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UNITED NATIONS PEACEKEEPING IN THE BALKANS

Bachelor Thesis

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Olomouc, 2007

I declare in lieu of oath that I wrote this thesis myself, work of others has been acknowledged in the text and	
Bar Harbor, June 12, 2007	
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List of abbreviations

ACABQ Advisory Committee for Administrative and Budgetary Questions

ARRC Allied Rapid Reaction Corps

EU European Union

IPTF United Nations International Police Task Force

KFOR Kosovo Force

KLA Kosovo Liberation Army

KPS Kosovo Police Service

NATO North Atlantic Treaty Organization

TDF Territorial Defense Forces

UN United Nations

UNCRO United Nations Confidence Restoration Operation

UNHCR United Nations High Commissioner for Refugees

UNMIBH United Nations Mission in Bosnia and Herzegovina

UNMIK United Nations Interim Administration in Kosovo

UNMOP United Nations Mission of Observers in Prevlaka

UNPAs United Nations Protected Areas

UNPREDEP United Nations Preventive Deployment Force

UNPROFOR United Nations Protection Force

UNPSG United Nations Civilian Police Support Group

UNTAES United Nations Transitional Administration for Eastern Slavonia, Baranja

and Western Sirmium

US United States

WEU Western European Union

YPA Yugoslav's People Army

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1 INTRODUCTION

Since I am European, I grew up with an awareness that something bad was happening in Balkan countries. However, neither high school nor university studies helped me to understand this conflict and the whole action in the Balkans. When I was thinking about the focus of my bachelor thesis, the role of the UN peacekeeping forces and better knowledge of this conflict seemed to be the best solution for me. Even though I focus on the United Nations peacekeeping missions in the Balkans, I can not look at the peacekeeping missions without understanding the whole conflict in the former Yugoslavia. The United Nations' peacekeeping effort is generally known, but my knowledge of it is often a negative perception and so this thesis was a good opportunity for me to form my own opinion.

The aim of this work is to analyze the United Nations' peacekeeping missions in the Balkans. Even though there have been eight United Nations missions in the Balkans since 1990 I focus only on the first one, United Nations Protection Force (UNPROFOR), and the last one, United Nations Mission in Kosovo (UNMIK) (since 1999 the main initiative in the western Balkans was taken over by other organizations than the UN). By focusing on only two, I can better analyze them and also compare them shortly and see whether the UN learned from previous mistakes in UNPROFOR. However, I, of course, mention the other six missions but in a very short descriptive way.

The thesis has a few aspects. First, basic information about the United Nations' peacekeeping efforts and history of the former Yugoslavia are provided. Secondly, UNPROFOR and UNMIK are described and evaluated. In the last chapter I use my current knowledge about both missions to compare them.

2 METHODOLOGY

The objective of this study is to focus on two of the UN peacekeeping missions in the Balkans since 1990: UNPROFOR and UNMIK. I provide detailed information about them and how they are generally evaluated in different literatures.

The thesis is primarily a compilation based on a broad qualitative literature review of books, articles, and UN websites. First, I searched for books in different libraries in the United States and then I searched the internet. Then I analyzed my sources, and realized that I could not analyze all eight peacekeeping missions in the Balkans since 1990. There is too much information on them to fit it into the required length of this thesis. I decided to analyze only the first one UNPROFOR, and last one, UNMIK. I briefly describe the rest of them. All chapters are based on compilation only the last chapter is my own brief analysis which looks not only at different approaches of the UN in UNPROFOR and in UNMIK, but also whether the UN learned some lessons from UNPROFOR.

The thesis was written during my one-year scholarship in the US, and therefore I am using the grammatical rules of American English and the citation style is called Modern Language Association (MLA).

3 THE UNITED NATIONS PEACEKEEPING

3.1 Basic characteristics of the UN Peacekeeping

Peacekeeping does not serve as a means to the end of war or conflict, but rather it serves to implement signed peace agreements. The UN troops have three basic characteristics: first, the troops are supposed to maintain the cease-fire; second, they are lightly armed and can use rifles only for their self-defence; third, they are impartial; their position is that of a middleman between two or more conflicting sides (Diehl 5-9). I use this characteristic since it was used when the missions were implemented but this attitude may have changed during the the 1990s.

"Most UN peacekeeping forces are composed of military personnel from nonaligned states; typically Canada, [sic] Fiji and Sweden have been among the most generous troops' contributors. Soldiers from the major powers, or those from other states with a vested interest in the conflict at hand (such as Saudi Arabia in Middle East operations) are explicitly not used" (Diehl 8).

Every UN peacekeeping operation must have permission from the country where the troops will be stationed, and the permission can be withdrawn whenever the country's representative decides that the country no longer wants to have the troops on its land (It happened in Egypt when Egypt's president asked the troops to leave right before the 1967 war) (Diehl 9).

3.2 The term peacekeeping

In the past, the term "peacekeeping" has had different meanings. People usually think of peacekeeping as the international effort which is supposed to end armed conflict, but this is really peacemaking. The International Peace Academy defines peace as "the prevention, containment, moderation, and termination of hostilities, through the medium of a peaceful third party intervention, organized and directed internationally, using

multinational forces of soldiers, police, and civilians to restore and maintain peace" (Diehl 4-5). The United Nations has no firm definition of peacekeeping.

Sir Brian Urquhart, the former Secretary-General of the UN, says that: "The 'united' in United Nations referred to nations united in war, not in peace" (qtd. in Hillen 148). John Hillen points out that "the Charter's Chapter VII was based on an extension of the wartime alliance system, and it specified the mechanisms by which the UN could direct international military forces in the pursuit of international peace and security" (Hillen 148).

The former UN Secretary-General Boutros Boutros-Ghali gave a speech during the 50th anniversary celebration of the UN and "emphasized that peacekeeping is not the same as peace enforcement. The UN intervention tends to fail, he said, where it lacks the true consent of all parties to a dispute and where the soldiers lack impartiality and resort to force (Lewis 37).

Satish Nambiar, an Indian general serving in the former Yugoslavia, said that "peacekeeping has become an extraordinary art that calls for the use of military personnel not to wage war, but to prevent fighting between belligerents, to ensure the maintenance of cease-fires, and to provide a measure of stability in an area of conflict while negotiations are conducted" (Nambiar 167).

3.3 The UN Charter

I analyzed the UN Charter in terms of what it says about peacekeeping. However, the term "peacekeeping" is not literally used in the Charter¹ at all. Chapter I, Article 2(4) indicates that members cannot use force against the territorial integrity or political independence of a state.

The most relevant chapters to peacekeeping are VI and VII, Article 37 under Chapter VI which says that "if the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such of settlement as it may consider appropriate." Article 36 specifies that "the Security Council may, at any stage of dispute of the nature referred to in Article 33 or of a situation of like nature,

recommend appropriate procedures or methods of adjustment." Article 42, Chapter VII comes closest to the peacekeeping idea: "Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such actions by air, sea or land forces as may be necessary to maintain or restore international peace and security. Such actions may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations." There is no mention that the UN needs permission from the touched country but in reality the permission of the touched country is required because of security reasons since the country could understand the UN presence as direct attack on its country.

The last relevant contribution is found in Article 43 which points out that as a result of a specific agreement all members of the United Nations agree to contribute to maintening international peace and security. This agreement specifies that member countries may provide armed forces, assistance, and facilities, including rights of passage. Article 53, Chapter VII allows the Security Council to create regional agencies whose task is to enforce peace.

There is apparently no use of the term "peacekeeping." However, there are indirect references to it, references which today's peacekeeping forces follow. The articles which was mentioned above allow peacekeeping operations even if they do not mention peacekeeping directly; it may have been intentional to make the Charter as general as possible in order to implement new ideas. In other words, the UN Charter allows the Security Council to take some action in case of any dispute by all possible ways (air, sea, land) with the aim of keeping or restoring the peace; it cannot be a use of force as Article 2 indicates. Peacekeeping, as we perceive it today, is the restoration of international peace which is mentioned in Article 42; moreover, the restoration can take various forms (this formulation in the Charter is very broad and one of the options could be peacekeeping); thus peacekeeping can be applied to forming "operations by air, sea, or land forces of Members of the United Nations." In addition, the Security Council can call member countries to ask for assistance once peacekeeping operations have been approved.

There is no unified definition of peacekeeping. Since the first official peacekeeping mission was launched only three years after establishment of the UN, this remains a

¹ UN Charter. San Francisco. 1945. All other references will be cited in the text by article and/or chapter

question. It seems that initially they did not consider peacekeeping, but now are trying to fit it into the Charter.

3.4 The short history of UN peacekeeping

The United Nations was established by signature of the Charter on June 26, 1945. Even if there is no direct mention of peacekeeping, it took only three years to start the first peacekeeping mission. "The first largest peacekeeping mission under the Secretary-General was the United Nations True Supervision Organization (UNTSO) which oversaw the Arab-Israeli conflict in 1948" (Lewis 30). In the 1950s during the conflict in the Suez, it was not desirable for each country to have different uniforms if all of them were fighting under the UN, so the United States sprayed all helmets light blue. This is the moment when the term "blue helmets" was born and is used for the UN peacekeepers until now. (Lewis 32).

In the 1960s, there were a few small operations in West New Guinea, Yemen, the Dominican Republic, and Kashmir with the biggest operation in the Congo. In 1964 the United Nations Peacekeeping Force in Cyprus (UNFICYP) was started and still continues. In the 1970s only missions in Lebanon (UNIFIL), and Israel and Syria (UNDOF) were approved. In the 1980s the UN did not start any new operation. But the peacekeeping operations in the 1990s were different, and many times they are called "second generation" operations because duties expanded to elections, disarming guerrilla forces, restoring law, and resettling refugees (Lewis 35-36). Tharoor added to Lewis' list "upholding human rights, overseeing land reform, delivering humanitarian aid under fire, [and] rebuilding failed states" (Tharoor 212).

The general financial matters of peacekeeping and the number of personnel serving in missions are extensive. Since 1948 the United Nations has led 61 operations, of which 16 still continues (to December, 31 2006). The estimated total cost of all operations from 1948 to June 30, 2006 is about \$41.04 billion; outstanding contributions to the peacekeeping budget made through November 30, 2005 are approximately \$1.99 billion (United Nations Peacekeeping Operations). The current approved budget from July 1, 2006 to June 30, 2007 is \$4.75 billion which is less than 0.5% of world military expenses (United Nations Department of Peacekeeping Operations).

3.5 Financing of the peacekeeping missions

Financing of the UN peacekeeping is separate from the budget of the UN; special accounts are used. States are split into different economic groups to determine the amount of money each state pays. Developing countries pay between one-fifth and one-tenth of their regular contribution to the UN budget. Yet other countries pay the same amount as their regular budget (Higgins 477). The United States pay 30% of the peacekeeping budget, Japan 12.45%, Russia 11%, Germany 8.9%, France 7%, the United Kingdom 6%, and China 0.9% (Higgins 477-478).

