

## **SUPPLYING PEACE SUPPORT: AN INSTITUTIONAL PERFORMANCE REVIEW**

The supply of security for PSOs has remained rather constrained. Military forces are expensive institutions and most of the world's wealthier states cut military spending substantially when the Cold War ended, while most of the world's less wealthy states do not have the resources to finance the training or deployment of military or police a long way from home for long periods of time. Neither do their respective regional organizations, if they are in the PSO business at all.

Availability of competent and experienced police personnel has been, if anything, more problematic than availability of troops, as few states maintain more police than they need for daily maintenance of public security and police forces do not routinely prepare for operations abroad. Police are trained to local law and custom, local criminal procedures, and local equipment. States with national-level police forces may have an easier time finding volunteers for international service. Moreover, states with gendarme-type paramilitary police, who function in formed units, have been able to spare some of them for PSOs. NATO and the United Nations have both used such units to good effect, playing a role in support of public order that otherwise falls upon a most reluctant military. Indeed, as will be seen below, demand for these "special" or "stability" police units (SPUs) or, as the United Nations calls them, "formed" police units (FPU), has grown dramatically in the new millennium, as their particular utility has increasingly been recognized by peacekeeping mission planners and leaders. Some states and organizations, notably in Europe, have developed mechanisms through which both regular police personnel and SPUs can be made available for PSOs. Still, supplies worldwide remain tight.

### **THE UNITED NATIONS**

The United Nations is more than the Security Council or the General Assembly, especially in war-torn environments, where, in addition to managing peacekeepers, it is also a loosely structured system of operating agencies that protect refugees, distribute emergency food, immunize children, promote human

rights, and provide political and electoral advisers for states in distress or in transition from war to peace. UN humanitarian agencies such as the High Commissioner for Refugees (UNHCR) or the World Food Program (WFP) have substantial operational infrastructures. At any given time, WFP operates 20 transport aircraft and 40 cargo ships; in 2004, the agency shipped over 5 million tons of food to support 89 million recipients, repairing ports, airstrips, roads and railways as needed to achieve physical access.<sup>65</sup> A spin-off concept, the UN Joint Logistics Center (UNJLC), was developed in the 1990s to coordinate the logistics of humanitarian agencies during complex emergencies. UNJLCs track commodity shipments and the status of fuel assets, aid corridors, border crossings, and aid-supportive infrastructure. As each is a temporary expedient, “no UNJLC is activated without a clearly defined exit strategy.”<sup>66</sup>

The UN Office for the Coordination of Humanitarian Affairs (OCHA) sets up and supports Humanitarian Information Centers (HIC) in complex emergencies to serve as information hubs for agencies and non-governmental organizations alike. The first HIC was set up to manage information about “who was doing what where” in Kosovo, and promoted the use of geo-coding and geographic information systems that combine data bases with maps to better match needs with service providers and to de-conflict the operations of a sprawling NGO community. At present, HICs are operational in Niger (famine relief), Sri Lanka and Sumatra (tsunami-related relief and reconstruction), Darfur, and Liberia.<sup>67</sup>

These elements of the UN system have standing mandates to help in humanitarian emergencies. With the acquiescence of local governing authorities and a sufficiently permissive security environment, they can act quickly during a crisis. Several have emergency procedures designed to dispatch small rapid response teams on 24–48 hours notice. More than 90 percent of UN humanitarian agencies' funding takes the form of voluntary contributions from governments, however, so while these agencies have the authority to act, they may only have the immediate reserves to act briefly unless donors send money quickly.<sup>68</sup>

UN political and security entities, on the other hand, cannot mount major field operations without Security Council authorization.<sup>69</sup> In the case of the UN Department of Peacekeeping Operations (DPKO), that means either a Council resolution with a mission mandate, or written approval from the President of the Council to begin mission planning. Development entities like the World Bank and UN Development Program also will not move into a post-conflict setting without some signal (such as a statement by the President of the Council) that gives them political cover to engage.

By contrast with the humanitarian agencies, funding for UN PSOs comes from the "assessed" contributions of UN member states, which they are obligated to pay under the terms of their membership in the UN. The funding structure for peace operations was set up informally as UN forces went into the Sinai and onto the Golan Heights after the October 1973 Middle East War. It was repeated for every UN mission launched between then and mid-2000. Under the "peacekeeping scale of assessments" (table 4, the five permanent members of the UN Security Council (the "P5") paid a larger share of PSO costs than they paid to the regular UN budget; in turn, developing states paid substantially less. Developed states other than the P5 paid the same rates for both. This system was finally formalized and rationalized in late 2000, with peacekeeping payments for wealthier developing states keyed for the first time to their per capita gross national income. The additional funds collected due to this shift in the funding scale allowed the peacekeeping premium paid by the P5 to be reduced proportionately. Developed states and the P5 still pay about 96 percent of the UN's peacekeeping budget, however, even under the adjusted formula.<sup>70</sup>

**Table 4: Old and New UN Peacekeeping Scales of Assessment**

As of January 1999					As of January 2005				
Old Groups	Payment Relative to Regular Scale	Group Criteria	Number of Members	Percentage Funded by Each Group	New Groups	Payment Relative to Regular Scale	Group Criteria (per capita income)	Number of Members	Percentage Funded by Each Group
A	121.1%	P5 <sup>a</sup>	5	46.89%	A	122.5%	P5	5	45.25%
B	100.0%	Developed	26	51.09%	B	100.0%	Developed	32	50.13%
					C	92.5%	N/A	5	0.82%
					D	80.0%	<\$10,188	1	1.51%
					E	60.0%	<\$9,169	3	0.01%
C	20.0%	Developing	60	2.01%	F	40.0%	<\$8,150	2	0.29%
					G	30.0%	<\$7,131	4	0.34%
					H	30.0%	<\$6,112	9	0.28%
					I	20.0%	<\$5,094	81	1.38%
D	10.0%	Least developed	97	0.02%	J	10.0%	Least developed	49	0.01%

<sup>a</sup> P5 are China, France, Great Britain, Russia, and the United States.

Sources: United Nations, *Financing of the United Nations Transition Assistance Group*, A/RES/43/232, March 3, 1989. United Nations, *Scale of Assessments for Apportioning the Expenses of the United Nations*, A/RES/52/215, January 20, 1998. United Nations, *Implementation of General Assembly Resolutions 55/235 and 55/236*, Report of the Secretary-General, A/58/157/Add.1, December 17, 2003.

The mandates and rules of engagement of UN operations have changed since the 1990s. More than three quarters of troops deployed in UN-led operations in 2005 functioned under Chapter VII mandates, generally with authority to "use all necessary means" to do their jobs. The change indicates that the Secretariat and the Security Council alike recognize that, while the United Nations does not

lead combat operations per se, the environments in which contemporary PSOs function entail a high risk of violence and that troop contributors and other participants in such operations must come prepared to deal with it.

## **Expanding and Reforming UN Peacekeeping Support**

In early 2000, the UN faced yet another crisis of confidence in its ability to manage complex PSOs, driven in part by the rapid ramp-up of operations in the second half of 1999 and in part by the release, in late 1999, of UN reports on the 1994 genocide in Rwanda and the 1995 Srebrenica massacre that were very critical of the organization's role in those crises. In response, S-G Annan commissioned the Panel on United Nations Peace Operations, chaired by UN Undersecretary-General Lakhdar Brahimi, to assess and make recommendations on the full range of UN conflict-related activities, from conflict prevention through peacebuilding. Given limited time, however, the Panel chose to focus on peacekeeping in the context of stalemated civil wars and the invited deployment of peacekeepers to implement them. Its report, released as noted in August 2000, emphasized measures needed to create an effective international security presence. The Panel was writing as UN peacekeepers had begun once again to deploy in large numbers into sub-Saharan Africa. Condemning countries that treated UN operations like military soup kitchens—as places where ill-equipped troops could find uniforms, food, housing, and UN reimbursements—the Panel stressed states' responsibility to contribute well-equipped, well-trained, and well-disciplined troops to UN operations. The Panel also stressed the need to increase the ability of UN Headquarters—primarily but not only DPKO—to plan, recruit for, deploy and manage complex operations. It also emphasized the UN's need to have much greater ability to process analytically all of the open-source information about current and potential conflicts and crises that flowed through the organization daily but tended to settle in its quietest pools, unnoticed.<sup>71</sup>

In the years following the Brahimi Report, DPKO grew to the point where its 600 staff would be able to manage well many of the tasks assigned to it by the Security Council during the mission surge of June-October 1999, as would its counterpart offices in the Department of Management, which submit DPKO's budgets, recruit its Headquarters staff, and sign the procurement contracts for most of the non-military goods and services that the UN buys for the field. Even so, Headquarters support was just 4 percent of the \$2.6 billion that the United Nations spent on peacekeeping in 2002-2003, with one person at Headquarters notionally supporting 50-55 people in the field. By 2006-2007, despite substantial additional growth in DPKO, that ratio of Headquarters support to field costs remained at 4 percent, due to the significant growth in field

operations over the same period.<sup>72</sup> As “overhead” costs go, this is low for any large organization.

### ***The Office of Mission Support***

About two-thirds of DPKO personnel work in the Office of Mission Support (OMS), which recruits civilian mission personnel and arranges for transport, other logistics, and communications support for both military and civilian elements of UN operations. Since 2003, the Strategic Deployment Stocks (SDS) at the UN Logistics Base in Brindisi, Italy, have been established to support the deployment of one nominal complex operation of 10,000 persons each year.<sup>73</sup> Of course, since fall 2003, the Department has been asked to set up an average of two new operations per year and to expand others, and despite efforts to keep up in New York, the expansion of UN Headquarters support for PSOs has been outstripped by the growth in operations such that for 2005–2006 one person at Headquarters was supporting about 110 people in the field, even after 75 new hires approved by the General Assembly were brought aboard.<sup>74</sup> UN Headquarters, despite growth, is carrying as great a per capita peace operations support burden in 2005–2006 as it was carrying before the Brahimi reforms were instituted.

### ***The Military Division and UN Troop Deployment Capacity***

DPKO’s Military Division, which scours the globe for military units and devises mission strategy for the military components of UN operations, consists of just 46 officers and 14 support staff, of whom less than half shoulder all of the initial military planning for each UN operation.<sup>75</sup>

The larger emerging economies of Africa and Asia supply most of the UN’s peacekeepers at present. They can provide competently-trained foot soldiers and the basic tactical field transport for them. UN requirements that contributors also provide their own supplies, spare parts, and maintenance (so-called “wet lease” arrangements) can be difficult for many emerging economies to meet, however.<sup>76</sup> Specialist units (such as engineering, communications, intelligence, logistics and medical) are also less abundant in such countries’ armed forces than among the armies of wealthier states. Thus the United Nations has turned increasingly to civilian contractors to support its operations, sometimes subsidized by voluntary contributions from wealthier states. In fact, DPKO has well over 100 standing systems contracts for support of its operations, not least for rapid supply of the ubiquitous four-wheel-drive vehicles that form most of its mission motor pools. DPKO also plays matchmaker between developed and developing states to find the needed funds, training, or equipment for some of its troop contributors, on a voluntary basis.<sup>77</sup>

The 2003–2005 mission surge is instructive for what it seems to say about the UN’s ability to deploy troops. Over that period, DPKO deployed a maximum of 3,000 new troops per month, or three to four battalions. Since US and other developed states’ military airlift was by and large fully-committed to support of forces in Afghanistan and Iraq during this period, the 2003–2005 surge is indicative of the maximum rates of new deployment that the UN can sustain on its own, using contract carriers. Note that over the same period the organization also continued to supply and to rotate troops, police, and civilian personnel into and out of a dozen other PSOs in addition to the ones just being set up.

