle, and having watched for over a year as UNMIK has attempted to carry out its responsibilities, one can only be struck by the extent to which European social welfare models appear to be inspiring UNMIK's approach to the administration of Kosovo. UN Secretary General Kofi Annan announced enthusiastically at the outset that reconstructing Kosovo would take ten years.[106] Concededly, a social welfare approach may have been inherent in the division of labor between the United States and the EU agreed to by the Clinton Administration: that the United States would be primarily responsible for the bombing, and the EU would be primarily responsible for the reconstruction. This was itself a highly questionable decision from the American perspective, especially since it effectively guaranteed that the head of UNMIK would be a European.[107] Nonetheless, even assuming that this progression of decisions was inevitable, one is also struck by the inadequacy of the resources flowing into Kosovo from the EU,[108] thus creating a "worst of both worlds problem: the scope of UNMIK's governmental responsibilities is too vast, and the

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[100] Tom Cohen, "Violence Erupts as French Keep Ethnic Albanians From Serbs," *Washington Post*, August 8, 1999, p. A27, col. 1.

[101] Kevin Done and Robert Graham, "UN doubts over police for Kosovo," *Financial Times*, August 11, 1999, p. 2, col. 2.

[102] Eric Schmitt, "U.N. Drags Feet in Kosovo, Pentagon Leaders Declare," *New York Times*, July 21, 1999, p. A10, col. 1.

[103] R. Jeffrey Smith, "Kosovo's New Adversary: Confusion," *Washington Post*, July 16, 1999, p. A1, col. 4.

[104] Chris Hedges, "KLA Has Seized Power in Kosovo, Ignoring UN," *International Herald Tribune* (Singapore ed.), July 30, 1999, p. 1. col. 2.

[105] Barbara Crossette, "Kosovo Rebels' Political Chief Calls for U.N. Representation," *New York Times*, September 18, 1999, p. A3, col. 1.

[106] Michael Littlejohns and Stefan Wagstyl, "Annan stresses UN role in Kosovo," *Financial Times*, July 1, 1999, p. 3, col. 1.

[107] Kofi Annan said from the outset that his choice as Special Representative would be a European: "Since Europe is going to fit quite a lot of the bill [for reconstruction], that would be right." Quoted in David Buchan, Roula Khalaf, and William Dawkins, "Annan aims to appoint UN's Kosovo chief this week," *Financial Times*, June 28, 1999, p. 2, col. 1.

[108] As is often the case, the EU's initial rhetoric was vigorous. Geoff Winestock, "EU to Create Agency to Distribute Funds for Kosovo Without Delays," *Wall Street Journal*, June 24, 1999, P. A18, col. 5. Within nine months, however, an internal EU report was sharply critical of the EU's work. Neil Buckley, "Bureaucracy hampering aid for Balkans, EU to be told," *Financial Times*, March 23, 2000, p. 18, col. 1.

resources available to it far from adequate.[109] As UN Special Representative Kouchner, a physician, described it: "It's like being on a drip, a resuscitation bottle for the whole society. It keeps us barely alive month to month, but only if we reduce the dosage to the minimum for survival, so we don't collapse."[110] Thus. another alternative, also cleaner than bringing in the UN, if less desirable from an American point of view, would have been to use the EU or the OSCE to head the interim administration, making Kosovo a European rather and a UN protectorate.[111] Perhaps direct, unambiguous EU responsibility might have overcome the lack of support and interest that reportedly brought Kouchner "close to despair" and resignation.[112]

In May, 2000, a delegation of Security Council Ambassadors visited Kosovo. Bangladeshi Permanent Representative Anwarul Karim Chowdury, said candidly:

> "It is impossible for us, sitting in New York, to get an idea. The enormity of the task of UNMIK could not be comprehended here. I am sure that when the Security Council passed resolution 1244, it had no idea how big the task would be in running the day-to-day affairs of Kosovo."[113]

Despite the consciously optimistic tone of the Secretary General's most recent report, the substance of his message shows UNMIK's continuing lack of achievements.[114] In short, UNMIK is poised at the edge of massive failure,[115] failure caused by the ambiguous and contradictory nature of its mandate,[116] the inadequacy of the UN's capacity to undertake such a mission,[117] the radical political uncertainty and sometimes violent disagreement among the parties which persists to this very moment,[118] and the tension between UNMIK's aspirations and its resources. And this failure will not be cheap.

