

# **CHAPTER TWO**

## **Peace-keeping Structure of the UN: Case-studies of the Bosnian Conflict and the Darfur crisis of Sudan**

In the second chapter, an attempt is made to provide a brief overview of peace-keeping structure, as a prelude to two case studies, the UN Protection Force in Bosnia and Herzegovina (UNMIBH) during 1992-95, and the UN Peace-making Operations in Darfur region of Sudan in the first decade of the 21<sup>st</sup> century.

Since both case studies illustrate the changing role and dynamics of the UN Peace-keeping and Peace-making operations after the cold war, it is considered worthwhile to narrate developments in both cases to determine the sequence of events during the unfolding crisis in former Yugoslavia and Sudan. In doing so, all relevant actors or parties involved in the conflicts are identified and their actions are identified and their actions are clearly narrated. The response of the UN security Council is described in greater detail with a view to identifying the policy-related aspects of the Council. In other words, the behaviour of the parties involved and the UN response are narrated simultaneously.

Given the complexity of the context and character of the conflict in former Yugoslavia, this chapter involves detailed narration of various dimensions of the UN peace-making operations, as well as the political, diplomatic and military matters relating to the Parties involved in the

conflict. While narrating these developments, the underlying purpose is to give full picture of evolution of the crisis in former Yugoslavia and the response of the UN peace-keeping operations. Due to these reasons, this chapter has necessarily become lengthy. Since rich details of the crisis are incorporated in this chapter, it has been quite elaborate in terms of overall treatment of the description and analysis of the crisis and its dynamics in the former Yugoslavia. In order to capture the details relating to the case-material of the Bosnian Conflict, an attempt is made to incorporate all relevant aspects of the armed conflict. Consequently, this long chapter is presented, which may be considered accordingly.

As regards the conflict in Darfur region of Sudan, while narrating the political context of the crisis, an attempt is made to discuss relevant developments regarding the parties involved in the conflict and the dynamics of the UN peace-making efforts in the region.

## **I.**

## **Brief Overview of Peace-keeping Structure: Prelude to Case Studies**

The UN peace-keeping forces are subordinate to the leadership of the United Nations. They are normally deployed as a consequence of a Security Council decision. However, in certain situations, the initiative has been taken by the UN General Assembly. Only two UN operations, the First UN Emergency Force (1956-1967) and the UN Security Force in West New Guinea (1962-1963) were set up by the General Assembly.

Observers and troops for peace-keeping operations are contributed by member-countries at the request of the Secretary-General, who serves as their Commander-in-Chief. Many UN staff members have also served as civilian observers. Operational control belongs to the Secretary-General and his secretariat.

The United Nations peace-keeping forces are employed by the International Organization to maintain or re-establish peace in an area of armed conflict. The UN may engage in conflicts between states as well

as in struggles within states. The UN acts as an impartial third party in order to prepare the ground for a settlement of the issues that have provoked armed conflict. If it proves impossible to achieve a peaceful settlement, the presence of the UN forces may contribute to reducing the level of conflict. The UN peace-keeping forces may only be employed when parties to a conflict accept their presence. Accordingly, they may also be used by the warring parties to avoid escalating a conflict, and even ensuring that the conflict comes to end.

There are two kinds of peacekeeping operations- unarmed observer groups and lightly-armed forces. The latter are only allowed employing their weapons for self-defense. Altogether, fourteen UN operations have been carried out. They are evenly divided between observer groups and military forces<sup>1</sup>. The observer groups are concerned with gathering information for the UN about actual conditions prevailing in an area, e.g. as to whether both parties adhere to an armistice agreement. The military

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<sup>1</sup> Toni Planner: *Application of International Humanitarian Law and military operations undertaken under the United Nations Charter*, in Symposium on Humanitarian Action and Peace-Keeping Operations, 49 (Umesh Palwankar ed.). Geneva 1994

forces are entrusted with more extended tasks, such as keeping the parties to conflict apart and maintaining order in an area.

The original system devised by the United Nations to ensure the maintenance of international peace and security is outlined in Chapters VI and VII of the UN charter. It was intended to provide a collective security system for member-states. Briefly, the original system was meant to function in the following manner:

### **(1) Chapter VI of the UN Charter : Peaceful Resolution**

When a dispute arises between two governments, the parties concerned are obligated under Chapter VI of the Charter to seek a solution by peaceful means, mainly by:

- (a) Negotiation
- (b) Conciliation
- (c) Mediation
- (d) Arbitration
- (e) Peaceful settlement

- (f) Resort to regional agencies or arrangements

## **(2) Chapter VII of the UN Charter : Enforcement Measures**

If the peaceful means fail and the dispute escalates into an armed conflict, then Chapter VII comes in to play. Chapter VII consists of the core of the UN Collective System. It provides that in the case of:

- (a) A threat to the peace
- (b) A breach of the peace
- (c) An act of aggression

The Security Council may take enforcement measures to restore the situation. These enforcement measures are :-

- (a) Arms embargoes
- (b) Economic sanctions and
- (c) The use of force.

Plans for the use of force must be by the Security Council with the assistance of the UN Military Staff Committee.

Since 1948 there have been more than sixty seven UN peace-keeping operations. Forty one of these operations have been created by the United Nations Security Council in the last 12 years. So far 123 nations have contributed personnel at various times; 89 are currently providing peacekeepers. As of May 31, 2002, the top contributors of military and civilian personnel to current missions were: Bangladesh (5,479), Pakistan (4,831), Nigeria (3,489), India (3,019), and Ghana (2,489). In 2002, there were fifteen peacekeeping operations underway<sup>2</sup>. As of 31<sup>st</sup> March 2015, peace-keeping workforce in the field consisted of:

- 93,743 serving troops and military observers;
- 13,122 police personnel;
- 5,277 international civilian personnel (31 December 2014);
- 11,678 local civilian staff (31 December 2014);
- 1,846 UN Volunteers.

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<sup>2</sup> *Peacekeeping Operations*, In *The Changing Face of Conflict and The Efficacy of International Humanitarian Law*, p. 121 (Helen Durham & Timothy L.H. McCormack ed.). Great Britain 1999.



In all, 128 countries contributed military and police personnel.

## **Operational Structure and ongoing Peacekeeping Operations in the World**

There is office of Department of Peace-Keeping Operations (DPKO) which provides political and executive direction to UN Peacekeeping operations around the world and maintains contact with the Security Council, troop and financial contributors, and parties to the conflict in the implementation of Security Council mandates. The Department works to integrate the efforts of the UN, governmental and non-governmental entities in the context of peacekeeping operations. The DPKO also provides guidance and support on military, police, and other relevant issues to other UN political and peace building missions.

The DPKO traces its roots to 1948 with the creation of the first UN peacekeeping operations: UN Truce Supervision Organization (UNTSO) and UN Military Observer Group in India and Pakistan (UNMOGIP). Up to the late 1980s, peacekeeping operations were operated through the UN Office of Special Political Affairs. The official DPKO was formally created

in 1992 when Boutros Boutros-Ghali took office as Secretary-General of the United Nations<sup>3</sup>.

Four main offices of DPKO are as follows:

### **1. Office of Operations**

The main role of the Office of Operations is to provide political and strategic policy and operational guidance and support to the missions.

### **2. Office of the Rule of Law and Security Institutions**

Office of the Rule of Law and Security Institutions (OROLSI) was established in 2007 to strengthen the links and coordinate the Department's activities in the areas of police, the disarmament, demobilisation and reintegration of ex-combatants and security sector reform etc.

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<sup>3</sup> Boutros Boutros-Ghali: *Unvanquished: A US-UN Saga*, New York 1999.

### **3. Office of Military Affairs**

Office of Military Affairs (OMA) works to deploy the most appropriate military capability in support of the United Nations objectives; and to enhance performance and improve the efficiency and the effectiveness of military components in the United Nations peace-keeping missions.

### **4. Policy Evaluation and Training Division**

Policy Evaluation and Training (PET) Division provides an integrated capacity to develop and disseminate policy and doctrine; to develop, coordinate and deliver standardised training; to evaluate mission progress towards mandate implementation; and to develop policies and operational frameworks for strategic cooperation with various UN and external partners.

### **5. Head of Department**

There is Under-Secretary-General who heads for the Department of Peacekeeping Operations.

## **How a New Peace-Keeping Mission is formed?**

There are following decisions and steps required to form a peace-keeping mission in a country:

### **(1) Initial consultation**

As a conflict develops, worsens, or approaches resolution, the UN is frequently involved in a number of consultations to determine the best response by the international community. These consultations would likely involve the following:

- All relevant United Nations actors
- The potential host government and the parties on the ground
- Member-states, including states that might contribute troops and police to a peace-keeping operation
- Regional and other intergovernmental organizations
- Other relevant key external partners

During this initial phase, the UN Secretary-General may request a strategic assessment to identify all possible options for the UN engagement.

## **(2) Technical field assessment**

As soon as security conditions permit, the Secretariat usually deploys a technical assessment mission to the country or territory where the deployment of a UN peace-keeping operation is envisaged. The assessment mission analyses and assesses the overall security, political, military, and humanitarian and human rights situation on the ground, and its implications for a possible operation. Based on the findings and recommendations of the assessment mission, the UN Secretary-General will issue a report to the Security Council. This report will present options for the establishment of a peace-keeping operation as appropriate including its size and resources. The report will also include financial implications and statement of preliminary estimated costs.

## **(3) Security Council resolution**

If the Security Council determines that deploying a UN Peacekeeping operation is the most appropriate step to take, it will formally authorise this by adopting a resolution. The resolution sets out the operation's mandate and size, and details the tasks it will be

responsible for performing it. The budget and resources is then subject to approval of the General Assembly.

#### **(4) Appointment of senior officials**

The Secretary-General normally appoints a Head of Mission (usually a Special Representative) to direct the peace-keeping operation. The Head of Mission reports to the Under-Secretary-General for Peace-keeping Operations at the UN Headquarters.

The Secretary-General also appoints a peace-keeping operation's Force Commander and Police Commissioner, and senior civilian staff. The Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS) are then responsible for staffing the civilian components of a peacekeeping operation.

#### **(5) Planning and deployment**

In the meantime, the Head of Mission and DPKO-DFS lead the planning for the political, military, operational and support (i.e., logistics and administration) aspects of the peacekeeping operation. The planning phase usually involves the establishment of a Headquarters-based joint

working group or integrated mission task force, with participation of all relevant UN departments, funds and programmes.

## **(6) Deployment**

Deployment of an operation proceeds then as quickly as possible, taking into account the security and political conditions on the ground. It often starts with an advance team to establish mission headquarters and leads to a gradual build-up to encompass all components and regions, as required by the mandate.

### **Who provides peace-keepers?**

The UN has no standing army or police force of its own, and member-states are asked to contribute military and police personnel required for each operation. Peace-keepers wear their countries' uniform and are identified as UN Peace-keepers only by a UN blue helmet or beret and a badge.

Civilian staffs of peace-keeping operations are international civil servants, recruited and deployed by the UN Secretariat.

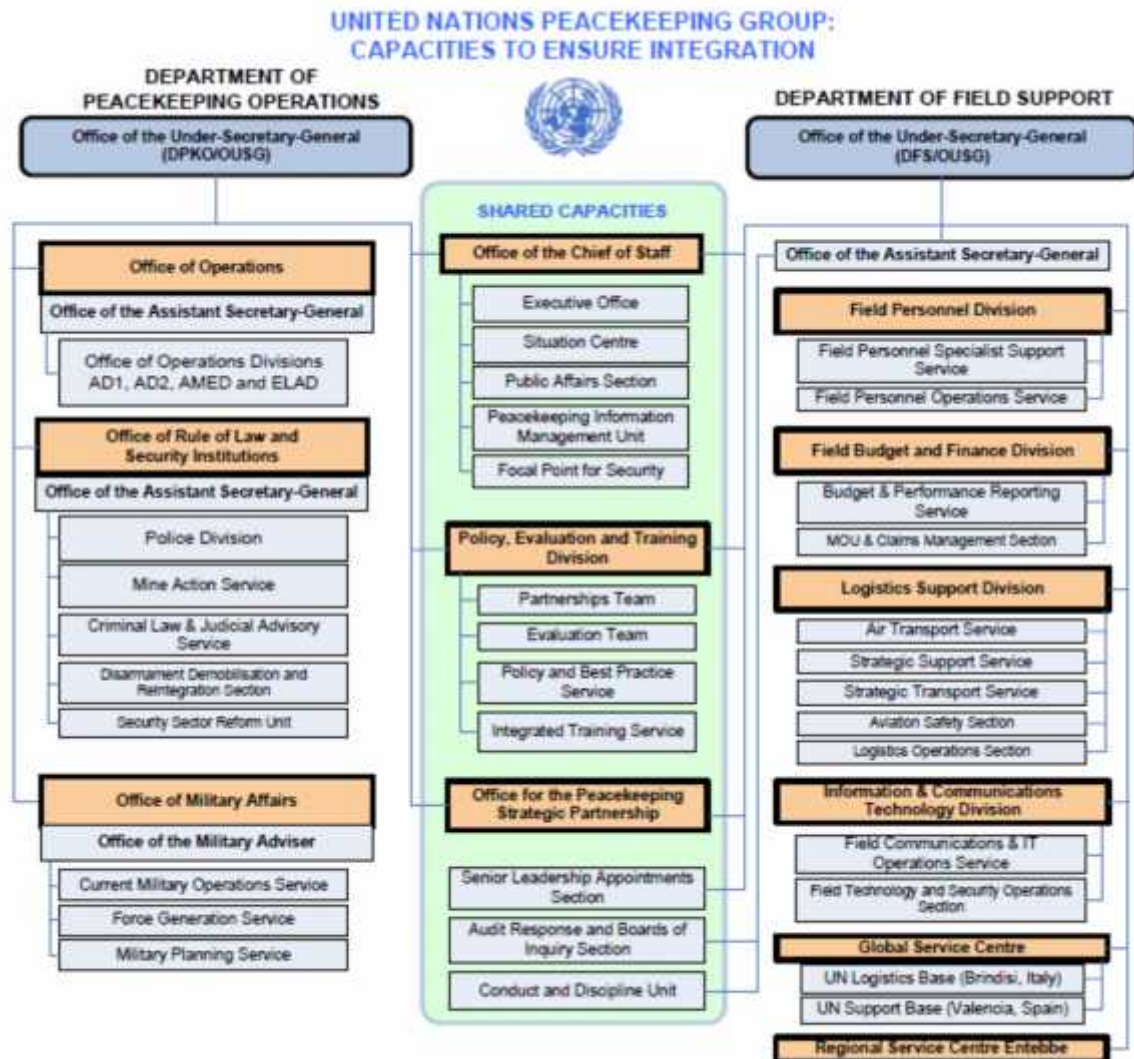
### **Reporting to the Security Council**

The Secretary-General will then provide regular reports to the Security Council on the implementation of the mission mandate.

The Security Council reviews these reports and briefings, and renews and adjusts the mission mandate, as required, until the mission is completed or closed.

Here is the chart indicating the administrative wings of the UN Peace-keeping Group.





Source: Annual Report 2006 (covering 1999) 2000

[http://www.unpkco.org/publications/index\\_4291.html](http://www.unpkco.org/publications/index_4291.html)

The UN's role in peacekeeping is no longer limited to only a military holding operation that permits diplomatic negotiations. Today, UN peacekeepers are engaged in a variety of activities. They supervise elections,

disarm opposing factions, monitor human rights, and perform a wide range of administrative functions. Most importantly, they are increasingly involved in providing humanitarian assistance, such as bringing food to the needy, repatriating and resettling refugees, building schools and providing medical assistance.

The list of CURRENT UN PEACE KEEPING OPERATIONS is given in APPENDIX-1.

## **II.**

### **United Nations Peace Operations in the Post-Cold War World, with Special Reference to Two Case Studies**

In this section of this chapter, we shall focus on the UN Peace-Keeping operations after the Cold War, with special reference to the following two case studies. The basic objective is to highlight salient elements of these UN operations, in terms of its structural and diplomatic dimensions.

- (1) UN Protection Force (UNPROFOR) in Bosnia and Herzegovina (UNMIBH). Its duration was 1992-1995.
- (2) UN Peace-Making Operations in Darfur Region of Sudan (UNAMID) in early 21<sup>st</sup> century.

### **UN Protection Force (UNPROFOR) in Bosnia (1992-1995)**

Set up in 1995, the UNMIBH exercised a wide range of functions related to the law-enforcement activities and police reform in Bosnia and Herzegovina. The Mission also coordinated other UN activities in the country relating to humanitarian relief and refugees, demining, human rights, elections and rehabilitation of infrastructure and economic reconstruction. Following the successful conclusion of its mandate, UNMIBH was terminated on 31 December 2002.

In early 1992, the United Nations established a peacekeeping force, the UN Protection Force (UNPROFOR), to provide security for the supply of humanitarian aid that flowed into Bosnia from the international community. UNPROFOR's mission was to remain "passive

and impartial," and to "find a middle way between traditional peace-keeping missions that 'sustain' a peaceful environment and large-scale enforcement operations that use active military force to 'create' such an environment<sup>4</sup>.

### **Background of the Bosnian Conflict: Collapse of Communist System and Breakup of Yugoslavia**

It is necessary, at the outset, to outline the political context surrounding the UNPROFOR. The war in Bosnia and Herzegovina came about as a result of the breakup of the Socialist Federal Republic of Yugoslavia. The crisis emerged in Yugoslavia with the weakening of the Communist system at the end of the Cold War. In Yugoslavia, the National Communist Party, officially called the Alliance or League of Communists of Yugoslavia, was losing its ideological potency. While the goal of Serbian nationalists was the centralisation of Yugoslavia, other nationalities in Yugoslavia aspired to the federalisation and the decentralisation of the state.

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<sup>4</sup> Thomas B. Baines, *The Laws of War and the Rules of Peacekeeping Presented to The Joint Services Conference on Professional Ethics*. Available at: <http://isme.tamu.edu/JSCOPE97/Baines97.htm> (visited 16.12.2011)

In March 1989, the crisis in Yugoslavia deepened after the adoption of amendments to the Serbian Constitution that allowed the government of Serbia to impose dominance over the autonomous provinces of Kosovo and Vojvodina. Until that point, Kosovo and Vojvodina's decision-making had been independent and both autonomous provinces also had a vote at the Yugoslav federal level. Serbia, under newly elected President Slobodan Milosevik, thus gained controls over three out of eight votes in the Yugoslav presidency. With additional votes from Montenegro, Serbia was able to heavily influence decisions of the federal government. This situation led to objections in other republics and calls for the reform of the Yugoslav Federation.

At the 14th Extraordinary Congress of the League of Communists of Yugoslavia, on 20 January 1990, the delegations of the Republics could not agree on the main issues in the Yugoslav federation. As a result, the Slovenian and Croatian delegates left the Congress. The Slovenian delegation, headed by Milan Kucan demanded democratic changes and a looser federation, while the Serbian delegation, headed by Milosevik, opposed it. This event is considered to have been the

beginning of the end of Yugoslavia. Moreover, nationalist parties attained power in other republics. Among them, the Croatian Franjo Tudman's Croatian Democratic Union (HDZ) was the most prominent.

On 22 December 1990, the Parliament of Croatia adopted a new Constitution, taking away some of the rights of the Serbs granted by the previous Socialist constitution. This created grounds for nationalist action among the indigenous Serbs of Croatia. Closely following the adoption of the new constitution, Slovenia and Croatia began the process towards independence.