At the start of the surge period, DPKO deployed just under half of a brigade-size force to Ituri, northeastern DRC, within four months of initial planning and just five weeks after receiving the mandate to do so. A mechanized battalion from Bangladesh and a mechanized company from Pakistan arrived in time to relieve a French-led European force. Another 25 percent of the UN brigade (the remaining two companies of the Pakistani battalion, plus an Indonesian engineer company ) arrived the following month and the force was 90 percent complete within 90 days of mandate—the Brahimi Report benchmark for complex operations. The peak flow rate was nearly 1,600 troops per month, with an average rate of 950 over deployment distances of 3,000–4,500 miles for most of the troop contributors.<sup>78</sup>

As the Ituri Brigade was deploying, DPKO began planning for its large operation in Liberia, which had lapsed into a terminal political-military crisis in the summer of 2003. With approval to start planning given by Security Council Resolution 1497 (August 1, 2003) and with \$48 million in advance spending authority, DPKO got a head start on the mandate, which passed the Council on September 19th. As part of that mandate, the UN operation in Liberia (UNMIL) would “re-hat” 3,500 regional peacekeepers who were sent to Liberia in August by the Economic Community of West African States (ECOWAS). Although supported in part by a private company (Pacific Architects and Engineers) paid by the United States, the ECOWAS forces needed substantial additional support to be brought closer to UN operational standards (the UN procured 92 trucks for the rehatted battalions, for example).<sup>79</sup> DPKO also set out to find another 11,500 troops beyond those transferred from ECOWAS. The need for them was critical as Liberia lacked reliable security forces and ECOWAS troops patrolled just the capital, Monrovia.

By the end of October 2003, its first month in operation, UNMIL had one additional battalion, from Bangladesh, in the field. By then, at the 90-day mark post-mandate, the operation had 55 percent of its authorized force, including 40 percent of its add-on forces. Another 5,550 troops arrived by the end of March,

raising the force to 91 percent of authorized troops. About 88 percent of the add-on forces had arrived by six months post-mandate. Troops arrived at maximum rate of 2,900 per month and an average rate of 1,600.

In April, May, and June 2004, DPKO turned its efforts toward other operations. In April, it assumed responsibility for peacekeeping in Liberia's neighbor, Côte d'Ivoire and, in June, in Burundi and Haiti. All summer, it continued to build up these operations and found the last troops that it needed for Liberia, deploying on average nearly 2,400 new troops per month in July, August, and September. In October, the Council agreed to add 5,900 troops and police to MONUC and the cycle shifted back to the DRC: about 700 new troops arrived in November, 1,100 in December, 1,300 in January, and 2,500 in March. In December 2004, DPKO pleaded with the Council and member states not to send any more business its way.<sup>80</sup>

### *Sources of 21st Century UN Forces*

The national composition of UN forces was quite different in the new millennium from what it had been previously. Until the late-1990s, developed states (defined here as the members of the Development Assistance Committee of the Organization for Economic Cooperation and Development)<sup>81</sup> were reliable participants in UN peace operations. The world's smaller developed states had always formed the backbone of traditional UN peacekeeping operations and, initially, they contributed a substantial fraction of the troops in complex PSOs as well. The high water mark for those states' troop contributions to UN-led PSOs was 1993 for operations outside Europe and 1995 for Europe itself when, on average, developed states provided 41 percent of the troops and police in the largest UN operations. Experiences in Bosnia and Somalia convinced many of them to reduce their material contributions to UN operations, an oft-heard reason being deficiencies in UN command and control.<sup>82</sup>

The growing requirements of UN PSOs were therefore met by armies from the world's emerging economies. **Table 5** lists the top fifteen contributors of troops, military observers, and police to UN PSOs at the end of 2005. These states accounted for three quarters of the total number. About two-thirds of the developed state personnel remaining in UN operations are police. Exceptions include a joint Irish-Swedish mechanized battalion in Liberia with about 660 troops and a French unit of about 200 troops with the United Nations in Côte d'Ivoire. Together, however, these were just 2 percent of the armed UN peacekeepers in sub-Saharan Africa at the end of 2005.

**Table 5: Top Contributors of Uniformed Personnel to UN PSOs, End of 2005**

Bangladesh	9,529	Ethiopia	3,410	Senegal	1,845
Pakistan	8,999	Ghana	2,520	Morocco	1,706
India	7,284	Uruguay	2,428	Kenya	1,482
Jordan	3,703	Nigeria	2,412	Brazil	1,270
Nepal	3,466	South Africa	2,010	China	1,059
	Top Fifteen Contributors:		53,123		
	All Contributors:		69,838		

Source: UN Department of Peacekeeping Operations.

Among the UN's present principal troop contributors, India and Pakistan bring considerable technical capacity to the field as a byproduct of their long-standing preparations to deter and/or do battle with each other. Most developing states willing to contribute forces to UN operations lack that primary stimulus, however, and require assistance in both equipment and training. These issues can be addressed to some extent by programs like the Global Peace Operations Initiative (see discussion under African Union) but equipment and tactical training are easier to provide than are the leadership skills and experience required to deal constructively with dangerous urban centers or militia-ridden rural districts. The urgent need to support such skills has sometimes collided with Washington politics as US aid and training programs have been linked to states signing "Article 98 waivers" regarding the jurisdiction of the International Criminal Court over American citizens.<sup>83</sup>

In a somewhat related vein, is the United Nations now promoting democracy and human rights with troops from countries with poor rights records themselves? In the mid-1990s, 46 percent of UN troops came from "free countries," according to Freedom House surveys of political rights and civil liberties. Of these troops, nine out of ten came from developed states. In 2005, 39 percent of UN troops still came from free countries but nearly nine out of ten of these troops came from *developing* countries. This is a testament both to the advance, over time, of political liberty in the developing world and to these states' willingness to contribute materially to the peace and freedom of others. About as many UN troops came from countries such as Bangladesh, Jordan, Ethiopia, and Nigeria that Freedom House judges to support only partial political rights and civil liberties (see **table 6**).<sup>84</sup>

**Table 6: UN Troop/Police Contributions Grouped by Freedom House Country Ratings for Political Rights and Civil Liberties, mid-1990s and 2005**

	Mid-1990s*		December 2005	
<b>Total Personnel from:</b>				
“Free” countries	29,941	46%	27,014	39%
“Partly Free” countries	29,748	45%	26,807	38%
“Not Free” countries	5,732	9%	16,017	23%
TOTAL	65,421		69,838	
<b>UN Troop Contributor Ratings:</b>				
“Free”	41	52%	54	50%
“Partly Free”	27	34%	38	35%
“Not Free”	11	14%	16	15%
TOTAL	79		108	
<b>DAC Country Contributions:</b>				
Total DAC country personnel and as percent of total	26,912	41%	3,963	6%
DAC personnel as percent of “Free”		90%		15%

\*Includes uniformed personnel totals for UN operations in Bosnia-Herzegovina (March 1995), Somalia (November 1993), and Cambodia (Spring 1993). All but Cambodia include civilian police personnel.

Sources: Freedom House, *Freedom in the World, 2006* (report) and “Freedom in the World Comparative Rankings: 1973–2005,” <http://www.freedomhouse.org/template.cfm?page=15>. UN DPKO, troop contributor listings, <http://www.un.org/Depts/dpko/dpko/contributors/>. William J. Durch, ed. *UN Peacekeeping, American Policy, and the Uncivil Wars of the 1990s* (New York: St. Martin’s, 1996), tables 5.3, 6.1, and 8.1.

Although more UN troops in 2005 came from states judged “not free,” two countries’ altered status account for two-thirds of the increase in that category: Pakistan (9,000 troops) was down-rated by Freedom House after the 1999 Musharraf coup and Nepal (3,500 troops) after the king declared a state of emergency in February 2005. The UN’s acceptance of states with poor rights records but competent troops is indicative of the trade-offs that the world body must make in filling out troop totals in difficult missions, absent the availability of more good troops from less repressive states.

### ***The Police Division and the Availability of Police for UN Operations***

The Police Division has had 21 officers and 5 support staff to recruit, test, and manage the deployment and rotation of more than 6,000 UN police. Although its headquarters-field ratio looks a little better than the Military Division’s, most of the UN’s police are recruited and deployed in penny-packets and the UN provides their field gear, whereas most of its military forces come in battalion-

size bundles (roughly 800 troops), most with their own equipment or equipment supplied by third countries. This is, however, the largest office that the United Nations has ever managed to maintain for the purpose of recruiting and deploying police officers in peace operations.

Historically, the availability of police for peacekeeping has been constrained. Police forces are the quintessential domestic government agency, except for those parts of police agencies that follow, say, international organized crime or the laundering of funds destined for terrorist groups. Countries tend not to recruit, train, or hold in reserve personnel destined for international police missions. Hence both the timeliness of police deployments and the competence (in terms of training, experience, and even native ability) of individuals offered by governments to the UN for police billets have historically been relatively limited. One notable exception is the International Deployment Group created in 2003 by the Australian Federal Police.<sup>85</sup>

Serious lags in police deployments have been chronic.<sup>86</sup> The police contingent for the mission in El Salvador (1992–1993) never exceeded half of its authorized 631 officers; the mission in Cambodia (1992–1993) took four months to deploy half of its police and ten months to approach full deployment—with well-known problems in the quality of its personnel. Three years later, the UN police mission in Bosnia and Herzegovina (1996–2002) did somewhat better, fielding nearly half of its people within three months and 90 percent within six months. Although the operation in Bosnia developed significant leverage over local police toward the end of its mission, none of these operations had direct responsibility for law enforcement.

When the United Nations did receive such responsibility, time was of the essence. UN police were to be the sole public security force in Kosovo and East Timor, which were blanketed by military peacekeepers who dislike intensely, and try to avoid, law enforcement roles. Police availability and timeliness for these two executive missions were little improved over previous missions, however. UNMIK, in Kosovo, took six months to get most of its originally-mandated 2,400 police officers on the beat, at which point the component's authorized strength was increased by half, to just over 3,600, because of deteriorating public security. UNMIK took another year to fill out the larger force. In East Timor, meanwhile, the UN transitional administration (UNTAET) took nine months to build up to three quarters of authorized strength, where it reached a plateau.

UNMIK and UNTAET recruited not only individual police but paramilitary FPU's of 110–125 persons each. Trained in crowd control, VIP protection,

and/or border security functions, the members of FPUs deploy and function as units, much as military forces do. They tend to use military-pattern vehicles such as armored cars, and to have heavier armament than regular police. A number of countries maintain substantial national forces with such capabilities, among them Italy, France, Spain, Romania, India, Pakistan, and Argentina.