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[109] R. Jeffrey Smith, "Kosovo -- and U.N. -- Flail in the Dark," *Washington Post*, November 20, 1999, p. A17, col. 1.

[110] Steven Erlanger, "U.N.'s Kosovo Chief Warns That Mission Is 'Barely Alive,'" *New York Times*, March 4, 2000, p. A6, col. 2.

[111] The OSCE was reportedly the first choice of the United States and the United Kingdom to "run" Kosovo. Steven Erlanger, "In Victory's Wake, a Battle of Bureaucrats," *New York Times*, November 28, 1999, p. 5., col. 1.

[112] Andrew Borowiec, "Kouchner may quit as Kosovo chief over frustration from lack of progress," *Washington Times*, January 29, 2000, p. A5, col. 4.

[113] Quoted in Betsy Pisik, "U.N. Overwhelmed by pledge to help Kosovo to rebuild," *Washington Times*, May 2, 2000, p. A1. col. 5.

[114] *Report of the Secretary General on the United Nations Interim Administration Mission in Kosovo*, UN Doc. S/2000/878, September 18, 2000.

[115] Former Czech Foreign Minister Juri Dienstbier, acting as a rapporteur for the UN Human Rights Commission, has already called UNMIK a "total failure." Agence France-Presse, "Kosovo mission a total failure, says UN envoy," *South China Morning Post*, March 21, 2000, p. 13, col. 2. Special Representative Kouchner responded later by saying "Please, Mr. Dienstbier, shut up!" Reuters, "A U.N. Quarrel," *New York Times*, June 13, 2000, p. A12, col. 1.

[116] R. Jeffrey Smith, "A Year After the War, Kosovo Killing Goes On," *Washington Post*, June 12, 2000, p. A1, col. 1.

[117] *See, e.g.*, Steven Erlanger, "Chaos and Intolerance Prevailing in Kosovo Despite U.N.'s Efforts," *New York Times*, November 22, 1999, p. A1, col. 1.

[118] *See, e.g.*, Carlotta Gall, "Albanians Rally to Oust Serbs From a City in Kosovo," *New York Times*, February 22, 2000, p. A3, col. 1.

EAST TIMOR

Although the August 30, 1999, East Timor referendum resulted in an overwhelming vote in favor of independence from Indonesia, the subsequent violent attacks by anti-independence forces[119] resulted in nearly half of East Timor's population of 800,000 being displaced, and massive property damage. The UN Mission in East Timor ("UNAMET") was withdrawn (except for a small number of personnel in Dili) by mid-September.[120] Although the collapse of the UNAMET effort is worthy of its own intensive study in any analysis UN peacekeeping policy, I will focus here only on the subsequent and ongoing UN efforts begun in the wake of the UNAMET withdrawal.

Nonetheless, it is critical to understand that the UN's current presence in East Timor is largely shaped by the circumstances of the failed UNAMET efforts, and, in effect, represents efforts by the Security Council to mitigate problems that were caused or exacerbated by the UN's own prior actions.[121] Specifically, the UN's (and its members') unwillingness or inability to anticipate the violence following the fully-foreseeable independence vote by the East Timorese was an almost unprecedented act of international negligence. After the fact, the press reported that within the UN Secretariat, there was considerable doubt about the wisdom of UN involvement in the referendum process. A UN official's internal memorandum at the time was said to have concluded: "I cannot hide my apprehension regarding the course on which we are about to embark."[122] If so, the Secretariat's apprehension was well-hidden. Indeed, a week after the violence began, the Secretary General said at a news conference that "nobody in his wildest dreams" imagined it. "If any of us had an inkling that it was going to be this chaotic, I don't think anyone would have gone forward [with the vote]. We are no fools."[123]

Faced with the violence following the referendum, but only after receiving the agreement of the government of Indonesia,[124] the Security Council adopted Resolution 1264 on September 15, 1999, under Chapter VII, authorizing a multinational force, led by

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[119] Keith B. Richberg, "East Timor Spirals Toward Anarchy," *Washington Post*, September 5, 1999, p. A1, col. 2.