On 25 June 1991, both Slovenia and Croatia declared independence which led to a short armed conflict in Slovenia called the Ten-Day War and an all-out war in Croatia in the Croatian War of Independence, in areas with substantial Serb populations. The Croatian War of Independence would result in the UN Security Council Resolution 743 on 21 February 1992, which created the United Nations Protection Force (UNPROFOR) in accordance with the UN Secretary-General's report no. S123592 of 15 February 1992.

Bosnia and Herzegovina, a former Ottoman province, has historically been a multi-ethnic state. According to the 1991 census, 44% of the population considered themselves Muslim (Bosniak), 32.5% Serb and 17% Croat, with 6% describing them as Yugoslav. In the first multi-party election that took place in November 1990 in Bosnia and Herzegovina, the three largest nationalist parties in the country won, the Party of Democratic Action, the Serbian Democratic Party and the Croatian Democratic Union. Parties divided the power along the ethnic lines so that the President of the Presidency of the Socialist Republic of Bosnia and Herzegovina was a Bosniak, President of the Parliament was a Serb and the Prime Minister, a Croat.

On 13 October 1991, Bosnian Serb leader Radovan Karadzic expressed his view about future of Bosnia and Bosnian Muslims: "In just a couple of days, Sarajevo will be gone and there will be five hundred thousand dead. In one month Muslims will be annihilated in Bosnia and Herzegovina".

## **The Bosnian War**

The Bosnian War was an international armed conflict that took place in Bosnia and Herzegovina between 1 March 1992 and 14 December 1995. The war involved several factions. The main belligerents were the forces of the Republic of Bosnia and Herzegovina and those of the self-proclaimed Bosnian Serb and Bosnian Croat entities within Bosnia and Herzegovina, Republika Srpska and Herzeg-Bosnia, who were led and supplied by Serbia and Croatia respectively.

The multi-ethnic Socialist Republic of Bosnia and Herzegovina, which was inhabited by Muslim Bosniaks (44 percent), Orthodox Serbs (31 percent) and Catholic Croats (17 percent), passed a referendum for independence on 29 February 1992. This was rejected by the political representatives of the Bosnian Serbs, who had boycotted the referendum and established their own republic<sup>5</sup>. Following the declaration of independence, in order to secure Serbian territory, the Bosnian Serbs, supported by the Serbian government of Slobodan

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<sup>5</sup> U.N. Secretary-General, *Report of the Secretary-General on the situation in Bosnia*, U.N. Doc. S/23829



Milosevik and the Yugoslav People's Army (JNA), mobilised their forces inside the Republic of Bosnia and Herzegovina. Then war soon broke out across the country, accompanied by the ethnic cleansing of the Muslim Bosniak population, especially in eastern Bosnia.

It was principally a territorial conflict, initially between the Serb forces mostly organized in the Army of Republika Srpska (VRS) on the one side, and the Army of the Republic of Bosnia and Herzegovina (ARBIH) which was largely composed of Bosniaks, and the Croat forces in the Croatian Defense Council (HVO) on the other side. The Croats also aimed at securing parts of Bosnia and Herzegovina as Croatian. The Serb and Croat political leadership agreed on a partition of Bosnia with the Karadonlevo and Graz agreements, resulting in the Croat forces turning against the ARBIH and the Croat-Bosniak war. The war was characterised by bitter fighting, indiscriminate shelling of cities and towns, ethnic cleansing and systematic mass rape, mostly led by Serb and, to a lesser extent, Croat forces. Events such as the Siege of Sarajevo and the Srebrenica massacre would become iconic of the conflict.

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The Serbs, although initially superior due to the vast amount of weapons and resources provided by the JNA, eventually lost momentum as the Bosniaks and Croats allied themselves against the Republika Srpska in 1994 with the creation of the Federation of Bosnia and Herzegovina following the Washington agreement.

After the Srebrenica and Markale massacres, the North Atlantic Treaty Organization (NATO) intervened in 1995 with Operation Deliberate Force targeting the positions of the Army of the Republika Srpska, which proved a key to ending the war. The war was brought to an end after the signing of the General Framework Agreement for Peace in Bosnia and Herzegovina in Paris on 14 December 1995. Peace negotiations were held in Dayton, Ohio, and were finalised on 21 December 1995. The accords are now known as the Dayton Agreement.

The most recent figures about the crisis suggest that around 100,000 people were killed during the war. In addition, an estimated total of 20,000 to 50,000 women were raped, and over 2.2 million people were displaced, making it the most devastating conflict in Europe since the end of World War II.

## **Independence of Bosnia and Herzegovina**

On 15 October 1991, the parliament of the Socialist Republic of Bosnia and Herzegovina in Sarajevo passed a "Memorandum on the Sovereignty of Bosnia-Herzegovina" by a simple majority. The Memorandum was hotly contested by the Bosnian Serb members of parliament

Despite boycott by Bosnian Serbs, subsequent to a referendum the independence was declared by parliament. The Serb political leadership used the referendums as a pretext to set up roadblocks in protest.

## **Establishment of the Croatian Republic of Herzeg-Bosnia**

The objectives of the nationalists from Croatia were shared by Croat nationalists in Bosnia and Herzegovina<sup>6</sup>. On 18 November 1991, the party branch in Bosnia and Herzegovina proclaimed the existence of

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<sup>6</sup> U.N. Secretary-General, *The Situation in Bosnia and Herzegovina: Report of the Secretary-General*, U.N. SCOR, para.9, U.N. Doc S/24540 (1992)

the Croatian Republic of Herzeg Bosnia, as a separate "political, cultural, economic and territorial whole", on the territory of Bosnia and Herzegovina.

On 25 September 1991, the United Nations Security Council passed Resolution 713 imposing an arms embargo on all of the former-Yugoslavia<sup>7</sup>. The embargo hurt the Army of Republic of Bosnia and Herzegovina the most.

## **Role of the UNPROFOR**

The operational mandate of the UNPROFOR<sup>8</sup> extended to five Republics of the former Yugoslavia - Croatia, Bosnia and Herzegovina, Macedonia, Montenegro and Serbia - and it had a liaison presence in the sixth, Slovenia.

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<sup>7</sup> U.N. Secretary-General, *The Situation in Rwanda: Report of the Secretary-General*, U.N. SCOR. 49th Sess., 12. U.N. Doc. S/1994/565 (1994)

<sup>8</sup> U.N. Secretary-General, *In Larger Freedom: Towards Security, Development and Human Rights for All: Report of the Secretary-General*, UN doc. A/59/2005

## **United Nations Protected Areas in Croatia**

The UNPROFOR was deployed in certain areas in Croatia, designated as United Nations Protected Areas (UNPAs), in which the United Nations Security Council judged that special interim arrangements were required to ensure that a lasting ceasefire was maintained. The UNPAs are areas in which Serbs constitute the majority or a substantial minority of the population and where inter-communal tensions have led to armed conflict. There were three UNPAs: Eastern Slovenia, Western Slovenia and Krajina. For United Nations purposes, they were divided into four sectors: East, North, South and West.

The UNPROFOR's mandate was to ensure that the UNPAs are demilitarized, through the withdrawal or disbandment of all armed forces in them, and that all persons residing in them were protected from fear of armed attack. To this end, the UNPROFOR was authorised to control access to the UNPAs, to ensure that the UNPAs remain demilitarised, and to monitor the functioning of the local police there to help ensure non-discrimination and the protection of human rights.

Outside the UNPAs, the UNPROFOR military observers had to verify the withdrawal of all the JNA and irregular forces from Croatia, other than those disbanded and demobilised there. In support of the work of the humanitarian agencies of the United Nations, UNPROFOR was also to facilitate the return, in conditions of safety and security, of civilian displaced persons to their homes in the UNPAs. Headquarters of the UNPROFOR was initially established in Sarajevo, the capital of Bosnia and Herzegovina; later it was shifted to Zagreb, the capital of Croatia.

## **Enlargement of the Mandate**

Since the establishment of the UNPROFOR, there had been several enlargements of its mandate in Croatia. On 30 June 1992, the Security Council, by its resolution 762 (1992), authorised the UNPROFOR to undertake monitoring functions in the "pink zones" - certain areas of Croatia controlled by the JNA and populated by then largely by Serbs, but which were outside the agreed UNPA boundaries. It also recommended the establishment of a Joint Commission chaired by

UNPROFOR and consisting of representatives of the Government of Croatia and of the local authorities in the region, with the participation of the European Community Monitoring Mission (ECMM), to oversee and monitor the restoration of authority by the Croatian Government in the "pink zones"<sup>9</sup>.

On 7 August 1992, the Security Council, by its resolution 769 (1992), authorised the enlargement of UNPROFOR's strength and mandate to enable the Force to control the entry. The third enlargement of UNPROFOR's mandate in Croatia came about on 6 October 1992, when the Security Council adopted its resolution 779 (1992), authorising UNPROFOR to assume responsibility for monitoring of the demilitarisation of the Prevlaka Peninsula near Dubrovnik. By the same resolution, the Council approved the Secretary-General's action to ensure the control by the UNPROFOR of the vitally important Peruca dam, situated in one of the "pink zones" in Croatia.

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<sup>9</sup> U.N. Secretary-General, *The Situation in Bosnia: Report of the Secretary-General*, U.N. SCOR. 49th Sess., 12. U.N. Doc. S/1994/565 (1994)

## **Renewed Hostilities**

On 22 January 1993, the Croatian Army launched an offensive in a number of locations in the southern part of the UNPROFOR's Sector South and the adjacent "pink zones". The Croatian Government stated that it took this action out of impatience with the slow progress of negotiations in respect of various economic facilities in and adjacent to the UNPAs and "pink zones".

The UNPROFOR warned both the Croatian Government and the Serb authorities not to attempt further incursions into the UNPAs. The Force also sought to limit the damage caused by the fighting, and made repeated representations to the parties concerned with a view to preventing escalation and bringing about a cease-fire.

On 25 January, the Security Council adopted its resolution 802 (1993)<sup>10</sup>, in which it demanded an immediate cessation of hostile activities by Croatian armed forces within or adjacent to the UNPAs and

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<sup>10</sup> U.N. Secretary-General, *Report of the Secretary-General on the situation in Somalia*, U.N. Doc. S/23829 (21 April 1992)



their withdrawal from these areas, an end of the attacks against UNPROFOR personnel, return of all heavy weapons seized from UNPROFOR-controlled storage areas, and strict compliance by all parties with the terms of cease-fire arrangements.

As to the implementation of this resolution, the Croatian Government on 26 January informed the Force Commander of UNPROFOR that, upon compliance by the Serb side with the various provisions of the resolution, they would remove their military, but not their police, from the areas they had taken.

For its part, the Serb side stated that Croatia must return to its pre-22 January positions before the implementation of the remainder of the resolution could be considered. Eventually, after several rounds of talks held under the auspices of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, the Government of Croatia and the Serb local authorities signed an agreement regarding the implementation of resolution 802 (1993).

## **Bosnia and Herzegovina**

Although the mandate of UNPROFOR originally related only to Croatia, it was envisaged that after the demilitarization of the UNPAs, 100 UNPROFOR military observers would be redeployed from Croatia to certain parts of Bosnia and Herzegovina. However, in light of the deteriorating situation in Bosnia and Herzegovina, the Secretary-General decided to accelerate this deployment by sending 40 military observers to the Mostar region of that Republic on 30 April 1992. In May, despite all diplomatic efforts by the European Community, the Secretary-General's representatives and UNPROFOR to negotiate a lasting cease-fire, the conflict - between the Bosnian Muslims and the Bosnian Croats on the one side and the Bosnian Serbs on the other intensified.

On 14 May, when risks to their lives reached an unacceptable level, the observers were withdrawn from the area and redeployed in the UNPAs in Croatia. About two thirds of UNPROFOR headquarters personnel also withdrew from Sarajevo on 16 and 17 May, leaving behind some 100 military personnel and civilian staff who lent their good

offices to promote local ceasefires and humanitarian activities<sup>11</sup>.

On 30 May, acting under Chapter VII of the United Nations Charter, the Security Council, in its resolution 757 (1992), imposed wide-ranging sanctions on the Federal Republic of Yugoslavia (which by then consisted of Serbia and Montenegro), in order to help achieve a peaceful solution to the conflict.. The Council requested the Secretary-General to continue using his good offices to achieve this objective.

## **Security at Sarajevo Airport**

On 8 June, the Security Council, by its resolution 758 (1992), approved the enlargement of the UNPROFOR's mandate and strength and authorized the Secretary-General to deploy military observers and related personnel and equipment to Sarajevo to supervise the withdrawal of anti-aircraft weapons and the concentration of heavy weapons at agreed locations in the city.

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<sup>11</sup> Comprehensive Review of the Whole Question of Peace-Keeping Operations in all their aspects: Report of the Special Committee on Peace-Keeping Operation, U.N. Doc. A/50/230, GAOR 50th Sess., (22 June 1995)

On the same day, the Council, by resolution 761 (1992), authorised deployment of additional elements of UNPROFOR to ensure the security and functioning of the airport. By 3 July, despite continued fighting in the area, the United Nations observers and troops were deployed at the airport and at other locations in Sarajevo, and the airport was reopened for the humanitarian airlift.

### **Protection of Humanitarian Convoys**

On 13 August 1992, the Security Council adopted resolution 770 (1992). The Council, acting under Chapter VII of the United Nations Charter, called on States to "take nationally or through regional agencies or arrangements all measures necessary" to facilitate, in coordination with the United Nations, the delivery of humanitarian assistance to Sarajevo and wherever needed in other parts of Bosnia and Herzegovina.

On 10 September, following consultations with a number of Governments, the Secretary-General submitted a further report to

the Security Council recommending the expansion of the UNPROFOR's mandate and strength in Bosnia and Herzegovina. He proposed that the UNPROFOR's task, under its enlarged mandate, would be to support efforts by the United Nations High Commissioner for Refugees (UNHCR) to deliver humanitarian relief throughout Bosnia and Herzegovina, and in particular to provide protection, at the UNHCR's request, where and when UNHCR considered such protection necessary. In addition, the UNPROFOR could be used to protect convoys of released civilian detainees if the International Committee of the Red Cross (ICRC) so requested and if the Force Commander agreed that the request was practicable. The UNPROFOR would be deployed in four or five new zones. In each zone, there would be an infantry battalion group, whose headquarters would also include civilian staff to undertake political and information functions and liaison with the UNHCR. The UNPROFOR troops would follow normal peace-keeping rules of engagement, which authorise them to use force in self-defense, including situations in which armed persons attempt by force to prevent them from carrying out their mandate.

In resolution 776 (1992), which was adopted on 14 September 1992 and which made no reference to Chapter VII of the Charter, the Security Council approved the Secretary-General's report and authorised the enlargement of the UNPROFOR's mandate and strength in Bosnia and Herzegovina for these purposes. A separate Bosnia and Herzegovina Command was established within the UNPROFOR to implement resolution 776 (1992), in addition to Sector Sarajevo.

### **"No-Fly Zone"**

In a further development, the Security Council; on 9 October 1992, adopted its resolution 781 (1992) banning all military flights in the airspace of Bosnia and Herzegovina, except for those of the UNPROFOR and other flights in support of the United Nations operations, including humanitarian assistance. The Council also requested that the Force should employ "an appropriate mechanism for approval and inspection" to ensure that the purpose of other flights to and from Bosnia and Herzegovina was consistent with its resolutions.

On 10 November, the Security Council adopted its resolution 786 (1992) authorising the expansion of the UNPROFOR's strength by 75 military observers to enable it to monitor airfields in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro).

## **Border Control**

On 16 November 1992, the Security Council adopted its resolution 787 (1992), in which, among other things, it considered that, in order to facilitate the implementation of the relevant Council resolutions, observers should be deployed on the borders of Bosnia and Herzegovina, and requested the Secretary-General to present his recommendations on this matter. The resolutions in question were: resolution 713 (1991), which, inter alia, established a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia; resolution 752 (1992), which, inter alia, demanded that all forms of interference from outside Bosnia and Herzegovina, including by units of the JNA as well as elements of the Croatian Army,

cease immediately; resolution 757 (1992), which imposed comprehensive mandatory economic sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro); and resolution 787 (1992), which, inter alia, demanded that all forms of interference from outside Bosnia and Herzegovina, including infiltration into the country of irregular units and personnel, cease immediately.

On 21 December, the Secretary-General submitted to the Council his recommendations. In the report, he indicated that in order to ensure compliance with the relevant Security Council resolutions, it would be necessary to give the UNPROFOR a mandate which would include the right not only to search but also to turn back or confiscate military personnel, weapons, or sanctioned goods whose passage into or out of Bosnia and Herzegovina would be contrary to the decisions of the Council. He pointed out that a symbolic presence at selected crossing points would "not only fail to fulfill the Council's requirements, but would also undermine the already strained credibility of UNPROFOR". He proposed, therefore, an enlargement of the UNPROFOR with some 10,000 additional troops to provide for a 24-



hour observation and search operation at 123 crossing points on Bosnia and Herzegovina's border with neighboring countries.

## **Former Yugoslav Republic of Macedonia**

On 9 December, the Secretary-General submitted to the Council a report in which he recommended an expansion of the mandate and strength of the UNPROFOR to establish a United Nations presence on Macedonia's borders with Albania and the Federal Republic of Yugoslavia (Serbia and Montenegro). He indicated that the Force's mandate would be essentially preventive, to monitor and report any developments in the border areas which could undermine confidence and stability in Macedonia and threaten its territory.

The Security Council by its resolution 795 of 11 December, 1992 approved the Secretary-General's report and authorised the establishment of UNPROFOR's presence in Macedonia.

## **Review of UNPROFOR Activities**

As already noted, the UNPROFOR was established on 21 February 1992 by Security Council resolution 743 (1992) for an initial period of 12 months. On 10 February 1993, before the mandate of the Force expired, the Secretary-General submitted to the Council a report in which he summarised the activities of UNPROFOR and presented his recommendations on its future.

## **Croatia**

In analysing the situation in Croatia, the Secretary-General described UNPROFOR's experience there as a mixed one. Its principal success had been in ensuring the complete withdrawal of the JNA from the territory of Croatia, including the Prevlaka Peninsula. Until the fourth week of January 1993, UNPROFOR's presence had also helped to prevent a recurrence of hostilities in the UNPAs and "pink zones". However, non-cooperation by the local Serb authorities had prevented the UNPROFOR from achieving the demilitarisation of the UNPAs and

the disarming of the Serb Territorial Defense and irregular forces in these areas and in the "pink zones". As a result, UNPROFOR had not been able to establish the conditions of peace and security that would have permitted the voluntary return of refugees and displaced persons to their homes in these areas. Nor had it been able to establish the border controls called for in resolution 769 (1992).

The civilian aspects of the UNPROFOR's activities, notably the efforts of United Nations civilian police to prevent discrimination and abuse of the human rights of residents in the UNPAs, had not proved fully successful despite the UNPROFOR's best efforts. An atmosphere of terror and intimidation existed in many parts of the four sectors through much of the first ten months of the mandate period. However, since November 1992, the situation had shown improvement in all but a few areas. The maintenance of law and order was gradually enhanced through the reorganization and redeployment of the local police.

In addition, the Secretary-General continued, the circumstances in which the peace-keeping plan was drafted and agreed in late 1991 and

early 1992 had themselves changed. The plan was envisaged as an interim arrangement pending an overall political solution to the Yugoslav crisis.