Deployments of FPUs have lagged about as badly as deployments of regular police until very recently. UNMIK's ten units were only halfway deployed one year into the mission (mid-2000) and were not fully deployed for another year, while UNTAET needed six to nine months to acquire its two units. The UN operation in Liberia had two of its FPUs operational after nine months, and four at the one-year mark. The new operation in Haiti, looking for six FPUs at about the same time, had three on hand after six months and all six in ten months. Allocated a seventh FPU in early 2005 and an eighth at mid-year as Haiti approached elections, the operation remained nearly 500 officers short of its goal of 1,897 (regular police and FPUs combined) at the end of August. In the DRC, MONUC's initial effort to field an FPU ran aground when the Nigerian police unit, deployed in August 2005, was withdrawn less than two months later under a cloud of sexual abuse charges.<sup>87</sup> MONUC was given new authority to field six FPUs in September, however, and all of these units—from India, Bangladesh, and Senegal—were deployed within 90 days of authorization, a much better than average performance. By the end of the year, 26 FPUs were authorized for UN operations, and accounted for nearly half of the police personnel deployed in UN PSOs.

The most recent efforts to improve the availability and pre-training of FPUs for international operations are Europe-based and include the creation of a European Gendarme Force (not new capacity but a new umbrella under which capacity can be organized and deployed) and the opening of a new Center of Excellence for Security Police Units in Vicenza, Italy. The latter's programs are open to participation by non-European police organizations and personnel.<sup>88</sup>

In addition, DPKO has campaigned for and finally won member state approval of a Standing Police Capacity (SPC) initially consisting of twenty-seven persons (a director, twenty-four officers, and two support staff) whose jobs would be to "provide coherent, effective and responsive start-up capability for the policing component of United Nations peacekeeping missions and to assist existing missions through the provision of advice and expertise." The intent of the SPC is to have initial police presence on the ground in a new mission area within seven days of Security Council authorization, thereupon to plan for, coordinate and manage the rest of the new mission's police component until the new operation is fully operational.<sup>89</sup> The SPC doubles the Police Division in size and

radically alters its ability to field well-trained police personnel rapidly, assuming that the creation of new missions is reasonably paced.

### ***Civilian Mission Planning***

DPKO has no dedicated planning capacity for the civilian-run political, economic, or other substantive peacebuilding elements of its missions. Neither does the Department of Political Affairs, which has been the UN's nominal "focal point" for peacebuilding but without the budget to support that role. While DPKO/OMS is good at providing logistics support, transport, and communications—the things needed to enable a mission—the department has no civilian planning office for the things a mission actually tries to accomplish.<sup>90</sup> This helps to explain the recommendation in the December 2004 report of the Secretary-General's High-level Panel on Threats, Challenges, and Change for a new Peacebuilding Commission and peacebuilding support office (PBSO) in the UN Secretariat, which would focus on such things. That recommendation was subsequently taken up and adopted at the 2005 World Summit. The PBSO, to be located within the executive office of the Secretary-General, may provide some degree of focus within the UN system but, with no operational support role and just four staff members allocated to planning UN peacebuilding efforts globally, the new office is likely to have only modest initial impact.<sup>91</sup>

### **Relative Success**

The UN has enjoyed a notable degree of success in some of its recent operations, whether success is defined in terms of meeting a Security Council mandate or in terms of leaving a reasonably stable polity behind when its troops finally depart.<sup>92</sup> Having found that abrupt departures serve neither political nor economic stability, the United Nations has made a greater effort in the present decade to phase down its presence and to reduce or extend the draw-down if it appears that local authorities will have difficulty maintaining stability on their own. On occasion, the preferences of the secretary-general and DPKO on such matters have been over-ruled by the Security Council.

Thus East Timor (Timor-Leste) has its own government, to which authority was returned in May 2002 after less than two years of UN civil administration. The follow-on UN support mission closed its doors three years later, but sooner than UN staff would have preferred. Serious political unrest with ethnic overtones roiled the capital, Dili, in May-June 2006, validating those earlier concerns and showing how even an apparently successful transition can be fraught with risk. An Australian-led international task force deployed to provide temporary additional security.

The UN operation in Sierra Leone recovered from a near-disastrous start in 2000 with critical short-term assistance from British paratroopers and sustained British training and advice to the Sierra Leone army. Success for the UN mission also followed key changes in its military leadership, troop contingents, and operational strategy. The PSO phased out at the end of 2005, replaced by the all-civilian, multi-agency, UN Integrated Office in Sierra Leone.

MONUC, in the DRC, began as a protected observer mission overseeing separation of forces in a land as large as Western Europe but has evolved into a much more complex operation directly involved in the maintenance of public security in the country's volatile northeast and eastern provinces, bordering Uganda, Rwanda, and Burundi. MONUC's Ituri Brigade, composed primarily of troops from Pakistan, Bangladesh, and Nepal, has been credited with taking a more forceful approach toward containing and disarming that region's violent tribal militias.<sup>93</sup> Members of the temporary French-led coalition force that the Ituri Brigade replaced in August-September 2003 were favorably impressed by the training and professionalism of the UN forces that were to replace them, in fairly stark contrast to hand-off experiences in other operations ten years prior.<sup>94</sup> A comparable brigade force established in the wake of a very weak UN response to Congolese army mutinies in the eastern DRC one year later was similarly robust in its operations by early 2005, although these focused on rogue Congolese or Rwandan expatriate militias that refused to disarm or return home, respectively.

The UN operation in Liberia (UNMIL) was credited with re-establishing stability in that country sufficient to promote free and fair national elections in late 2005. The election of former World Bank official Ellen Johnson-Sirleaf as president, and Nigeria's subsequent agreement to return Liberia's ex-president, Charles Taylor, for trial on war crimes charges, heralded for many a new and more hopeful chapter in Liberian history.

## **Discipline Problems and Remedies**

On the other hand, UN disciplinary problems have tended to peak as demand for peace operations has peaked. At the last operational peak, in the mid-1990s, operations in Bosnia were beset by shady dealings in fuel and other commodities on the part of some troop contingents. Later, in Kosovo, where UNMIK is responsible for enforcing the law, business establishments involved with human trafficking—and hence, with organized crime—began to grow right along with the international military and civilian presence. Eventually UNMIK created a Trafficking Prevention and Investigation Unit (TPIU) that drew up an 'off limits list' for international personnel that included 200 establishments by January

2004.<sup>95</sup> Similar problems occurred in Bosnia, post-Dayton.<sup>96</sup> The users of such establishments, the traffickers, and law enforcement investigators are overwhelmingly male and tend to be well-connected locally or with the international community. The victims are overwhelmingly female, foreign to the locale, and have few, if any, local family or community ties. In the cases that Human Rights Watch and Amnesty reviewed, law enforcement tended to fall more heavily on the trafficked than the traffickers, and punishments meted out to traffickers tended to be light for the character and the quantity of the crimes.<sup>97</sup>

Abuse and exploitation can also arise from the proximity of troops to destitute, displaced populations. Of the world's principal international organizations, only the UN presently deploys military forces—overwhelmingly young and male—in such close and continuing proximity to large numbers of displaced persons—disproportionately women and children who live in societies where the social status and life opportunities of women are heavily unequal to begin with. Displaced persons seek out proximity to peacekeepers for greater security from local violence but, unless properly managed and monitored, proximity increases opportunities for abuse, especially where troop discipline and leadership are not what they need to be, as in the UN's sprawling Congo mission.<sup>98</sup> UN investigators uncovered relatively widespread instances of abuse in MONUC and in some other operations, triggering a series of remedial actions, from the appointment of personnel conduct advisors in missions to the institution of a 20-person conduct and discipline unit working directly for the Undersecretary-General for Peacekeeping Operations.<sup>99</sup>

A March 2005 report by Jordan's permanent representative to the United Nations, Prince Zeid Ra'ad Zeid al Hussein, serving concurrently as the Secretary-General's special adviser on sexual exploitation and abuse, offered detailed recommendations on how to apply UN rules against exploitation and abuse more effectively, on how to deter future violations, and on how to more effectively investigate and punish violations that do occur.<sup>100</sup>

UN management could have done more sooner but the UN's limited ability to enforce such policy with regard to troops and police seconded from governments is a preference of member states that is unlikely to change. What should change, however, is the way in which the UN deals with accusations of criminal behavior on the part of its own personnel. Although the S-G can waive the functional immunity accorded UN personnel in the performance of their official duties, a failed or war-torn state may have no capacity to prosecute and the laws of an alleged offender's state of nationality may not cover crimes committed by its citizens on other countries' soil (unlike national military law,

which routinely reaches wherever national military forces deploy). This is a serious gap in law and enforcement.

## REGIONAL ORGANIZATIONS

An international organization whose membership is drawn from one, geographically coherent region would seem to offer several advantages as a security provider for PSOs within that region. Its members' national interests, being directly affected by events in the region, should make those states easier to engage as peacekeepers than more remote states. The organization, to the extent that its members reach consensus on the need for military action, can confer at least regional legitimacy upon that action. Finally, to the extent that the organization plans to take such action, it may also serve as a ready forum through which members work out measures promoting the ability of their respective militaries to work together operationally, as well as joint operational planning capacity, procedures for appointing mission leadership, and structures for the operational command and control of multilateral forces.

Each of these potential advantages has a counterpart, however. As Paul Diehl notes, "Unity from homogeneity comes in response to threats to security external to the organization, such as Arab unity against Israel or African support for the decolonization of Angola. The most common threats to regional peace—internal threats—are exactly those least likely to generate consensus."<sup>101</sup> Indeed, the members of regional organizations vary in size, internal politics, military power, and economic clout. The greater that variation, the more the organization moves as its largest members desire that it move. The largest members may or may not have interests or policy objectives consonant with the goals of the rest of the region for any number of reasons, not least because, being largest, they don't have to. Their politics may be autocratic, their human rights records dismal, or their economies corrupt or unstable. Other states in the region may consider democracy a generally good idea but may not be willing to promote or safeguard it outside their own borders (consider the rest of Southern Africa viz a viz Zimbabwe), or states in the region may not consider democracy a good idea at all (for example, most of the former Soviet states of Central Asia). Some regional leaders and associated elites may even benefit from the black market flows of gems, gold, guns, and drugs that have fuelled many internal conflicts.<sup>102</sup>

To the extent that regional organizations are seen as dominated by their most powerful members, the actions that they take can be seen as serving primarily those states' interests. Thus, while ECOWAS nominally sponsored the deployment of West African forces in Liberia and Sierra Leone in the 1990s,

their operations were heavily dependent on Nigerian resources and seen as primarily responsive to Nigerian national interests, much as CIS operations are dependent on and responsive to Russia.<sup>103</sup>

Whether military interoperability is better amongst members of a regional organization will depend on the arms acquisition habits and patron-client histories of the organization's members and on the organization's objectives regarding political-military integration. States generally prefer to produce at home as much of their defense capacity as they can, even if the resulting unit cost is higher. Thus, for example, despite a half-century of interoperability efforts under the aegis of NATO, Europe's defense-related production has remained, with the exception of a few high-profile projects, highly state-centric.