[120] Jeremy Wagstaff and Jay Solomon, "Timor Crisis Grows as U.N. Plans to Pull Out Rest of Staff," *Wall Street Journal*, September 9, 1999, p. A21, col. 1; Seth Mydans, "Militias in Timor Menace refugees at U.N. Compound," *New York Times*, September 11, 1999, p. A1., col. 6; and Keith B. Richberg, "U.N. Staff Flees East Timor," *Washington Post*, September 15, 1999, p. A18, col. 1.

[121] I have previously addressed some of the questions raised by the disastrous aftermath of the independence referendum in "Against international presence in Timor," *Australian Financial Review*, September 9, 1999, p. 19, col. 1.

[122] Colum Lynch, "E. Timor Failure Puts U.N. On Spot," *Washington Post*, September 26, 1999, p. A1, col. 6.

[123] Neil King, Jr., and Jay Solomon, "Diplomatic Gambles At the Highest Levels Failed in East Timor," *Wall Street Journal*, October 22, 1999, p. A1, col. 1.

[124] Colum Lynch, "Indonesia Asks U.N. for Discussion Time," *Washington Post*, September 14, 1999, p. A25, col. 3.

Australia (known as "INTERFET"), to restore peace and security in East Timor.[125] INTERFET began landing in on September 20,[126] and on October 19 the Indonesian legislature formally acknowledged that East Timor had voted for independence.[127] In turn, and at the strong urging of the Secretary General,[128] the Security Council unanimously adopted Resolution 1272 on October 25, 1999, creating the UN Transitional Authority in East Timor ("UNTAET"), with a mandate running to January 31, 2001. UNTAET was "endowed with overall responsible for the administration of East Timor," with all necessary "legislative and executive authority," including humanitarian assistance and rehabilitation, police, and a military component to assume INTERFET's responsibilities as soon as possible. The Resolution contemplated that UNTAET would consist of up to 1,640 police officers, 8,950 troops, 200 military observers, and hundreds of civilian administrators, costing up to $1 billion in the first year.[129]

Much cf what was briefly explained above about Kosovo also applies to East Timor, although some in the UN initially believed that the level of physical destruction in East Timor made it a more difficult and potentially costlier effort than in Kosovo.[130] Nonetheless, the political situation in East Timor is unquestionably far less complicated than that prevailing in the Balkans generally or Kosovo in particular. (Indeed, the Secretary General's Special Representative, Sergio Vieira de Mello, an experienced administrator of humanitarian assistance programs, originally served on in interim basis in that role in Kosovo.[131] Vieira de Mello, a Brazilian, also has the advantage of speaking Portuguese, the language of East Timor's former colonial power.)

The most obvious and important distinction is that, while violence from anti-independence militias unquestionably remains a serious problem,[132] the status and future of East Timor as an independent state is clearly established. This critical baseline makes it much easier for UNTAET to facilitate the transfer of authority to "ministries" that will inevitably be required for a national government, and should help expedite UNTAET's work in transitioning itself out of existence through he rapid handover of authority to indigenous Timorese leadership. Thus, as of this summer, four of the eight "cabinet"

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[125] In response to Australia's role, Indonesia abrogated their bilateral defense treaty. Jeremy Wagstaff and Grainne McCarthy, "Indonesia Revokes Defense Pact With Australia," *Wall Street Journal*, September 17, 1999, p. A13, col. 1.

[126] Gwen Robinson, "First UN peacekeeping troops arrive in East Timor," *Financial Times*, September 20, 1999, p. 1, col. 3.

[127] Keith B. Richberg, "Indonesian Leader Quits Race," *Washington Post*, October 20, 1999, p. A1, col. 1.

[128] Colum Lynch, "Annan Urges Transfer of East Timor to U.N. Control," *Washington Post*, October 6, 1999, p. A26, col. 1.