In the Secretary-General's judgment, the difficulties which the UNPROFOR and the Security Council faced with regard to the Force's mandate in Croatia could be attributed to two principal factors: the inability to implement the peace-keeping plan; and the lack of an agreed settlement to the conflict between the Republic of Croatia and the Serb populations living in the UNPAs and the "pink zones". Unless these two factors were addressed, the Secretary-General concluded, a sound basis would not exist for renewing the UNPROFOR's mandate in Croatia.

In the meantime, the Secretary-General recommended that the Security Council decide to extend the UNPROFOR's existing mandate for an interim period up to 31 March 1993, in order to give the Co-Chairmen the necessary time.

## **Bosnia and Herzegovina**

Speaking of the UNPROFOR activities in Bosnia and Herzegovina, where it had a more limited mandate, the Secretary-General noted in his February 1993 report that the Force had succeeded in keeping Sarajevo airport open, despite interruptions as a result of hostile military action against humanitarian aircraft. In the period from 3 July 1992 to 31 January 1993, the humanitarian airlift organized by the UNHCR under the UNPROFOR protection brought in 2,476 aircraft carrying 27,460 tons of food, medicines and other relief goods.

The operation to protect humanitarian convoys throughout the Republic had been persistently thwarted by obstruction, mines, hostile fire and the refusal of the parties on the ground, particularly, but not exclusively, the Bosnian Serb party, to cooperate with the UNPROFOR. None the less, from the deployment of additional UNPROFOR battalions for this purpose in November 1992 until January 1993, a total of some 34,600 tons of relief supplies had been delivered to an estimated 800,000 beneficiaries in 110 locations throughout Bosnia and Herzegovina.

The UNPROFOR's efforts in Bosnia and Herzegovina, the

Secretary-General pointed out, had been characterised by a regrettable tendency on the part of the host government to blame it for a variety of shortcomings, whether real or imagined. Criticism of the UNPROFOR's performance in the Republic had largely been directed at its failure to fulfill tasks that the Force had not been mandated, authorised, equipped, staffed or financed to fulfill. There had been a number of attacks on the Force by the Government and by elements answerable to it, both in public statements and declarations and, more seriously, through violence, resulting in several UNPROFOR fatalities.

As to the UNPROFOR's mandate in Bosnia and Herzegovina, the Secretary-General stated that it might need to be altered significantly when the outcome of the ongoing talks led by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia was known.

### **Former Yugoslav Republic of Macedonia**

Referring to the Former Yugoslav Republic of Macedonia, the Secretary-General considered it premature to draw conclusions about the practicability of the mandate and the effectiveness of the UNPROFOR Macedonia Command in this first preventive deployment operation in the history of United Nations peace-keeping.

### **Interim Extension of Mandate**

On 19 February 1993, having considered the Secretary-General's report, the Security Council adopted resolution 807 (1993), by which it extended the UNPROFOR's mandate for an interim period until 31 March 1993. The Council demanded, inter alia, that the parties and others concerned comply fully with the United Nations peace-keeping plan in Croatia and their other commitments, and refrain from positioning their forces near the UNPAs and in the "pink zones". It invited the Secretary-General to take all appropriate measures to strengthen the security of the Force, in particular by providing it with the necessary defensive means.

The Council urged the parties and others concerned to cooperate fully with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia in the discussions under their auspices in order to ensure full implementation of the United Nations peace-keeping mandate in Croatia. It also demanded the full and strict observance of all relevant Security Council resolutions relating to the mandate and operations of the UNPROFOR in Bosnia and Herzegovina.

### **Croatia: Mandate Renewed for UNPROFOR (March 1993 - February 1994)**

On 30 March, the Security Council, by adopting its resolution 815 (1993), extended the mandate of the UNPROFOR for an additional interim period until 30 June 1993. It also decided to reconsider within one month, or at any time at the request of the Secretary-General, the UNPROFOR's mandate in light of developments of the International Conference on the Former Yugoslavia and the situation on the ground. The Council requested the Secretary-General to report to it



on how the United Nations peace plan for Croatia could be effectively implemented.

On 25 June, the Secretary-General submitted his further report on the situation in Croatia, in which he drew attention to the failure of the parties to permit implementation of the United Nations plan and to cooperate in establishing a political process leading to an early settlement. He noted, nevertheless, that the presence of the UNPROFOR was indispensable for controlling the conflict, fostering a climate in which negotiations between the parties could be promoted, preventing the resumption or escalation of conflict, providing a breathing space for the continued efforts of the peace-makers and for supporting the provision of essential humanitarian assistance. The Secretary-General recommended that the Security Council extend the mandate of the Force by a further three months, to 30 September 1993.

In its resolution 847 (1993) of 30- June 1993, the Security Council decided to extend UNPROFOR's mandate for an additional interim period terminating on 30 September 1993, and requested the Secretary-General to report after one month on progress towards

implementation of the United Nations peace-keeping plan for Croatia and all relevant Security Council resolutions.

On 16 August, the Secretary-General reported to the Council on this matter. He recommended that no action be taken at that stage and said that he would submit a further recommendation to the Council in the latter half of September 1993.

## **Implementation of Resolution 802**

Following the renewed outbreak of hostilities in Croatia, precipitated by the Croatian incursion into the UNPAs and "pink zones" on 22 January 1993, intensive efforts were made within the framework of the International Conference on the Former Yugoslavia and by the UNPROFOR to bring about a ceasefire and a restoration of the prior status in accordance with the Security Council resolution 802 (1993) of 25 January 1993. On 8 April 1993, the Secretary-General reported to the Security Council that representatives of the Government of Croatia and the Serb local authorities had signed, on 6 April, an

agreement regarding the implementation of this resolution.

However, on 6 July 1993, new tensions arose following the decision of the Croatian Government to take unilateral actions aimed at rebuilding and reopening the Maslenica Bridge. On 2 August 1993, following Croatia's failure to withdraw from the area and Serb shelling thereof, one of the pontoons of the Maslenica bridge sank. Despite intensive discussions in Geneva, Zagreb and Knin between the representatives both of the Co- Chairmen and of the parties, an overall cease-fire agreement could not be achieved.

### **Bosnia and Herzegovina "No-Fly Zone" Enforcement**

On 16 March 1993, the Secretary-General reported that three aircrafts dropped bombs on two villages east of Srebrenica on 13 March, before leaving in the direction of the Federal Republic of Yugoslavia (Serbia and Montenegro). It was the first time since the Security Council instituted the “no-fly zone” in Bosnia and Herzegovina that aircrafts were used in combat activity in that country. The UNPROFOR was not able to

determine to whom the aircraft belonged.

On 17 March, the Security Council, in a statement by its President, strongly condemned all violations of its relevant resolutions and underlined the fact that since the beginning of the monitoring operations in early November 1992, the United Nations had reported 465 violations of the "no-fly zone".

On 31 March, the Security Council adopted its resolution 816 (1993), by which it extended the ban on military flights to cover flights by all fixed-wing and rotary-wing aircraft in the airspace of Bosnia and Herzegovina. Acting under Chapter VII of the Charter, the Council authorised member-states, seven days after the adoption of the resolution, acting nationally or through regional arrangements, to take under the authority of the Security Council and subject to close coordination with the Secretary-General and the UNPROFOR, "all necessary measures" in the airspace of Bosnia and Herzegovina to ensure compliance with the ban on flights, and proportionate to the specific circumstances and the nature of flights.

On 9 April, the Secretary-General transmitted to the Security Council a letter from the Secretary General of NATO, Dr. Manfred Warner, informing him that the North Atlantic Council had adopted the "necessary arrangements" to ensure compliance with the ban on military flights and that it was prepared to begin the operation at noon GMT on 12 April. The operations authorized by resolution 816 (1993) started, as scheduled, on 12 April at 12.00 GMT. Subsequently, the Secretary-General was informed by the NATO that all the countries offering to make aircraft available for the operation would participate fully in it.

### **"Safe Areas"**

In March 1993, fighting intensified in eastern Bosnia and Herzegovina, with Bosnian Serb paramilitary units attacking several cities in the area, including Srebrenica. The military attacks resulted in a heavy loss of life among the civilian population and severely impeded the United Nations humanitarian relief efforts in the area. In mid-March, the UNHCR reported that thousands of Muslims were

seeking refuge in Srebrenica from surrounding areas which were being attacked and occupied by Serb forces, and that 30 or 40 persons were dying daily from military action, starvation, exposure to cold or lack of medical treatment.

On 16 April, the Security Council, acting under Chapter VII of the Charter, adopted resolution 819 (1993), in which it demanded that all parties treat Srebrenica and its surroundings as a "safe area" which should be free from any armed attack or any other hostile act. It also decided to send a mission of Council members to ascertain, firsthand, the situation in Bosnia and Herzegovina. As requested in resolution 819 (1993), the Security Council's fact-finding mission, composed of representatives of France, Hungary, New Zealand, Pakistan, the Russian Federation and Venezuela, visited the region from 22 to 27 April 1993.

Having considered the mission's report and recommendations, the Security Council adopted resolution 824 (1993) of 6 May, in which it declared that, in addition to Srebrenica, Sarajevo and other such threatened areas, in particular the towns of Tuzla, Zepa, Gorazde,

Bihac and their surroundings, should be treated as safe areas by all the parties concerned. The Council further declared that in those areas armed attacks must cease, all Bosnian Serb military or paramilitary units must withdraw and all parties must allow the UNPROFOR and the international humanitarian agencies free and unimpeded access to all safe areas. It authorised the strengthening of the UNPROFOR's mandate by an additional 50 military observers to monitor the humanitarian situation in those areas.

On 4 June, the Security Council, by its resolution 836 (1993), acting under Chapter VII of the United Nations Charter, further expanded the mandate of UNPROFOR to enable it to protect the safe areas, including to deter attacks against them, to monitor the ceasefire, to promote the withdrawal of military or paramilitary units other than those of the Bosnian Government and to occupy some key points on the ground. The Council authorised the UNPROFOR, acting in self-defense, to take necessary measures, including the use of force, in reply to bombardments against the safe areas or to armed incursion into them or in the event of any deliberate obstruction to the freedom of movement

of the UNPROFOR or of protected humanitarian convoys. The Council also decided that member-states, acting nationally or through regional arrangements, might take, under its authority, all necessary measures, through the use of air power, in and around the safe areas, to support the UNPROFOR.

In response to the Council's invitation to report to it on the requirements for implementing the resolution, the Secretary-General, in his report dated 14 June, indicated that it would be necessary to deploy additional troops on the ground and to provide air support. As to the air support, the Secretary-General reported that he had initiated contacts with member-states and had invited the NATO to coordinate with him the use of air power in support of the UNPROFOR. The Secretary-General pointed out that the first decision to initiate the use of air resources in this context would be taken by him in consultation with the members of the Security Council.

In adopting resolution 844 (1993) of 18 June, the Security Council authorised an additional reinforcement of the UNPROFOR initially by 7,600 troops and reaffirmed the use of air power, in and



around the declared safe areas in Bosnia and Herzegovina, to support the Force. On 18 August, the Secretary-General informed the Security Council that following the necessary training exercises in coordination with NATO, the United Nations had the operational capability for the use of air power in support of the UNPROFOR.

### **Hostilities in Central Bosnia**

The situation in Bosnia and Herzegovina was further aggravated when, in May 1993, intense fighting between the Muslim and Bosnian Croat forces erupted in central Bosnia and Herzegovina-. Despite the calls by the Security Council, efforts of the Co-Chairmen of the Steering Committee and the UNPROFOR, hostilities between the two former allies continued. The fighting intermittently blocked the main supply routes for humanitarian assistance into northern Bosnia, and further restricted the freedom of movement of the UNPROFOR and the UNHCR in the area. In this connection, the UNPROFOR and the UNHCR initiated a humanitarian "Operation Lifeline" to keep the main routes open to help ensure the survival of up to 2.7 million people in Bosnia and Herzegovina

during the winter.

## **Border Control**

On 10 June 1993, the Security Council, by its resolution 838 (1993), requested the Secretary-General to submit a further report on options for the deployment of international observers on the borders of Bosnia and Herzegovina, with priority being given to its borders with the Federal Republic of Yugoslavia (Serbia and Montenegro), to monitor the implementation of the relevant Security Council resolutions. The Council called for international observers to be drawn from the United Nations and, if appropriate, from member-states. The Secretary-General reported to the Security Council on 1 July. He presented two options and their respective requirements in terms of human and other resources.

As regards option one, the Secretary-General said that it would be unrealistic for the Security Council to authorise international observers to establish full control over the borders of Bosnia and

Herzegovina as world-wide resources for additional peace-keeping troops were becoming increasingly stretched. Full border control would require a capability to deny passage and to act where borders had already been crossed. It would also mean that the UNPROFOR would supersede the national authorities in respect of certain border-control functions. Border monitoring was another option identified by the Secretary-General. Observers would only observe and report on Bosnia and Herzegovina's borders, and would not be in a position to check the nature of goods coming into and out of the Republic. Even this more limited option would require substantial additional resources, and the necessary personnel and financing might not be available.

The Secretary-General went on to point out that outstanding contributions to United Nations peace-keeping accounts totalled \$1.26 billion in mid-June 1993, while unpaid assessments amounted to \$2.236 billion. He said it was "highly probable that in the coming months the Organization will not be able to meet its day-to-day obligations". On 7 July, the President of the Security Council addressed a letter to the Secretary-General informing him that the members of the Council had

considered his report and continued to believe that international observers should be deployed on the borders of Bosnia and Herzegovina. They invited the Secretary- General, bearing in mind the observations in his report, to contact member-states in order to establish whether they were ready, individually or through regional organizations or arrangements, to make qualified personnel available to act as observers along the borders of Bosnia and Herzegovina; and to continue to explore all possibilities for implementation of the border monitors concept.

### **Former Yugoslav Republic of Macedonia**

As to the UNPROFOR's activities in the Former Yugoslav Republic of Macedonia, the Secretary- General reported to the Security Council on 13 July 1993. In his report, the Secretary-General concluded that the Force had so far been successful in its preventive mandate in the Former Yugoslav Republic of Macedonia.

### **Mandate Further Extended**

On 20 September 1993, the Secretary-General recommended that the Security Council renew the mandate of the UNPROFOR for a period of six months (as is usual with most United Nations peace-keeping operations). In a report dealing primarily with Croatia, the Secretary-General said that he had been "sorely tempted" to recommend the withdrawal of the Force altogether because of the criticism of the UNPROFOR by both sides and the dangers and abuse to which its personnel were exposed, but that such a step could only result in further conflict. To enhance the security of the Force, he requested the extension of close air support to the territory of Croatia.

The Secretary-General also stated that should the UNPROFOR's mandate be extended, he would give "favorable consideration" to a suggestion by the President of Croatia that the Force be divided into three parts - UNPROFOR (Croatia), UNPROFOR (Bosnia and Herzegovina) and UNPROFOR (the former Yugoslav Republic of Macedonia) while retaining its integrated military, logistical and administrative structure under the command of one Special Representative of the Secretary-General and one theatre Force

Commander.

In the meantime, on 24 September, 1993 the Security Council was informed by the Croatian Government that if the mandate of the UNPROFOR was not amended to promote energetic implementation of the relevant resolutions of the Security Council, Croatia would be forced to request the UNPROFOR to leave the country not later than 30 November 1993.

On 4 October 1993, after intensive consultations and two interim extensions of the UNPROFOR's mandate - for a 24-hour period on 30 September, and for another four days on 1 October - the Security Council, by its resolution 871 (1993), extended the mandate of the Force for a period of six months, through 31 March 1994. The Council took this action under Chapter VII of the Charter reiterating its determination to ensure the security of the UNPROFOR and its freedom of movement.

The Council called for an immediate ceasefire agreement between the Croatian Government and the local Serb authorities in the UNPAs,

mediated under the auspices of the International Conference on the former Yugoslavia. It urged all parties to cooperate with the UNPROFOR in reaching and implementing an agreement on confidence-building measures, including the restoration of electricity, water and communications in all regions of Croatia. Stressing the importance of restoring Croatian authority in the "pink zones", the Council called for the revival of the Joint Commission established under the chairmanship of the UNPROFOR.

In addition, the Council took note of the Secretary-General's intention to establish three subordinate commands within the UNPROFOR - in Croatia, Bosnia and Herzegovina and the former Yugoslav Republic of Macedonia - while retaining all other existing dispositions for the direction and conduct of the United Nations operation in the territory of the former Yugoslavia.

The Council decided to continue to review urgently the extension of close air support to the UNPROFOR in the territory of Croatia as recommended by the Secretary-General. It authorised the UNPROFOR, in carrying out its mandate in Croatia, acting in self-

defense, to take the necessary measures, including the use of force, to ensure its security and freedom of movement.

## **Mandate in Croatia Unchanged**

As requested by Security Council resolution 871 (1993), the Secretary-General submitted his further report on 1<sup>st</sup> December 1993. He stated that various initiatives were under way, with the cooperation of the two sides in the Croatian conflict, which could lead to implementation of the United Nations peace-keeping plan for the Republic.

In a letter dated 17 December 1993, the President of the Security Council informed the Secretary-General that the members of the Council agreed with the observations contained in his 1<sup>st</sup> December report regarding the mandate of the UNPROFOR in Croatia. On 17 December 1993, Croat representatives and local Serb authorities in Croatia signed a Christmas Truce Agreement, mediated by the UNPROFOR. Subsequently, the truce was extended beyond 15 January, 1994 and was



generally held since then.

### **Ceasefire in Bosnia not respected**

In the meantime, the military and humanitarian situation in Bosnia and Herzegovina continued to worsen. On 9 November 1993, the Security Council, in a statement by its President, expressed deep concern at the reported deterioration of the situation in central Bosnia and Herzegovina where increased military activities posed a serious threat to the security of the civilian population. The Council was equally concerned at the overall humanitarian situation in that republic and demanded again that all parties concerned guarantee unimpeded access for humanitarian assistance.

In a separate statement issued on the same day, the Council condemned all attacks and hostile acts against the UNPROFOR by all parties in Bosnia and Herzegovina, as well as in Croatia, "which have become more frequent over the last weeks", and demanded that "they

cease forthwith".

The Council reaffirmed its commitment to implement all its relevant resolutions, in particular resolution 836 (1993), by which it had authorised the UNPROFOR to use force to protect Sarajevo and five towns previously declared "safe areas" in Bosnia and Herzegovina, and expressed its readiness to consider further measures to ensure that all parties in Bosnia and Herzegovina abided by their commitments.

### **Security Council Condemns Croatian Interference in Bosnia**



In a Presidential statement issued on 3 February, the Security

Council strongly condemned Croatia for deploying elements of its Army and heavy military equipment in the central and southern parts of Bosnia and Herzegovina, and demanded that they be withdrawn. The Council stated that it would consider "other serious measures", if Croatia failed to put an immediate end to "all forms of interference" in that Republic.

The Council requested the Secretary-General to monitor the situation and report within two weeks on progress towards complete and full withdrawal. The Council again condemned the acquisition of territory by force as well as the "practice of 'ethnic cleansing' by whomsoever committed", and reaffirmed the sovereignty, territorial integrity and independence of Bosnia and Herzegovina.