3.6 The process of approving peacekeeping missions

The Security Council is the first to decide whether a new operation is necessary. Then, the Security Council asks the Secretary-General, often within 48 hours, to present a report on the basis of their recommendations, a report that contains a detailed plan of the whole mission. Thanks to the work done by different personnel in the office of the Secretary-General, the Secretary-General knows the local situation in the proposed location very well and so it is a logical step for personnel to write it. When the detailed plan for a new mission is approved, the Secretary-General recommends the type of peacekeeping group which is most suitable for the proposed region. Such groups could include a small unarmed group or a larger lightly armed group. The Secretary-General also decides on the numbers of officials, observers, infantry, and equipment needed for the mission. Generally, the Secretary-General and Security Council (mainly the five permanent members²) consult a few times on the report, so it is usually approved by the Security Council without problems. Once the new operation is finally approved, the action starts – with all sides participating eagerly, consultations with all participants (Shimura 48-49).

After the consultation with every country, the Secretary-General prepares the list of countries that will contribute troops, and again it must be approved by the Security Council. A final and very important decision is determining who the leader of the operation will be: If it is a cease-fire mission with mostly military personnel, it is usually a senior

² Permanent members of the Security Council are Chine, France, Russia, the United Kingdom, and the US.

military officer from one of the contributing countries; in multifunctional operations, a chief is usually the civilian called the special representative of the Secretary-General. When all the above-mentioned steps are decided, approving the budget is the next logical step. The first draft of the budget must be authorized by the Advisory Commitee for Administrative and Budgetary Questions (ACABQ) of the General Assembly, then by the Fifth Committee (Administrative and Budgetary Committee), and lastly by the whole Assembly. The next step is approval of necessary equipment - the fact that the discussion about necessary equipment starts only after the budget is approved usually makes it very time-consuming. This long process originates from the normal activities of the UN and is now applied to the peacekeeping operations. Thus the Secretary-General is, on one hand, tied by rules and, on the other hand, is pressured to make the process move forward as quickly as possible. When the mission is finally launched, it is not the Security Council but the Secretary and Secretary-General that stay in permanent touch with a mission through a 24-hour situation centre. The Secretariat regularly reports to the Security Council about the mission (Shimura 50-53).

4 BRIEF HISTORY OF FORMER YUGOSLAVIA SINCE THE 1980S

Former Yugoslavia was comprised of 6 federal republics: Croatia, Bosnia-Herzegovina, Macedonia, Montenegro, Serbia, and Slovenia. Vojvodina and Kosovo were autonomous republics of Serbia. Each of the six republics had its own communist party (Baumann, Gawrych, and Kretchik 17).

Josip Broz Tito reigned in former Yugoslavia since World War II and concentrated power too much on himself. When he died in 1980 after 35 years of rule the country started slowly colapsing. After Tito's death the power, according to the Constitution from 1974, was in the hands of an eight-member federal presidency - one representative from each of the six republics and one each from Vojvodina and Kosovo. The president of that body would be rotated annually among the six republics. Such an arrangement seriously weakened power at the center (Fnukal 126). However, Tito's successors were able to keep Yugoslavia together until the end of Cold War.

In the end of the 1980s the former Yugoslavia faced serious economic problems such as foreign debt, hyperinflation, and high unemployment. Moreover, at this time the Berlin Wall fell and Yugoslavia stopped being significant for the western powers. The western powers supported the former Yugoslavia with aid so far because they were afraid of its connection with the Soviet Union but the western countries ceased to provide aid. Basically both the US and the European Community stopped being interested in this part of Europe which led to gradual disintegration and enforcement of individual national efforts (Baumann, Gawrych, and Kretchik 21-22).

During the 1980s the national tensions and disputes also slowly and gradually show up; each republic has had historically different national structures – see figure 1 below

Figure 1 – National structure in individual republics between 1948 and 1991

Republic	% share of individual nationalities		
nationality	1948	1981	1991
Bosnia-Herzegovina			
Muslims	30.7%	39.5%	43.7%
Serbs	44.3%	32.0%	31.4%
Croats	23.9%	18.4%	17.3%
Montenegro			
Montenegrins	90.7%	68.5%	61.8%
Muslims	0.1%	13.4%	14.6%
Croatia			
Croats	79.2%	75.1%	78.1%
Serbs	14.5%	11.5%	12.2%
Macedonia			
Macedonians	68.5%	67.0%	66.6%
Albanians	17.1%	19.8%	22.7%
Slovenia			
Slovenes	97.1%	90.5%	87.8%
Serbia - whole			
country			
Serbs	73.9%	66.3%	65.9%
Albanians	8.1%	14.0%	17.1%
Kosovo			
Albanians	68.5%	77.4%	81.6%
Serbs	23.6%	13.2%	9.9%
Vojvodina			
Serbs	50.6%	54.4%	56.8%
Hungarians	25.8%	18.9%	16.9%
Serbia - without AO			
Serbs	92.1%	85.4%	87.9%

Source: Fnukal, Milos. "Politickogeograficky vyvoj jugoslavskeho prostoru od 70. let minuleho stoleti do soucasnosti." Diss. Masarykova Univerzita v Brne, 2000

4.1 Bosnia and Herzegovina

Baumann shows how the national structure of Bosnia was various and problematic:

In 1991, census figures showed a distribution of 43.7 percent Muslims, 31.4 percent Serbs, 17.3 percent Croats, and 5.5 percent Yugoslavs for a population of 4,365,000 inhabitants. These figures are misleading. Approximately 20 to 30 percent of the marriages in Bosnia were mixed. Catholics married Orthodox, Orthodox married Muslims, and Muslims married Catholics. Some families comprised members from all three religious communities. Marriage vows involving individuals from two different religious communities were much more prevalent in towns than villages (Baumann, Gawrych, and Kretchik 19).

Bosnia (mainly Bosnian Muslims) was with Macedonia the only parts of former Yugoslavia which wanted to remain under Yugoslav state. However, after declaration of independence of Croatia and Slovenia, Alija Izetbegovic, representative of Muslim community, also came up with an idea of Bosnian independence (Baumann, Gawrych, and Kretchik 22). The main reason was that after the separation of Croatia and Slovenia, Bosnian Muslims would become a minor nationality within the state (Fnukal 131). Moreover, other nations in Bosnia had other ideas about their future - Bosnian Serbs wanted to create union with Serbia and Bosnian Croats wanted to become part of Croatia (Baumann, Gawrych, and Kretchik 22).

Bosnia proclaimed independence but it was refused by international community. However, the refusal did not stop Bosnia from organizing a referendum on independence and right after on March 3, 1992 Muslim and Croat parlament representatives declared independence of Bosnia and Herzegovina. Alija Izetbegovic became the president. Even though negotiations on the internal organization of the state were unsuccessful the EU decided to oficially recognize Bosnia and Herzegovina on April 7, 1992. However, Serbs living in Bosnia did not like it and as a response they declared their own state Republic of Srpska (see map 1) which led almost immediately to the beginning of civil war (Fnukal 137).



Map 1 – Republic of Srpska (borders from 1995 after Dayton agreement)

Source: Republic of Srpska. Map. 19 Jul. 2007. 14 Aug. 2007

https://www.cia.gov/library/publications/the-world-factbook/geos/bk.html.

Right after declaration of Bosnian independence the EU asked for withdrawal of YPA's soldiers from Boanian land: "between 4 and 10 May 1992, the YPA complied by withdrawing 20,000 troops but left behind 80,000, the vast majority of these being Bosnian Serbs. General Ratko Mladic, himself a Bosnian Serb, took command of most of these officers and soldiers, who now formed the Army of Republika Srpska" (Baumann, Gawrych, and Kretchik 25).

In the beginning of the civil war Croats and Bosnian Muslims fought together against Serbs but it changed in April 1993 when all three nations fought against each other. By September 1992 Serbs (Republic of Srpska) controlled about 70% of Bosnia. The cooperation between Croats and Bosnian Muslims was renewed in February 1994 when they signed Washington agreement and together established the Federation of Bosnia and Herzegovina but its existence was only formal (Fnukal 138-139).

The international community did not undertake any active steps at all. The war lasted three and half years until 1995 when peace talks started (Bauman, Gawrych, and Kretchik 26-27). In October 1995 all sides stopped fighting and met in Dayton in the US to negotiate peace. Dayton agreement (peace agreement) was finally signed on December 14,

1995 in Paris. Bosnia was divided between Serbs and Croat-Bosnian Muslims federation in the rate of 49 to 51 (Fnukal 140).

4.2 Croatia

In the first half of 1991, both Croatia and Slovenia negotiated the future form of the Yugoslav state but at the same time the tension between Croats and Serbs in Croatia intensified (Fnukal 131-132). Even though Serbs created only 15% of Croatian population they had more positions in police and party which naturally annoyed Croats who worried about becoming second-class citizens within their own country. As a result, Franco Tudjman, Croatian president, decided to address this situation but Serbs responded with self-declaration of their own Republic of Serbian Krajina on May 31, 1991 which even deepened tensions between these two nations (see map 2) (Bauman, Gawrych, and Kretchik 23).



Map 2 – Republic of Serbian Krajina (blue color)

Souce: <u>Republic of the Serbian Krajina</u>. Map. 1997. 8 Aug 2007 http://www.krajinacafe.net/rsk/modules/istorija/mapa311.jpg.

On June 25, 1991 Croatia declared independence together with Slovenia. Immediately after declaration Slobodan Milosevic, president of the Republic of Serbia, initiated the war in Slovenia; however, the war lasted only 10 days with 43 killed and 163 wounded. Milosevic realized that the war in Slovenia is not worth it since the Serbian minority there is very small and so instead of it he sent his troops to Croatia where the Serbs counted as a much bigger nationality (Baumann, Gawrych, and Kretchik 23). At this point, the EU came with its peacekeeping mission and lead negotiation to establish peace both in Slovenia and Croatia. The agreement was signed on July 13, 1991 – it worked in Slovenia where YPA withdrew but not in Croatia where ethnical tensions continued. They culminated on December 19, 1991 when YPA occupied one third of Croatia and Bosnian Serbs proclaimed the independence of the Republic of Serbian Krajina (was established by uniting the Republic of Krajina which proclaimed its independence on May 30, 1991 and two other Serbian entities) (Fnukal 132-133).

The international community intervened in the situation in the beginning of 1992 and the result was the cease-fire and withdrawal of YPA from Croatia at the end of January 1992. Subsequently the UN approved United Nations Protection Force (UNPROFOR) on February 21, 1992 (Baumann, Gawrych, and Kretchik 24).

4.3 Serbia

Slobodan Milosevic became the chief of the Serbia's Communist Party in May 1986 after he failed to become the chief of whole Yugoslav Communist Party and he immediately and significantly emphasized Serbian nationalism. He became a president of Serbia in 1989 (Fnukal 128).

In 1990 the Yugoslav Communist Party collapsed and Milosevic established the Socialist Party of Serbia which had strong nationalist program (Fnukal 131).

During the whole conflict in the former Yugoslavia Milosevic openly supported Serbs in Croatia and Bosnia-Herzegovina through YPA and at the same time he strengthened his position in Serbia, Montenegro, Vojvodina and Kosovo.

5 UNITED NATIONS PEACEKEEPING MISSIONS IN THE BALKANS

The United Nations came to former Yugoslavia in 1992 and has stayed to this day. It has directed altogether eight peacekeeping operations – see figure 1 below

Figure 2 - The overview of all UN peacekeeping missions in former Yugoslavia

Name of Mission	Duration
United Nations Protection	
Force (UNPROFOR)	February 1992 - March 1995
United Nations Confidence	
Restoration Operation	
(UNCRO)	March 1995 - January 1996
United Nations Preventive	
Deployment Force	
(UNPREDEP)	March 1995 – February 1999
United Nations Mission in	
Bosnia and Herzegovina	December 1995 – December
(UNMIBH)	2002
United Nations Transitional	
Authority in Eastern Slavonia,	
Baranja and Western Sirmium	
(UNTAES)	January 1996 – January 1998
United Nations Mission of	
Observers in Prevlaka	
(UNMOP)	February 1996 – December 2002
United Nations Civilian Police	
Support Group (UNPSG)	January 1998 – October 1998
United Nations Interim	
Administration Mission in	
Kosovo (UNMIK)	June 1999 – today

Source: "List of Operations." <u>United Nations</u>. 2 Aug 2007

http://www.un.org/Depts/dpko/list/list.pdf.