What states cannot produce at home they will buy on the arms market from preferred suppliers, the choice of which may be as much a matter of politics as of cost-effectiveness or weapon performance. Once made, it will be hard to change except at great expense. Thus, nearly fifteen years after the end of the Cold War, many former Warsaw Pact countries that are now members of NATO still operate the Soviet-pattern weapon systems they acquired in their former lives, albeit with upgrades to Western electronics and perhaps ordnance. Reflecting a different associational history, Francophone states in western and central Africa operate mostly French equipment. Anglophone African states' inventories are, by and large, more eclectic. Both groups of states also operate former Soviet equipment, much of which Moscow provided cheaply during the Cold War's final decade.<sup>104</sup>

Equipment interoperability notwithstanding, there are prior issues of political willingness to engage difficult post-conflict situations with sufficient staying power to do an effective job of peace implementation. Here the record is mixed as between regional organizations and, say, the United Nations. In a comparative study of UN and regional operations, Birger Heldt concluded that regionally-led operations enjoyed no greater success rate than UN missions.<sup>105</sup>

## **Organization of American States**

The Organization of American States (OAS) is configured as a regional organization recognized as such by the United Nations. In an earlier era when Latin American states were dominated by non-democratic governments, the OAS sanctioned the U.S.-led intervention in the Dominican Republic and several unarmed military observer missions in Central America. Since then it has focused more on protecting sovereignty and promoting democracy and human rights within the hemisphere. Indeed, as Paul Diehl observes, "the OAS

has played an increasingly central role in conflict management efforts in the Western Hemisphere” but “more involved with diplomatic [efforts] at conflict management than with more coercive mechanisms.”<sup>106</sup> Civilian OAS peacebuilding missions in the 1990s in El Salvador and Haiti were well-received and could be repeated but the organization has no procedures for planning or fielding armed regional PSOs, either in the hemisphere or outside it.<sup>107</sup> Central and South American OAS members have instead tended to participate mostly in UN peacekeeping operations, although some have contributed forces to the U.S.-led Multinational Force and Observers in the Sinai, and to some U.S.-led coalitions. The Military Observer Mission Ecuador-Peru (1995–99)—the first international military observer mission in South America since World War Two—was not an OAS operation.<sup>108</sup>

### **Association of Southeast Asian Nations (ASEAN) Regional Forum**

Not a military alliance but a venue for periodic discussion of regional security issues, the ASEAN Regional Forum is chaired on a rotating basis by one of the ten members of the Association of Southeast Asian Nations. With that forum, however, eastern Asia is doing better than South Asia, where comparable disparities of power and deeper international antagonisms have hobbled regional political-military cooperation. Indeed, both India and Pakistan are members of the ASEAN Regional Forum, as are Japan, China, Russia, Mongolia, Papua New Guinea, Timor-Leste, Australia, New Zealand, the United States, Canada, and the European Union.

For peace operations within the region, one preferred option has been UN-led missions to which regional states contribute forces and senior leadership (as in Cambodia (1992–93) and Timor). Regional powers can thereby exercise influence within such operations but in a context where political direction has been kicked up one level to where major regional powers’ preferences are balanced by those of other powers outside the immediate region. Another option, used for the Pacific Islands more than the mainland or Indonesia, has involved regional coalitions growing out of peace talks (a sequence of observer groups for Bougainville, part of Papua New Guinea) or a governmental request for help (leading, for example, to the Regional Assistance Mission in the Solomon Islands, led by Australia and ultimately welcomed by resolution of the UN General Assembly).<sup>109</sup> Finally, with respect to East Timor, the UN secretary-general requested, and the Security Council authorized, a regional force led by Australia to restore order in East Timor until the UN itself could mount an operation to manage the territory’s passage to independence after an

historic plebiscite and equally unprecedented violence orchestrated by the departing Indonesian military.<sup>110</sup>

## European Union

Western Europe started its long trek toward greater economic and political integration more than fifty years ago, when World War Two was a fresh memory and Europe's economies were barely on the road to recovery from it. The European Community slowly coalesced economically through four decades of Cold War and, when the East-West confrontation ended, deepened and broadened its integrative objectives to become the European Union (EU). Until 1997, however, when the EU added security and foreign policy issues to its portfolio, the only European entity intended to facilitate regional military operations, including peacekeeping, was the Western European Union (WEU). Founded in 1954 to offer West Germany and Italy their first formal path toward security cooperation with the Western Allies of World War Two, the WEU enjoyed a ten-year revival from the mid-1980s, managing mostly maritime operations, before being effectively subsumed under the EU.<sup>111</sup>

The 1992 Maastricht Treaty, aiming at the eventual monetary and political unity of EU member states, launched the Common Foreign and Security Policy and its labored set of interlocking institutions and authorities. The 1997 Treaty of Amsterdam "envisaged the use of military resources" by the WEU on behalf of the European Union.<sup>112</sup> The political structures of the WEU have since adjourned *sine die*. Two of its affiliate institutions transferred directly to the European Union, however: The EU Institute for Security Studies tracks, analyzes, and critiques the implementation of defense-related projects and policies, producing thoughtful and authoritative research work. The EU Satellite Center receives downloads from *Helios* medium-resolution surveillance satellites and uses imagery analysis to support EU operations, among other missions.<sup>113</sup>

Crises in the Balkans, from the wars of ethnic cleansing in Croatia and Bosnia-Herzegovina (1991–95) to the mass expulsions of ethnic Albanians and others from Kosovo in 1999, helped propel greater European military integration and military capacity.<sup>114</sup> As Alyson Bailes has observed,

The Kosovo crisis crystallized the frustration of the EU's largest military spenders, France and the United Kingdom, with Europe's poor capabilities performance overall: but it also created European-US tension over questions of *method* and *control* in Western crisis management, leading even the UK to express the view that Europe

must have at least the option of operating under its own flag in the future.<sup>115</sup>

The EU's quest for a military identity distinct from NATO caused disquiet in Washington, which had long enjoyed a substantial degree of control over European allies' military policies and actions via NATO and its sundry policy committees. Launched in 1999, the European Security and Defense Policy (ESDP) promised to dilute that control.

At a December 1999 meeting in Helsinki, the European Council set a "Headline Goal" for troops and police to be made available for peace operations and other crisis management tasks. Some 60,000 troops were to form a European Rapid Reaction Force (RRF) for deployment on 60 days notice and were to be sustainable in the field for a year.<sup>116</sup> According to a number of analysts, a 60,000-strong RRF would require the participation of every combat soldier in Europe, where there are an estimated 75,000 to 175,000 deployable combat troops to be found among 1.4–1.9 million personnel in uniform. Non-deployable conscripts are still a substantial proportion of some European armies (Germany and Poland, for example).<sup>117</sup> For all practical purposes, however, the RRF may have been superseded by a French, German, and British proposal that was approved by EU defense ministers in April 2004 to form smaller "battlegroups" of 1,500 troops each, with integrated support elements. These are to be ready for deployment within 15 days and sustainable for 30 days (extendable up to 120 days with troop rotations). In November 2004, the Brussels Military Capability Commitment Conference raised the total number of battlegroups to thirteen, to be operational by 2007. Three states (France, Italy, and the UK) pledged to field their own battlegroups in 2005, Spain would provide a fourth national battlegroup, and nine others would be multinational in nature.<sup>118</sup> When completed, the battlegroups program could allow the EU to field up to 20,000 troops quickly for several months, once air and sea lift are available, or 6-7000 troops on a longer-term basis, with periodic troop rotation, assuming sustainability measures and supply lines are in place.

Washington (and London) resisted the proposed creation of an EU military planning staff wholly separate from NATO's, so there is instead an EU planning cell within the NATO military structure. The EU also has a 125-officer Military Staff within the Council Secretariat that generates strategic concepts and military options for carrying them out, provides military advice when new operations are contemplated, and writes the initial military directives for EU force commanders.<sup>119</sup> More detailed operational and logistical planning support are, however, expected to come from NATO. The Alliance has agreed to make military planning and other assets available to the EU on an as-needed basis for

EU operations, under the “Berlin-plus” arrangement.<sup>120</sup> The EU has no comparable access to established planning and deployment support resources for the civilian elements of its operations, however, nor are logistics stocks set aside for rapid supply of new operations.

European defense budgets remain rather anemic and analysts argue that they need to rise to around two percent of European GDP if the continent is to have anything like a robust capability to project power into anything approaching a hostile environment (such as suppressing genocide 2-3,000 kilometers beyond Europe’s borders). The European Defense Agency was established in July 2004 and helps coordinate EU member states’ defense transformation to meet ESDP capabilities targets. It has fewer than 80 staff and a budget of roughly €25 million.<sup>121</sup> Although much emphasis is placed on “rationalizing” (divvying up) defense responsibilities and perhaps redirecting smaller members’ militaries to “niche” capabilities, few countries would willingly forego all but one or two of the many basic elements of military power as to do so would be to place their trust and sovereignty in some other entity’s hands. But that is what the evolving Europe is all about, and the question for the long term is whether the big players in the EU will go along with the required subordination to the whole and the eventual submergence of national power and identity that this implies. Popular concerns about loss of national identity and/or control over regional events—evident in the negative votes on the EU Constitution in France and the Netherlands—suggest that concerns about such submergence are real and capable of generating a popular backlash against further expansion and deepening of European-level political authority.

Even if it had the people lined up, trained, and equipped tomorrow, the EU would not be able to transport them any distance quickly, because European powers presently have very little heavy military airlift capacity. The UK has leased several American C-17 heavy lifters and eight NATO/EU member states have committed to take delivery of a total of 200 Airbus A400M medium airlifters beginning in 2009.<sup>122</sup> Each A400M will have double the lift capability of a C-130 Hercules, the mainstay military cargo aircraft in European NATO and EU inventory today. With a maximum cargo capacity of 37 metric tonnes, the new aircraft will not be able to carry a main battle tank but it will be able to transport a pair of wheeled, light armored vehicles or up to 116 paratroopers. It is designed to be capable of quick (2-3 hour) reconfiguration as a probe-and-droge tanker for air refueling operations vital to forward-based fighter-bomber operations.<sup>123</sup>

Meanwhile, the EU has been learning peace operations by doing, beginning with relatively stable venues: in FYROM (Macedonia), the EU replaced a NATO

mission with a small (300-strong), lightly-armed monitoring force, then a 200-strong police observer-mentor mission; in Bosnia, the EU took over international police tasks from the United Nations and then replaced NATO's Stabilization Force with a slightly smaller, 7,000-strong peacekeeping presence. Both of these locales retain just enough uncertainty and tension to be good learning environments. Both may also be contrasted with Ituri, in DRC, where the EU-flagged, French-led Operation Artemis deployed over the summer of 2003. France and its coalition partners, not the EU, made Artemis work; even NATO was consulted only minimally in advance.<sup>124</sup>

Given the heavily bureaucratic, heavily political and consensus-based multilateral decision making in which it is enmeshed, the EU can be expected to move cautiously into more complex and/or hostile peace operations environments in the future. The possible exception may be more Artemis-like, short-term, battlegroup-level excursions. These may be EU-authorized but would likely function as de facto coalitions of the willing. Indeed, the second battlegroup-level operation was approved by the EU Council in March 2006, a 1,250-strong force to supplement security for the June 2006 national elections in the DRC. One third of the force was to deploy in Kinshasa and two thirds were to serve as a quick reaction force on standby outside the DRC. Germany assumed overall command, France operational command, and the two each pledged 500 troops to the four-month operation. Ten other EU members pledged smaller units.<sup>125</sup> The issue of follow-on forces did not arise since the EU force deployed for a specific event and the need for such backup was expected to dissipate thereafter. In recent experience in war-recovering and other semi-functional states, however, elections and their results have been known to generate extreme violence, and plans for withdrawing such guard forces should be flexible enough to address that violence, if necessary.