### **Question of Air Strikes Arises**

In a separate development, the Heads of States participating in the summit meeting of the NATO, held in Brussels on 10 and 11 January 1994, issued a Declaration, by which, inter alia, they deplored

the continuing conflict in the former Yugoslavia. They expressed their continued belief that the conflict in Bosnia and Herzegovina must be settled at the negotiating table and not on the battlefield, and supported the efforts of the United Nations and the European Union to secure a negotiated settlement in that Republic. They were determined to "eliminate obstacles to the accomplishment of the UNPROFOR mandate" and called for the full implementation of Security Council resolutions regarding the reinforcement of UNPROFOR. They reaffirmed their readiness under the authority of the Security Council "to carry out air strikes in order to prevent the strangulation of Sarajevo, the safe areas and other threatened areas in Bosnia and Herzegovina". In this context, they urged UNPROFOR "to draw up urgently plans to ensure that the blocked rotation of the UNPROFOR contingent in Srebrenica can take place and to examine how the airport at Tuzla can be opened for humanitarian relief purposes".

On 12 January, the Secretary-General instructed his new Special Representative for the former Yugoslavia, Mr. Yasushi Akashi, to undertake an urgent preparatory study of the proposal. In his report

to the Secretary-General on 17 January, the Special Representative affirmed that the use of air power could make an important contribution if a military operation by the UNPROFOR was needed for those purposes.

On 18 January, 1994 the Secretary-General sent a letter to the President of the Security Council, conveying those conclusions. He indicated, however, that in both cases the use of air power to attain proposed objectives would require military assets in excess of what was available to the UNPROFOR in Bosnia and Herzegovina. The Secretary-General also stated that the new proposal to use air power implied that the UNPROFOR could launch offensive action against Bosnian Serb elements which obstructed - or threatened to obstruct - its operations. The UNPROFOR had previously been allowed to use air support only in defense of United Nations personnel.

The Secretary-General instructed Mr. Akashi, with the assistance of the UNPROFOR Force Commander, to prepare detailed plans for military operations, including the use of air power as required, to ensure the rotation of the contingent in Srebrenica and the opening of the main airfield at Tuzla in close coordination with the NATO's Southern

Command.

On 1 March 1994, the Bosnian Serbs, following talks with high-ranking officials of the Russian Federation in Moscow, agreed to open the Tuzla airport for humanitarian purposes.

Deployment of the UNPROFOR troops around the airport began in early March in preparation for an airlift that was expected to bring relief supplies to hundreds of thousands of people in the area. The first UNPROFOR flight landed in Tuzla on 22 March 1994. The rotation of troops in Srebrenica, after protracted negotiations with the Bosnian Serb side, was completed on 10 March 1994, with the Dutch troops replacing the Canadian contingent.

### **Air Strikes Authorization Sought**

Meanwhile, fighting in and around Sarajevo continued unabated, including lethal mortar attacks against civilians. The Secretary-General informed the Council that he had requested the Secretary General of NATO to obtain "a decision by the North Atlantic Council to authorise the

Commander-in-Chief of NATO's Southern Command to launch air strikes, at the request of the United Nations, against artillery or mortar positions in and around Sarajevo which are determined by UNPROFOR to be responsible for attacks against civilian targets in that city".

### **Ten-Day Deadline is Set**

On 9 February, moving to end the strangulation of Sarajevo, the NAC issued a statement calling "for the withdrawal, or regrouping and placing under UNPROFOR control, within ten days, too heavy weapons (including tanks, artillery pieces, mortars, multiple rocket launchers, missiles and anti-aircraft weapons) of the Bosnian Serb forces located in the area within 20 kilometers (about 12.4 miles) of the centre of Sarajevo, and excluding the area within 2 kilometers (about 1.2 miles) of the centre of Pale". It also called upon the Muslim-led Government of Bosnia and Herzegovina, within the same period, "to place the heavy weapons in its possession within the Sarajevo exclusion zone described above under UNPROFOR control, and to refrain from attacks launched from within the current confrontation lines in the city".

The NAC decided that, ten days from 2400 GMT 10 February 1994, heavy weapons of any of the parties found within the Sarajevo exclusion zone, unless controlled by the UNPROFOR, would, along with their direct and essential military support facilities, be subject to the NATO air strikes.

In a parallel development, a few hours prior to the announcement of the NATO decision of 9 February, a cease-fire agreement had been reached between the warring parties in Bosnia and Herzegovina regarding the area in and around Sarajevo. The agreement followed intensive discussions at the political and military levels brokered by the Secretary-General's Special Representative, the Force Commander of the UNPROFOR and the UNPROFOR's Sector Commander for Sarajevo. The agreement involved the positioning of the UNPROFOR troops in sensitive areas, monitoring, and the placing of all heavy weapons under the UNPROFOR's control.



## **Preparations for Air Strikes**

The UN Secretary-General delegated to the Special Representative the authority to approve a request from the UNPROFOR Force Commander for close air support for the defense of the United Nations personnel anywhere in Bosnia and Herzegovina. The Secretary-General also instructed him and the UNPROFOR military authorities to negotiate arrangements under which: (a) there would be an effective ceasefire in and around Sarajevo; (b) the heavy weapons of the Bosnian Serb forces would be withdrawn or regrouped and placed under the UNPROFOR control; and (C) the heavy weapons of the Government of Bosnia and Herzegovina would be placed under the UNPROFOR control.

## **Council Considers Situation in Bosnia**

On 10 February 1994, the Ministry of Foreign Affairs of the Russian Federation stated that NATO's call for the parties - both the Serbs and the Muslims - to place the heavy weapons deployed in the Sarajevo area under United Nations control or to withdraw them from the area was

close to the Russian position .A Security Council meeting to discuss the situation in Bosnia and Herzegovina was also requested by the Government of that country and Pakistan. The Council met on 14-15 February 1994. Over the course of four meetings, it heard from a total of 58 speakers. Member-states generally welcomed the decision. They emphasised that force was designed to underpin efforts by the United Nations and the European Union to achieve a negotiated settlement of the conflict, and that air strikes had to be carried out with caution and precision. Although the NATO ultimatum was widely supported, several member-states either opposed it or expressed concern that, as a result of air strikes, the UNPROFOR might become a target for retaliatory measures. No Security Council resolution or statement was put forward during the meetings.

## **Heavy Weapons Withdrawn**

On 17 February 1994, following a meeting with Russian officials in Bosnia, the Bosnian Serbs agreed to withdraw within two days all their heavy weapons to the distance set by the NATO.

On 20 February 1994, Council was briefed by the Under-Secretary-General for Peace-keeping Operations, Mr. Kofi Annan, who reported that according to the Secretary-General's Special Representative for the former Yugoslavia, the UNPROFOR Force Commander and the NATO Serbian compliance with the ultimatum had been effective. Certain weapons on both the Serb and Muslim sides, which had not been removed from the exclusion zone, would be monitored in place by the UNPROFOR. As a result, the Council decided, in coordination with the NATO, not to recommend that air strikes be carried out at that time.

### **Agreement on Ceasefire**

In another positive development, military representatives of the Bosnian Government and the Bosnian Croat sides signed, on 23 February 1994, a ceasefire agreement.

**UNPROFOR: March 1994 - November 1994: Increase in**

## **Strength Requested**

On 4 March 1994, the Security Council adopted its resolution 900 (1994). The Council called on all parties in Bosnia and Herzegovina to cooperate with the UNPROFOR in the consolidation of the ceasefire in and around Sarajevo, to achieve complete freedom of movement for the civilian population and humanitarian goods to, from and within Sarajevo; and to help restore normal life to the city.

## **Extension of Mandate Recommended**

In a separate report submitted to the Security Council on 16 March 1994, the Secretary-General recommended the renewal of the Force's mandate for a further 12 months beyond 31 March 1994. First report contained the outcome of a thorough review of the role and functioning of the Force. The Secretary-General stated that the continuing conflict in the UNPROFOR's area of operations since its mandate was last renewed had led to considerable, but unjustified, criticising of the effectiveness of the Force. Those, together with mounting threats to the safety and

security of United Nations personnel, and the continuing failure of member-states to honor their financial obligations to the UNPROFOR in full and on time, had led him to consider seriously whether the continuation of the Force constituted a worthwhile use of the limited peace-keeping resources of the United Nations.

### **Ceasefire agreement in Croatia**

On 29 March 1994, in Zagreb, representatives of the Government of Croatia and the local Serb authorities in UNPAs concluded a ceasefire agreement aiming to achieve a lasting cessation of hostilities. The agreement was concluded in the presence of the representatives of the Russian Federation and of the United States, and witnessed by the representatives of the International Conference on the Former Yugoslavia and the Force Commander of the UNPROFOR.

### **UNPROFOR Mandate Extended**

On 31 March 1994, the Security Council, by its resolution 908 (1994), extended the mandate of the UNPROFOR for an additional six-month period terminating on 30 September 1994 and decided, as an initial step, to increase the Force's strength by an additional 3,500 troops.

By other terms of the resolution, the Council decided that member-states might take all necessary measures to extend close air support to the territory of Croatia in defense of the UNPROFOR personnel in the performance of its mandate, under the authority of the Council and subject to close coordination with the Secretary General and the UNPROFOR. It further authorised the Force to carry out tasks relating to the ceasefire entered into by the Government of Bosnia and Herzegovina and the Bosnian Croat party.

On 27 April 1994, the Security Council, by its resolution 914 (1994), authorised, as recommended by the Secretary-General, an increase in the strength of the UNPROFOR of up to 6,550 additional troops, 150 military observers and 275 civilian police monitors, in addition to the reinforcement already approved in resolution 908 (1994).

## **Situation in Gorazde -- Offensive Against Safe Area**

At the end of March 1994, the Bosnian Serb forces launched an infantry and artillery offensive against the United Nations safe area of Gorazde. The indiscriminate shelling of the city and of the outlying villages led to considerable casualties among the civilian population.

On 6 April 1994, the Security Council, in a statement by its President, strongly condemned the shelling and infantry and artillery attacks against the safe area of Gorazde, and demanded the immediate cessation of further attacks against the city. The Council called on all concerned fully to respect safe areas, in accordance with its resolution 824 (1993). It also welcomed measures being taken by the UNPROFOR to strengthen its presence in Gorazde,

Despite the Council's demand and the UNPROFOR's efforts to arrange for a ceasefire, attacks against Gorazde continued unabated. After the United Nations military observers in the city were endangered by Serb shelling, UNPROFOR Command requested NATO to use close air support for self-defense of United Nations personnel. Consequently, on

10 and 11 April 1994, aircraft belonging to the NATO bombed Bosnian Serb positions.

In a letter to the NATO Secretary-General, he noted that permission for such air strikes had already been given regarding Sarajevo and said that the tragic events in Gorazde demonstrated the need for the NATO Council to take similar decisions on the other safe areas in Bosnia and Herzegovina.

### **NATO authorises Use of Air strikes**

On 22 April 1994, the NAC authorised the use of air strikes against Bosnian Serb military targets around Gorazde if the Bosnian Serbs did not end their attacks against the safe area immediately,

### **Security Council Demands Withdrawal**

On the same day, the Security Council, by its resolution 913 (1994),



condemned the shelling and attacks by Bosnian Serb forces against the safe area of Gorazde and demanded the withdrawal of those forces and their weapons to a distance from which they would cease to threaten the safe area.

### **Deadline is Met**

On 23 April, an agreement was reached between the UNPROFOR and the Bosnian Serb civilian and military authorities. It called for an immediate and total cease-fire in and around Gorazde from 1000 hours GMT on 23 April, 1994 and the urgent deployment of the UNPROFOR battalion in an area within a three-kilometer radius from the centre of the city.

The Secretary-General stated that the Security Council, with the support of NATO, had taken a clear position that there must be no further threats to all of the safe areas. The United Nations humanitarian efforts must continue unimpeded, and all sides must commit to a meaningful ceasefire and negotiate a political solution in good faith.

On 19 May, the Secretary-General reported to the Security Council on the situation in Gorazde. The situation had remained tense although the cease-fire within the 3-km total exclusion zone, as well as the 20-km heavy weapon exclusion zone, had been largely respected.

### **Refining of Safe-Area Concept Needed**

In his 9 May 1994 report to the Security Council, the Secretary-General shared his thoughts with regard to the concept of United Nations safe areas. It implied that

(a) That the intention of safe areas is primarily to protect people and not to defend territory and that the UNPROFOR'S protection of these areas is not intended to make it a party to the conflict,

(b) That the method of execution of the safe-area task should not, if possible, detract from, but rather enhance, the UNPROFOR's original mandates in Bosnia and Herzegovina, namely supporting humanitarian assistance operations and contributing to the overall peace process through the implementation of ceasefires and local disengagements;

(c) That the mandate must take into account the UNPROFOR's resource limitations and the conflicting priorities that inevitably arise from unfolding events.

According to the Secretary-General's report, in addition to the arrangements already in place for the protection of the safe areas, it was necessary: (a) that the UNPROFOR mission in relation to the safe areas be clearly defined; (b) that the safe areas be delineated, as proposed by UNPROFOR; (c) That they be respected; (d) that complete freedom of movement, on a "notification" (as opposed to "clearance") basis, be ensured for the provision of humanitarian aid to the safe areas, as a prelude to further normalization, including the resumption of commercial traffic.

### **Ceasefire Agreement Lapses**

On 8 June, 1994 after three rounds of discussions held with both sides, the parties signed an agreement according to which they would not

engage in any offensive military operations or provocative actions for one month. The agreement came into effect from 1200 hours GMT on 10 June 1994. The agreement also provided for the immediate release, under the auspices of the ICRC, of prisoners-of-war and detainees and the exchange of information on persons whose whereabouts were unknown.

While that agreement was still in effect, Government forces attempted to capture dominating terrain or to secure routes in the areas of Ozren and Travnik. At the same time, Bosnian Serb elements continued to expel Muslim civilians from the Banja Luka and Bijeljina areas and imposed new restrictions on the movement of the UNHCR convoys. The agreement, which was renewed for an additional month in July, lapsed on 8 August 1994.

### **Another Peace Plan Rejected**

Successive blueprints for peace in Bosnia and Herzegovina have been drawn up with the parties and then subsequently repudiated by one

side or the other: the Carrington-Cutiliero plan, the Vance-Owen plan, the "HMS Invincible" package, and the European Union Action Plan.

In an effort to overcome the impasse, consultations took place involving the Co-Chairmen of the Steering Committee, and interested Governments. Following the introduction of a heavy-weapon exclusion zone, the involvement of the NATO and the redeployment of a Russian UNPROFOR contingent from Sector East to Sarajevo, it became necessary for the Governments of France, Germany, the Russian Federation, the United Kingdom and the United States to become more deeply involved in the peace process.

The United States took the lead in establishing a Bosniac-Croat federation and a confederation between Croatia and the federation. At the end of July, 1994 the Bosniac-Croat Federation accepted the map. The Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) also accepted the map. Leaders of the Federal Republic of Yugoslavia (Serbia and Montenegro) urged the Bosnian Serb leadership to accept the map. The Bosnian Serb side, however, rejected it.

## **Border Closed**

On 23 September, 1994 the Security Council, by its resolution 943 (1994), welcomed the decision by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to close the international border with Bosnia and Herzegovina. It decided to suspend several economic sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) for an initial period of 100 days following the receipt by the Secretary-General of a certification that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) were effectively implementing their decision to close the border.

The Council also requested that every thirty days the Secretary-General submit to it a report of all certification by the Co-Chairmen that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) were effectively implementing their decision to close the border with Bosnia and Herzegovina.

## **Sanctions Strengthened**

On 23 September, 1994 the Security Council, by its resolution 942 (1994), welcomed the territorial settlement for Bosnia and Herzegovina proposed by the Contact Group, strongly condemned the Bosnian Serb party for their refusal to accept it, and decided to strengthen the sanctions against the Bosnian Serbs. The sanctions, which apply to "all activities of an economic nature, including commercial, financial and industrial activities and transactions", would be reconsidered if the Bosnian Serbs unconditionally accepted the proposed territorial settlement.

The Council also decided that States should freeze financial assets held in their countries by Bosnian Serbs or entities under their control and take steps to prevent the diversion of benefits to areas controlled by the Bosnian Serbs.

### **Further Developments in former Yugoslavia**

In mid-September 1994, in view of the expiration of the UNPROFOR mandate by the end of the month, the Secretary-General submitted to the Security Council a further report providing an account of the

developments in the former Yugoslavia since March, 1994.

## **Croatia**

Analysing the situation in Croatia, the Secretary-General stated that the UNPROFOR's activities in that country were focusing on the monitoring of the general ceasefire agreement signed in Zagreb on 29 March 1994 by the Government of Croatia and the local Serb authorities in the UNPAs. The agreement constituted a major achievement that had significantly reduced active hostilities between the conflicting sides in Croatia. By the end of May, 1994 the UNPROFOR reported almost total compliance, characterised by a general cessation of hostilities, withdrawal of forces beyond fixed lines of separation and the placement of heavy weapons in agreed storage sites. The UNPROFOR assumed exclusive control over the zone of separation, covering an area of over 1,300 square kilometers.

However, during the months of April and May, 1994 local Serb authorities in Knin issued a number of statements that appeared to close the door on political reconciliation. They announced their intention to

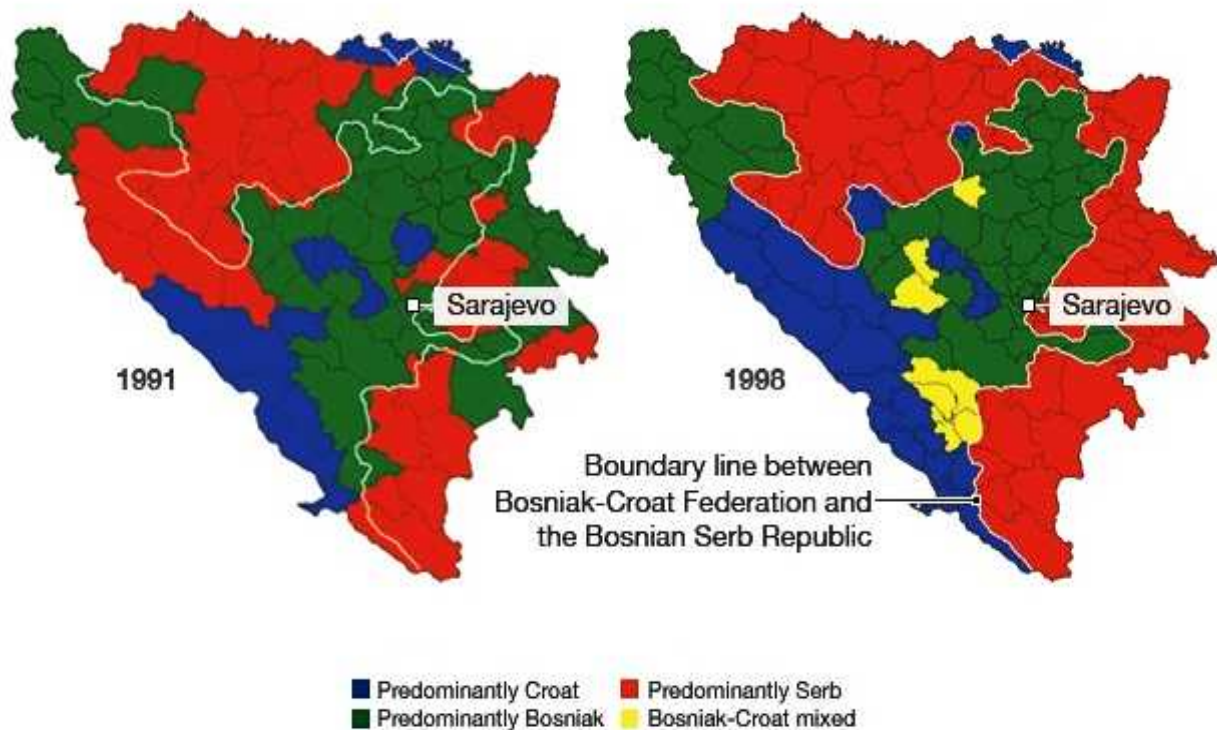


pursue full integration with other Serb areas in the former Yugoslavia and stipulated unrealistic preconditions for talks. It proved impossible to open negotiations at that stage. In August, 1994 following renewed mediation efforts by the International Conference on the Former Yugoslavia, senior officials from the Croatian Government and local Serb authorities were brought together for discussions in Knin. Committing themselves to continuing the negotiating process, they agreed to establish eight expert groups to prepare for future negotiation on specific economic issues. The Secretary-General also recalled that by its resolution 908 (1994), the Security Council had authorised the extension of close air support to the territory of Croatia. Discussions between the NATO and the UNPROFOR were continuing on technical aspects of this issue.