[129] Christopher S. Wren, "U.N. Creates an Authority To Start Governing East Timor," *New York Times*, October 26, 1999, p. A8, col. 1.

[130] Barbara Crossette, "Council Ready to Approve Transfer of East Timor to U.N.," *New York Times*, October 22, 1999, p. A13, col. 1.

[131] Colum Lynch, "U.N. to Tap Brazilian For Top Job In E. Timor," *Washington Post*, October 21, 1999, p. A25, col. 1. Interestingly, this story also reports that Lakhdar Brahimi, chairman of the committee which submitted the recent "experts' report" on peacekeeping, turned down Annan's offer of the East Timor job.

[132] Rajiv Chandrasekaran, "Indonesian Militias Target U.N. Forces in East Timor," *Washington Post*, August 12, 2000, p. A14, col. 1.

departments under UNTAET are headed by Timorese, and four by expatriates.[133] Moreover, the leadership of the former Timorese rebels is reportedly deeply involved in all aspects of UNTAET's work.[134]

Unfortunately, however, there seems to be confusion at the United Nations as to what its actual role should be. Thus, the Secretary General has said that:

> "The last six months have also made clearer how daunting the task is that the United Nations has undertaken in East Timor. The Organization has never before attempted to build and manage a state."[135]

Coming from another source, such a sweeping statement might have been characterized as "neocolonialist," and indeed the East Timorese leader Jose Alexander "Xanana" Gusmao and other have made complaints along this line.[136] It is, in any event a substantial misstatement about what the United Nations should be doing in East Timor, and what it is capable of doing. Fortunately, the East Timorese themselves appear to be under no illusions, as the Secretary General acknowledges: "The East Timorese are increasingly impatient to take responsibility for their affairs and do not wish the transition period to continue for too long."[137] Moreover, East Timor has substantial prospects for economic growth in the former of substantial offshore reserves of natural gas in the Timor Gap (the sea channel between the island and Australia), and excellent prospects as a tourist destination.[138]

However, at least for now, UNTAET's effectiveness even at its core tasks remains open to question. As one report said earlier this spring,

> "[d]espite an invasion of peacekeepers, bureaucrats and aid workers in the months since [the September, 1999 violence], much of this battered land remains, as officials like to say, at ground zero. . .. The slow pace of recovery has called into question the capacity of the United Nations, with its lumbering, centralized bureaucracy, to address urgent needs and operate as the government of a nation in crisis."[139]

One East Timorese priest complained, contrary to the more optimistic view expressed earlier about Timorese involvement in key decisions, that "Now everything is being determined by outsiders." Gusmao has urged that the former Indonesian bureaucracy can

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[133] *Report of the Secretary General on the United Nations Transitional Administration in East Timor*, UN Doc. S/2000/738, July 26, 2000, at para. 3.
[134] Rajiv Chandrasekaran, "E. Timor's Leader-in-Waiting Wields Power Quietly," *Washington Post*, October 24, 1999, p. A34, col. 1.
[135] *Id.* at para. 64.
[136] Shawn Donnan, "Gusmao snubs Howard on E. Timor visit," *Financial Times*, November 29, 1999, p. 5, col. 7.
[137] *Id.* at para. 69.
[138] Rajiv Chandrasekaran, Hungry E. Timorese Farmers Forgo Coffee Crop for Corn," *Washington Post*, October 26, 1999, p. A19, col. 2.
[139] Seth Mydans, "Ruined East Timor Awaits a Miracle," *New York Times*, April 22, 2000, p. A1. col. 1.

be replaced by a government only one-fourth its size, and he has stressed the importance of private enterprise rather than government make-work jobs: "Just guarantee the peace, and we will guarantee that investors will come to help East Timor."[140]

Nonetheless, whether and to what extent that new Timorese leadership will be democratically selected after the departure of most of the international presence (often projected to be in 2002 or 2003) remains to be seen. This summer, for example, the Secretary General also reported to the Security Council that "[r]egrettably, there have been disturbing cases of intimidation against groups and parties not under the . . . umbrella" of the leading Timorese pro-independence coalition.[141] He goes on to admonish the pro-independence leaders that they should "defend the political freedom for which it has fought and will welcome and encourage the broader participation in the political process that the creation of the National Council was intended to promote."[142] There have been numerous reports of persecution of Muslims, now a minority in predominantly Catholic East Timor, although some believe that the animosity is actually directed against those believed to be "Indonesians."[143] These perceptions are, of course, exacerbated by the continuing violence against the remaining refugees still effectively trapped in West Timor by pro-Indonesian militias.[144] Security Council Resolution 1319 (adopted on September 8) authorizes UNTAET to "respond robustly to the militia threat."