5.1 UNCRO

UNCRO was established as a continuation of UNPROFOR in Croatia. It was established on March 31, 1995. The troops were deployed in Krajina region, Western Slavonia and Eastern Slavonia. Security General approved the following mandate:

(a) performing the functions envisaged in the cease-fire agreement of 29, March 1994; (b) facilitating implementation of the economic agreement of 2 December 1994; (c) facilitating implementation of all relevant Security Council resolutions; (d) assisting in controlling, by monitoring and reporting, the crossing of military personnel, equipment, supplies and weapons, over the international borders between Croatia and Bosnia and Herzegovina, and Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) at the border crossings; (e) facilitating the delivery of international humanitarian assistance to Bosnia and Herzegovina through the territory of Croatia; and (f) monitoring the demilitarization of the Prevlaka peninsula (United Nations Confidence Restoration Operation).

The mission lasted only until January 15, 1996. In the end of 1995 the troop had 6,581 troops, 194 military observers and 296 civilian police (United Nations Confidence Restoration Operation).

5.2 UNPREDEP

UNPREDEP was established as a continuation of UNPROFOR in Macedonia on March 31, 1995. The headqurters was placed in Skopje. At the end of 1995 the mission controled 420 km long zone along the Albanian borders. The goals of the mission were almost the same as for UNPROFOR: "to monitor and report any developments in the border areas which could undermine confidence and stability in the former Yugoslav Republic of Macedonia and threaten its territory" (United Nations Preventive Deployment Force). In the end the mission had altogether 1,100 soldiers - 1,049 troops, 35 military observers and 26 civilian police; four soldiers died during this mission. The biggest contributors were Nordic batallion, the United States and Indonesia.

The mission was originally approved only for the following six months; however, it was gradually extended six times until February 28, 1999 when China vetoed further extension and thus the mission was ended (United Nations Preventive Deployment Force).

5.3 UNMIBH

This mission was initiated on December 20, 1995 by establishing the United Nations International Police Task Force (IPTF) and a United Nations civilian office in Bosnia and Herzegovina. The mission became to known as UNMIBH; it was another continuation of UNPROFOR this time in Bosnia and Herzegovina.

The main goals were:

monitoring, observing and inspecting law enforcement activities and facilities, including associated judicial organizations, structures and proceedings; advising law enforcement personnel and forces; training law enforcement personnel; facilitating, within the IPTF mission of assistance, the parties' law enforcement activities; assessing threats to public order and advising on the capability of law enforcement agencies to deal with such threats; assisting by accompanying the parties' law enforcement personnel as they carry out their responsibilities, advising government authorities in Bosnia and Herzegovina on the organization of effective civilian law enforcement agencies (United Nations Mission in Bosnia and Herzegovina).

However, it is necessary to emphasize that UNMIBH worked closely with the High Representative for the Implementation of the Peace Agreement and the operation itself followed very carefully the Peace Assignment signed in Bosnia and Herzegovina. In the course of the mission some additional tasks were approved by Security-General, such as investigation of human rights abuses by policemen in 1996, gradual increasing of number of police personnel in order to raise the public security and enable human rights investigation in 1997, and starting a program to monitor and assess the court system in Bosnia and Herzegovina.

The headquarters was located in Sarajevo. The mission was the strongest in November 1997 with 2,047 police personnel. The military strength in the end of mission was slightly lower and had 1,414 police personnel; during whole mission 12 military personnel died. The mission was terminated on December 31, 2002 (United Nations Mission in Bosnia and Herzegovina).

5.4 UNTAES

UNTAES was established on January 15, 1996. The goals of the mission were divided into militarian and civilian sections:

The military component was to supervise and facilitate the demilitarization of the region; monitor the voluntary and safe return of refugees and displaced persons to their homes of origin in cooperation with UNHCR; contribute, by its presence, to the maintenance of peace and security in the region; and otherwise assist in implementation of the Basic Agreement. The civilian component was to establish a temporary police force, define its structure and size, develop a training programme and oversee its implementation, and monitor treatment of offenders and the prison system; undertake tasks relating to civil administration and to the functioning of public services; facilitate the return of refugees; organize elections, assist in their conduct, and certify the results (United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium).

The mission was located in Eastern Slavonia, Baranja and Western Sirmium and had its headquarter in Vukovar. The mission reached its maximum strength on October 31, 1996 with 5,561 military personnel including 5,009 troops, 457 civilian police and 95 military observers which were lower under the approved strength. Eleven soldiers died during this mission. The total expenses were \$435.2 mil. The mandate was originally approved for one year but was twice extended so it was finally terminated on January 15, 1998 (United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium).

5.5 UNMOP

UNMOP was established on February 1, 1996 as a follower of UNCRO. The mission was located in Prevlak Peninsula with a headquarters in Cavtat. Its main goals were: "[monitoring of] the demilitarization of the Prevlaka peninsula and of the neighbouring areas in Croatia and the Federal Republic of Yugoslavia and [helding] regular meetings with the local authorities in order to strengthen liaison, [reducing] tensions, [improving] safety and security and [promoting] confidence between the parties" (United Nations Mission of Observers in Prevlaka).

The mission ended on December 15, 2002 (United Nations Mission of Observers in Prevlaka).

5.6 UNPSG

UNPSG was established on January 16, 1998 after the UNTAES' mandate ended. The location and headquarter is the same as in case of UNTAES. Mission's total strength was 114 policemen. The main goal of this mission was to monitor the Croatian police in the region.

The mission was ended after eight months on October 15, 1998 (United Nations Civilian Police Support Group).

6 UNPROFOR

6.1 UNPROFOR's background

UNPROFOR was the first approved mission in the Balkans after the interior conflict in Yugoslavia began. UNPROFOR started in February 1992 and ended in March 1995. The main headquarter was in Zagreb, Croatia.

The foundation of the UNPROFOR mandate was the Vance Plan, a plan named after its author Cyprus Vance (Special Envoy to the Secretary-General). Vance gradually persuaded all involved parties (Croatia, Serbia, and the head of the Yugoslav People's Army) to sign a cease-fire agreement in Sarajevo on January 3, 1992 (Kim 5). The key elements of the Vance Plan were the following:

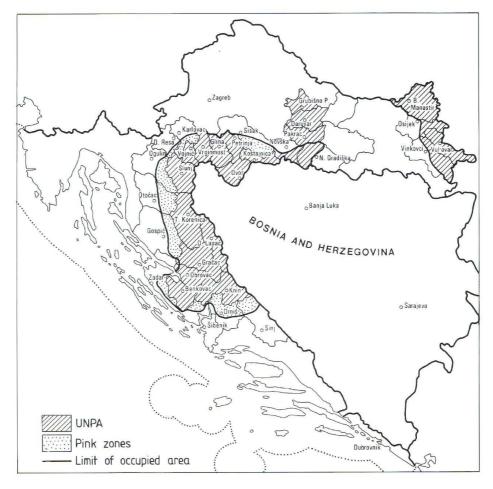
withdrawal of the YPA from Croatia; demilitarization of the [3] UN Protected Areas [in Croatia] [UNPAs] with the continued functioning, on an interim basis, of local authorities and police under UNPROFOR supervision in proportions reflecting the pre-war ethnic structure of the population and pending the achievement of an overall political solution to the crisis, and full protection of human rights; providing all appropriate support to humanitarian organizations; and returning displaced persons to their homes in the UNPA, under conditions of full safety (Krsticevic 9-10).

Colonel Hague specifies information about UNPA saying that:

the borders of each UNPA [see map 3] correspond to the forward positions of the belligerent in November 1990. Within each UNPA, peacekeepers had the following responsibilities: 1) demilitarize the area (arms control); 2) protect the personnel in the UNPA (maintain the cease-fire) [between Croatian army and Serbian Krajina]; 3) monitor the local police forces to ensure fair and equal treatment of all citizens (report on human rights violations, verify the maintenance of law and order); 4) facilitate the return of displaced persons (Hague 4-5).

In 1993 three UNPAs were divided into four sectors with the following personnel deployed: Sector East: 1550 military, 13 military observers, 200 civilian police and personnel); Sector West: 3768 military, 24 military observers, 100 civilian police; Sector North: 2620 military, 50 military observers, 250 civilian police; Sector South: 2344 military, 50 military observers, 290 civilian police (Kim 4). In March 1995, the military

strength of UNPROFOR increased to 38,599 military personnel, 803 civilian police, 2,017 other international civilian staff, and 2,615 local staff (UNPROFOR profile).



Map 3 - UNPAs and "pink zones"

Source: Crkvencic, Ivan, and Mladen Klemencic. <u>Aggression against Croatia:</u> <u>Geopolitical and Demographic Facts</u>. Zaghreb: Central Bureau of Statistics, 1993.

UNPROFOR was originally established in Croatia, and missions in Bosnia and Macedonia were approved later (UNPROFOR profile). The plan was that after the demilitarization of UNPAs, the troops would be deployed in Bosnia. However, during 1992 the situation worsened and so the Secretary-General implemented faster deployment and sent 40 military observers to the Mostar region on April 30, 1992. However, the situation between the Bosnian Muslims and the Bosnian Croats on the one side and the Bosnian Serbs on the other worsened significantly in May, and so the observers were withdrawn and about two-thirds of headquarter's personnel were also withdrawn from Sarajevo (UNPROFOR background).

In March 1993, the mandate of UNPROFOR was extended again but only for another three months (until June 30, 1993) since the co-chairmen of the steering committee of the International Conference on the Former Yugoslavia said that they would need more time to significantly move forward with negotiations and to decide about UNPROFOR's mandate. Later in June, the mandate was again extended for an additional three months until September 30, 1993 (UNPROFOR background).

"On June 4, 1993, the Security Council, by its resolution 836 (1993) further expanded the mandate of UNPROFOR to enable it to protect the safe areas, including to deter attacks against them, to monitor cease-fire, to promote the withdrawal of military. The Council authorized 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 UNPROFOR or of protected humanitarian convoys" (UNPROFOR background).

Secretary-General Boutros-Ghali said one reason for extending the mission was the mission's mixed results: UNPROFOR did not achieve the demilitarization of the UNPA's, but at least it achieved demilitarization of the Prevlaka peninsula (Kim 4). In addition, the mission helped to prevent violence in the UNPAs and the "pink zones" (see map 3) (UNPROFOR background)

In September 1993, Secretary-General Boutros Boutros-Ghali recommended the extension of UNPROFOR for another six months. At the same time, the Secretary-General confessed that "he had been sorely tempted to recommend the withdrawal of the Force altogether because of the criticism of 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" (UNPROFOR background). He demanded that all parties to stop fighting and cooperate with UNPROFOR, so UNPROFOR could fulfill its missions. He also came up with the idea of dividing UNPROFOR into three parts: UNPROFOR (Croatia), UNPROFOR (Bosnia and Herzegovina), and UNPROFOR (the former Yugoslav Republic of Macedonia).