## **Bosnia and Herzegovina**

Describing the situation in Bosnia and Herzegovina, the Secretary-General noted that following the signature on 23 February 1994 of a ceasefire agreement between the Bosnian Government army and the Bosnian Croat forces, as well as the agreement subsequently reached in Washington on 10 May 1994 on the creation of the Bosnia-Croat Federation, the UNPROFOR was closely involved in the implementation of all its military aspects, bringing a large degree of stability and peace to

### **Ethnic distribution in Bosnia and Herzegovina before and after the war**



central Bosnia and western Herzegovina.

Also on the positive side, the Secretary-General referred to the establishment of the ceasefire in Gorazde in April 1994, which was largely respected since then, and of the exclusion zone around that city. Also, in late April, tensions mounted in and around the strategically important Posavina corridor, with frequent artillery, mortar and rocket exchanges affecting the Brcko, Tuzla and Orasje areas.

In response, the UNPROFOR mediated between the parties and eventually deployed United Nations military observers in and around Brcko. That deployment significantly contributed to reducing tension and making an offensive by either side less likely.

The Secretary-General also reported that serious violations of human rights persisted. The UNPROFOR continued to highlight and condemn strongly the incidence of torture, killings and expulsions of minorities within Bosnia and Herzegovina. The UNPROFOR persisted in its attempts to visit and establish a presence in Bosnian Serb-controlled areas, particularly in Banja Luka and Bijeljina, which were the scene of

continued “ethnic cleansing”.

### **Former Yugoslav Republic of Macedonia**

The Secretary-General reported that although the military situation in the Former Yugoslav Republic of Macedonia remained relatively calm and stable, since April, 1994 there had been a rise in the frequency of encounters between patrols from the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Former Yugoslav Republic of Macedonia along their common border. The UNPROFOR successfully mediated several tense border encounters, achieving the withdrawal of soldiers on both sides. In those activities, the UNPROFOR maintained close coordination with other international bodies, including the International Conference on the Former Yugoslavia and the CSCE.

Given the complex interrelation of external and internal factors contributing to economic and political uncertainty, and rising social tensions, the Security Council, in resolution 908 (1994) of 31 March 1994, encouraged the Secretary-General’s Special Representative, in cooperation with the authorities of the former Yugoslavia Republic of

Macedonia, to use his good offices as appropriate to contribute to the maintenance of peace and stability in that Republic.

### **UNPROFOR'S Mandate Further Extended**

Also in his 17 September, 1994 report, the Secretary-General noted that the conflicts in the former Yugoslavia were closely interrelated and had had direct impact on the UNPROFOR's operations in Croatia, Bosnia and Herzegovina and the Former Yugoslav Republic of Macedonia. In this context, the work of the Contact Group, which had emerged in April, 1994 and involved five major Powers working with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, could be of great significance for the UNPROFOR's future. Speaking of Croatia, the Secretary-General outlined four problem areas in the UNPROFOR's mandate in that Republic: the demilitarisation of the UNPAs; the restoration of Croatian authority in the "pink zones", the establishment of border controls; and assistance for the return of refugees and displaced persons to their homes. All four required either enforcement or the consent of both parties for their implementation. The UNPROFOR had neither the means nor the mandate for enforcement

action of this nature, and the cooperation of the parties was elusive. Despite the inability of the UNPROFOR to achieve important parts of its mandate in Croatia, the Secretary-General continued the successful implementation of the ceasefire agreement had opened the possibility for some progress. It had reduced dramatically the number of war casualties and allowed for increasing normalization of life, including improved economic prospects, particularly for tourism. However, despite this success, the UNPROFOR continued to be criticised by the Croatian Government and media for its inability to fulfill its entire mandate, and to be threatened with unrealistic deadlines to fulfill tasks which, without the political will of both sides, could not contribute to long-term stability. While the recriminations directed against the UNPROFOR might be partly related to the Croatian political process, they also reflected certain incompatibilities in the Force's mandate, which made it impossible to achieve the implementation of various tasks within a limited time-frame. The resultant gap between Croatian expectations of what the United Nations presence could deliver, and what the UNPROFOR was actually capable of achieving under the circumstances, became increasingly difficult to bridge.

In addition, the Secretary-General noted, the UNPROFOR continued to experience serious restrictions on its freedom of movement imposed by all sides, and especially by the Bosnian Serbs.

The Secretary-General also pointed out that the decisions of member-states to provide troops to the UNPROFOR were based on the existing Security Council resolutions and on the assumption that the mandate of the Force would be implemented as a peace-keeping operation. Any attempt to redefine radically the conditions in which the UNPROFOR's mandate was implemented and which could have implications for the security of its personnel might, therefore, lead the contributing states to exercise their sovereign right to terminate their contribution to the Force.

The Secretary-General, therefore, instructed the UNPROFOR to finalise plans for a withdrawal at short notice. It was judged that, should this withdrawal become necessary, it would take place under extremely difficult conditions and might therefore require an early decision by the Security Council. The Secretary-General suggested, however, that any consideration of decisions leading to the withdrawal of the UNPROFOR

had to be weighed against the tasks that were being implemented successfully by the UNPROFOR. In the absence of an overall political settlement acceptable to all of the parties, the UNPROFOR's presence and activities in Bosnia and Herzegovina remained invaluable. The Force continued to play an essential and effective role as an impartial force, and represented, in a society faced with the challenges of reconciliation and restoration, the principles and objectives of the Charter of the United Nations. Its usefulness in supporting humanitarian activities, facilitating local ceasefires and disengagements and fostering reconciliation and cooperation between communities argued in favor of a further renewal of its mandate. Therefore, the Secretary-General did not recommend the withdrawal of the Force at that stage.

In the Former Yugoslav Republic of Macedonia, the Secretary-General went on to say that the UNPROFOR's presence had demonstrated the value of preventive deployment. But its mission could be judged effective only if it ends successfully. The success of the mission, however, would depend on external developments. In concluding his report, the Secretary-General recommended to the Security Council the



renewal of the UNPROFOR's mandate for a period of six months, and proposed to report further to the Council as necessary on progress towards implementation of the mandate, in the light of developments on the ground and other circumstances affecting the mandate of the UNPROFOR. The Secretary-General also recommended a number of specific activities in the areas of mine-clearance and public information, including the establishment of an independent UNPROFOR radio station.

On 30 September 1994, the Security Council, by its resolution 947 (1994), extended the UNPROFOR's mandate for an additional period terminating on 31 March, 1995, and approved the Secretary-General's proposals relating to civilian police, mine-clearance and public information. It called on all parties and others concerned to fully comply with all Security Council resolutions regarding the situation in the former Yugoslavia, and concerning in particular, the UNPROFOR in Croatia to create the conditions that would facilitate the full implementation of its mandate.

### **Security Situation Deteriorates**

In August and September 1994, the security situation in Bosnia and Herzegovina deteriorated. Continued fighting persisted in several regions of the Republic. The attacks in the safe area of Sarajevo by snipers (despite the anti-sniping agreement), escalated in frequency. The extent of heavy weapons attacks also increased. Attacks occurred in both the city centre and the suburbs and on many occasions were directed at residences, pedestrians and moving vehicles, such as trams packed with people. The United Nations personnel were also targetted and suffered fatalities. Twice, in August and September, the UNPROFOR called in the NATO warplanes to hit Serbian heavy weapons violating the exclusion zone around Sarajevo. There were numerous interferences with humanitarian aid. A key humanitarian route in Sarajevo was closed by Bosnian Serb forces, thus greatly impeding the delivery of aid not only to the city, but also to many points in northern and eastern Bosnia. Attacks both by Bosnian Serbs and Government forces on Sarajevo airport resulted in its frequent closure.

In resolution 941 (1994) adopted on 23 September, the Security Council demanded that Bosnian Serb authorities immediately cease their

campaign of ethnic cleansing in the Republic of Bosnia and Herzegovina and authorise immediate and unimpeded access for representatives of the United Nations and of the ICRC to Banja Luka, Bijeljina and other areas of concern. The Council also requested the Secretary-General to arrange the deployment of the UNPROFOR troops and United Nations monitors to those areas. It strongly condemned violations of international humanitarian law, particularly ethnic cleansing, and reaffirmed that those committing or ordering such acts would be held individually responsible; and that the parties to the conflict were bound to comply with international humanitarian law, in particular the Geneva Conventions of 12 August, 1949.

### **Fighting Erupts in Bihac Pocket**

In October, after defeating the forces of Mr. Fikret Abdic in Western Bosnia during the summer, the Bosnian Government army, acting in cooperation with Bosnian Croat units, mounted a large and, initially, successful offensive operation against Bosnian Serb forces in and around the Bihac pocket. By mid-November, the Bosnian Serbs had regained most of the territory lost during the earlier Bosnian Government offensive

and advanced on the United Nations-designated safe area of Bihac. Both the offensive by the Bosnian Government army and the Bosnian Serb counteroffensive resulted in civilian casualties and a new flow of refugees and displaced persons in the region.

### **Bihac Safe Area Under Attack**

On 19 November, the Security Council, by its resolution 958 (1994), decided that the authorisation given to member-states under resolution 836 (1993) - to take under its authority and subject to close coordination with the Secretary-General and the UNPROFOR, all necessary measures, through the use of air power, in and around the safe areas of Bosnia and Herzegovina to support the UNPROFOR in the performance of its mandate - also applied to such measures taken in the Republic of Croatia.

On the same day, the Council adopted resolution 959 (1994), in which it condemned violations of the international border between Croatia and Bosnia and Herzegovina, and demanded that all parties, in particular the so-called Krajina Serbs, fully respect the border and refrain

from hostile acts across it.

On November 21, in accordance with resolution 958 (1994), NATO launched an air strike on the Udbina airstrip located in the UNPA Sector South in Croatia. The raid came after the aircraft of the so-called Krajina Serbs attacked targets in the Bihac enclave on 18 and 19 November. A total of 39 warplanes from France, the Netherlands, the United Kingdom and the United States took part in the attack on the Udbina airfield in close cooperation with the UNPROFOR.

The Secretary-General's Special Representative described that action as a necessary and proportionate response to the continued use of the airstrip for air raids against the Bihac safe area. He noted that the NATO had targeted the airstrip at Udbina, and not the aircraft operating from it, in order to limit collateral damage and casualties.

In an apparent retaliation for the NATO air strikes, throughout Bosnia and Herzegovina, the Bosnian Serbs detained a number of United Nations personnel, restricted their movement, subjected some to humiliation, and stopped most humanitarian and supply convoys in

territories under Bosnian Serb control.

### **Ceasefire Proposal Not Accepted**

Meanwhile, the UNPROFOR continued its efforts to negotiate and use every means at its disposal to obtain a ceasefire. It proposed a three-point plan for an immediate and unconditional ceasefire for the Bihac safe area, involving the demilitarisation of the safe area, turning it over to the UNPROFOR, and interposition of peace-keepers in the sensitive areas. The proposal, which had been delivered to both parties on 27 November, was accepted in principle by the Bosnian Government. The Bosnian Serb side indicated that it needed more time to review the proposal. The efforts of the UNPROFOR were actively supported by the Contact Group and the Secretary-General. The Secretary-General had extensive telephone conversations with various leaders regarding developments in Bosnia and Herzegovina. He spoke on several occasions with the new Secretary-General of the NATO, Willy Claes, and with Bosnian leaders, including President Alija Izetbegovic, and the Vice-President of the Federation of Bosnia and Herzegovina, Ejup Ganic. He also announced his decision to travel to Sarajevo to hold discussions with

President Izetbegovic and with Bosnian Serb leader Radovan Karadzic.

## **Humanitarian Relief**

The United Nations has been providing humanitarian relief assistance to refugees and displaced persons since the beginning of the conflict in the former Yugoslavia. The United Nations relief effort is coordinated by the UNHCR, which at the beginning of the emergency operation was designated as lead humanitarian agency for the former Yugoslavia. In December 1991, it was estimated that there were approximately 500,000 refugees, displaced persons and other victims of the conflict requiring assistance and protection. As the conflict intensified and extended to Bosnia and Herzegovina, the humanitarian problems increased dramatically with the growing number of refugees and displaced persons, widespread violations of basic human rights and international humanitarian law. Under such difficult circumstances, the UNHCR, the United Nations Children's Fund (UNICEF), the World Health Organization (WHO), the World Food Programme (WFP), other United Nations agencies concerned, ICRC as well as many non-governmental organizations (NGOs) continue to do their utmost to address the

humanitarian needs of the conflict affected population.

### **Reaching the Affected Population**

After the launching of the Programme of Action and Appeal, the number of affected persons in need of humanitarian assistance increased significantly. On 1 March 1993, Mrs. Ogata reported to the Security Council that 3.8 million people were receiving assistance in the whole of the former Yugoslavia. In Bosnia and Herzegovina alone, some 2.28 million people, or half of the original population, were beneficiaries of humanitarian assistance from the UNHCR.

### **UNPROFOR Strength**

The UNPROFOR existed from February 1992 - March 1995. It was initially established in Croatia to ensure demilitarisation of designated areas. The mandate was later extended to Bosnia and Herzegovina to support the delivery of humanitarian relief, monitor "no fly zones" and "safe areas". The mandate was later extended to the former Yugoslav Republic of Macedonia for preventive monitoring in border areas. As of



30 November 1994, military and civilian police personnel of UNPROFOR were provided by the following countries: Figures may vary from month to month due to rotation. "Troops" include any infantry, logistics, engineering, medical, staff, etc.

## **Appendix No: 2**

### **The Structure and Composition of the UNPROFOR**

The UNPROFOR was headed by the Secretary-General's Special Representative for the former Yugoslavia and includes military, civil affairs (including civilian police), public information and administrative components, with overall headquarters in Zagreb, Croatia. As of 30 November 1994, the strength of the military personnel actually deployed in theatre, led by the Force Commander, amounted to 38,810, including 680 United Nations military' observers. There were also 727 civilian police, 1,870 international civilian staff (including 1,353 contractual personnel who are not members of the international civil service) and 2,188 local staff. The UNPROFOR was thus the largest peace-keeping operation in the history of the United Nations.

Following the adoption of Security Council resolution 871 (1993), the military structure of the UNPROFOR was reorganised under three subordinate commands: UNPROFOR Croatia, under Major General A. Tayyeb (Jordan), headquartered in Zagreb; UNPROFOR Bosnia and Herzegovina, under Lieutenant-General Sir Michael Rose (United Kingdom), headquartered in Kiseljak; and UNPROFOR former Yugoslav Republic of Macedonia, under Brigadier-General Tryggve Tellefsen (Norway), headquartered in Skopje. The three commanders reported to the Force Commander who, together with the civilian, logistical and administrative components, acted under the overall direction of the Special Representative of the Secretary-General.

### **Financial Aspects of UNPROFOR**

The rough cost to the United Nations of the UNPROFOR in 1994 was about \$1.6 billion. The costs are met by assessed contributions from member-states. As of 30 November 1994, contributions outstanding to the UNPROFOR Special Account for the period from the inception of the

operation to 30 November 1994 amounted to about \$698 million.

The crisis in Bosnia provides an example of a case where the international community attempted to stop wartime violations of human rights in a manner somewhere in between strict peacekeeping and full-blown military intervention. The UN efforts in Bosnia were not entirely effective in meeting this objective, partially because they were too late in recognising the true nature of what was happening and partially because sufficient resources were not devoted to the task. These lessons would be applied just a few years later in Kosovo.

The United Nations peace-keeping role in Bosnia was severely criticised for its onset of clashes between the UN and Serb forces in Bosnia and it became the latest evidence that the UN-led intervention in the former Yugoslavia was fundamentally flawed. That operation prolonged the fighting and suffering instead of contributing to a secure environment in which the local parties might have negotiated a lasting peace settlement. The UN intervention imposed an artificial life-support system on a Balkan society bent on continuing to fight. The "middle way" between traditional passive peace-keeping and large-scale coercive

intervention left all the local parties with greater incentives to continue the conflict than to negotiate a settlement.

That situation exposes the manifold weaknesses of international humanitarian intervention in violent intrastate struggles. It was felt by many observers that rather than prolong a policy that seems destined to fail, the United States should have advocated the termination of the UN operation and urge the European countries, which had the most at stake, to take measures to contain the Yugoslavian conflict.

The purpose of a UN peace-keeping force is to sustain and support a stable environment conducive to peace negotiations and a lasting settlement. That goal presupposes that such an environment exists, at least in the form of an observed cease-fire, and some willingness to negotiate on the part of the belligerents. The relationship between the peace-keepers and the resolution of the conflict is indirect and oblique. The peace-keepers do not "create" or "cause" conflict resolution, they merely help belligerents to contribute to a more stable political and military environment that could conceivably lead to conflict resolution.

The United Nations had maintained that the purpose of its military intervention in the former Yugoslavia was to control the conflict, fostering a climate in which negotiations between parties could be promoted, preventing the resumption or escalation of conflict, providing a breathing space for the continued efforts of the peacemakers and supporting the provision of essential humanitarian assistance.

The UN officials hoped that the passive military efforts of the peacekeepers will indirectly contribute to "fostering" such a climate. The power to directly "create" that climate lies, of course, with the local belligerents. In short, peacekeeping is a technique designed to help those who wish to help themselves<sup>12</sup>.

Consequently, the chief operational imperative of the UN peacekeeping missions has always been that the consent and cooperation of the belligerents is the key to success. As the United Nations itself has maintained throughout its existence, peacekeeping's effectiveness depends on voluntary cooperation. In

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<sup>12</sup> CBITMUN Committee Handbook <http://www.cbitmun.com/committees/agendas/unsc.pdf> (visited 22.10.2011)

extraordinary circumstances, when one powerful and threatening belligerent party can be identified, the United Nations may authorise the use of force to compel that belligerent to accept a solution and impose a peace on the region. But that is not peacekeeping; it is known in the UN lexicon as peace enforcement. That is an important distinction that has become dangerously blurred in recent years.

"Through UNMIBH, the United Nations has demonstrated its ability to complete a complex mandate in accordance with a strategic plan and within a realistic and finite time frame. UNM1BH has completed the most extensive police reform and restructuring project ever undertaken by the United Nations." (Source : UN Secretary-General Kofi Annan (S/2002/1314))

### **Ongoing UNAMID: UN Peace-making Operations in Darfur Region of Sudan**

The African Union/UN ongoing hybrid operation in Darfur, referred to by its acronym UNAMID, was established on 31 July 2007 with the adoption of Security Council resolution 1769. The UNAMID has the

protection of civilians as its core mandate, but is also tasked with contributing to security for humanitarian assistance, monitoring and verifying implementation of agreements, assisting an inclusive political process, contributing to the promotion of human rights and the rule of law, and monitoring and reporting on the situation along the borders with Chad and the Central African Republic (CAR).