Under most conceivable circumstances, however, it is not likely that a lengthy, costly UNTAET presence will dramatically change the prospects for democracy. Gusmao's request that the United Nations focus on security, and its implicit corollary that the UN get out of as many other areas as rapidly as possible is unquestionably correct. "Nation building" in East Timor if it is ever to be accomplished successfully, will not be done with foreign experts in the lead, however much there may be a need for financial resources and expertise not found on the island. The Timorese will not be "led" to nationhood, but must accomplish it themselves.

CONCLUSION

Although this brief survey of five current case studies of UN peacekeeping is necessarily summary in nature, I believe that the evidence forms a sufficient pattern to conclude that the UN is substantially overextended and in danger of becoming more so. It is involved in conflicts, or is considering involvement, where it has neither the authority nor the competence to be effective, and its instinctive reaction to difficulties it has encountered has been simply to do more of the same. To be sure, a large and perhaps overwhelming share of the responsibility for these policies belongs on UN member

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[140] *Id.*
[141] *Id.* at para. 5.
[142] *Id.* at para.66.
[143] Rajiv Chandrasekaran, "In East Timor, a Crucible of Tolerance," *Washington Post*, June 8, 2000, p. A23, col. 1.
[144] Tom McCawley, "Wahid faces rising calls to rein in Timor militia gangs," *Financial Times*, September 8, 2000, p. 6, col. 1; Steve Mufson, "Last 94 U.N. Relief Workers Leave Western Timor," *Washington Post*, September 8, 2000, p. A27, col. 1.

governments, particularly the United States, which have assigned roles to the United Nations in ambiguous political circumstances, often with contradictory or nearly impossible mandates to fulfill. It is this reality which convincingly demonstrates that PDD-25 has failed to meet its stated objectives.

However one chooses to allocate the responsibility, there is no doubt that a leading role by the United States is required to solve these problems, and restore the United Nations to a more even keel in its peacekeeping responsibilities. I appreciate the interest of the Committee in holding this hearing, and I hope that it might play a role in re-establishing that balance. I would be pleased to answer any questions the Committee might have.

Statement to the
House Committee on International Relations
At the Hearing on a
"Review of the Policy Blueprint for Approving UN Peacekeeping Missions"
October 11, 2000
By Amb. Dennis C. Jett (Ret.)
Dean of the International Center
University of Florida

Thank you Mr. Chairman for the invitation to speak today to this distinguished committee on such an important topic. I would like to begin my remarks by commenting on some of the observations that were made recently in New York at the Millennium Summit. There were several speakers, including President Clinton, who implied in their remarks that poverty causes war. While it is obvious that war causes poverty, the reverse is not true. To assert that poverty is a cause of war is not only incorrect; it leads to the wrong conclusions and wrong solutions.

Poverty is not the cause of war. Iraq did not invade Kuwait because the Iraqi people were hungry. It invaded because a brutal dictator rules the Iraqi people and they have not yet displayed the good sense to overthrow him. When he decided to invade Kuwait his people obeyed. The various groups in the remnants of Yugoslavia did not spend the last decade killing each other with such enthusiasm because they had a low standard of living. They engaged in ethnic cleansing because of centuries-old hatreds and because their leaders were willing to exploit those animosities to keep themselves in power. Now that democracy has brought an end to Milosevic's rule, peace in that part of the world should have a better chance.