Along with military capacity, the EU planned to develop a roster of 5,000 civilian police to be available for peace operations duties, of whom 1,000 were to be deployable on 30 days notice. By mid-2004, it appeared to have developed the requisite roster and more than 1,000 rapidly-deployable police (including some in FPUs). A companion "rule of law" roster (for judges, prosecutors, and corrections officers) also had been filled out, a small rule of law support mission had been sent to Georgia, and member states had committed over 240 civil administrators to a pool of personnel available to deploy to a mission area on short notice. These ready capabilities had not been integrated, however, and planning and administrative capacities in some areas remained rather weak (the Police Unit responsible for the roster and rapid deployment capacity, for example, had just ten staff).<sup>126</sup>

Authority and responsibility for civilian crisis management are, moreover, divided between the European Council (the highest decision-making body of EU member states) and the European Commission (the 25 individuals who, as Commissioners, represent the ‘Community’ as a whole). The Commission has certain responsibilities under the EU’s Common Foreign and Security Policy and disburses most of the budget. The Council, however, has primary responsibility for policies and activities under the ESDP and all 25 members must agree to the launch of an ESDP-related operation (so-called “active unanimity”), unless some choose to recuse their countries from the decision and from participation in the operation. The Council Secretariat has a limited share of the Community budget to apply to its crisis management activities. Of a meager €60–65 million for 2005, all but €4 million were committed by the second quarter of the year.<sup>127</sup>

EU mission operations costs are borne primarily by contributing countries, who continue to pay the salaries of the personnel whom they send to EU operations or second to EU billets, much as UN member states do for police officers seconded to UN operations. In March 2004, however, the EU launched a mechanism called “Athena” for handling mission common costs. Athena is managed by a Special Committee of mission-participating states that must unanimously approve operations’ common cost budgets. “Participating and contributing states” pay into a common costs fund “in accordance with a GNP scale.”<sup>128</sup> Common costs under Athena include:

- incremental costs for deployable or fixed headquarters for EU-led operations;
- all transport costs to and from theaters of operation and some within theater;
- administrative costs, including communications, locally hired personnel, maintenance costs, public information, representation and hospitality;
- accommodation and infrastructure costs;
- incremental costs incurred to support the forces as a whole;
- incremental costs associated with the use of NATO common assets and capabilities.<sup>129</sup>

## **Organization for Security and Cooperation in Europe (OSCE)**

The original Conference on Security and Cooperation in Europe (CSCE) produced the 1975 Helsinki Final Act on military confidence building measures, human rights, and cultural communications. The Act is best known for its injection of human rights considerations into the East-West dialog and for

helping to inspire such anti-totalitarian movements as Charter 77 in Czechoslovakia and Solidarity in Poland, as well as for stimulating greater East-West exchange at the levels of culture and entertainment, which, along with poor eastern bloc economic performance, helped to weaken the grip of Communist regimes. CSCE also negotiated military confidence-building measures designed to reduce the risk of surprise attack by requiring, for example, advance notice of military exercises. In 1986, CSCE members agreed to verify such measures by on-site inspections—a first for the Soviet Union.

Institutionalized after the Cold War as the *Organization for Security and Cooperation in Europe* (OSCE), it has the largest membership of any Europe-focused security organization (55 states). Because the EU and NATO are unlikely ever to encompass all of the OSCE's members, it will likely continue to have a niche role in European security and that role—providing expert technical advice to governments—may have as much value outside peace operations as within.

OSCE prides itself on being a bureaucratically “light” organization. As of 2004, its headquarters and ‘institution’ staff totaled 465, distributed amongst the Secretariat and the offices of the Representative on Freedom of the Media, both located in Vienna; the Office for Democratic Institutions and Human Rights, in Warsaw; and the High Commissioner for National Minorities in the Hague. Secretariat appointments are time-limited, a system that is designed to bring in “new blood” but that may also limit the growth and depth of institutional memory. A further 750 international staff and 2,400 national staff work for OSCE field missions and offices. Most of the international field staff are provided by governments on relatively short-term (2–3 year) secondments.

OSCE member states share the costs of its annual Unified Budget according to a multi-tiered scale of contributions. The six OSCE members of the “Group of Eight” industrial economies—France, Britain, Germany, Italy, the United States, and Russia—each contribute 9.0 or 9.1 percent of the budget for the organization's central institutions. Except for Russia, they fund larger shares of OSCE field operations. Russia's dues for operation are less than half of its headquarters budget share, a significant break since field operations accounted for 73 percent of the OSCE's total 2005 budget of €169 million. Wrangling over budget priorities in 2005 delayed passage of the budget by the OSCE Permanent Council for five months.

OSCE has become increasingly field- and service-oriented over time. Since it has yet to sponsor armed peacekeeping operations (a would-be OSCE operation for Nagorno-Karabakh has never gotten off the ground), its principal contributions to human security have been in the areas of human rights promotion and conflict

prevention; conduct and observation of elections and democratic institution-building; and security sector reform, including police training and advising. In late 1995, OSCE was given responsibility—although not full authority—under the Dayton Accord for the conduct of elections in Bosnia. It has since evolved considerable capacity for electoral advice and supervision within its large membership region. In Kosovo, OSCE created a well-regarded Police Academy for training a new, multi-ethnic and gender-balanced Kosovo Police Service, and has managed the “pillar” of UNMIK charged with democratic institution building. In Georgia and Central Asia, OSCE police advisory missions were invited to introduce modern police practices and sensibilities—community policing and respect for human rights—and have done so on shoestring budgets.

The OSCE has a civilian rapid-response system called REACT (Rapid Expert Assistance and Co-operation Teams). REACT is not a roster, however, but a system for issuing “vacancy notices to which its 55 participating states are obliged to respond rapidly—possibly within a matter of days.” It typically receives between four and thirty nominations per vacancy. Six recruitment officers in its Secretariat screen nominations for qualifications, “experts” rate those who pass the initial screen, and the head of mission makes the final selections in cooperation with the Secretariat. In her recent report for DPKO Best Practices, Catriona Gourlay noted that, overall, 60 percent of those nominated by states in 2004 “met the requirements of the vacancy notice” but that the rate dropped to 30 percent for police positions, reflecting the limited supply of qualified police but also “the importance of fully briefing participating states on changing needs and requirements.”<sup>130</sup> Since the EU has been developing rapid response capabilities for police and other rule of law personnel, it is not clear where REACT’s future value-added lies in this particular area, except that it can draw from double the number of states.

Given OSCE’s broad-based legitimacy, from the shores of the Atlantic to the western borders of China, it would seem more valuable for the organization to concentrate on capacities that complement those of the European Union and that focus on the long haul, that is, technical advice on transparent governance, assistance to and observation of elections, and advice and training to promote more effective and professional police and judicial personnel, not after states have collapsed into war, but before. Such advice and training cannot by themselves forestall the collapse of a corrupt or malignant government but together with other international aid and pressure working in coordinated fashion, they can be a force for positive change.

## African Union

Until 2002, Africa had no continental organization interested in or capable of threatening forceful action to induce governments to treat their peoples right. The capabilities are still fairly weak but the interest seems to be growing and has been embodied in the African Union (AU). It succeeded the Organization of African Unity (OAU), which was set up in 1963 to promote the principles of sovereign equality and the inviolability of Africa's post-colonial national borders. These two principles were critical at the time to the survival of governments that otherwise possessed few of the trappings of sovereignty, were largely unable to protect their borders against military threats, and could not assume that they enjoyed the political loyalty of citizens whose main kinship groups may have been split by those same arbitrary colonial-era borders. The OAU, therefore, was not at all focused on the quality of governance within African states, let alone on capacity for collective military intervention. With the advent of the AU that has changed, at least on paper.

A United States of Africa, proposed in 1999 by Moammar Qaddafi, revived old notions of Pan-African unity. Over several years, the concept evolved into the African Union, which was formally established at the Durban Summit in July 2002. The AU Charter gives the Union the right to intervene in the internal affairs of member states under "grave circumstances," and includes a provision to "suspend governments coming to power unconstitutionally." The "supreme organ" is the Assembly of the Union, comprising Heads of State and Government. The Executive Council meets at the level of foreign ministers and has a Permanent Representatives Committee for day-to-day work. Like the EU, it has a Commission whose members are supposed to "defend the Union and defend its interests." Commissioners were first elected to 4-year terms at the Maputo Summit in July 2003. Finally, and key for our purposes here, the AU has a Peace and Security Council (PSC) whose tasks are conflict prevention, peace restoration, disaster management, and humanitarian affairs. The PSC's enabling protocol entered into force in late December 2003. When it contemplates authorizing military intervention, the PSC "may consult a Panel of the Wise," a five-person panel of distinguished Africans, and a Military Staff Committee. Eventually it will be able to call upon an African Standby Force (ASF).<sup>131</sup>

The functions and structure of the ASF were laid out in a two-part report by African Chiefs of Defense in May 2003.<sup>132</sup> The report called for standby brigades of roughly 5,000 persons—each with some civilian as well as military components—to be formed in each of the continent's five principal regions. The ASF was to be capable of meeting the requirements of six, successively

more challenging, missions: giving military advice to a political mission (such as conflict mediators or negotiators); deploying military observers alongside a UN mission; deploying a stand-alone military observer mission; undertaking traditional-type peacekeeping operations such as monitoring a cease-fire; providing peacekeepers in support of a complex PSO with some risk of low-level spoiler activity; and forceful intervention (for example, to prevent or halt genocide). Phase one of the ASF—comprising the ability to fulfill tasks one or two—was to be complete in 2005 and phase two—managing independent observer missions and undertaking complex operations with contributions from the regional standby brigades—by 2010. The sub-regional organizations were to function as the continent’s military first responders, while the AU appoints mission heads and force commanders and handles liaison with the United Nations.<sup>133</sup>

So far, the AU has no common operating doctrine or training guidelines for sub-regional institutions to follow in developing their standby brigades, and has few staff to create them. Only ECOWAS has field experience with regional peace operations and is taking steps to build a region-level military staff. The first effort to deploy an AU peacekeeping force, in Burundi in 2003, is perhaps more appropriately thought of as an AU-authorized coalition of the willing. The force rapidly ran short of resources despite financial and training support from Washington and London and, within a year, was transferred to UN command. To be fair, the ASF timeline did not contemplate undertaking such a large, complex and costly operation until 2010 or later, but events have had a way of pressing against that timeline.