³ "pink zones" are areas outside the UNPAs and are largely populated by Serbs. "Pink zones" were also under UNPROFOR mandate;

On October 4, 1993, after two temporary extensions the mandate of UNPROFOR was extended twice, one for 24 hours on September 30 and other on October 1 for other six months. (UNPROFOR background).

6.2 UNPROFOR February 1994 – June 1995

On February 23, 1994 the cease-fire between the Bosnian government and the Bosnian Croat government was signed (UNPROFOR background). On March 16, 1994 the Secretary-General recommended renewing the mission's mandate for 12 months. The mission was finally extended on March 31, 1994 but for only six months until September 30, 1994, and they also decided to increase the number of soldiers by 3,500 (UNPROFOR background).

On March 29, 1994, the representatives of the government of Croatia and the local Serb authorities agreed on a cease-fire agreement (UNPROFOR background). Right after this agreement, UNPROFOR was assigned another mission - "to monitor the implementation of the cease-fire agreement signed by the Croatian government and Krajina Serb authorities on March 29, 1994" (Pushkina 154).

The Secretary-General evaluated UNPROFOR in Croatia after the March cease-fire agreement and said that "the agreement constituted a major achievement that had significantly reduced active hostilities between the conflicting sides in Croatia. By the end of May, UNPROFOR reported almost total compliance, characterized by a general cessation of hostilities, withdrawal of forces beyond fixed lines of separation and the placement of heavy weapons in agreed storage sites" (UNPROFOR background).

The Secretary-General indicated that the situation in Bosnia and Herzegovina stabilized after the signing of the cease-fire agreement in February 1994 with the significant help of UNPROFOR. On September 30, 1994, the mandate was extended for another six months until March 31, 1995 (UNPROFOR background).

In terms of delivering humanitarian aid, there were a number of problems because some roads were closed by the Bosnian Serb forces and access was purposely denied to UNPROFOR's humanitarian forces. Humanitarian aid had been provided since the

beginning of the conflict. It was estimated that there were about 500,000 refugees, or displaced persons, and by March 1993 3.8 million of people needed humanitarian aid (UNPROFOR background).

On January 12, 1995, Franjo Tudjman, the Croatian president, announced that he would not support UNPROFOR's renewal after March 31, 1995, and said that "Croatia's overall experience during the past two years 'had brought him to the conclusion that, although UNPROFOR has played an important role in stopping violence and major conflict in Croatia, it is an indisputable fact that the present character of the UNPROFOR mission does not provide conditions necessary for establishing lasting peace and order in the Republic of Croatia" (Krsticevic 22-23). In March 1995, UNPROFOR divided into UNCRO in Croatia, UNPREDEP in Macedonia, and UNPROFOR in Bosnia Herzegovina (Krsticevic 24).

6.3 UNPROFOR's deployment

As Major David A. Mosinski pointed out, the approval of UNPROFOR exactly fits between the Croatian phase and the Bosnian phase of the conflict. He said that Yugoslav conflict can be divided into three phases. The first was the Slovenian phase which lasted from June 25, 1991, to July 19, 1991.

On June 25, 1991 the parliaments of Slovenia and Croatia declared their independence. However, the Yugoslav parliament called on the Yugoslav People's Army (YPA) to solve the situation and to keep the territorial integrity of the state; about 100 people were killed in this fighting. The Yugoslav troops were officially withdrawn on July 19, 1991. Second, the Croatian phase lasted from August 2, 1991, to January 3, 1992. Again YPA was sent to Croatia to protect the Serbian minority in Krajina and Slavonia. There were more than 6,000 dead and even after the negotiated cease-fire on January 3, 1992 the fighting never completely ended. Third, the Bosnian phase started on March 3, 1993, and lasted until the end of the mission. Muslims and Croats in Bosnia Herzegovina preferred to become independent rather than stay under the Yugoslavia's rule - decision which brought about the civil war where Serbs fought against Croats and Muslims. The UN decided to establish its first peacekeeping mission in Yugoslavia on February 21, 1992, by

resolution 743 (1992) in the middle of the two phases of war when it appeared that there was cease-fire everywhere (Mosinski 33-37). Thus, theoretically, the mission itself was established when there was no fighting in Yugoslavia. I assume that the purpose was to wait for a cease-fire in Croatia and then approve a mission. The United Nations could not know that the cease-fire was not long-term but only temporary. The UN should at least have foreseen that it was not the end of conflict and tried to find a different solution.

At the time the mission was established, there were at least six key conditions which were seen as important for improving the mission:

first, the cease-fire agreement of January 2, 1992, was in effect; second, the parties to the conflict had agreed to ensure the safety of UNPROFOR...; third, the UN had asked all states to provide appropriate support to UNPROFOR, especially to facilitate the transit of UNPROFOR personnel and equipment through countries bordering the former Yugoslavia; fourth, the following UNPROFOR sites were designated: headquarters in Sarajevo, sub-offices in Belgrade and Zagreb, and logistics-base in Banja Luka; fifth, three UN protected areas (UNPAs) divided into four sectors were established.... The sixth key condition was that UNPROFOR would remain under UN command (Mosinski 40-41).

However, when UNPROFOR started deploying on March 8, 1992 the situation on the field was different than when the mission was approved. First, there was no peace anymore in Bosnia and moreover, the cease-fire in Croatia was threatened. So instead of maintaning a cease-fire, UNPROFOR had to face a conflict, a situation which it was not ready for at all. Perhaps unrealistically both the European Union (EU) and the US recognized the independent Bosnian state in the beginning of April in the hope that it would prevent further fighting (Mosinski 40-42).

6.4 UNPROFOR's missions

UNPROFOR's main objective was to create suitable conditions of peace and security that were needed for the negoatiations of final settlement of the Yugoslav conflict. The four main UNPROFOR's tasks were:

(1) to ensure that the UNPAs in Croatia are demilitarized, though the withdrawal or disbandment of all armed forces in them; (2) to ensure that all persons residing in the UNPAs are protected from fear of armed attack; (3) to monitor the functioning of the local police in the UNPAs to help ensure non-discrimination and the protection of human rights; and, (4) to facilitate the return, in conditions of safety

and security, of civilian displaced persons to their homes in the UNPAs (Mosinski 42-43).

Within the first month, more than 8,000 soldiers were deployed, however, instead of peacekeeping; they faced direct violence among the conflicting parties. So the United Nations was convinced to move most of the mission's headquarters to Belgrade. Only about 100 personnel stayed in Sarajevo and tried to "arrange meetings between the conflict parties, assist in the exchange of prisoners, and conducting various humanitarian tasks" (Mosinski 45). The UN tried very hard to bring a cease-fire to Bosnia but without any significant success. In June 1992, the Security Council increased the number of personnel in the mission, added another objective as resolution 758 (1992) – to secure and protect the Sarajevo airport. However, the new wave of violence that began in June 1992 made it hard for soldiers to protect the Sarajevo airport. So at the end of June, the Security Council (UNSC) approved additional soldiers for the Sarajevo airport and delivery of humanitarian aid by the resolution 761 (1992). On August 25, the General Assembly accepted a resolution stating, it was necessary to do something with the conflict and admitted to use direct military action if necessary. This was the first time the UN admitted that it may be necessary to use direct military power. This resolution can be viewed as a key moment in the UNPROFOR mission because the UN suddenly changed the whole idea of traditional peacekeeping as it was then perceived (Mosinski 44-49).

On June 30, 1992 by resolution 762 (1992), the Security General approved another mission to UNPROFOR – to watch the process of restoring order in the "pink zones" which were Croatian areas controlled by the YPA; mainly Serbs lived there and were located out of UNPAs areas (UNPROFOR background).

On August 7, 1992 the seventh mission was added to UNPROFOR objectives – "to to control the entry of civilians into the UNPAs and to perform immigration and customs functions at the UNPA borders at international frontiers" (UNPROFOR profile). But in less than a month, the third wave of violence occured which was generally called "ethnic cleansing". At this point Serbs controlled about 60%, the Croats about 25%, and the Muslims about 15% of Bosnia-Herzegovina (Mosinski 51). Basically each side tried to push each other away from its territory by violent means – especially the Serbs who attacked Muslims in their territory. Since UNPROFOR was deployed in this territory, they had to face this situation. Moreover, many times humanitarian convoys were blocked by Serbs asking for food for themselves and not for Muslims (Mosinski 52).

The United Nations had to solve the humanitarian crisis that arose with a third wave of violence, and so on September 14, 1992 the eighth mission for UNPROFOR was approved by resolution 776 (1992) – to start humanitarian convoys running to Bosnia-Herzegovina. Again the use of guns was approved in case the delivery of the humanitarian aid was jeopardized. Only a month later on October 6, 1992, another mandate was added to UNPROFOR's objectives by resolution 779 (1992) (Mosinski 51-53) – UNPROFOR was supposed "to monitor the withdrawal of the Yugoslav Army from the Prevlaka Peninsula near Dubrovnik and for ensuring the demilitarization of the area" (UN Resolution, 779 (1992)). Just three days after this resolution, the UNSC decided to forbid military planes from flying over Bosnian territory and approved expanding the mission. At the same time, it passed the tenth mission: "to monitor compliance with the ban, including the placement of military observers at airfields in the territory of former Yugoslavia" (Mosinski 53). The last approved mission of UNPROFOR was to "monitor and report any developments in the border areas of Macedonia that could undermine confidence and stability in Macedonia or threaten its territory" (UNPROFOR profile).

Other objectives were added to UNPROFOR to final number 11 within only one year. Moreover, the other missions were approved even if the cease-fire was not reached and the fighting continued – it seems that the UN just added more and more missions without any serious discussion whether another mission was actually something that helped to end the conflict and whether it was safe to send more soldiers to former Yugoslavia.

6.4.1 View of Colonel K.C. Hague on the situation in theWestern Sector between February 28, 1992 and September 13, 1993

The Western Sector had the greatest success among the four sectors concerning safety of this UNPA. Canadian Colonel K.C. Hague, a Deputy Commander of the Western Sector from February 28, 1992 to September 13, 1993, thought about the situation in the Western sector and made his suggestions for improving the situation in this sector.

Although he received his assignment for only five weeks, he prepared himself both physically and mentally to spend 12 months there. He attended a four-day preparation course at the National Defense Headquarters in Ottawa; however, the course was not of

high quality because the process of training personnel for missions was just beginning and thus was constantly being modified. In addition, all military personnel had to know the territory, its historical and cultural background, and negotiating.

When he arrived in the Western Sector (Western Slavonia), there were officers from seven different countries. Because key military personnel changed every two months, there was a "lack of continuity, instability, linguistic and cultural barriers, experience gaps, and differences in motivation" (Hague 10). Hague, describing the situation on his arrival, said "there were nightly exchanges of small arms fire across the CFL, new mines were laid in various locations, and ethnic cleansing continued at an accelerated rate" (Hague 8). He also observed that certain countries participate in peacekeeping missions for political, economic, cultural, or ideological reasons. Some countries, for instance, limit the use of their troops.