Situated in North Eastern Africa, Sudan became independent from British rule in 1956. About 30% people of North are Sunni Muslim Arabs and those in the west and south are Sunni black Muslims with some Christians in the south. The country has been mostly ruled by Arab dictators. There has been trouble between the Arab minority and black majority since inception of the state. The powerful Arab minority had been crushing rebellious voices of the blacks but the blacks continued their struggle for autonomy. The tussle finally resulted in a major crisis in 2003. The most affected area was the western region of Sudan, which is known as Darfur region comprising of three states called: El Fasher, El Nyala and El Geneina.

More than 200,000 people are estimated to have died and at least 2

million displaced from their homes in Darfur since fighting broke out in 2003 between Government of Sudan forces, allied Janjaweed militia and other armed rebel groups. Atrocities such as the murder of civilians and the rape of women and girls were widespread and continued, underscoring the necessity for urgent action. In addition to pursuing a political solution, the UN and its partners operated the largest aid effort in the world in Darfur, refugee camps in Chad and the Central African Republic (CAR). In parallel, the UN human rights experts have reported on abuses, and monitored efforts by local courts to bring perpetrators to justice. Under the auspices of the African Union (AU) and with support of the UN and other partners, the Darfur Peace Agreement (DPA) was signed on 5 May, 2006. Intensive diplomatic and political efforts to bring the non-signatories into the peace process continued and yielded promising results. In accordance with the decision of 16<sup>th</sup> November 2006, high-level consultations in Addis Ababa, Ethiopia, attended by the former Secretary-General, the five Permanent Members of the Security Council, representatives of the Government of Sudan, the AU, other States and organizations with political influence in the region, some African Union Mission in Sudan (AMIS) and the troop contributing



countries. The UN Department of Peacekeeping Operations (DPKO) developed, adapted and implemented a three-phased approach to augment AMIS and deploy an unprecedented AU/UN Hybrid peacekeeping operation in Darfur, referred to by its acronym, UNAMID. Intensive private and public diplomacy by the UN Secretary-General and several actors in the international community resulted in Sudan's acceptance of this force in June 2007 and in its formal establishment through Security Council resolution 1769, adopted on 31 July 2007.

### **Description of the Problem**

A civil war erupted in Darfur in 2003 between the Government of Sudan and its allied militia, and other armed rebel groups. Particularly during the first two years of the conflict, tens if not hundreds of thousands of people were killed. According to one estimate, 1.8 million people are estimated to be internally displaced.

The UNAMID has the protection of civilians as its core mandate, but is also tasked with contributing to security for humanitarian assistance, monitoring and verifying implementation of agreements, assisting an

inclusive political process, contributing to the promotion of human rights and the rule of law, and monitoring and reporting on the situation along the borders with Chad and the Central African Republic.

In 2003, the United Nations first raised the alarm on the crisis in Darfur. Since that time, finding a lasting resolution has been a top priority for the Security Council as well as two consecutive Secretaries-General. The long peace process included the Darfur Peace Agreement signed on 5 May 2006 under the auspices of the African Union (AU) and with support of the UN and other partners. Intensive diplomatic and political efforts to bring the non-signatories into the peace process have continued since then, with the All Darfur Stakeholders' Conference of 27-31 May 2011 in Doha intended as another milestone. Once an agreement was reached between the major parties to the conflict, the United Nations and African Union intended to bring the peace process back to Darfur for dialogue and implementation on the ground.

In 2006, the African Union deployed a peacekeeping mission to Sudan, which was replaced in 2008 by the unprecedented joint African Union/United Nations Hybrid operation in Darfur (UNAMID), currently

the largest peacekeeping mission in the world. The UNAMID's mandate has been extended since then on several occasions. Facts and Figures of the UNAMID are placed in **Appendix No. 3**.

In 2003, the Sudanese government in Khartoum, backed by local militias known as the Janjaweed, launched a violent campaign against Darfur's rebel groups, who had accused the government of oppression and neglect. The population of Darfur is predominantly Muslim. The conflict was not only about race or religion, but also about resources. The initial point of the conflict in the Darfur region is typically said to be 6 February 2003, when a group calling itself the Darfur Liberation Front (DLF) publicly claimed credit for an attack on Golo, the headquarters of Jebel Marra District. Even prior to this attack, however, conflict had erupted in Darfur, as rebels had already attacked police stations, army outposts military convoys, and the government had engaged in a massive air and land assault on the rebel stronghold in the Marrah Mountains. The rebel's first military action was a successful attack on an army garrison in the mountain on 25 February, 2002, and the Sudan government had been aware of a unified rebel movement since an attack

on the Golo police station in June 2002. Chroniclers Julie Flint and Alex de Waal state that the beginning of the rebellion is better dated to 21 July 2001, when a group of Zaghawa and Fur communities met in Abu Gamra and swore oaths on the Qur'an to work together to defend against government-sponsored attacks in their villages. It should be noted that nearly all of the residents of Darfur are Muslim, including the Janjaweed, as well as the government leaders in Khartoum.

The UNAMID has the protection of civilians as its core mandate, but is also tasked with contributing to security for humanitarian assistance, monitoring and verifying implementation of agreements, assisting an inclusive political process, contributing to the promotion of human rights and the rule of law, and monitoring and reporting on the situation along the borders with Chad and the Central African Republic.

The Mission's headquarters is in El Fasher, the capital of North Darfur, with further deployment locations throughout the three Darfur states. The Mission conducted an average of more than 200 patrols a day, attempting to increase its robustness, often in the face of bureaucratic or armed obstruction. The aim was to do everything in its power to protect

civilians in Darfur, facilitate the humanitarian aid operation to all areas, regardless of who controlled them, and to help provide an environment in which peace could take root.

### **Machakos Protocol**

During 2002, the Sudan peace process made significant progress. Adding impetus to peace efforts, the Secretary-General visited Sudan from 10-12 July 2002. On 20 July 2002, the parties to the conflict signed the Machakos Protocol, in which they reached specific agreement on a broad framework, setting forth the principles of governance, the transitional process and the structures of government, as well as on the right to self-determination for the people of South Sudan, and on state and religion. They agreed to continue talks on the outstanding issues of power sharing, wealth sharing, human rights and a ceasefire.

### **The Janjaweed Conflict (2003)**

Though the Sudanese government consistently denied supporting the Janjaweed, yet military resources were poured into Darfur; and the

Janjaweed were outfitted as a paramilitary force, equipped with communication equipment and some artillery. The military planners were doubtlessly aware of the probable consequences of such a strategy. Similar methods undertaken in the Nuba Mountains and around the southern oil fields during the 1990s had resulted in massive human rights violations and forced displacements. The better-armed Janjaweed quickly gained the upper hand. By the spring of 2004, several thousand people (mostly from the non-Arab population) had been killed and as many as a million more had been driven from their homes, causing a major humanitarian crisis in the region. The crisis took on an international dimension when over 100,000 refugees poured into neighboring Chad, pursued by Janjaweed militiamen, who clashed with Chadian government forces along the border. More than 70 militiamen and 10 Chadian soldiers were killed in one gun battle in April. A United Nations observer team reported that non-Arab villages were singled out while Arab villages were left untouched.

### **The Darfur Peace Agreement**

The efforts of the African Union to seek a solution to the crisis in

Darfur culminated in the signing of the Darfur Peace Agreement (DPA) on 5 May 2006. The Secretary-General said that the DPA, signed after more than three years of conflict, had given hope that the parties might be prepared to lay down their weapons. At the same time, he noted that the Agreement still faced formidable challenges. Following the signing of the Agreement, there was an escalation of clashes between those who supported it and those who did not.

### **The African Union Mission in Sudan (AMIS)**

The African Union Mission in Sudan was developed in 2004 to end violence and protect civilians, but the fighting continued. In May 2006, the government of Sudan began negotiating the Darfur Peace Agreement (DPA). However, the accord failed to stop the violence, because it only received support from one of the region's three main rebel groups.

### **Comprehensive Peace Agreement**

On 9 January 2005, in an event that marked a turning point in the history of Sudan, the Government of Sudan and SPLM signed in Nairobi,

Kenya, the Comprehensive Peace Agreement (CPA). The CPA included agreements on outstanding issues remaining after the Machakos Protocol and had provisions on security arrangements, power-sharing in the capital of Khartoum, some autonomy for the South of Sudan and more equitable distribution of economic resources, including oil. The UNMIS was authorised in spring the 2005 to support the implementation of the Comprehensive Peace Agreement (CPA) among the Government of Sudan, National Congress Party in Northern Sudan and the Sudan People's Liberation Movement (SPLM) in Southern Sudan. Based in Sudan, the UNMIS then included some 10,000 troops and 600 police. The mission's current mandate expired in October 2007, but was expected to continue at least through the full implementation period of the CPA, i.e. 2011.

While the parties established the unity of Sudan as a priority under the agreement, they decided to set up a six-and-a-half-year interim period during which interim institutions would govern the country and international monitoring mechanisms with operational capabilities would be established. Even as the civil war in the South of Sudan concluded with the signing of the CPA, conflict continued in the Darfur



region. According to the Secretary-General, "a stable Sudan requires a peaceful Darfur". In this regard, it was essential that the work of the United Nations and the African Union in Sudan should be complementary.

### **The UN Role in Darfur**

As a response to the escalating crisis in Darfur, the Security Council, by its resolution 1556 (2004) on 30 July 2004, assigned some additional tasks to the UNAMIS relating to Darfur.

Darfur had long experienced localised violence exacerbated by ethnic, economic and political tensions and competition over scarce resources. Beginning in February 2003, attacks on government targets by the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM), and the Government's decision to respond by deploying its national armed forces and mobilising local militia, took the violence to unprecedented levels. The cycle of terror inside Darfur also

threatened regional peace and security. For several years, the African Union (AU) led international political efforts to seek a solution to the crisis in Darfur. In July 2004, the AU launched negotiations at the inter-Sudanese peace talks, also known as the Abuja talks. AU political initiatives were complemented by the deployment of 60 AU military observers and 310 protection troops in Darfur to monitor and observe the compliance of the parties to the Humanitarian Ceasefire Agreement signed in N'Djamena on 8 April, 2004 by the Government of the Sudan, SLM/A and JEM.

At the same time, the United Nations and a collection of non-governmental organizations launched a massive humanitarian operation in Darfur, constantly expanding activities to respond to the needs of an increasing number of people displaced by violence. As a result of these developments, the UN Special Representative and UNAMIS were deeply engaged in Darfur over the ensuing months, particularly in supporting the African Union and its mission in Sudan by, among other things, participating in the Abuja peace talks and establishing a United Nations assistance cell in Addis Ababa which supported deployment and

management of the African Union Mission in the Sudan (AMIS).

### **United Nations Advance Mission in Sudan (UNAMIS)**

On 24 March 2005, the Security Council by its resolution 1590 (2005) established the United Nations Mission in the Sudan (UNMIS). The Council decided that the tasks of the UNMIS, among others, would be: to support implementation of the CPA; to facilitate and coordinate, within its capabilities and in its areas of deployment, the voluntary return of refugees and internally displaced persons and humanitarian assistance; to assist the parties in the mine action sector; to contribute towards international efforts to protect and promote human rights in Sudan. The Security Council further decided that UNMIS: would consist of up to 10,000 military personnel and an appropriate civilian component, including up to 715 civilian police personnel. To intensify the peace efforts and build on the momentum of the progress made, including the signing of the Agreement on Wealth Sharing on 7 January 2004 and the Protocol on Power Sharing on 26 May 2004 at the IGAD-led talks. The UN Security Council, on the recommendation of the Secretary-General, established by resolution 1547 (2004) of 11 June 2004, a special political

mission--the United Nations Advance Mission in the Sudan (UNAMIS). UNAMIS was mandated to facilitate contacts with the parties concerned and to prepare for the introduction of an envisaged peace support operation.

The Secretary-General then appointed Jan Pronk as his Special Representative for Sudan and head of UNAMIS, who led UN peacemaking support to the IGAD-mediated talks on the North-South conflict, as well as to the African Union-mediated talks on the conflict in Darfur, a region in the western part of Sudan. Reporting to the Council on 31 January [S/2005/57], the Secretary-General recommended the deployment of a multidimensional peace support operation, consisting of up to 10,000 military personnel and an appropriate civilian component, including more than 700 police officers.

The UN Mission in Sudan was headed by his Special Representative and included components focusing on the following four broad areas of engagement: good offices and political support for the peace process; security; governance; and humanitarian and development assistance. As the UNMIS would be dealing with a broad range of issues, the Secretary-

General stressed the importance of a joint, integrated strategy among the UN agencies; in order to successfully implement the CPA. The Mission would be headquartered in Khartoum and would be widely represented in the South of Sudan, including in Rumbek, the provisional capital of Southern Sudan.

### **Deployment of UNMIS**

Following the UN Security Council resolution, the deployment of the UNMIS military elements commenced, enabling the force headquarters in Khartoum and the Joint Monitoring Coordination Office in Juba to achieve an initial operating capability, but a number of factors resulted in delays in the deployment rate of some military and police elements. In the following months, the UNMIS continued its deployment at a steady pace, albeit behind schedule, and assisted the parties in implementing the CPA and resolving ongoing conflicts. At the same time, the deployment of the UN human rights monitors to Darfur accelerated.

In a parallel development, on 28 April 2005, the AMIS force in Darfur was increased by the AU Peace and Security Council to a total

authorised strength of 6,171 military personnel and 1,560 civilian police. AMIS had enhanced its numbers in October 2004, bringing it to a total of 3,320 personnel, including 2,341 military personnel and 815 civilian police, as well as complementary civilian personnel. The mandate of the enhanced mission was to monitor and observe compliance with the Humanitarian Ceasefire Agreement signed in N'Djamena on 8 April 2004, and to contribute to a secure environment for the delivery of humanitarian assistance and the return of refugees and internally displaced persons. By September 2006, UNMIS military and police components were close to full strength at 8,727 troops, 695 military observers, 186 staff officers, and 666 police officers.

### **Recommendations on Expanding UNMIS into Darfur**

With all this in mind, the Secretary-General suggested in his report [S/2006/591] to the Security Council of 28 July 2006 that a United Nations peacekeeping force of as many as 18,600 troops might be needed in Darfur to ensure that all sides complied with the peace agreement. The mission's main focus would be on protecting civilians, especially the vast population of internally displaced persons living in camps across Darfur's

three states. The Secretary-General urged the Government of Sudan to accept a United Nations peacekeeping mission in Darfur, arguing that the peace in southern Sudan could be put in jeopardy.

### **Expansion of UNMIS**

On 31 August 2006, the Security Council, by its resolution 1706 (2006), decided to expand the UNMIS mandate to include its deployment to Darfur, without prejudice to the mission's existing mandate and operations. The Council invited the consent of the Sudanese Government of National Unity, called on Member States to ensure expeditious deployment and requested the Secretary-General to ensure additional capabilities to enable the UNMIS to deploy in Darfur. The Council decided that the mandate of the UNMIS would be to support implementation of the DPA and the N'djamena Agreement on Humanitarian Ceasefire on the Conflict in Darfur by performing a number of specific tasks.

The Council decided that the UNMIS would be strengthened by up to 17,300 military personnel and by all appropriate civilian components including up to 3,300 civilian police personnel and up to 16 Formed

Police Units. By further terms of the text, the Council requested the Secretary-General to consult jointly with the African Union on a plan and timetable for a transition from Sudan to South Sudan: the newest country in the world and formation of the UNMISS. The Republic of South Sudan, is a landlocked country in northeastern Africa that gained its independence from Sudan in 2011. Its current capital is Juba, which is also its largest city. It is planned that the capital city will be changed to the more centrally located Ramciel in the future. South Sudan is bordered by the Republic of the Sudan to the north, Ethiopia to the east, Kenya to the southeast, Uganda to the south, the Democratic Republic of the Congo to the southwest, and the Central African Republic to the west. It includes the vast swamp region of the Sudd, formed by the White Nile and known locally as the Bahr al Jabal.

On 9th July 2011 South Sudan became the newest country in the world. The birth of the Republic of South Sudan is the culmination of a six-year peace process. The mandate of the UNMIS ended on 9<sup>th</sup> July following the completion of the interim period set up by the Government of Sudan and the SPLM during the signing of the Comprehensive Peace Agreement (CPA) on 9<sup>th</sup> January, 2005.



## **Civil War and present Condition**

The region of Abyei still remains disputed and a separate referendum will be held in Abyei on whether they want to join Sudan or South Sudan. The South Kordofan conflict broke out in June 2011 between the Army of Sudan and the SPLA over the Nuba Mountains.

South Sudan is at war with at least seven armed groups in 9 of its 10 states, with tens of thousands displaced. The fighters accuse the government of plotting to stay in power indefinitely, not fairly representing and supporting all tribal groups while neglecting development in rural areas. Joseph Kony's Lord's Resistance Army (LRA) also operates in a wide area that includes South Sudan.

Inter-ethnic warfare that in some cases predates the war of independence is widespread. In December 2011, tribal clashes in Jonglei intensified between the Nuer White Army of the Lou Nuer and the Murle. The White Army had warned that it would wipe out the Murle and would

also fight the South Sudanese and UN forces sent to the area around Pibor.

In March 2012, the South Sudanese forces seized the Heglig oil fields in lands claimed by both Sudan and South Sudan in the province of South Kordofan after conflict with Sudanese forces in the South Sudanese state of Unity. South Sudan withdrew on 20 March, and the Sudanese Army entered Heglig two days later.

In December 2013, a political power struggle broke out between President Kiir and his ex-deputy Riek Machar, as the president accused Mr. Machar and ten others of attempting a coup d'état. Although both men have supporters from across South Sudan's ethnic divides, subsequent fighting has been communal, with rebels targeting members of Mr Kiir's Dinka ethnic group and government soldiers attacking Nuers. Ugandan troops are also fighting alongside the South Sudanese government forces against the rebels. Up to 10,000 people are estimated to have been killed in the inter-ethnic Dinka-Nuer fighting. Five officials, including Mr. Machar, are being tried for treason, charges they deny completely, which observers fear will threaten the recent ceasefire. More

than 1,000,000 people have been displaced inside South Sudan and more than 400,000 people have fled to neighbouring countries, especially Kenya, Sudan, and Uganda, as a result of the conflict.

At the end of September 2013, both factions of the SPLM, including SPLM-IO, agreed to a long sought proposal by the opposition and more neutral players to a federalisation proposal. The Security Council has established a new mission, the UN Mission in the Republic of South Sudan (UNMISS).

### **UN Mission in the Republic of South Sudan (UNMISS).**

In order to protect civilians, monitoring human rights and supporting implementation of cessation of hostilities agreement and acting on the recommendation of the Secretary-General, the Security Council resolution 1996 (2011) of 8 July 2011, establishing the United Nations Mission in South Sudan (UNMISS) for an initial period of one year, from 9 July 2011, with the intention to renew for further periods as may be required. The mandate of the United Nations Mission in Sudan (UNMIS) ended on the same date.