This was certainly true of the Darfur region of Sudan, where discriminatory Sudanese government policies ignited a rebellion in February 2003. The government used the rebellion as excuse and cover for a proxy war of ethnic cleansing and genocide, using air force raids followed up by Arab militia cavalry who were used to terrorize black African farmer/villagers with a campaign of murder, rape, pillage, and arson. The toll from that campaign had reached an estimated 180,000 dead and 2.45 million displaced by late spring 2005, according to the United Nations.<sup>134</sup>

The AU Mission in Sudan (AMIS) deployed in 2004 to monitor a putative cease-fire agreement between the government-backed raiders and the rebel groups. That deployment grew to 450 military observers, 1,960 security troops, and 244 civilian police by May 2005, and to 700 military observers, 4,879 troops, and 1,211 civilian police by the end of the year.<sup>135</sup> Having at first rejected non-African technical advice at AU headquarters, AU leaders eventually were convinced of the need for outside help by the growing

complexity of the support tasks involved in Darfur. Indeed, in December 2005, a joint AU, UN, EU, and US assessment team visited Darfur “to study whether the United Nations should take over” operations in Darfur. The AU summit meeting in Nairobi in March 2006 voted to extend AMIS through September, but the UN Security Council voted later that month to ask the Secretary-General to expedite plans for UN operations in Darfur.<sup>136</sup>

Essentially all of the logistical support for the deployment of AMIS came from third party sources, especially US State Department support contracts with Pacific Architects and Engineers (PAE), a firm that had prior experience supporting ECOWAS and UN operations in Liberia, Sierra Leone, and DRC. PAE provided the staff for a Civilian Protection Monitoring Team and built a series of eight forward operating camps for AMIS. The EU contributed \$100 million of AMIS’ \$220 million 2005 operating budget, while the United States contributed \$45 million. Canada and the Netherlands contracted for transport helicopters, Canada provided 105 armored personnel carriers, and the UK supplied 650 other vehicles. The operation, with 7,800 personnel by late 2005, was estimated to cost \$17 million per month or about \$204 million per year.<sup>137</sup>

Almost none of the financial support for the operation and little of the equipment was coming from AU members themselves, who were behind on their basic dues for the AU itself. The ASF plan was estimated to cost \$600 million to implement initially, with one-third coming from the New Partnership for Africa’s Development (NEPAD), one-third from AU member states, and one-third from outside donors. The AU regular budget is also growing rapidly. In December 2004, its Executive Council voted a \$158 million budget for 2005, nearly four times the size of the 2004 budget. Of that amount, AU members were expected to pay \$63 million to cover AU administrative costs, a goal whose actual attainment was in doubt given that AU members had contributed just \$26 million toward the 2004 budget by December 2004. The other \$95 million in the 2005 budget was expected to come from “discretionary payments by member states and from Western partners.”<sup>138</sup> Since those Western partners were spending an increasing amount of money on the Darfur deployments, it was not clear whether the anticipated outside budgetary support would be forthcoming.

Apart from support for specific missions such as AMIS, the Group of Eight (G-8) major industrial democracies has endorsed significant aspects of the U.S.-proposed Global Peace Operations Initiative (GPOI), a five-year program of training and financial support for regional peace operations capacity, particularly in Africa, that would serve as an umbrella concept for G-8 members’ bilateral assistance programs in this area. As proposed by the US administration in 2004,

GPOI would train 75,000 troops over five years, support the establishment of the Vicenza “special” police unit (SPU) training center, and “foster an international deployment and logistics support system to transport peacekeepers to the field and maintain them there.” The US Congress appropriated a bit more than \$100 million for fiscal year 2005 and the Bush administration asked for another \$114 million for 2006.<sup>139</sup>

## **Economic Community of West African States**

Africa has more than continental organizations. Some of its Regional Economic Communities have taken on security-related responsibilities.<sup>140</sup> Of these, the most action-oriented has been the Economic Community of West African States (ECOWAS). With large but relatively unstable Nigeria as its principal engine and a mix of Anglophone and Francophone members, ECOWAS’ record of response to sub-regional conflict has been mixed.

Founded in 1975 as an institution to promote West African economic integration and headquartered in Abuja, Nigeria, ECOWAS has taken on a growing regional security role since the outbreak of civil war in Liberia in 1989. The organization deployed a Nigerian-dominated ECOWAS Monitoring Group (ECOMOG) to Liberia in 1990 that soon became embroiled in the ongoing war. Military units were left in place for years and became rooted in Liberia. As Ero and Temin observe, “While ECOMOG intervention in Liberia was an innovative enterprise by what was essentially an economic and political organization, it actually served to perpetuate the war as participating states—most notably Nigeria—undermined the Liberian peace process while pursuing their own economic and political interests.”<sup>141</sup>

ECOWAS deployments in neighboring Sierra Leone were similarly troubled. Military training provided by US Special Forces units to five Nigerian battalions and one each from Senegal and Ghana under the rubric of Operation Focus Relief (OFR) starting in October 2000 improved field operations considerably.

Battalion-level training occurred over a ten-week period, beginning with small-unit tactics and culminating in a battalion-level capstone exercise. As part of the OFR initiative, the United States included a common equipment package that enabled the battalions to “shoot, move, and communicate.” Specifically, the West African battalions received a US light infantry battalion’s equivalent of individual and crew-served weapons, mortars, trucks, and radios. From start to finish, Operation Focus Relief lasted 16 months, trained and equipped seven battalions, and cost approximately \$87.3 million.<sup>142</sup>

Nigerian battalions trained under this program, using the equipment supplied by the program, deployed to support the UN Assistance Mission in Sierra Leone (UNAMSIL) in 2001 and 2002, demonstrating much greater professionalism than had their predecessors in ECOMOG.<sup>143</sup>

The ECOWAS Treaty was revised to include peace and security objectives three years after ECOMOG deployed. Nearly a decade elapsed, however, between initial ECOMOG deployments and the adoption by ECOWAS of an organizational framework for peace operations. That 1999 framework established grounds for military intervention that included humanitarian disasters, regional threats to peace and security, or disorders stemming from threats to a democratically-elected government. A few more years passed before the organization developed any internal planning or management capacity for such operations. Until then, lead nations such as Nigeria provided most of the thought behind the military muscle—which they also provided.

ECOWAS has set up a Mediation and Security Council (the regional counterpart to the AU Peace and Security Council), which is supported by a Defense and Security Commission that backstops peacekeeping operations; by a Council of Elders who function as mediators and negotiators; and by an Executive Secretariat. The Secretariat includes a Deputy Executive Secretary for Political Affairs, Defense, and Security (DES-PADS), who oversees departments for political affairs, humanitarian affairs, defense and security, and observation and monitoring. In 2000, this bureaucracy existed only on paper, with the exception of the DES himself. By 2004, each department had just one or two people in it, except for defense and security, which had several seconded Nigerian military officers.<sup>144</sup>

The lack of human resources to fill these kinds of planning and operational backstopping posts may be ECOWAS' and Africa's most critical shortcoming, even more than money, because the needed skills cannot be bought or developed overnight.<sup>145</sup> Some analysts, emphasizing that African talent must be what drives these new regional and continental initiatives over the medium to long term, nonetheless argue that if the program is to be effectively jumpstarted, some short-term recourse to seconded foreign talent may be the only way to do it.<sup>146</sup> ECOWAS recognized, much earlier than the AU, that such temporary outside assistance was needed.

ECOMOG is now the Mediation and Security Council's operational arm. A June 2004 plan called for the formation of a task force of 1,500 troops for rapid (30-day) deployment, for a reinforcing brigade of 3,500 troops deployable in 90 days, and for a reserve force of 1,500. Like the AU, ECOWAS had trouble

getting financial support from its member states for these structures. A *Peace Fund* remained largely unfunded in 2005.<sup>147</sup>

ECOMOG deployments in the 1990s were supported logistically by U.S.-paid contractors such as PAE. That was also true of later deployments in Liberia (July–September 2003) and Côte d’Ivoire (2003–04). In both instances, however, the West African forces were either replaced by or absorbed into a follow-on UN peace operation, making the United Nations, in effect, ECOWAS’ exit strategy. This seeming assurance of UN rescue or replacement may give the regional organization little incentive to build much more than forces capable of holding the line in a crisis for a month or two. If, however, more robust ECOWAS forces become operational, the same tendency to look toward the UN as the operational sustainer and conflict closer could prove dangerous if it encouraged ECOWAS military actions whose longer-term costs and consequences were left to the global body to sort out. This has happened more than once with coalitions of the willing, for example, in Somalia (1993) and twice in Haiti (1995 and 2004).

## ALLIANCES

America’s military alliances were created over a half-century ago for the purpose of containing Stalin’s Soviet Union, Mao’s China, and the communist philosophies of governance that they championed. Three bilateral defense pacts—with the Philippines, South Korea, and Japan—remain in force and one three-way alliance—with Australia and New Zealand (the ANZUS treaty)—has been a de facto bilateral pact since the United States suspended its obligations *viz à viz* New Zealand over nuclear issues in 1986.<sup>148</sup> Two major multilateral treaties—the Inter-American Treaty of Reciprocal Assistance (or Rio Treaty, 1948) and the North Atlantic Treaty (1949)—generated formal international organizations. We look briefly at each of these before focusing on the major player among them in peace support operations, namely, NATO.

### Asia-Pacific Bilateral Pacts

America’s alliance structure in the Pacific reflects both continuing US security interests and regional states’ reluctance to link up in a formal multilateral security organization. That reluctance has deep roots in the region’s history and patterns of political dominance, especially those deriving from imperial ambitions. Indeed, the United States signed most of its Asian defense pacts less than a decade after defeating the Japanese empire and relinquishing its own Philippine colony, during or shortly following its bloody engagement with the Chinese Red Army in Korea, and during the Vietnam War. Created, like NATO, for higher strategic purpose, these defense pacts are still propelled in

most cases by variants of their original purposes: North Korea remains a Communist gulag. China is a rising if ideologically ambiguous rival. The Philippines remain threatened internally by armed groups with external links, albeit Muslim rather than Maoist. The U.S.-Japan Security Treaty is still seen as a governor on Japanese military behavior and the ANZUS pact gives Australia a direct military tie to the United States, which it has reinforced over time with military support to US engagements in Vietnam, Afghanistan, and Iraq. The United States has repaid that support with, for example, substantial logistical help for Australia's 1999 deployments to East Timor.

Other allies have similarly demonstrated operational support for Washington's policies. South Korea sent a large number of combat troops to South Vietnam in the 1960s, and 600 engineering and medical troops to Iraq in May 2003, followed by a brigade of combat troops 15 months later. Japan sent naval forces to support Operation Enduring Freedom and a battalion of engineering troops to Iraq. These latter were protected first by Dutch and then by Australian troops, preserving the government's assertion that, since service in Iraq did not require Japanese combat forces, it could be construed as politically and constitutionally permissible peace support.<sup>149</sup> Japan and Australia have also contributed forces to UN operations—Japan to Cambodia and East Timor, Australia to Somalia and East Timor.

Together, these bilateral treaty relations, the coalition partnerships that draw upon those relations, and UN operations that play to global images and interests, give the states of eastern Asia the means to both promote stability within their region and to reach out beyond it in operational terms. They can do so without having to face many of the deeper differences, including territorial issues, that divide them or the huge regional size and power disparities that also make a formal political-military organization for eastern Asia difficult to contemplate.