Colonel Hague openly indicated that his relations with the Sector Commander were not ideal. The Sector Commander's aim was to end this mission with a good record, which meant that he would not make any difficult decisions and just tried to survive and not to initiate long-term actions. However, Colonel Hague wanted primarily to fulfill the UNPROFOR's mission in the Western Sector (which was to demilitariaze this sector). A good example was the action of April 25, 1993, when the Sector Commander commanded troops to take all weapons from the Krajina Serb political delegation which entered the Western Sector from Bosnia. This was supposed to show that the UN was in charge in the Western Sector and thus all people entering this territory had to respect the UN rules such as no use of guns. However, when soldiers were about to execute the command, the Sector Commander changed his mind which led to a total loss of authority and credibility. The situation worsened every day.

According to Colonel Hague, the situation in the Western Sector was also different because a capable and efficient Sector Commander who had been in the Western Sector prior to his arrival. Unlike the other three sectors, the previous Sector Commander persuaded Krajina Serbs' military personnel not to wear rifles and heavy weapons; the situation was not entirely calm, e.g. officers carried pistols, but still it was better than in other sectors. Nevertheless, Colonel Hague was not satisfied with the mission when he left after seven months. Moreover, he said that the mission failed not only because of the aggressiveness the Serbs had increased and because both Croats and Serbs perceived the

UN soldiers with less and less credibility, but he also blamed "our lack of aggressiveness and resolve in reacting to the violations of the belligerents" (Hague 26).

I presume that in the beginning both Croats and Serbs percieved UN soldiers as a certain neutral authority that came to help them solve the problem and build peace, but this could only happen if UN soldiers did not discredit themselves a few times probably thanks to their Sector Commander's weak decisions. The other option was that both sides could blame UNPROFOR for the lack of success in peace negotiations even if both sides did not do much to create peace; however, they could say that UNPOFOR was unsuccessful in this effort, and thus it no longer had authority for them.

As I said above, Mosinski also evaluated this mission as a failure in his study as a failure, because UNPROFOR did not manage to limit the violatons in UNPAs. According to Mosinski, the Western Sector was the most successful among the four UNPAs, but then if we review Hague's description, the situation was not satisfactory there at all, there were a number of daily disputes, the negotiations did not lead to any important results and so I wonder what the situation looked like in the other three sectors.

UN troops were neutral as the Charter says. Countries should not be able to specify what their troops can and cannot do, nor should some countries pursue other aims along with the UN mission. Since the UN does not have its own troops, I presume the UN can hardly do more about the neutrality of peacekeeping troops; the most that can be done is to have contributing countries promise that their soldiers will act neutral and impartial.

6.5 UNPROFOR from Pushkina's perspective

Pushkina did not individually look at every mission separately but determined four criteria for evaluating mission overall:

limiting violent conflict (preventing recurrance of large-scale violence, sustaining cease-fire agreements, reducing number of conflict-relating casualties, supervising demobilization, and disarmament), reduction of human suffering (resettlement of the refugees and the reduction of human rights abuse), preventing spread of violent conflict, contributing to conflict resolution (assisting in rebuilding new institutions) (Pushkina 157).

First – limiting violent conflict – the UN soldiers managed to withdraw the YPA army from Croatia; however, during this withdrawal, the Serbs took large amounts of military equipment which had been designated for border police but was not generally used for these purposes, so complete demilitarization was not reached. Moreover, the UN peacekeepers were not successful in maintaining the cease-fire agreements – in January and September 1993, Croatian army faced two offensives. After signing the cease-fire in March 1994, the UN focused on monitoring compliance with cease-fire agreements, and the numbers of violations were surprising – "the number of cease-fire violations increased from 70 as of October 1, 1994 to 212 as of March 1, 1995" (Pushkina 157-158).

Second - reduction of human suffering - the UN failed to prevent violence against non-Serb minorities in the UNPA's - about 180,000 Croats left their homes during the conflict and UNPROFOR did not create the conditions necessary for them to return home (Pushkina 159).

Third - preventing spread of violent conflict- had mixed results. In the beginning in Croatia it was successful but it failed later in Bosnia.

Fourth - contributing to conflict resolution - Pushkina said that UNPROFOR did not do much for peace-building because the mission did not stop the civil war and could not stabilize the situation.

To summarize Pushkina's evaluation, she states that:

UNPROFOR achieved a peaceful withdrawal of the YPA, although it only partially succeeded in demilitarizing the UNPA's. The UN did not prevent the warring parties from participating in the Bosnian conflict. The UN failed to prevent ethnic cleansing and large-scale Serbian refugee flows. It also failed to assist the return of the displaced Croats. The UN peacekeepers managed to sustain cease-fires for some time but failed to prevent several major cease-fire violations, including the final Croatian military attacks that ended the hopes for a negoatiated settlement of the conflict (Pushkina 162-163).

6.6 Secretary-General's evaluation

After a year of UNPROFOR, Secretary-General Boutros Boutros-Ghali evaluated the mission with mixed results. It managed to withdraw YPA from Croatia and Prevlaka Peninsula. It also helped to prevent violence in the UNPA's and the "pink zones" at least until the fourth week of January 1993. The Secretary-General said that one of the big

causes for the little success in the first year was the lack of cooperation by local Serbs authorities (UNPROFOR background). The Secretary-General tried to explain why UNPROFOR was not highly effective after one year:

the circumstances in which the peace-keping 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. The government of Croatia claimed there was no longer any 'overall political solution' to negotiate. The only issue was the return of UNPAs and the 'pink zones' to Croatian control. The Serb leadership in the UNPAs, however, refused to consider these territories to be a part of Croatia and rejected talks on this basis, recalling that the plan was explicitly not intended to prejudge a political solution to the Yugoslav crisis. Further, the Serbs argued that two parties to the original plan, the President of Serbia and the Federal Yugoslavia military authorities in Belgrade, no longer had recognized legal status in the areas where UNPROFOR was deployed (UNPROFOR background).

The Secretary-General suggested three options: "1) renew the mandate entrusted to UNPROFOR by resolution 743 (1992), with no change; 2) to modify that mandate; and 3) to give UNPROFOR no mandate in Croatia and confine its operations to Bosnia and Herzegovina and to Macedonia" (UNPROFOR background). However, since all three options were unacceptable to one of the parties, UNPROFOR's mandate was extended for a short time (until March 31, 1993) so that there was time for bigger decision to be made.

The ban on military flights in the airspace of Bosnia and Herzegovina was evaluated as a partial success. Even though the ban was violated about 400 times by all three parties, the mission still prevented the use of air power in military combat in the country (UNPROFOR background).

6.7 Mosinski's evaluation of UNPROFOR

Mosinski evaluated UNPROFOR after one year of duration, the original approved length of this mission. He stated that the only successful mission was the ninth one; missions number 2, 4, and 7 failed and the other six (numbers 1, 3, 5, 6, 8, and 10) had mixed results. Mission number 11 was not long enough to be evaluated (Mosinski 64).

In regards to the first aim, demilitarizing the UNPAs, the mission was partly fulfilled. On September 28, 1992 the YPA left the territory of UNPAs and Territorial Defence Forces (TDF) were demobilized. However, it did not mean that the entire UNPAs

were demilitarized; on the contrary, only the Western Sector was completely demilitarized because the self-proclaimed government of the Republic of Serbian Krajina was creating new armed groups with up to 16,000 personnel.

The aim of the second mission was to protect people in the UNPAs. Unfortunately, the aim was not fulfilled at all; only the Western Sector became relatively safe. Every day the other three sectors reported some violence, murders, demolitions, killing of domestic animals, and robberies. Mosinski mentioned a few reasons why UNPROFOR could not ensure the safety of UNPAs: "ethnic/nationalistic sentiment which had spiraled out of control, the nature of the crimes committed (acts of terrorism), noncooperation on the part of local Serbian authorities, the unwillingness of Belgrade authorities to persuade local Serbian authorities to cooperate with UNPROFOR, and harmful statement and actions by Croatian Government members" (Mosinski 67).

The third mission – monitoring the function of local police – ended with a mixed result. The UN police worked together with local police. Local police were mostly ineffective and had serious trouble enforcing the law. On the other hand, the UN noticed that local people trusted the UN police a lot even if they did not have any actual power.

The fourth mission – return of civilian displaced persons – was a total failure. No one returned to the north, south, and east sectors, and about 2,000 people returned home to more than 50 different villages in the western sector. The mission also tried to help people to reintegrate into society. However, the Serbs were afraid of coming back to this sector because of the Croatian police and Croatian extremist elements. The main reasons for not returning to the other three sectors were "the presence of the Serbian militias and the lack of a political settlement" (Mosinski 69). Nevertheless, the accomplishment of this mission was likely to take longer than the period covered by Mosinski.

The fifth mission – the security and relief operation at Sarajevo airport – is the other mission which registered both positive and negative results. On the one hand, UN soldiers failed in providing safe conditions for flights to and from the Sarajevo airport; in December 1992, a US plane with humanitarian aid was hit and the airport was closed for two weeks. This was not the first time that it had to be closed. On the other hand, Sarajevo airport accepted 1,619 humanitarian flights, carrying 19,669 metric tons of aid which was very positive.

The sixth mission – restoration of authority in the pink zones – had mixed results again. It was true that the presence of the UN force helped to stabilize the situation to a

certain level, but on the other hand, the fighting still continued. Again, as in the case of the first mission, it was the self-proclaimed government of the Republic of Serbian Krajina which refused to withdraw its troop from the pink zones.

The seventh mission – controlling the UNPAs borders – failed. The problem was again with the self-proclaimed government of the Republic of Serbian Krajina which occupied all major crossing points, both local and international. It was very difficult for UNPROFOR to run such checkpoints independently. Basically UNPROFOR did not have any space to successfully fulfill this mission.

In the eighth mission – the protection of humanitarian convoys – some success was noted. In November 1992, UNHCR sent about 900 tons of food and other humanitarian aid every day to Bosnia and Herzegovina; the aid was meant for more than a million people. However, the UN did not always manage to deliver the aid, mainly because of Serbs who blocked access to the Muslim-held towns of Srebrenica, Gorazde, and Zepa. As a result Srebrenica had no humanitarian aid during the war at all.

The ninth mission – demilitarization of the Prevlaka Peninsula – had significant success. This area was heavily involved in the conflict during the Croatian phase of the war (August 2, 1991 - January 3, 1992), and UNPROFOR monitored the withdrawal of the YPA which was completed by October 21, 1992. UN soldiers continued to monitor this area even after the withdrawal. The success was possible thanks to Serbian compliance with the Geneva Agreement in regard to the withdrawal of the YPA from Croatian territory; moreover, the self-proclaimed government of the Republic of Serbian Krajina did not have any interest in this territory because there were no Serbs.

The tenth mission – monitoring compliance with the ban of all military flights in Bosnian airspace – again had mixed results. UNPROFOR relied on NATO for technical assistance. Different reports showed different data – the Reuters' report indicated that 337 military planes flew over Bosnia-Herzegovina since October 9, 1992 (date when no fly zone was approved) most of them by Bosnian Serbs. However, the report of the Secretary-General said that "the first four weeks of the ban have produced no confirmed evidence of combat activity" (qtd in Mosinski 78). However, another report written by Mr. Boutros Boutros-Ghali argued that six Serbian planes attacked Bosnia and Herzegovina during the period October 31 and November 13, 1992. Other reports stated that Serbian planes constantly broke the ban over the no fly zone. It seems that only the UN itself denied it, possibly because the UN was under pressure to make its missions more effective and

successful or perhaps it did not have the appropriate technology to monitor all planes in the no fly zone.