The poverty causes war theory is equally untrue in Africa. I devote most of my book, "Why Peacekeeping Fails" to comparing Mozambique and Angola. Both are former Portuguese colonies that had long civil wars and UN peacekeeping operations designed to help end them. In Angola, a country rich in oil and diamonds, the UN failed miserably. In Mozambique, where the main resources are only shrimp and cashews, the UN supposedly succeeded. I use the term supposedly because, while Mozambique has been at peace for eight years, that may not continue if the party that has run things there since independence does not stop holding seriously flawed elections.

The poverty-causes-war theory leads to the wrong conclusions and solutions, because it leaves unanswered the question who is responsible for starting such conflicts. Wars between countries are caused by leaders who are not restrained by democratic institutions like a legislature that is more than a rubber stamp, an independent judiciary, a free press and civil society. Without any checks or balances on their worse tendencies, they invariably show themselves to be corrupt, incompetent, dictatorial and, when it suits their purposes, aggressive.

Civil wars do not start because people lack food, but because they lack hope. They feel

they have no power to change their political system and affect the course of their own future. In frustration they resort to changing things through the force of arms.

Such mistaken utterances were popular in New York last month at the largest gathering of world leaders in history, because it absolves those leaders of the responsibility for starting the conflicts or for ending them. It also leads to a solution many of them like. If poverty is the cause of war, more aid from rich countries to poor countries is a cheap price for peace. But more humanitarian and economic aid won't reduce conflicts if the question of who causes them and contributes to them is not addressed. Furthermore, the political and military aspects of these conflicts must be dealt with because aid alone not only won't resolve them, it may prolong them.

Rather than blame war on hunger, the leaders in New York should have considered the words of Amartya Sen, the 1998 Nobel Prize winner for economics. He wrote recently "no substantial famine has ever occurred in an independent and democratic country with a relatively free press." It is also true that democracies generally don't start wars. If the participants at the Millennium Summit really wanted to reduce both war and hunger therefore, they would put democracy into practice and not just in their proclamations. They would insist on aid programs that promote free markets and free political systems. That did not happen because so many of those present would see such actions as a threat to their hold on power--not as a way to uplift their people.

There is one certain link between poverty and war. War gives a big boost to poverty as it destroys a county's resources or wastes them on arms spending. An exercise in empathy like the one in New York will encourage those who want to blame war on poverty. It won't make such reasoning any less false, however, or help the victims of either scourge.

Why is this important for peacekeeping, which is the topic that brings us here today? It demonstrates the UN's inability to assign the blame, deal with all the factors involved in a conflict and come up with a solution that addresses those factors. Another example of that inability is the UN's recent report on peacekeeping.

That report, written by a commission headed by the former foreign minister of Algeria, Lakhdar Brahimi, was refreshingly honest. It suggested a number of organizational reforms that could help the UN do a better job at peacekeeping. The reality is; however, significant improvement probably won't happen because of the UN's organizational culture, the way its members use it, and the nature of today's conflicts.

The UN is both a bureaucracy and an organization of member states. The report admits frankly that the quality of UN bureaucrats varies widely, and suggests the UN must become an open and responsive meritocracy. That would be a radical break with tradition. A bureaucracy that has protected itself by avoiding oversight or measurements of its performance won't make such basic changes simply because a short-lived commission says it should.

The Brahimi report also stresses that the 189 UN member nations will have to support peacekeeping politically, financially, and operationally more than in the past. The members pursue national interests through the UN, rarely sacrificing those interests to achieve common goals. Take, for instance, the US, without whose full backing, any major improvements in peacekeeping will be difficult. The lack of discussion in the presidential campaign of international issues suggests such concerns won't be high on either party's agenda.

Additionally, greater US financial support is unlikely even though the report assumes the $50 million to $100 million cost of its recommendations will be forthcoming. Congress does not seem interested in finding new ways to spend more on the UN when we're already hundreds of millions in arrears. The debates in Washington are instead concerned with spending billions for a limited missile-defense system that does not work to counter a threat that does not exist or on who can give the biggest tax cut.