### **North Atlantic Treaty Organization**

Following the collapse of the Soviet Union, America's partners in the North Atlantic Alliance looked for a mission of sufficient heft and institutional warrant to replace the Cold War threat. What they found was a combination of rapid response, counter-terrorism, capacity building, and PSOs. Since 1999, NATO has undertaken a serious and sustained effort to reorganize its international staff structure, its military planning and command structures, and its higher-readiness formations to reflect what the Alliance is actually doing in the field and what it can look forward to more of in the future. That includes primarily peace support operations and political-military crisis responses that may be 200 or 2000 miles "out of area."

### ***NATO Decision-Making and Command Structure***

NATO strategic direction is set at periodic summits of NATO heads of state and government. Otherwise, the North Atlantic Council (NAC) is the Alliance's highest standing body and the only one that "draws its authority from the North Atlantic Treaty."<sup>150</sup> It meets twice yearly at the level of foreign ministers, and weekly at the level of Permanent Representatives (Permreps). It can and has authorized NATO to use military force, deciding to back UNPROFOR in Bosnia with air power (September-October 1995) and to use air power against Serbian forces and other targets to halt ethnic cleansing in Kosovo (March-June 1999). The NAC is supported by an international staff of 1,200 civilians; NATO members' headquarters delegations comprise another 1,400 staff.<sup>151</sup>

The Defense Planning Committee (DPC) provides policy guidance to NATO's military authorities and advice to the NAC, and it can take operational military decisions. It receives advice and recommendations from the Military Committee, the Alliance's highest collective military body, which meets three times a year at the level of Chiefs of Defense and weekly at the level of Military Representatives (Milreps), whose meetings follow sessions of the NAC. The Military Committee is supported by an International Military Staff of about 295 military and 85 civilian personnel who provide strategic intelligence and long-range policy planning support.<sup>152</sup>

NATO consensus decision processes can be time-consuming, although, as Paul Gallis notes in his study of these processes, what NATO means by consensus is not unanimity but consent-by-acquiescence (the "silence procedure"). A formal vote is not taken; rather, states objecting to a decision must, in effect, cast a veto by means of a letter to the Secretary General of NATO. Although much is made of the vetoes accorded the five permanent members of the UN Security Council, the North Atlantic Council involves, in effect, 26 vetoes.<sup>153</sup>

None of the above councils, committees, or staffs either plans or executes military operations. That is the job of NATO's military command structure and the forces voluntarily contributed to NATO's operational control by its member states. Since the end of the Cold War, that command structure has been successively reduced "from 78 headquarters to 20" (1997-2003) and then from 20 to 10 (2003-04).<sup>154</sup> Much of that consolidation comes from the end of the requirement to fight across the Atlantic in the event of an East-West war. The latest command transformation eliminated the post of Supreme Allied Commander, Atlantic, substituting a new head of Allied Command, Transformation, still headquartered in Norfolk, Virginia. The new office is in

charge of restructuring Alliance forces to meet current and future operational requirements.

In the latest changes, NATO's Allied Command Europe (in Mons, Belgium) was re-branded Allied Command Operations. Two operational NATO commands, Allied Forces North (at Brunssum, the Netherlands) and Allied Forces South (Naples, Italy) each became Joint Forces Commands (JFCs) with associated land, air, and naval headquarters. Part of the former Allied Forces Center (Heidelberg, Germany) lives on as the land forces component of JFC-Brunssum. Both JFCs are required to generate, on short notice, deployable headquarters units for NATO Combined Joint Task Forces (CJTFs—"combined" because they comprise forces from two or more states; "joint" because they draw from two or more branches of the armed forces). CJTFs were conceived in 1994 to allow a subset of the Alliance, with the approval of the NAC, to use NATO resources in operations that not all members saw as meeting their national interests. The CJTF concept allows them to let a decision to use force go forward without incurring obligations to provide forces in support of that decision.

As NATO's military staffs have adapted to new times and tasks, however, the military muscle of most west European members of NATO has atrophied. The same low military spending that limits EU efforts to rebuild or restructure European defense also limits European NATO. Eight separate strands of defense "transformation" aimed to boost and/or rationalize European countries' defense production but whether budgets will expand to match the demands of transformation remained to be seen. The Alliance has nearly doubled its membership in the past decade, reaching 26 members in March 2004, and at its most recent summit, in Istanbul, NATO affirmed that "the door to membership remains open."<sup>155</sup> With more members, a less-focused threat, budget problems, technology gaps, and a deep need to rationalize European defense production, NATO will need to work hard to build and sustain political consensus on the kinds of operations it should focus on in the future, and their locations, their scope, size, and duration.

Since December 1995, NATO's largest operations have been PSOs, starting with 60,000 troops to implement the military elements of the Dayton Accord in Bosnia-Herzegovina, followed in mid-1999 by the deployment of nearly 50,000 troops into Kosovo. Since August 2003, NATO has been running ISAF, in Kabul. NATO's new rapid-reaction capability, the NATO Response Force, reached initial operational capability in late 2004, offering a reminder that contemporary NATO is supposed to be about more than PSOs.

### ***NATO in Bosnia: IFOR and SFOR***

NATO's Implementation Force (IFOR) was initially billed as a twelve-month operation, consistent with an election-year promise made by US President Bill Clinton. Following Clinton's re-election in November 1996, IFOR did indeed come to an end but many of its forces segued into a follow-on Stabilization Force (SFOR). Through mid-1997, SFOR stuck to a strict and narrow interpretation of its mandate under the Dayton Accords, that is, separating the respective forces of Republika Srpska and of the Muslim-Croat Bosnian Federation, cantoning heavy weapons, patrolling the Zone of Separation, and otherwise functioning as a very heavily-armed but otherwise cautious peacekeeping operation. However, NATO's early concerns about "mission creep" into duties not considered proper for military forces allowed Serb authorities and their local thugs to drive the ethnic Serb population out of Federation-held parts of Sarajevo, Bosnia's capital city, under NATO's very nose.<sup>156</sup> NATO could have used its initial, overwhelming military superiority as cover for immediate special forces action to apprehend "persons indicted for war crimes," and the Bosnia Serb leadership, in particular. It could have anticipated the need for early and capable policing; determined, with its superior planning and intelligence capabilities (and a cursory review of recent UN missions) that the United Nations would not be able to assemble a forceful police presence in short order, even if Dayton permitted the United Nations to do so, which it did not. NATO would then have deployed substantial numbers of military police in key contested areas such as Sarajevo, Mostar, and Brcko. To the detriment of both immediate stability and longer-term peacebuilding in Bosnia, NATO chose not to do so.

After Clinton's election in November 1996, Tony Blair's assumption of the duties of UK Prime Minister in May 1997, and Gen. Wesley Clark's appointment as NATO Supreme Allied Commander, Europe, that July, the alliance's view of its mandate in Bosnia became a little more expansive. SFOR began to search for and seize "persons indicted for war crimes," to actively support the civilian elements of peacebuilding in Bosnia—for example, seizing Serb broadcast facilities that incited to violence—and to provide secure environments for elections.

The military situation in Bosnia proved sufficiently stable that NATO could progressively reduce its forces from the initial 60,000 troops in late 1995 to just 8,000 by mid-2004. In December of that year, NATO turned over peacekeeping duties to a 7,000-strong European Union force. NATO maintained a headquarters unit of about 150 personnel in Sarajevo, however, to focus on

“defense reform in the country, counter-terrorism, apprehending war-crimes suspects, and intelligence gathering.”<sup>157</sup>

The cost of IFOR and SFOR is difficult to measure, as troop contributors were largely self-funded, but the bill from late 1995 through 2004 seems to be in the range of \$15 to \$30 billion.<sup>158</sup>

### ***NATO in Kosovo: KFOR***

In Kosovo, NATO reprised its role as principal security provider after long-simmering tensions and a guerilla war by Kosovar-Albanian militants against Serb authorities produced a Serb campaign to drive out Kosovo’s 90 percent ethnic-Albanian population. A 78-day NATO bombing campaign against Serbia (the largest remaining part of former Yugoslavia) was as unsettling to America’s NATO allies as it was damaging to Serb infrastructure. The allies saw in action what they had known for some time: that European NATO was, for the most part, far behind the United States in its ability to suppress air defenses and deliver precision-guided weaponry from the air; that it lacked the ability to communicate securely and effectively with ground forces; and that if its forces could not be moved by road or rail to an area of operations, then they could not be moved.

Although NATO used force against Serbia without prior authorization from the UN Security Council (a Russian veto being anticipated), it returned to the UN to authorize deployment in Kosovo of NATO peacekeepers and to provide a temporary government for Kosovo, while leaving it, nominally, a province of Serbia and Montenegro. Resolution 1244 remains the authority for all international security- and governance-related activities within Kosovo. Unlike the mandates for most UN peace operations, 1244 has no expiration date; rather than invite veto fights over renewal, this approach allows the veto to halt any effort to shut the operation down.

As in Bosnia, NATO forces in Kosovo stand apart from the rest of the international effort. Unlike in Bosnia, they coordinate with a more integrated hierarchy of civilian institutions. The United Nations leads the multi-institutional UN Interim Administration Mission in Kosovo (UNMIK), a collaborative effort with OSCE and the European Union. The head of UNMIK holds ultimate executive and legislative authority. UNMIK police enforce the law and carry arms. Several states have contributed special police (gendarmerie) units with heavier arms, equipment, and crowd control training.

NATO forces peaked in September 1999 at nearly 49,000 troops in Kosovo and 8,000 more nearby in supporting roles. By February 2004, their numbers had shrunk to about 18,600. The following month, coordinated violence erupted against remaining Kosovar Serbs and their property. KFOR and UNMIK police did a relatively poor job of handling the disturbances, testament both to the reluctance of military forces to get involved in “policing” tasks, and to the fact that even having modern militaries from developed democratic states—which would include most of the forces in KFOR—will not guarantee good performance in the face of a poorly-anticipated threat or disdain for the measures required to meet it.<sup>159</sup>

### ***NATO in Afghanistan: ISAF***

Begun as a UN-authorized coalition of the willing, ISAF always derived most of its troops from NATO member states. Having the Alliance doing its planning and backstopping gave ISAF much more solid grounding as well as access to political-military deliberative bodies other than the UN Security Council. Having NATO formally at the helm of the operation since August 2003 facilitated ISAF’s progressive expansion outside Kabul. Such expansion was opposed by Washington for the first year of US operations in Afghanistan on grounds that peacekeepers deployed in the provinces could be a liability to US forces, presenting targets for the Taliban or local warlords and generating requirements for distracting rescue operations. Washington’s comfort level with NATO management had risen, by early 2005, to such an extent that there were discussions about greater command synergy and possible merger of ISAF and the U.S.-led coalition.