From the results of the individual missions, UNPROFOR was more of a failure than a success during its first year of deployment. Logically, the answer to whether the mission helped keep peace and security in former Yugoslavia was negative (Mosinski 64-81).

What kind of lesson should we learn from UNPROFOR? Mr. Boutros Boutros-Ghali said that he can talk about two conditions for success for future missions: "first, a peacekeeping operation requires a clear practicable mandate; second, the cooperation of the parties in implementing that mandate" (Mosinski 81-83). He also suggested that UNPROFOR's mission would have been much more feasible if the Secretary-General had not approved additional mandates to the five original missions since UNPROFOR was already struggling with fullfilling its original missions. Further, he said that having more monitoring missions instead of other types of missions could contribute to higher fulfilment of the missions (Mosinski 82). This is debatable because in my opinion; monitoring missions are great in some cases but not always, and moreover, they may not seem to get apparent results as other missions. On the other hand, I suppose this was the traditional perception of peacekeeping – to monitor different areas, not to take too much action and thus not to meddle into internal affairs of the country. I think that under certain conditions all UNPROFOR mandates were realizable as mission number nine showed. Unfortunately, in the case of the other missions, some necessary prerequisities such as cease-fire, cooperation from all sides, and compliance with all signed agreements were not fulfilled; this led to total or partial failure. I do not believe that the UN would have approved so many missions for UNPROFOR without having some studies showing that the aims are feasible.

Mosinski summarized the recommendations of Sir Anthony Parson for future missions:

first, there was no attempt at preventive action before hostilities erupted; second, the regional organizations and the United States tried for too long to support a unified Yugoslavia; third, the regional organization (the European Community) displayed a lamentable sense of timing in recognizing the components of the collapsed federation; fourth, there must have been a lack of coordination between the European Community (peacemakers) and the United Nations (peacekeepers); fifth, a gray area has opened up between Chapter VI peacekeeping and possible Chapter VII military enforcement to escort humanitarian convoys (Security Council resolution 770) which would presumably be carried out by NATO or WEU forces under regional command and control (Mosinski 83-84).

Mosinski extracts lessons for future peacekeeping operations:

- 1) clearly identify the causes of the conflict
- 2) take peacemaking measures to deal with those causes (in the case of Yugoslavia this meant: break down the cleavages, establish credibility, change the "bad borders" and counter the ethnic propaganda, convince the Serbian nationalists not to make further use of the military instrument, discourage regional leaders from building and using militias)
- 3) deploy peacekeepers only after a credible cease-fire is established over the area which they shall deploy
- 4) formulate a clear and practicable mandate for the peacekeeping force
- 5) develop a strategy to prevent war crimes
- 6) assign competent leadership to the peacekeeping force
- 7) ensure freedom of movement for the force
- 8) secure appropriate intelligence support
- 9) develop suitable rules of engagement
- 10) organize and deploy a combined arms team, with careful consideration of the needs for self-defense, credibility as convoy escorts, and impartiality (Mosinski 102-103).

6.8 Caplan's evaluation of UNPROFOR

First, Caplan said that the UN was lacking some independent body that could have independently watched the performance of the UN during individual missions.

Like the other evaluators, he also determined that the only success in Croatia was the withdrawal of YPA from Croatia. Even if the YPA and Croatian army left UNPAs, there were still small local disputes led by a number of demobilized Serbian soldiers or reservists (Caplan 15).

In Bosnia, the most successful mission was the help with the delivery of humanitarian aid – in November 1993, 2.74 million people in Bosnia (64% of the population) were receiving humanitarian aid. The problem was with reaching all regions since UNPROFOR preferred to negotiate safe passages and not to fight (Caplan 16). As other authors argued, Caplan, too, said that the main failure in Bosnia was the UN's

inability to protect the safe areas. UNPROFOR showed quite a good result in its monitoring missions and, for instance, observed 4,643 violations in the 'no fly' zone in Bosnia. Lastly, he mentioned that it is hard to say if the situation in Macedonia would have been worse without having the UN along Macedonian borders (Caplan 17).

As he suggested, there are different ways to evaluate UNPROFOR. Almost everyone looked only at the mandate and its fulfilment, but we can also measure success "against the broad objectives for the region [and among them belong objectives such as] stability in the region, containment of the war, the promotion of a negotiated settlement, the prevention of genocide, the alleviation of humanitarian distress, the credibility of the UN, and the survival of the trans-Atlantic alliance" (Caplan 18). The other way to look at the success or lack of success of UNPROFOR can be "the performance... measured against the fundamental principles ... [which] include respect for the sovereignty of all states in the region, compliance with the humanitarian law, and the rejection of any efforts to acquire territory by force" (Caplan 18). The evaluation really depends on a chosen view because if I had chosen views other than looking at the mandate, I would probably have reached different conclusions. Also the Secretary-General published a final report on May 30, 1995, saying that UNPROFOR finished with "considerable success."

In 1994, there were a number of cease-fire violations which UNPROFOR did not prevent. Secretary-General Boutros Ghali acknowledged in his report about UNPROFOR that "UNPROFOR's mandate has been plagued by ambiguities that have affected the Force's performance as well as its credibility with the parties, with the members of the Security Council and with the public at large" (qtd in Caplan 22).

6.9 UNPROFOR's conclusions

It seems that the UN tried to do as much as possible and tried to make the mission more effective but it was naturally very hard since the conflict was still running and the UN did not manage to bring peace so they had to focus more on trying to keep the cease-fire and negotiate rather than building peace. Obviously, the reason for such a short extension (it is usually six months) was the UN's uncertainty about whether it made sense to continue

the mission, moreover it also had to get permission from the Security Council (permanent members have a right to veto).

If I look overall at UNPROFOR, I see the UN's constant effort to reach peace and finally to start what the troops came to do in the Balkans – keep peace in the region. However, most of the mission soldiers had to focus on keeping themselves safe, trying to survive, and leading negotiations for peace. It is true as Mosinski indicates that UNPROFOR was approved when there was a relative cease-fire in the Balkans, but why the UN deployed its soldiers one month later when the fighting started again remains a question: did the UN think that it could fight and win? Why would they do it if they did not have any previous experince with open fights? I presume that one of the reasons why the peacekeeping effort suddenly changed in the 1990s may be the end of the Cold War and thus the new distribution of power across the world. The other reason for deciding to fight and not only observe may be the the close proximity to the other European countries and the possible fear of spreading the conflict.

It is also interesting to realize that the original five UNPROFOR's missions expanded to 11 during the first year of the mission. In the other two year, only two more missions were accepted. It is debatable whether it occured because the UN could not see other option for other missions or if the UN realized that so many missions do not help to streamline the mission, but, on the contrary, so many missions with so many different focuses took UNPROFOR down. Moreover, logistically it must have been very hard to lead so many missions, provide needed material, train personnel etc.

After reviewing four different evaluations (see Figure 3) which came to the same conclusion - UNPROFOR failed in most of the missions, and the successes were small and scattered. I cannot do anything else than to state that UNPROFOR was not a very successful mission. The main reasons I would claim are because of permanent hostility in the territory, and lack of cooperation from the Croats and Krajina Serbs with UNPROFOR's authorities. The other reason may be the limitation of soldiers who were sent as peacekeepers and not peacemakers, and thus they were not necessarily ready for the situations which they faced daily.

Figure 3 – Overall view of UNPROFOR's evaluation from different authors

Number of				Secretary-	Pushkir
mission	Mission	Mosinski	Caplan	General	a
1st mission	demilitarize UNPAs	M	N/A	M	M
2nd mission	protect inhabitants in UNPAs	F	F	M	M
	monitoring of local police in				
3rd mission	UNPAs	M	M	M	N/A
	help with returning displaced				
4th mission	people back to UNPAs	F	N/A	M	F
5th mission	secure and protect Sarajevo airport	M	N/A	M	N/A
	watch the process of restoring order				
6th mission	in the "pink zones"	M	N/A	M	N/A
	to control the entry of civilians to				
7th mission	UNPAs	F	N/A	M	N/A
	start humanitarian convoys for				
8th mission	Bosnia and Herzegovina	M	M	M	N/A
	monitor the withdrawal of the YPA				
9th mission	from the Prevlaka Peninsula	S	S	S	S
	monitor compliance with the ban of				
10th mission	flying over Bosnian territory	M	M	M	N/A
	monitor and report any				
	developments in the border areas of				
11th mission	Macedonia	N/A	N/A	M	N/A
	F - failure S - success M - mix	ked results	N/A - not	t available	

Source: author

7 UNMIK

7.1 Conflict in Kosovo

Kosovo is a province in the south of Serbia with two main ethnic groups: Kosovar Albanians comprise about 87% of the population and Serbs constitute about 7% of the population (Kosovo Statistics). In 1989, under pressure from Serbian President Milosevic, the Kosovo Assembly abolished Kosovo's autonomy. Immediately after this decision, Albanians by law were prohibited from working and owning anything. Moreover, only one year later the Assembly was dissolved. As a reaction to this step, Albanians declared the independent Kosovo Republic in 1990 with the President Ibrahim Rugova. Suppressions by the Yugoslav government continued throughout the whole Yugoslav conflict, and in 1996, the Kosovo Liberation Army (KLA) started reprisals in the form of bombings and attacks on Serb policemen. In the following two years the conflict worsened, and both sides attacked each other regularly (Kosovo Chronology).

In April 1998, 95% of the Serbs in Kosovo voted against the arrival of international forces to Kosovo. Countries like the US, Great Britain, France, Germany, and Italy (not Russia) thought about imposing some sanctions on Serbia as they did during the conflict in the beginning of the 1990s. In May 1998, Milosevic and Rugova talked about peace, but it failed. Also both the US and the UN tried to promote the peace in the region; however it was not helpful, and on September 24, NATO took the first step to get ready to intervene. Between February 1998 and September 1998, 200,000 people had already left their homes. On October 13, NATO gave an ultimatum to Milosevic to leave Kosovo by October 27 otherwise NATO would start air strikes in Kosovo. In these 14 days, 4,000 policemen left Kosovo, and so Serbia complied with the agreement. The situation calmed a little, though only during December 1998, and in January 1999, 20,000 people left their homes (Malcolm 143-152).

In February 1999, representatives of both Serbia and Kosovo agreed to talk about peace at the Chateau Rambouillet in France. The peace talks did not lead to any important results since the Albanians agreed with supported agreement but wanted to discuss it further at home. The Serbians did not agree because they did not like the idea of international governance of Kosovo. The talks continued on March 15, when the Albanians

signed the proposed agreement, but the Serbs refused to sign it. Meanwhile, one-third of the Serbian army gathered around Kosovo and on March 20 the army started attacking Albanians, firing at their houses and even executing some of them. International attempts to negotiate with Milosevic failed, so on March 24, 1999, NATO's air strikes began. By April 1, there were 48,000 Kosovar refugees in Montenegro; 104,000 in Albania; and 30,500 in Macedonia with the number growing every day (Kosovo Chronology). NATO attacked the Serbian interior ministries in Belgrade for the first time on April 3. NATO gradually destroyed important and strategic buildings in Belgrade such as the headquarters of Milosevic's Serbian Socialist Party, and the television building. On June 9, 1999, the Military Technical Agreement was signed by Serb and Albanian representatives in Macedonia, and the Serbs were forced to start leaving Kosovo. Now the situation changed – Kosovar Serbs left the country and Kosovar Albanians come back; UNHCR said that during the first days after the peace agreement at least 30,000 Serbians fled from Kosovo and about 29,000 Albanians came back. The British government estimated that about 10,000 Kosovar Albanians died during the two-month conflict (Kosovo Chronology).