Other countries don't help matters with their view that the UN is a pork barrel of patronage. The report laments that there are only 32 officers in New York trying to lead 28,000 peacekeepers around the world. One reason there are so few is that developing countries complained when developed countries provided officers for free to do that work. The argument was made that such jobs should be distributed on an equitable geographic basis – yet objections aren't raised when developed countries pay 97 percent of the costs of peacekeeping missions that all happen in the developing world.

Another aspect of the UN that complicates its peacekeeping efforts is its respect for the sovereignty of its members. The government in power, or clinging to it, invites the UN to send several thousand soldiers to help deal with a situation it cannot handle. The UN should be ready to do what is necessary to preserve the peace. Yet the government will assert its sovereignty when it feels its power is being infringed upon and the UN will defer to it. This can place the peace process at risk and give the groups opposed to the government cause for believing the UN is not impartial.

Operationally, the conundrum is that the countries with the most capable armies like the United States are the least willing to contribute troops for peacekeeping, while those with the least capable armies are the most eager. This difference in capability cannot be easily remedied. Providing six weeks of training to an army that is poorly equipped, poorly led, rarely paid, and often not even fed won't produce significant improvement in its performance.

Another conundrum is that the report clings to the idea that the "bedrock principles of peacekeeping" are to have the consent of the local parties, remain impartial, and use force only in self-defense. Yet while it acknowledges that in today's conflicts often none of those principles are possible, it describes few solutions for dealing with that fact. The report also recognizes that the struggle over local resources like diamonds and the conduct of neighboring countries can make peacekeeping impossible, but it makes no suggestions about how to get those elements under control.

As with the poverty-causes-war theory, the UN would rather ignore the messy and unmanageable factors that complicate these situations. Peacekeeping is so difficult today because it has changed from what it was in the past. In earlier years, the UN was usually asked to do peacekeeping in conflicts between states fighting over territory. The UN was charged with monitoring a cease-fire and keeping the opposing armies until a permanent peace could be established and a line drawn on the map that divided the disputed region.

Today's war is almost always a civil war over political dominance within a country. It often pits the poorly trained army of the government in power against a rebel group or groups with even less discipline. Innocent civilians are often the target of choice of such armed forces and the humanitarian consequences of these conflicts are invariably horrendous. In these instances the multiple tasks assigned to the UN are complicated and difficult. The armed factions have to be encamped, demobilized and reintegrated into civilian society. A new army has to be formed from the remnants of the former combatant groups. Elections have to be held, roads demined, and economic reconstruction begun. None of these challenges can be accomplished quickly or easily. If the local actors who started the conflict and the neighboring countries that often contributed to it are not truly interested in peace, these challenges will be insurmountable.

Given the nature of today's wars, the UN must go beyond internal reforms if peacekeeping is to improve. Making the bureaucracy more effective will help, but will be for naught if a country's leaders, resources or neighbors are conspiring against peace. The UN must make aggressive efforts to bring those elements under control, to identify those responsible for the conflict and to sanction them when they prevent peace.

Let's consider a few specific cases. Sierra Leone is now the largest peacekeeping mission with 13,000 troops and talk of nearly doubling that number. The September 10, 2000 article by Douglas Farah in the Washington Post indicates that even with a major increase in the number of troops, the peacekeeping operation in Sierra Leone may not be doing any better a job. For instance, the force commander, Indian General Vijay Jetley, wrote a memo that leaked to the press in which he accused Nigerian officers of dealing in stolen diamonds with the rebels. The UN's reaction was not to investigate. They removed Jetley and the Indian government, in response, has pulled its troops.

The UN apparently sees the Nigerians as essential to the operation and the participation of India and integrity as secondary considerations. Given the unwillingness of the British to commit troops for the longer haul in Sierra Leone, the UN is probably right that the Nigerians will have to provide the backbone of the operation. The problem is, leaving aside the corruption issue, the Nigerians in nearly a decade in Sierra Leone and Liberia, were never able to impose a military solution in either country. Mention of Liberia is relevant because the RUF will likely remain a viable military force that poses a threat to peace in Sierra Leone as long as they continue to be resupplied by and through Liberia. That will continue as long as Liberia's president, Charles Taylor, wants to profit personally from Sierra Leone's diamonds. Therefore the key to peace in Sierra Leone is