The objective of the UNMIS is to consolidate peace and security, and help establish conditions for development in the Republic of South Sudan, with a view to strengthening the capacity of the Government of South Sudan to govern effectively and democratically and establish good relations with its neighbours

On 9 July 2011, South Sudan became the newest country in the world. The birth of the Republic of South Sudan is the culmination of a six-year peace process which began with the signing of the Comprehensive Peace Agreement (CPA) on 9 January 2005 between the Government of Sudan and the Sudan People's Liberation Movement (SPLM), which ended more than 20 years of war. The United Nations Mission in Sudan (UNMIS) supported the implementation of the CPA during the interim period set up by the Government of Sudan and SPLM when the CPA was signed. The CPA also called for a referendum to take place to determine the status of Southern Sudan. It was held on schedule in January 2011, with the overwhelming majority, 98.83% of participants, voting for independence. The Secretary-General welcomed the announcement of the final results stating that they were reflective of the will of the people of Southern Sudan.

Following the end of this interim period, and the subsequent independence of South Sudan in July 2011, the Security Council established a new mission, the United Nations Mission in South Sudan (UNMISS) with the adoption of resolution 1996 (2011) on 8 July 2011.

### **Violence breaks out**

On 15 December 2013, violence broke out in South Sudan's capital Juba and quickly spread to other locations in the country resulting in deep nation-wide political and security crisis. Seven out of the country's ten states were affected by the conflict with Central Equatoria, Jonglei, Lakes, Unity and Upper Nile states being the hardest hit.

In addition, a few days into the crisis, the relationship between the Government and the UNMISS started to grow increasingly tense, amid mounting anti-United Nations sentiment emanating from misperceptions about the Mission's role during the crisis. There were unfounded allegations that the UNMISS was not impartial and that the Mission was aiding and abetting the anti-government forces. Hostile public statements were made by senior officials of the Government. The ability of the UNMISS to move freely was increasingly obstructed.

Demonstrations against the United Nations were organized in several state capitals, including Rumbek (Lakes State) and Aweil (Northern Bahr el Ghazal State). (For the detailed account of the December 2013-February 2014 developments in South Sudan as well as IGAD-led diplomatic efforts to find negotiated solution to the crisis, please see UN Secretary-General's report dated 6 March 2014).

The crisis had widespread negative consequences for the human rights situation in many parts of the country, especially in areas of greatest military confrontation (in the national capital and in Jonglei, Upper Nile and Unity States). UNMISS estimated that thousands of people had been killed during the hostilities. Both parties to the conflict were responsible for ethnically targeted attacks on civilians and had failed to comply with international humanitarian and human rights law.

The humanitarian situation also deteriorated sharply. Within the first four weeks of the crisis, almost 500,000 persons were displaced within South Sudan and around 74,300 people had crossed into neighbouring countries. These numbers continued to grow, with total displacement by the end of February 2014 reaching 900,000 persons,

some 167,000 of whom crossed into neighbouring countries. The number of civilians who had tipped into the “acute” or “emergency” categories of food insecurity had increased from 1.1 million to 3.2 million. In addition, some 500,000 displaced persons were in urgent need of food aid, which meant that the survival of 3.7 million South Sudanese was in question.

### **UNMISS reinforced**

When the fighting erupted in Juba and spread throughout the greater Upper Nile region, tens of thousands of civilians fled from areas where large numbers of killings were taking place, including to escape targeted attacks against particular communities, and arrived at the UNMISS compounds in Juba, Bor, Akobo, Bentiu, Malakal and Melut to seek refuge. The Mission opened its gates and its military engineers, working with humanitarian partners, quickly prepared sites in the compounds for the protection of civilians, despite having minimum facilities to accommodate them. Since then, as many as 85,000 civilians had sought protection in eight UNMISS compounds across the country.

The influx of so many civilians into United Nations premises and their settlement there was an unprecedented development, one that

presented unique challenges and placed a huge strain on Mission resources. The UNMISS strived to ensure adequate security for the protection sites in its bases and worked with humanitarian partners to provide sufficient assistance to displaced persons.

In order to give the UNMISS adequate capacity to cope with the crisis, the Security Council by its resolution 2132 (2013) of 24 December, approved the UN Secretary-General's recommendation to temporarily increase the overall troop and police strength of the Mission. The interim troop level of the UNMISS was raised to 12,500 personnel and the police component to 1,323 personnel, including appropriate formed police units, through temporary transfers from existing peace-keeping operations through inter-mission cooperation, as well as, if needed and subject to further Council consideration, complementary force and asset generation.

This timely approval by the Security Council of the surge capacity for the UNMISS military and police components under the inter-mission cooperation arrangements played a critical role in enhancing the Mission's capacity to save lives and protect civilians from further harm.



Reporting to the Security Council on 6 March, the Secretary-General emphasised that it was important to keep this surge capacity deployed for at least 12 months. He argued that this one-year period would fit with the likely timeline of internally displaced persons returning only after a peace process has been agreed upon and leave the dry months in the latter half of 2014 for stabilisation in return areas. The troop ceiling could be reviewed at the end of the 12-month period and be closely linked to the outcome of the political negotiations between the parties.

The Secretary-General believed that in light of the recent developments, the UNMISS must temporarily reprioritise its activities and shift from a stand dedicated to peace-building, state-building and the extension of state authority, to one of strict impartiality in its relations with both parties. This shift was necessary to enable liaison and coordination activities with both parties for the effective implementation of the Mission's redefined priority tasks in conflict-affected areas.

The main focus of the Mission, the Secretary-General suggested, should be on the protection of civilians, human rights and contributing

to the creation of security conditions conducive to the delivery of humanitarian assistance, as requested and within the given capability, in the areas most affected by the conflict. The Mission will protect those in need, within its means. The Mission's impartiality going forward would be the sine qua non of all its actions throughout the country as long as the conflict persisted.

On 27 May 2014, the Security Council, by unanimously adopting its resolution 2155 (2014) reprioritised the mandate of the UNMISS towards the protection of civilians, human rights monitoring and support for the delivery of humanitarian assistance, and increased the Mission's troop strength to 12,500 and a police component to up to 1,323 personnel, as requested in the Secretary-General's 6 March report. It also authorised the deployment within the UNMISS of an Intergovernmental Authority on Development (IGAD) task force to support protection of civilians and the Monitoring and Verification Mechanism (MVM) established pursuant to the 23 January 2014 Cessation of Hostilities Agreement.

## **UNMISS Mandate**

Having determined that the situation faced by South Sudan continues to constitute a threat to international peace and security in the region and acting under Chapter VII of the UN Charter, the Security Council by its resolution 1996 (2011) of 8 July 2011 established the United Nations Mission in the Republic of South Sudan (UNMISS) for an initial period of one year as from 9 July 2011 with the intention to renew for further periods as may be required.

According to the original mandate, the UNMISS was to support the Government in peace consolidation and thereby fostering longer-term state building and economic development; assist the Government in exercising its responsibilities for conflict prevention, mitigation, and resolution and protect civilians; and help the authorities in developing capacity to provide security, establishing the rule of law, and strengthening the security and justice sectors in the country. The initial authorised strength of the Mission stood at up to 7,000 military personnel, including military liaison officers and staff officers, up to 900 civilian police personnel, including as appropriate formed units, and an

appropriate civilian component, including technical human rights investigation expertise.

Following the political and security crisis, which broke out with violence in South Sudan's capital Juba on 15 December 2013, the Security Council, by its resolution 2132 (2013) of 24 December, approved the Secretary-General's recommendation to temporarily increase the overall troop and police strength of the UNMISS. The interim troop level was raised to 12,500 personnel and the police component to 1,323 personnel, including appropriate formed police units, through temporary transfers from existing peace-keeping operations through inter-mission cooperation.

In March 2014, the Secretary-General further recommended that the Security Council should keep these increased troops and police levels for at least another 12 months, and temporarily shift Mission's focus from mainly peace building activities to protecting civilians; facilitating humanitarian assistance; monitoring and reporting on human rights; preventing further inter-communal violence; and supporting the IGAD process as and when requested, and within available capabilities. The

protection priority would be for displaced people sheltering in United Nations compounds and other locations, and would expand once conditions were created for their safe return home, he said, adding that the new posture of the UNMISS would be in the place until the two sides to the conflict finalised a political agreement.

By unanimously adopting resolution 2155 (2014) of 27 May 2014, the Security Council decided that the UNMISS would consist of a military component of up to 12,500 troops of all ranks and of a police component, including appropriate Formed Police Units, of up to 1,323 personnel; and authorised the UNMISS to use all necessary means to perform the following tasks:

(a) Protection of civilians

(i) To protect civilians under threat of physical violence, irrespective of the source of such violence, within its capacity and areas of deployment, with specific protection for women and children, including through the continued use of the Mission's child protection and women's protection advisers;

- (ii) To deter violence against civilians, including foreign nationals, especially through proactive deployment, active patrolling with particular attention to displaced civilians, including those in protection sites and refugee camps, humanitarian personnel and human rights defenders, and identification of threats and attacks against the civilian population, including through regular interaction with the civilian population, and humanitarian, human rights and development organizations, in areas at high risk of conflict including, as appropriate, schools, places of worship, hospitals and the oil installations, in particular when the Government of the Republic of South Sudan is unable or failing to provide such security;
- (iii) To implement a Mission-wide early warning strategy, including a coordinated approach to information gathering, monitoring, verification, early warning and dissemination, and response mechanisms, including response mechanisms to prepare for further potential attacks on the United Nations personnel and facilities;
- (iv) To maintain public safety and security within and of the UNMISS protection of civilians sites;

(v) To exercise good offices, confidence-building and facilitation in support of the Mission's protection strategy, especially in regard to women and children, including to facilitate inter-communal reconciliation in areas of high risk of conflict as an essential part of long-term state-building activity;

(vi) To foster a secure environment for the eventual safe and voluntary return of internally displaced persons (IDPs) and refugees, including, where compatible and in strict compliance with the United Nations Human Rights Due Diligence Policy (HRDPP), through monitoring of ensuring the maintenance of international human rights standards by, and specific operational coordination with the police services in relevant and protection-focused tasks, in order to strengthen protection of civilians;

(b) Monitoring and investigating human rights

(i) To monitor, investigate, verify and report publicly and regularly on abuses and violations of human rights and violations of international humanitarian law, including those that may amount to war crimes or crimes against humanity;

(ii) To monitor, investigate, verify and report specifically and publicly on violations and abuses committed against children and women, including all forms of sexual and gender-based violence in armed conflict by accelerating the implementation of monitoring, analysis and reporting arrangements on conflict-related sexual violence and by strengthening the monitoring and reporting mechanism for grave violations against children;

(iii) To coordinate with, and offer technical support to, where appropriate, the African Union's Commission of Inquiry for South Sudan;

(c) Creating the conditions for delivery of humanitarian assistance

(i) To contribute to the creation of the conditions for the delivery of humanitarian assistance, including by helping to establish the necessary security conditions and by exercising its good offices, confidence-building and facilitation, so as to allow, in accordance with relevant provisions of international law and United Nations guiding principles of humanitarian assistance, the full, safe and unhindered access of relief personnel to all those in need in South Sudan and timely delivery of humanitarian assistance, in particular to internally displaced persons and refugees;



(ii) To ensure the security and freedom of movement of the United Nations and associated personnel where appropriate, and to ensure the security of installations and equipment necessary for implementation of mandated tasks,

(d) Supporting the Implementation of the Cessation of Hostilities Agreement

(i) To ensure proper coordination with the Joint Technical Committee (JTC), the Monitoring and Verification Mechanism (MVM), and Monitoring and Verification Teams (MVTs), as appropriate;

(ii) To provide mobile and dedicated fixed site security to IGAD's MVM, as established in line with the decisions of the 31 January and 13 March meetings of the IGAD Assembly of Heads of State and Government; and

(iii) To provide support to the work of the MVM as described within the Cessation of Hostilities (CoH) Agreement.

### **Present form of Government in South Sudan**

The now-defunct Southern Sudan Legislative Assembly ratified a transitional constitution shortly before independence on 9 July 2011.

The constitution was signed by the President of South Sudan on Independence Day and thereby came into force. It is now the supreme law of the land, superseding the Interim Constitution of 2005.

The constitution establishes a mixed presidential system of government headed by a president who is head of state, head of government, and commander-in-chief of the armed forces. It also establishes the National Legislature comprising two houses: a directly elected assembly, the National Legislative Assembly; and a second chamber of representatives of the states, the Council of States.

John Garang, the founder of the SPLA/M was the first president of the autonomous government until his death on 30 July 2005. Salva Kiir Mayardit, his deputy, was sworn in as First Vice President of Sudan and President of the Government of Southern Sudan on 11 August 2005. Riek Machar replaced him as Vice-President of the Government. Legislative power is vested in the government and the bicameral National Legislature. The constitution also provides for an independent judiciary, the highest organ being the Supreme Court. **(Appendix No. 4)**

**UNMIS: Continuation of Mission**

For its part, the UNMIS continued to support implementation of the 2005 Comprehensive Peace Agreement, by providing good offices and political support to the parties, monitoring and verifying their security arrangements and offering assistance in a number of areas, including governance, recovery and development. The Mission focused on the parties' outstanding commitments, including the redeployment of forces, a resolution of the dispute over the oil-rich Abyei region, and preparations for national elections in 2010 and the referendums in 2011, which will decide the fate of Southern Sudan.

In the following months, however, the UNMIS was not able to deploy to Darfur due to the Government of Sudan's steadfast opposition to a peacekeeping operation undertaken solely by the United Nations as envisaged in Security Council resolution 1706 (2006) . The UN then embarked on an alternative, innovative approaches to try to stabilise the region through the phased strengthening of the AMIS, before transfer of authority to a joint AU/UN peace-keeping operation.

### **UNAMID—African Union-United Nations Hybrid Operation in Darfur**

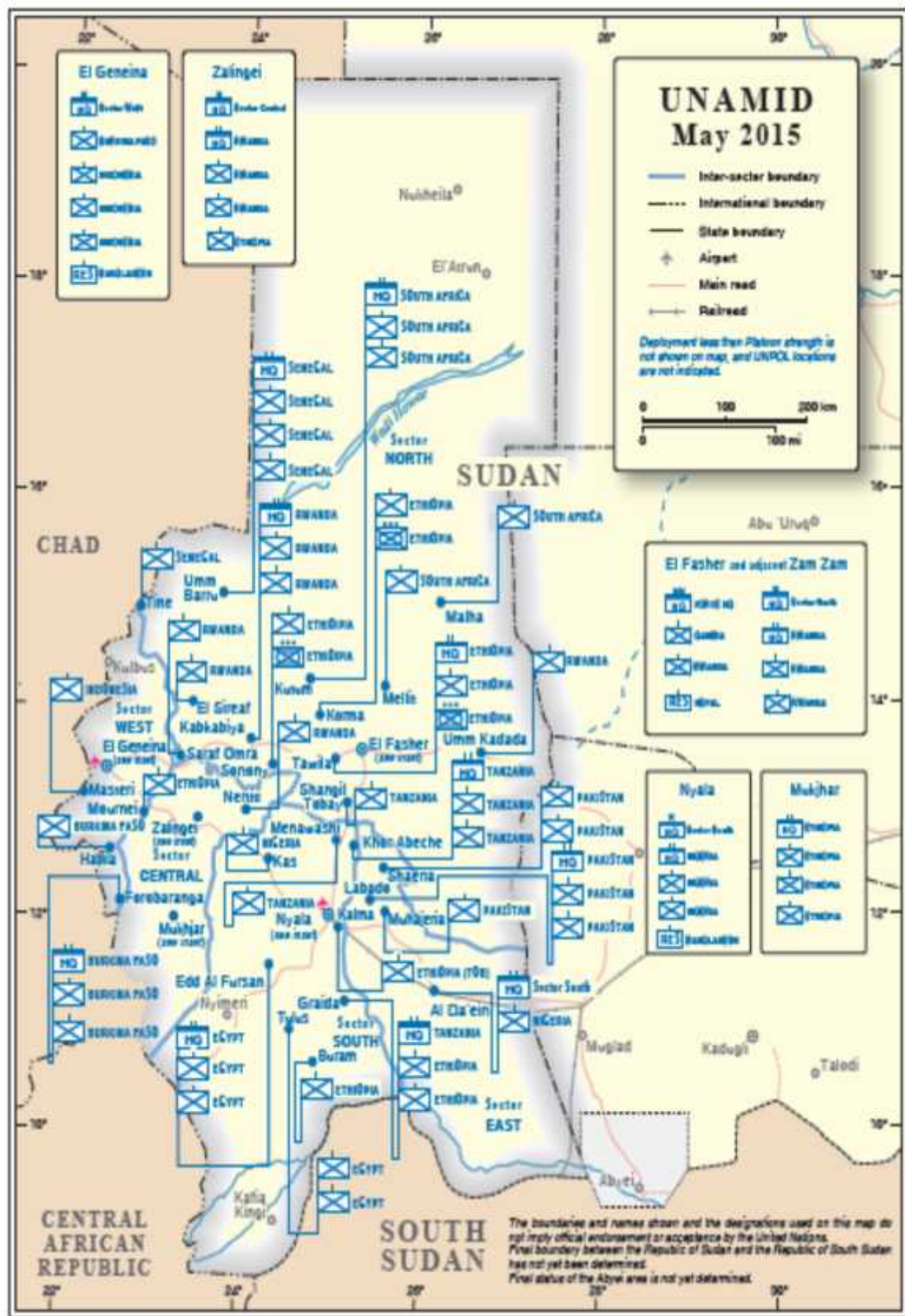
Following prolonged and intensive negotiations with the Government of the Sudan and significant international pressure, the Government accepted peace-keeping operation in Darfur. On 3 July, the Security Council by its resolution 1769 (2006), authorised the establishment of the United Nations-African Union Hybrid Operation in Darfur (UNAMID). On 3 July 2007, the Sudanese government agreed to allow a hybrid United Nations-African Union mission into Darfur to replace the previous AU-led mission. The UNAMID supported the overall peace process to promote stability and security in Darfur and prevent further escalation of the conflict.

The African Union, UN Hybrid operation in Darfur, referred to by its acronym UNAMID, was officially established for an initial period of 12 months. UNAMID had the protection of civilians as its core mandate, but was also tasked with contributing to security for humanitarian assistance, monitoring and verifying implementation of agreements, assisting an inclusive political process, contributing to the promotion of human rights and the rule of law, and monitoring and reporting on the

situation along the borders with Chad and the Central African Republic (CAR). In addition to its mission headquarters in EL Fasher and sector headquarters in EL Fasher, EL Geneina and EL Nyala, the UNAMID had up to 55 deployment locations throughout the three Darfur states. In his statement to the Security Council following the adoption of the resolution, the Secretary-General stated that in establishing UNAMID it was "sending a clear and powerful signal of your commitment to improve the lives of the people of the region, and close this tragic chapter in Sudan's history". He called the decision "historic and unprecedented" but warned that it is, "only through a political process that we can achieve a sustainable solution of the conflict ".

At full deployment and incorporating the AMIS, the mission will be composed of almost 20,000 troops, more than 6,000 police and a significant civilian component. At full strength, the UNAMID became one of the largest UN peace-keeping missions in history, and larger than the UN peace operation in the Democratic Republic of Congo. The UNAMID was scheduled to have its management and command and control structures in place by October 2007 and assumed operational command

over the LSP, the HSP and AMIS by the end of the year. The DPKO was exerting all possible efforts to ensure that the UNAMID would consist of a predominantly African force, and a number of pledges from African troop and police contributing countries had already been made. Pledges for key enabling capabilities in areas such as aviation and ground transport, however, remained outstanding.