In early June 1999, "Milosevic finally gave up and agreed to pull all his security forces out of Kosovo, let NATO-led international Kosovo Force peacekeepers go in, and let the UN take over administration of the province.... The UN Interim Mission in Kosovo took over the governance of Kosovo, which remained formally a province of Serbia but became in fact an international protectorate; KFOR assumed responsibility for its external and domestic security" (Pond 105). On June 10, 1999 the Agreement between NATO and Federal Republic of Yugoslavia were signed and at the same time it was transmitted to Security Council (UNMIK at glance).

7.2 UNMIK's background

UNMIK was approved on June 10, 1999, by the UN resolution 1244 and was supposed to help the people in Kosovo enjoy autonomy (UNMIK at glance). The Security Council approved that "international civil presence provides an interim administration for Kosovo that would oversee the development of provisional democratic self-governing institutions to ensure conditions for peaceful and normal life for all inhabitants of Kosovo

which involved activities in maintaining civil law and order" (Pearson Papers 2-3). The mandate of UNMIK was to do the following:

perform basic civilian administrative functions; promote the establishment of substantial autonomy and self-government in Kosovo; facilitate a political process to determine Kosovo's future status; coordinate humanitarian and disaster relief of all international agencies; support the reconstruction of key infrastructure; maintain civil law and order; promote human rights; and assure the safe and unimpeded return of all refugees and displaced persons to their homes in Kosovo (UNMIK at glance).

UNMIK represented the transitional administration's mission and the UN considered this type of mission to be its most complicated operation (Day 183).

As of December 31, 2006 military strength was: military observer 37; police 1,960; international civilian 506; local civilian 2,040; UN volunteer 152; total personnel 4,695, fatalities: 46. The budget for July 2006 – June 2007 is 217.96 million dollars (United Nations Peacekeeping Operations).

In the beginning the peacekeeping forces comprised principally of Russiann soldiers (Russia approved sending 10,000 soldiers) since Russia sent its troop on June 9, but in the beginning refused to serve under NATO's command and joined KFOR on June 25. KFOR deployed more soldiers, and by the end of June there were 23,000 soldiers in Kosovo. At the end of June, UNHCR estimated that about 416,000 refugees returned to Kosovo. KLA helped NATO to remove mines from the territory. On June 29, the UN deployed the first policemen (Kosovo Chronology).

"Special Representative for the UN Secretary-General Bernard Kouchner arrives in Kosovo [on July 15 1999]. While in Kosovo Kouchner states that 'the people of Kosovo must listen, must talk, must walk with US, not only to build the administration of course, but also the democracy'. He also urges Kosovar Serbs and Albanians to move towards "peace and reconciliation, so that people may speak to each other and build a democracy and another system of life" (Kosovo Chronology).

7.3 UNMIK's deployment

The mandate for Kosovo was created in a few days in June 1999, and the presumptions were that Kosovo was a "war-torn society where the most difficult problems

would be to manage the return of the 800,000 or so Albanian refugees mostly in Macedonia and Albania and to enforce authority against the enemy, Belgrade under Milosevic" (Hopkinson 169). However, by the time of deployment, the situation was not the same as it was described in the UN approved resolution because the Albanians were coming back in mass numbers and Serbs were leaving in mass numbers (Hopkinson 170).

It happened that Albanians were coming back before the peacekeeping soldiers arrived, and so there was no one who could coordinate this mass of people. The UN tried to deploy as quickly as possible, but the UN was short of trained specialists. Moreover, the UN was dependent on other countries to send these specialists and policemen, and each member state had its own approving mechanisms. It took them a few weeks to send troops. Once police from various countries arrived, there was a new problem: language and alienation from society. The UN also had to deal with the Serbs, who stayed because they insisted on literal interpretation of the Secretary-General's resolution which approved UNMIK, and they were ready to fight and ignore UNMIK's attempts to govern (Hopkinson 170-171).

7.4 Four Pillars

To implement UNMIK's mandate, four pillars were approved: "Pilar I: Police and Justice, under the direct leadership of the United Nations; Pilar II: Civil Administration, under the direct leadership of the United Nations; Pilar III: Democratization and Institution Building, led by the Organization for Security and Co-operation in Europe (OSCE⁴); Pilar IV: Reconstruction and Economic Development, led by the European Union" (UNMIK at glance).

Pilar I was originally humanitarian assistance under UNHCR but was phased out at the end of June 2000 (UNMIK at glance). The Police and Justice pillar was created at the end of the first 18 months of the mission in 2001, in order to bring police, security, and justice under one pillar. It was thought that this would better facilitate internal coordination within UNMIK. "The objectives of the new pillar are to consolidate the law and the order

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⁴ OSCE was mandated with institution- and democracy-building and promoting human rights and the rule of law.

structure at the same time that it establishes an unbiased judicial process through international participation and reform of the judicial system" (Pearson Papers 30).

One of the OSCE's tasks was to recruit and train police and establish the Kosovo Police Service (KPS). After completing the training, every policeman would be assigned to police station (Kosovo Police Service).

Basically, UNMIK constituted a lot of administrative functions and services. The situation in Kosovo was very chaotic in the beginning of the mission, and it helped that UNMIK was very authoritative and showed its executive power through the UN International Police (Pearson Papers 7).

The first pillar, police and justice, can be divided into three stages: First, emergency governance from June 10 to December 15, 1995; during this time UNMIK developed an institutional framework for "the selection of judicial system personnel, a body of applicable law, and a provisional mechanism for developing legislation" (Pearson Papers 6). Once one of the first urgent needs in Kosovo, humanitarian aid, was recognized and orgnized by UNHCR, also directly supported the return of refugees to Kosovo. By the middle of July, UNHCR provided 2,000 emergency shelter kits and planned to distribute 16,000 more. By August 5, about 400 international policemen were in Kosovo (Kosovo Chronology). On June 30, the UN took the first step in re-establishing the judicial system in Kosovo and appointed three district court judges, two investigating judges, and four public prosecutors to address the issue of detainees arrested by KFOR (Kosovo Chronology) because only 30 of the 756 judges and prosecutors who served before the conflict were Albanians (Pearson Papers 8).

Prior to the conflict, most of the policemen and judges were Serbian because of Milosevic's policy, and the UN wanted to withdraw all Serbian policemen and judges, thus Kosovo was suddenly short of qualified people to fulfill these important jobs (Day 185). UNMIK's first challenge was to establish a working administration as quickly as possible. All responsible organizations (UN, EU, and OSCE) relatively quickly established effective cooperation (Pearson Papers 9). The other urgent need was to create a system of justice since KFOR arrested about 200 people during the first two weeks for different crimes. KFOR was not ready and also did not have the mandate for judicial functions, so the Joint Advisory Council, comprised mostly of Kosovars, was appointed to observe and select new judges. In 1999, the UN also thought about deploying international judges, but it did not work because first the UN did not have any judges to deploy, and second it would be too

complicated because the judges would need Albanian and Serbo-Croatian interpreters. Moreover, they would need to be really familiar with local circumstances (Pearson Papers 10). The international judges were first deployed in February 2000 and by the middle of 2001 there were 12 international judges and five international prosecutors (Pearson Papers 20).

"UNMIK officials report that international judges and prosecutors represent an essential component in the fulfillment of both the peacekeeping and intitutional reform responsibilities of UNMIK. They claim that international judges are peacekeepers who provide the experience and neutrality to address the most difficult and important cases while simultaneously catalyzing the local judiciary as it moves through the process of institutional reform" (Pearson Papers 21). Of course Kosovar jurists were not so happy about this view, and they pointed out that "international judges and prosecutors are not necessarily experts on war crimes" (Pearson Papers 21). Local judges also complained that they were not treated as well as international judges and they had lower salaries, security, and support. Since summer 1999, the UN has had a program which trained local judges (Pearson Papers 21-25).

I understand that international judges came to help, but maybe their coming created too big a gap between the international and local jurists, and thus they could not help to improve the local situation very much.

The second phase was institution building which lasted approximately from December 15, 1999, to October 28, 2000. On December 15, 1999, the agreement on joint administration was signed. This significantly helped in constitution building and in preparing for local elections (Pearson Papers 18).

The third phase was consolidation and transformation and lasted from October 28, 2000 to June 2001. Municipal elections took place on October 28, 2000, and so the local government was created. The new special representative of the Security General was appointed, and he started to negotiate a future constitutional framework for Kosovo (Pearson Papers 2001). In May 2001, the Constitutional Framework for provisional Self-Government in Kosovo was signed (Pearson Papers 39).

In October 2000, local elections took place in 30 municipalities in Kosovo. In May 2001, the new Constitutional Framework of Kosovo was adopted. Elections in the whole territory took place on November 2001 (UNMIK at glance).

7.5 UNMIK since 2002

By the end of 2002, Albanians started talking about the end of UNMIK and having only NATO as protection. However, the UN thought that Kosovo was not ready for self-government. Discussions on the status of a future Kosovo had to start because the UN founding resolution did not answer this question only indicating that Kosovo's status might change. Nevertheless, Kosovo remained officially under Serbia, and even the Albanians wanted to be independent of Serbia, but the Serbs did not agree on any compromise (Hopkinson 173-74).

The situation in Kosovo was relatively calm until March 2004 when ethnic riots broke out around the town of Cabra (three Albanian children were drowned) and tensions gradually spread throughout the whole region; at least 31 people were killed. After a week, the UN police reported that the situation had calmed down; however, it remained tense for the rest of year. UNHCR estimated that about 3,200 left their homes because of the attacks (UNMIK News March 2004).

Today, the mission is still going on and the question of the future status of Kosovo has still not been resolved. Although talks about the future status of Kosovo started in 2005. Albanians want independence and they have support from the international community, but Serbs wants to stay under Serbia and they have the support from Russia (iDNES.cz). The UN wants Kosovo independence with initial international supervision (UNMIK News 2007). Basically, the suggested solution for each party is unacceptable to the other side and so Kosovo finds itself in a deadlock situation.

The UN gradually transferred some civilian administrative functions to the Kosovo government and also assisted with the development of Kosovo's democratically elected institutions (United Nations Peacekeeping Operations: Year in Review 2004).

UNMIK is a mission which has been running for eight years, and now its main task is to solve the future status of Kosovo. Charles Brayshaw, the deputy head of UNMIK, says that future UNMIK's task is to involve the Serb minority in democratization process more (UNMIK News October 2004). Since the mission is still running it is not possible to fully evaluate it. However, so far it seems to be quite a successful mission with considerable international attention.

7.6 Evaluation of UNMIK

Elizabeth Pond says that "UNMIK gets blamed for everything that goes wrong" (Pond 99). The mission was pretty successful in creating judiciary – during 2000, "District Courts completed 340 criminal matters, 725 civil matters, and 814 investigations; municipal courts completed 2,710 criminal matters, 2,363 civil matters and 1,545 investigations" (Pearson Papers 32). UNMIK also improved Kosovo's security. UNMIK faced some trouble in the beginning of the mission: it did not have any strategic plan and did not have the means to effectively react to crime and disorder. The problem was also the lack of effective planning between KFOR, the UN, and OSCE. It was suggested in the "Report of the Panel on United Nations Peace Operations" that in the future such missions should be deployed in three phases:

[first,] in the emergency phase of 90 to 180 days, judicial personnel would be deployed by the military and apply the national laws of the brigade in each battle area...; in the second phase, the judiciary would be under the leadership of international judges as national judiciary are preparing to take over; these personnel would be taken from a pool of experienced law enforcement officials...in the third phase, authority for the judiciary would transfer from international to national personnel (Pearson Papers 33).

The other recommendation for future missions was faster deployment. The Pearson Papers evaluated the establishment of Pillar I as a really good step because it strengthened the capacity of the Kosovo judicial system. It also indicated that it was necessary to improve relations between local and international judges and the suggestion was to colocate them.

For the future, it would be considerably more effective to have only one authority in charge of different tasks and not both the UN, which is in charge of administering the Department of Justice, and OSCE, which is in charge of organizing training and monitoring courts. The mandate would be more consistent if only one authority was in charge. The other recommendation was to improve the knowledge of international police in terms of local environment and local traditions (Pearson Papers 36-37).

In January 2000, the UN defined three problems with the Kosovo judiciary: "first, there was actual bias arising from at least ten years of discrimination by the Serb regime in Kosovo; second, there was social pressure on Albanians by their communities to act in their own self-interest; and third, there were several threats of bodily harm to judges if they

did not decide in favor of Albanian defendants" (Day 187). The UN response was to create judicial panels with international judges in the majority.

Hopkinson says that, of course, not everything was done perfectly during the mission:

1) deployment must be quicker – the loss of the first few post-war weeks in Kosovo gave the international deployment an initial disadvantage which took months to redress. 2) ...UNSCR 1244 [(the number of resolution which UNMIK was approved)] have become untouchable commandments for those implementing them on the ground...3) internationals must take local languages more seriously...4) law and order are the first priority, but the international community had no police force of its own...so, the military must be trained and prepared to carry out emergency policing (Hopkinson 175-76).

7.7 Day's evaluation

Adam Day critizes UNMIK in terms of its being too authoritative in Kosovo because it appointed judges, detained citizens, and decided about laws in Kosovo (Day 184). He divided his critique into three categories:

1) UNMIK's increasing involvement in the judiciary has had the effect of weakening local involvement over the long term; 2) UNMIK's regulations themselves contravened international human rights, thereby undermining its credibility and the stability of rule of law; and 3) the failure of any accountability for actions taken by UNMIK in the whole process has alienated the locals and deprived them of any ownership over the transition into a new judiciary (Day 184).

Day argued that the international community several times criticized the UNMIK's increasing control over the transitional judiciary; for example, Davis Marshall and Shelley Inglis said that "critical laws that introduced judges and prosecutors and expanded domestic law were not adequately explained to local legal actors, and once promulgated, no attempt was made to engage the local population with the reasoning behind such decisions..." (Day 189-190). On the other hand, the UN faced a really difficult situation – trying not to meddle too much in the transitional judiciary but also help the system work better.

It was a question of what would be better – just tolerating local judges if they were biased during a trial or send international judges and thus control the situation more. I understand that local judges did not always like that they got only certain types of cases and

were watched by international judges, but, on the other hand, if the Kosovo judiciary did not work very well - and it may have been bias - it was necessary to take some steps.

Day also recommended three approaches for future UN missions: "1) a phase-out approach that starts with complete UN ownership over the judiciary; 2) clarity of applicable law; and 3) accountability for UN peacekeepers to an outside source" (Day 195). Wendy Betts says that the next time the UN approves a transitional administration; it should be ready to send groups of judges and prosecutors since it is unrealistic to expect that local judges will manage everything after such a long conflict (Day 196).

7.8 Has the UN's approach changed since UNPROFOR?

As Kurspahic says, "events after the victory in Kosovo suggest that the West has learned the basic strategic lesson from the Balkan wars of the 1990s: nationalism has the potential to set the whole region afire and the correct response to that must be the intensification of regional cooperation" (Kurspahic 85)

Basically, in the beginning of the 1990s no one paid attention to the escalating problem in Kosovo during the conflict in other parts of Yugoslavia. It seems that as in the rest of Yugoslavia, the ethnic hatred was started by Milosevic's nationalistic approach and his advantaging of Serb nationality. No one cared about the problems in Kosovo until the end of the Yugoslav conflict. During UNPROFOR, I presume that individual world powers were not ready to take care of the war in Yugoslavia for several reasons. First, it was shortly after the end of the Cold War and Americans felt that they had already lost a number of lives and spent billions of dollars, and second, Europe was also in transition and in process of establishing the EU. But by 1999, the situation was different and thus everybody was ready to help since, I presume no one wanted to start a similar war as in the beginning of the 1990s.

In the case of UNMIK, it was NATO's responsibility to ensure international security rather than the UN's responsibility. I presume this decision was advantageous, for the UN whose soldiers had to struggle during UNPROFOR with the UN Charter in terms of using guns only in emergency situations. UNMIK also reflects the interesting cooperation of the UN, the EU, and OSCE because all of them shared in UNMIK's mandate.

Both missions are obviously different. If we leave aside the different time period and different geographical places, the missions also have different background. While UNPROFOR was approved basically in the middle of the conflict, UNMIK was approved after the Military Technical Agreement was signed and Serbian soldiers started leaving Kosovo. Also international reactions were different; during the Balkan conflict in the beginning of the 1990s, the US thought that Europe should solve this problem, but during the Kosovo conflict, both the US and Europe through NATO should be involved. While UNPROFOR was clearly the United Nations's mission, and NATO was not involved at all even though NATO's possible involvement was discussed a few time. UNMIK was a unique cooperative effort of the UN, NATO, UNHCR, and OSCE. I presume that the UN realized that it is advantageous for NATO to be involved, so it does not have to solve the problem with UN troops which are not supposed to use guns on fight (except in emergency situations and on self-defence).

In terms of success, all reports I have read reassured that UNPROFOR basically said that UNPROFOR mostly failed with only one mission fulfilled. It is difficult to estimate the success of UNMIK since it is still running but the reports and critics are definitely not as strong as in case of UNPROFOR and it has definitely fulfilled its missions. Moreover, unlike UNPROFOR, UNMIK's missions were unchanged from the beginning. I can only guess that the reason for not adding other missions to UNMIK is that the UN learned a lesson from UNPROFOR (or perhaps there was no need for missions).

If I look at UNMIK's critiques it is not as serious as in the case of UNPROFOR. While UNPROFOR is citicized for its inability to protect UNPAs, UNMIK is criticized for slow deployment, language barriers, and sometimes with meddling into Kosovo's affairs. In addition, there is another major difference between UNPROFOR and UNMIK. During UNPROFOR, soldiers faced continual fighting, while UNMIK mostly managed to maintain cease-fire.

8 CONCLUSION

The bachelor thesis discusses the two UN peacekeeping missions in the Balkans: UNPROFOR and UNMIK.

Every UN peacekeeping mission is different and it is not possible to say that the system which the UN leads missions is good or bad. Every mission is different and altogether missions do not have so much in common. The success or failure of each mission does not depend only on the UN's effort but also on many other indicators such as background of conflict, local environment, and type of mandate.

UNPROFOR and UNMIK are great examples of this: both of them operated in the territory of former Yugoslavia but their backgrounds and mandates are different and in the result UNPROFOR mostly failed while UNMIK seems to be quite successful so far. The other factor why UNPROFOR was unsuccessful but UNMIK was quite successful may be time factor – UNPROFOR was in the beginning of the 1990s right after the end of the Cold War when all international actors had different problems than to take care of the former Yugoslavia. Moreover, UNPROFOR was the first peacekeeping mission in the former Yugoslavia ever and thus UNPROFOR was not probably familiar with environment so well. On the other hand, UNMIK started seven years later than UNPROFOR and thus knew about all problems which UNPROFOR battled with. In addition, UNMIK is not only matter of the UN but also the EU and NATO are engaged. Obviously, UNMIK learned from UNPROFOR's mistakes.

9 SUMMARY

The objective of this thesis is a detailed look at two United Nations peacekeeping missions in the Balkans - UNPROFOR and UNMIK. The thesis is divided into two parts: the first part discusses United Nations peacekeeping and a brief history of the former Yugoslavia, and the second part describes UNPROFOR and UNMIK itself.

Peacekeeping has a rich history under the United Nations. The first peacekeeping mission had already been approved in 1948 even though there is no direct mention of peacekeeping in the United Nations Charter. Since 1948 the UN has approved 61 missions around the world.

There have been eight missions approved in the former Yugoslavia. I briefly provide information about UNCRO, UNPREDEP, UNMIBH, UNTAES, UNMOP, UNPSG which all took place between 1995 and 1998. My main focus was the first mission in the Balkans UNPROFOR and the last one UNMIK.

UNPROFOR was approved in February 1992 in the middle of the tensions and was first deployed only in Croatia: however, within the first year the mandate expanded a few times and the mission also expanded in Bosnia and Herzegovina. Nevertheless, UNPROFOR battled with an excessive number of missions, lack of personnel, daily fightings among the Croats, Bosnian Muslims and Serbs in Bosnia etc. All experts that I cite agree that this mission was mostly a failure.

UNMIK was aproved on June 10, 1999 for Kosovo and is still running. UNMIK's main task is to "perform basic civilian administrative functions; promote the establishment of substantial autonomy and self-government in Kosovo." Moreover, this mission was not only under the UN patronage but also with EU and NATO support. It is early for final assessments since the mission is still running, but it seems that UNMIK is quite successful so far because it learned lessons from UNPROFOR.

SHRNUTÍ

Cílem této práce je detailní pohled na dvě mírové mise OSN na Balkáně – UNPROFOR a UNMIK. Práce je rozdělena do dvou částí: první část pojednává obecně o mírových misích OSN a stručné historii bývalé Jugoslávie, druhá část popisuje samotný UNPROFOR a UNMIK.

Mírové mise OSN mají bohatou historii. První mise byla schválena už v roce 1948, ačkoliv v Chartě OSN o nich vůbec není přímá zmínka. Od roku 1948 do současné doby jich bylo schváleno celkem 61. Na území bývalé Jugoslávie jich proběhlo osm – velmi stručně jsem popsala UNCRO, UNPREDEP, UNMIBH, UNTAES, UNMOP a UNPSG, které se uskutečnily mezi roky 1995 a 1998. Ovšem hlavně jsem se zaměřila na úplně první a poslední misi na Balkáně, tedy UNPROFOR a UNMIK.

UNPROFOR byl schválen v únoru 1992 a byl nejprve rozmístěn jen v Chorvatsku, nicméně už během prvního roku byl jeho mandát několikrát rozšířen – mimo jiné i na území Bosny a Hercegoviny. Mise se potýkala s celou řadou problemů – velký počet jednotlivých misí, nedostatek personálu, denní boje mezi Chorvaty, Bosenskými Muslimy a Srby v Bosně atd. Všichni experti, které cituji, se shodují, že UNPROFOR většinou selhal.

UNMIK byl schválen 10. června 1999 pro Kosovo a stále běží. Hlavní úkol UNMIK je "zajištění základních administrativních funkcí, podpora založení autonomie a samovlády v Kosovu." UNMIK není jen pod patronátem OSN, ale zapojeny jsou též EU a NATO. Vzhledem k tomu, že mise stále probíhá, je na nějaké závěrečné hodnocení brzy. Zdá se však, že UNMIK je docela úspěšný a poučil se z chyb UNPROFOR.

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