The Secretary-General made it clear that the pace of deployment depended on the Government of Sudan keeping its commitments to provide unconditional support to the three phased approach, the timely' provision of personnel and equipment by member-states, and the necessary infrastructure and resources, such as water, being available to sustain an influx of peacekeepers. The Secretary-General had urged the international community to provide the funds and resources required to deploy the UNAMID to Darfur. He also recommended that UN member-states provide funding for UNAMID through the UN assessed budget.

### **UNAMID Leadership**

Rodolphe Adada of the Republic of the Congo was appointed Joint AU-UN Special Representative (JSR) designate for Darfur to lead the UNAMID. He reported to both the UN Secretary-General and the AU Commission Chairperson. The JSR was assisted by a jointly appointed Deputy Special Representative designate, Henry Anyidoho of Ghana. Directives to the JSR were issued through the AU Peace and Security Commissioner and the UN under Secretary-General for Peace-keeping Operations. The day-to-day functioning of the force was in accordance



with the concept of operations which was jointly agreed upon by the AU and the UN. That is, in accordance with agreements made in Addis Ababa and Abuja in 2006, and as specified in the joint report on the Hybrid operation from June 2007, the command and control structures for the mission was provided by the UN. General Martin Luther Agwai of Nigeria was appointed Force Commander designate of UNAMID by the AU, in consultation with the UN, and would report to the JSR. Prior to the deployment of the UNAMID, General Agwai would command the AMIS force. The same appointment procedure and reporting lines would apply to the UNAMID Police Commissioner, once appointed. The AU and the UN strategic headquarters ensured effective consultation through a Joint Support Coordination Mechanism (JSCM) in Addis Ababa, which consisted of a number of liaison officers and communications equipment.

### **Referendum in Process**

The referendum to determine the status of Southern Sudan was held on schedule in January 2011, with the overwhelming majority, 98.83% of participants, voting for independence. The Secretary-General welcomed the announcement of the final results, stating that they were

reflective of the will of the people of Southern Sudan. The Secretary-General said that the peaceful and credible conduct of the referendum was a great achievement for all Sudanese and he commended the Comprehensive Peace Agreement (CPA) partners, the Government of Sudan led by President Omar Hassan Al Bashir, and the Government of Southern Sudan led by President Salva Kiir Mayardit, for keeping their commitment to maintain peace and stability throughout this crucial period. The Sudanese authorities were responsible for the referendum process. Under the leadership of the Secretary-General, the United Nations provided technical and logistical assistance to the CPA parties' referendum preparations through support from its peace-keeping missions on the ground in Sudan.

### **Closure of UNMIS**

On 9 July, the mandate of the United Nations Mission in Sudan (UNMIS) ended following the completion of the six-and-a-half-year interim period set up by the Government of Sudan and SPLM during the signing of the Comprehensive Peace Agreement (CPA) on 9 January 2005. On 17 May 2011, the Secretary-General urged the parties and the

Security Council to consider a three-month extension of the UNMIS due to ongoing security concerns in South Sudan that were directly related to security issues that the North and South had to address together. In his report to the Security Council (S/2011/314), the Secretary-General explained that this period would allow the mission to begin downsizing its presence in Khartoum while assisting the parties in seeking resolution to the ongoing security issues, as well as the residual CPA and post-referendum issues, including finding a mutually acceptable arrangement for monitoring the border.

On 31 May, 2011 the Secretary-General transmitted a letter from the Government of Sudan (GoS) to the Security Council (S/2011/333) announcing the Government of Sudan's decision to terminate the presence of the UNMIS as of 9 July 2011. Under-Secretary-General of the Department of Field Support, Susana Malcorra paid tribute to the work of the mission on a visit to Sudan in July; "I believe that the people of this Mission need to be proud of what has been done in the referendum - it was all incredible achievement - it was an incredible challenge that most of the world believed was not going to happen". She further

observed: I think people in this Mission have done an incredible job in the process of DDR; for example-of mine action trying to make sure that they clear for mines important extensions of the territory; in supporting all the important mandated tasks by the Security Council but most importantly engaging with the Sudanese in trying to arrive to a better place where peace can be achievable.”

Progress towards stability came with the 2011 Doha Document, a peace deal signed by the Sudanese government and the Liberation and Justice Movement (LJM). Since then, signatories to the agreement have been working to implement its provisions, which include power and wealth-sharing, reconstruction and development, permanent ceasefire, and the return of internally displaced persons and refugees. On February 10, the Government of Sudan signed a ceasefire agreement with the JEM Interim Military Council, a breakaway faction of the larger Justice and Equality Movement (JEM), a rebel group operating in Darfur. The agreement creates a framework for further negotiations on the Doha Document. It also establishes a Ceasefire Commission, which will be headed by AMID's Force Commander, and is tasked with overseeing

implementation of the agreement. The main body of the JEM has yet to sign a peace deal with the government. Despite progress made on the peace process, security remains a concern. Two Attacks on the UNAMID personnel in October 2012 resulted in five deaths, while fighting between government and rebel forces, as well as inter-ethnic clashes in North Darfur displaced thousands and caused over 100 deaths.

### **New UN Mission in South Sudan**

The Security Council established as of 9 July 2011 the United Nations Mission in the Republic of South Sudan (UNMISS) for an initial period of one year. The resolution 1996 (2011) mandated UNMISS to consolidate peace and security, and to help establish the conditions for development with a view to strengthening the capacity of the Government of the Republic of South Sudan to govern effectively and democratically and establish good relations with its neighbors.

### **New UN Mission in Disputed Abyei**

A separate referendum to determine whether the future of the area

of Abyei lies in northern or southern Sudan was not held in January 2011 as originally planned, as a result of a failure to establish a referendum commission and lack of agreement on who could vote. Renewed fighting broke out in the area at the beginning of March 2011, driving an estimated 20,000 people away from their homes, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA). The Security Council, by its resolution 1990 of 27 June 2011, responded to the situation in Sudan's Abyei region by establishing the United Nations Interim Security Force for Abyei (UNISFA). The Security Council was deeply concerned by the violence, escalating tensions and population displacement. The operation was to monitor the flashpoint border between north and south, and was authorised to use force in protecting civilians and humanitarian workers in Abyei.

### **Political and diplomatic efforts**

The Secretary-General pursued a political settlement to the crisis in Darfur as a top priority. He worked extensively with all stakeholders in the region and the wider international community. They had also regularly discussed the issue with Sudanese President Omar al-Bashir, including face-to-face meetings on 29 January 2007 in Addis Ababa, and again on 28 March 2007 in Riyadh, Saudi Arabia. The UN Security Council visited Khartoum to meet with President al-Bashir on 17 June 2007, seeking explicit acceptance of all elements of the hybrid force. In Khartoum, Council members indicated they would recommend funding of the joint operation, after receiving assurances that its command and control structures and systems would be provided by the UN.

The Secretary-General's Special Envoy for Darfur, Jan Eliasson, was appointed in December 2006, and got engaged in intensive shuttle diplomacy alongside his AU counterpart Salim Ahmed Salim in pursuit of political progress. The benchmarks of their efforts are an end to violence, a strengthened ceasefire ensured by peacekeepers, improvements in the humanitarian situation, and an end to the marginalisation of Darfur through an inclusive peace agreement, with

power and wealth-sharing provisions.

On 9 June 2007, the Special Envoys presented their road map towards peace in Darfur to the UN Security Council. It contained three stages: the first, to unite all ongoing peace initiatives; the second, shuttle diplomacy to Khartoum and to the non-signatories of the 2006 DPA; and the third, peace negotiations. They have echoed the Secretary- General's appeals for all sides to end the fighting and bombings to create an atmosphere favourable to negotiations. From 3 to 5 August 2007, representatives from the non-signatory movements met in Arusha, Tanzania, for talks chaired by the Special Envoys. They reaffirmed their commitment to the road map and presented a common platform on power sharing, wealth-sharing, security arrangements, and land and humanitarian issues for the final negotiations to be held towards the end of the year. The non-signatories agreed that parties that did not participate in the Arusha consultations could join the common platform at a later date. The Special Envoys welcomed the outcome of the talks in Arusha and continued consulting the Government of Sudan and other stakeholders.



## **Security Council Sanctions**

The Security Council imposed an arms embargo on all non-governmental entities and individuals, including the Janjaweed, operating in Darfur on 30 July, 2004 with the adoption of resolution 1556. The sanctions regime was strengthened with the adoption of resolution 1591 (2005), which expanded the scope of the arms embargo and imposed additional measures, including a travel ban and an assets freeze on four individuals -- two rebel leaders, a former Sudanese air force chief and the leader of the pro-government militia.

## **Peace-keeping**

The UN implemented a three-phased approach to bolster the AMIS and the deployed a robust peace-keeping force in Darfur. Agreement on the concept was reached at the 16 November 2006 High-Level consultations in Addis Ababa; and endorsed at the 30 November meeting in Abuja, Nigeria, of the AU Peace and Security Council, and with the 19 December 2006 Presidential Statement by the UN Security Council. The Government of Sudan stated that it accepts all three stages of the plan.

The approach consisted of measures to augment the AMIS in the form of a Light Support Package (LSP), a Heavy Support Package (HSP), and culminated in the AU/UN Hybrid operation in Darfur (UNAMID). Each phase required its own set of agreements and understandings among the UN, the AU and the Government of Sudan. In order to reach these, the UN undertook a complex round of negotiations, including on the level and type of support, issues of command and control, and the legal framework governing the effort. UNAMID represented a unique model of partnership in the peacekeeping between the UN and a regional organization.

The Light Support Package (LSP) provided support to the management capacity of the AMIS and consisted of 105 military staff officers, 34 police advisers, and 48 civilians, as well as material and equipment. While the majority of the LSP had been deployed as of the end of July 2007, the dispatch of 36 armored personnel carriers was still pending. It was, however, envisioned that these vehicles were deployed to Darfur in tandem with an additional two battalions provisionally scheduled to arrive towards the end of 2007.

The Heavy Support Package (HSP), were to be deployed in the second half of 2007, and were designed to support the AMIS until the Hybrid operation deployed and comprised 2,250 military, 721 police and 1,136 civilians at a cost of US \$287.9 million to be funded by the UN. Preference was accorded to African troops. If no suitable African personnel were found, the UN strived to find capable personnel of countries acceptable to all the parties.

The AU-UN Hybrid operation was finally endorsed on 12 June 2007 by the Government of Sudan after intense diplomatic activity by the Secretary-General and after long, complex technical discussions between the UN, the AU and Sudanese Government.

### **Humanitarian Efforts**

The humanitarian agencies of the UN led the largest current relief effort in the world aimed at assisting approximately 4.2 million conflict-affected people in the Darfur crisis. Of these, 2.2 million were internally displaced, and an additional 236,000 Sudanese refugees were in eastern Chad. More than US \$650 million in aid to Darfur was planned for 2007

by the UN and its partners, and more than 12,000 humanitarian workers were deployed in the region to bring assistance to those affected by the crisis. They included staff from 13 UN agencies, the Red Cross/Red Crescent societies and more than 80 nongovernmental organizations (NGOs).

This massive humanitarian effort saved hundreds of thousands of lives. Mortality rates had been brought below emergency levels and local malnutrition had been halved from the height of the crisis in mid-2004. However, civilians continued to be forcibly displaced as a result of attacks from all sides, with more than 190,000 displaced in Darfur in the first seven months of 2007 alone. With populations growing, many IDP camps could no longer absorb new arrivals, tensions were rising, and for the first time since late 2004, nutritional indicators in some camps were above emergency thresholds.

The humanitarian operation and its staff continued to be targeted by violence and there had been a rise of 65 per cent in carjackings in the first half of the year compared to 2006. As on 30 July 2007, 100 aid workers had been temporarily abducted, 55 convoys had been attacked

or looted, and 81 humanitarian vehicles had been hijacked. Humanitarian organizations had been forced to relocate on 22 occasions, citing violence against aid workers.

The UN estimated that more than half a million people across Darfur were cut off from humanitarian assistance. This was an improvement in access since February 2007, when 900,000 were inaccessible, and was attributed to increased efforts by humanitarian workers to reach conflict-affected populations through innovative and often expensive means -- not to any improvement in security. The UN had continued to press the authorities in Khartoum for improved humanitarian access and security for aid workers, as stipulated in the joint communiqué signed in March 2007 by the Government of Sudan and the UN to effectively ensure and facilitate humanitarian activities in Darfur. Donors had funded 61% of the Darfur aid operation (as of 15 June 2007, US \$394.5 million had been pledged or committed out of the US \$651.5 million required), mostly for food aid. Other sectors were seriously underfunded and require commitments. In the face of continuing insecurity, the UN and its humanitarian partners were

effectively, holding the line for the survival and protection of millions.

## **Human Rights**

The Government of Sudan agreed in July 2004 to allow the deployment of UN human rights monitors to Darfur as part of the United Nations Mission in Sudan (UNMIS) monitoring the North-South peace agreement. They had reported regularly on human rights violations and recommended corrective actions to the authorities in Khartoum. In August 2004, the Secretary-General dispatched Louise Arbour, the High Commissioner for Human Rights, and Juan Mendez, his Special Adviser on the Prevention of Genocide, to Darfur to assess the situation on the ground and to urge all sides to put a stop to the serious violations of human rights and international humanitarian law. The Special Adviser returned to Darfur in September 2005 to review the status of implementation of their previous recommendations.

On 7 October 2004, the Secretary-General announced the establishment of a Commission of Inquiry to determine whether acts of genocide had occurred in Darfur. In its final report, the Commission

concluded that while the Government of Sudan had not pursued a policy of genocide, its forces and allied militia had "conducted indiscriminate attacks', including killing of civilians, torture, enforced disappearances, destruction of villages, rape and other forms of sexual violence, pillaging and forced displacement." The panel concluded that "international offences such as the crimes against humanity and war crimes that have been committed in Darfur may be no less serious and heinous than genocide." It urged the Security Council to "act not only against the perpetrators but also on behalf of the victims".

On 21 April 2005, the Commission on Human Rights (predecessor of the Human Rights Council) appointed a Special Rapporteur on the situation of human rights in Sudan. The Special Rapporteur, Sima Samar, travelled to Sudan regularly and issued oral and written statements to the Commission (and later the Human Rights Council) and to the Third Committee of the General Assembly. In February and March 2007, the Human Rights Council deployed a special mission to report on the human rights situation in Darfur. The Council subsequently set up a human rights expert group to work with the Sudanese Government and

the AU to ensure implementation of all resolutions and recommendations on Darfur in relation to human rights. On 20 June, the mandate of the expert group was extended for another six months. In its seventh report on the human rights situation in Sudan (18 May), the Office of the High Commissioner for Human Rights (OHCHR) reported on aerial attacks conducted from January to March 2007 against civilians in Darfur. The Secretary-General had repeatedly drawn the attention of the Security Council to the continuing violence in Darfur and had condemned the targeting of civilians, including aerial attacks on villages.

### **International Criminal Court**

Following a recommendation by the Commission of Inquiry in March 2005, the Security Council, in resolution 1593, referred the situation in Darfur to the International Criminal Court (ICC) and ordered Sudan to cooperate with the Court's investigations. On 2 May 2007, the ICC issued arrest warrants for crimes against humanity and war crimes against former Minister of State for the Interior of the Government of Sudan and current Minister of State for humanitarian Affairs, Ahmad Harun, and Janjaweed commander Ali Muhammad Ali Abd-Al-Rahman.



In March 2009, the International Criminal Court (ICC) indicted Sudanese President Omar al-Bashir for war crimes and crimes against humanity. In July 2010, the ICC re-examined its decision and indicted Bashir on three counts of genocide. At Bashir's direction, the genocide had left an estimated 300,000 people dead and 2 million displaced.

### **Blending Peace-keeping and Peace Enforcement: An Unhappy Mix**

The heady optimism after the end of the Cold War and the military success of the Persian Gulf War prompted the United Nations to propose a more robust and muscular form of peace-keeping. In An Agenda for Peace, UN Secretary General Boutros Boutros-Ghali proposed a departure from traditional peacekeeping operations, which used modest numbers of armed Forces and employed passive military operations to sustain an existing peace agreement. The "peace-enforcement" units proposed by Boutros-Ghali would be more heavily armed than traditional peace-keepers and would be able to use active military force to compel belligerents to accept a stable and peaceful environment. The UN operation in the former Yugoslavia has been the first test of that new kind of operation. Specifically, the United Nations Protection Force

(UNPROFOR) in Bosnia-Herzegovina has sought to find a middle way between traditional peacekeeping missions that "sustain" a peaceful environment and large-scale enforcement operations that use active military force to "create" such an environment. The middle way has proved to be elusive.

The UN operation in Bosnia-Herzegovina was given additional mandates which required the use of force. These were incompatible with existing mandates requiring consent of the parties, impartiality, and the non-use of force. The resultant combination was inherently contradictory. It jeopardised the safety and success of the peacekeeping mission. What the Secretary General did not recognise is that, along with the strategic incoherence of those operations, the effort to pump vast amounts of humanitarian aid into the former Yugoslavia and to use UN forces to keep a lid on tensions in the region has backfired. The middle way forced on the United Nations by a hesitant international community has contributed to the problem, rather than helped to foster a solution to the ongoing conflict.

As a compromise between the ideal and the reality, the United

Nations launched a limited intervention that emphasizes the provision of humanitarian aid. However, "Limited" is a relative term. The UNPROFOR is by far the biggest and most expensive UN 'peacekeeping' operation of all time. In addition, "mission creep" has plagued the operation, and the UN forces, by virtue of their being in Bosnia to "do something," have gradually acquired additional missions such as the protection of "safe areas" and the enforcement of heavy weapons exclusion zones. Those missions require a heavily armed and armored force with naval and combat air support, yet the overall purpose of the UN operation is still to play a passive and impartial supporting role to foster a negotiated peace. There is, at the very least, a severe tension between those two objectives.

The most serious flaw in the strategy is that the enormous military, civil, and humanitarian effort is not coherently tied to any policy that would convince the belligerents that they have more to gain by negotiating than by fighting. The United Nations itself recognised that it was dangerous to deploy a peacekeeping force without the political prerequisites of success, such as a previously concluded settlement and the consent and cooperation of the belligerents. Nevertheless, the

Security Council thought that the force could be an interim arrangement to create the conditions of peace and security required for the negotiation of an overall settlement of the Yugoslav crisis. The danger in that language is the mandate to "create" conditions, a task that has historically been successfully undertaken only by expensive collective coercive military action in Korea ( 1950-53), some parts of the Congo operation (1960-64), and the Gulf war ( 1990- 91).

The UNPROFOR is not supposed to be a coercive mission, although the NATO airpower was used for limited enforcement actions. The key operational imperative of the mission was still the willing consent and cooperation of the belligerents. However, there were no incentives for the belligerents to cooperate, and the UN intervention had produced an operational environment in which it was easier for the local factions to go on fighting and forget about negotiating for peace. The UN mission was hopelessly mired. There was no peace to sustain, there is no will on the part of the leading UN member states to incur the enormous costs of imposing peace through force, and the middle way perversely encouraged the belligerents to continue fighting.

The option of ending the UN intervention needs to be fully explored, no matter how morally repugnant it might seem to its European and American advocates. Probably nonintervention would have resulted in a more sustainable political solution to the Balkans conflict, a point we shall dwell upon in a subsequent chapter.