Having begun with about 5,000 troops patrolling Kabul and its environs, ISAF has since branched out and grown, by the end of 2005, to about 9,000 troops, with higher numbers added to help provide security during the October 2004 presidential elections and the September 2005 legislative elections.<sup>160</sup> It has also established or assumed control over several Provincial Reconstruction Teams (PRTs)—civil-military elements varying in size from 50 to 500 personnel deployed originally by the US coalition—in key cities the northeast, north, central, and western parts of Afghanistan where the Taliban and al Qaeda have been least active. (But where opium poppy production has increasingly been taking hold.<sup>161</sup>) In “stage two” of its expansion, NATO established a PRT in the western Afghan city of Herat and one in Farah, to the south of Herat, as well as in two other northwestern towns.<sup>162</sup> Stage three was to set up a PRT in the key southern city of Kandahar, while stage four would involve taking over PRTs run by the US coalition in the volatile southeast and east, bordering Pakistan. Those outposts were larger and more heavily-armed than PRTs in calmer parts of the

country and more appropriately thought of as garrisons, but that term implies too much staying power to be used by either NATO or Afghan authorities.

In an unusual first for NATO, the military alliance appointed a Senior Civilian Representative to the Afghan government who “carries forward political-military aspects of the Alliance’s assistance,” and “works closely with ISAF, the United Nations, and other coordinating bodies.” Functioning much like a personal envoy of the UN Secretary-General, the civilian rep gives the North Atlantic Council political eyes and ears in Kabul. His appointment symbolizes NATO’s recognition that its military role in Afghanistan has primarily political objectives: “NATO’s aim is to assist in the emergence of a secure and stable Afghanistan, with a broad-based, gender-sensitive, multi-ethnic and fully representative government, integrated into the international community and cooperating with its neighbors.”<sup>163</sup> Which sounds much more like that other organization based in Brussels than it does a military alliance, suggesting further convergence in the two organizations’ operating styles, even if decision-making structures remain quite separate.

### ***NATO Response Force***

As a signal, perhaps, that NATO will remain ready to do more than peace support operations, it has been standing up the NATO Response Force (NRF). Declared to have reached initial operational capability with 17,000 affiliated personnel in October 2004, the NRF is anticipated to grow to 24,000 by the time it reaches planned full operational capability in October 2006. The NRF is a light, mobile force with ground, air and maritime components, and is intended to be able to deploy on five days’ notice with the ability to sustain itself for 30 days.<sup>164</sup> National forces committed to the NRF train for six months and then remain on-call for another six months before rotating out to other duties.

The land component of the NRF is to be roughly brigade-sized, meaning that most of the NRF’s personnel will be airborne and afloat. The maritime component is planned to include an aircraft carrier battle group, amphibious task group, and naval surface action group. A typical U.S.-style carrier battle group might deploy 5,000 sailors and 2,500 additional personnel associated with its air wing, which maintains and flies about 70 aircraft. A US Marine Amphibious Ready Group, with escorts, deploys about 2,800 sailors and 3,200 Marines. A typical US surface action group involves two missile destroyers and a frigate and about 950 sailors.<sup>165</sup> Added up, the floating portion of the NRF is likely to comprise around 8,800 ships’ personnel, 2,500 air component personnel, and 3,200 combat troops (Marines). The Marines might be augmented by one or two land forces units comparable to the EU’s 1,500-soldier battle groups. The

land component is intended to be first-in and first-out, replaced by follow-on NATO forces kept routinely at lower rates of readiness than the NRF.

This maritime component will allow NATO to project force about 300 to 400 nautical miles inland from the ocean's edge (approximately the operating radius of the US Navy's principal fighter/bomber, the F/A-18, and of its heaviest-lift helicopter, the CH-53E).<sup>166</sup> For missions deeper inland (say, Darfur), all naval aircraft would require multiple in-flight refuelings and NATO would confront the same strategic airlift problem as the European Union. As a partial solution, beyond the UK's lease of American C-17 cargo aircraft, a German-led NATO airlift consortium of 15 nations has chartered two An-124-100 Ruslan heavy airlifters full time from the German subsidiary of a Russian firm, with options to use four more on six to nine days notice.<sup>167</sup> The United Nations uses these and other ex-Soviet heavy cargo aircraft on commercial charters to carry its peacekeepers and their equipment around the world and aid agencies use them for responses to far-flung disasters like the December 26, 2004, Indian Ocean tsunami. The use of Russian aircraft by the NATO alliance potentially to ferry troops to a crisis within spitting distance of Russia's borders is, depending on one's perspective, either deeply ironic or symbolic not only of the evaporation of East-West differences but of the power (and utility) of the private sector in 21<sup>st</sup> century military operations, which we treat at length below. It may also prove frustrating, should NATO needs and Russian interests not line up some time in the next six years, which is the term of the initial airlift contract.

NATO is comparably dependent for its sealift on either the United States or commercial charters. The post-Istanbul Summit "reader's guide" noted that NATO sealift commitments involved (as of December 2003) "assured access to three ships, one or two Danish ships, and the residual capacity of four British ships."<sup>168</sup> The US military, through the Military Sealift Command, has access, by contrast, to eight active roll-on/roll-off (RO/RO) fast cargo ships; 36 maritime pre-positioning ships; 35 ships of the Naval Fleet Auxiliary Force; and 78 ships in the Ready Reserve Force, including 31 RO/RO vessels technically able to be activated in one to three weeks.<sup>169</sup> While European NATO may be able to move its NRF land component by sea, reinforcing it in a timely fashion would be extremely difficult without use of American sealift or emergency charters.

The timely availability of NATO follow-on forces is a potentially serious issue for the NRF, especially if its initial use is for "opposed entry," for example, against a campaign of genocide or ethnic cleansing. NATO estimates that only 10–15 percent, on average, of its members' current active duty forces are "deployable." Its current plans are to reach a point where 40 percent of its

members' forces are deployable and eight percent can be sustained in the field at any one time. (Sustaining eight percent would require that 24 percent of NATO forces be committed to the deployment cycle, with one force element deployed, another training to take its place, and a third recuperating and refitting after deployment. The difference between the 24 percent needed and 40 percent available would mean that troops just back from the field could recuperate and then sit out two rotations before facing further deployment, which would reduce political as well as operational stress, or they could be available for other contingencies.)

Over the past decade, NATO has deployed large peacekeeping forces with the capacity, if not the will, for peace enforcement. Although Bosnian Serb forces resembled to some extent the kinds of challengers for which NATO mechanized forces were initially designed, organized and armored foes are not the kinds of challengers that NATO has faced recently. Civil unrest, ethnic cleansing, public security and public order issues, and fervent groups with improvised explosives are the kinds of opponents that NATO has been facing in the field. The Alliance still seems to have more in the way of planning and command structures than it has forces to command, and certainly so if US forces are abstracted from the picture. Without the United States, NATO has neither substantial deployable forces nor the capacity to deploy the forces it does have quickly, at a distance. Nor is it clear that its members are willing to substantially remedy either condition, given alternative demands on national budgets.

Indeed, owing to its command overhead and cumbersome decision making apparatus, NATO may not be able to launch and sustain a rapid, brigade-level deployment unless that deployment were entrusted to a lead (or "framework") nation. That appears to be the approach that the EU has adopted in shifting emphasis from the original corps-sized Rapid Reaction Force to the battle groups concept. The EU's battle groups and NATO's planning and intelligence capabilities may turn out to be a good match for the conduct of regional expeditions assuming that the lift issue is resolved in some fashion.

## STATES AND COALITIONS

Like other organizational forms, coalitions can be conceived of in more than one way. As Canadian scholar Andrew Cooper notes, in the dominant concept, a coalition of the willing is:

- generated from the top down;
- designed to further the foreign policy objectives of the coalition leader, if only by raising the political legitimacy of the effort;
- focused on the application of hard military power; and
- open only to states (and their supporting contractors).

In a kind of mirror image of this concept, however, a coalition can be:

- generated from the bottom up (or laterally, among relative equals);
- designed primarily to further instrumental goals (i.e., achieving a joint objective of the participants that none can achieve singly);
- configured to emphasize soft power (often directed toward international institution-building); and
- open to (and perhaps instigated by) civil society organizations as well as states.<sup>170</sup>

This latter sort is like the coalition that produced the Ottawa Treaty to ban antipersonnel land mines and the coalition that eventually created broad agreement on the Rome Statute for the International Criminal Court.

Cooper observes that both types of coalitions tend to arise out of “frustration” or “impatience with established institutional structures” and that both are results-oriented, subordinating traditional diplomacy to “mobilization campaigns conducted via modified forms of public diplomacy.” The strengths of both “stem from an ability to ramp up ‘just in time’ initiatives.”<sup>171</sup>

Like other organizational forms, coalitions have key strengths as well as serious weaknesses. The advantages of a coalition of the willing, from the standpoint of the lead nation, at least, include:

- responsiveness to direction (my party, my rules);
- flexibility (coalitions can be task-built, as needed);
- lower long-term cost (no standing institutions to impose overhead costs whether or not they are being used); and
- unity of effort by definition (since only willing partners join).

Disadvantages of coalitions, on the other hand, include:

- reduced partner responsiveness to lead state direction, over time (responding to the call to join may not harm a government that answers it once, but may do so if it agrees to join up several times without clear public support, and/or incurs serious casualties);
- interoperability issues (in doctrine, communications and information technologies and protocols, unless the members of a potential future coalition work them out in some detail in between fights, or smaller members of the coalition conduct only limited operations);
- potentially high start-up costs (unless a "virtual coalition" is maintained in between operations, with mobilization, deployment, and tasking plans drawn up and well-practiced, which starts to look a lot like an alliance);
- no standing mechanism for cost-sharing or reimbursement (contributing states cover their own costs unless special

arrangements can be made with the lead state or some third party for financial support);

- political fragility (without binding political-legal commitments, a coalition can come apart as easily as it is brought together); and, related to it,
- a tendency to search for a quick exit (as emergency operations, coalitions seek to hand over their responsibilities to other actors relatively quickly, which implies a need for well-prepared "other actors").

The operational form of a coalition has often been combined with endorsement or authorization from a global or regional body (the UN Security Council, NATO's NAC, the AU's PSC), to give the operation political cover and enhance its regional and international legitimacy. Moreover, coalition actions not multilaterally authorized in advance have tended eventually to seek such support for follow-on operations. Thus, while NATO did not seek UN authorization for its air campaigns in Bosnia or Serbia, the alliance's subsequent PSOs in both places functioned under UN mandates.

## **Post-Cold War Coalition Operations**

The strengths and weaknesses of coalitions can best be seen in operational context. The following paragraphs offer thumbnail sketches of prominent coalition operations for peace support or stabilization since the end of the Cold War. Operations summarized here include the Unified Task Force for Somalia (1992–93); the Multinational Force (1994) and Multilateral Interim Force (2004) for Haiti; the Australian-led International Force for East Timor (1999–2000); and the first two years of ISAF in Afghanistan (2001–03).

### ***Somalia***

On November 25, 1992, Acting Secretary of State Lawrence Eagleburger told UN Secretary-General Boutros Boutros-Ghali that the United States would be willing to lead a coalition of states to “ensure the delivery of humanitarian relief supplies to the people of Somalia,” if the Security Council would authorize it.<sup>172</sup> Eight days later, Security Council Resolution 794 did so. Lead elements of the U.S.-led Unified Task Force (UNITAF) deployed on December 9<sup>th</sup>. Up to 28,000 US Marines and Army troops ultimately deployed into the southern third of Somalia, together with roughly 10,000 troops from 21 other countries, the largest contingents being brigades with about 2,800 troops from France and 2,200 from Italy.<sup>173</sup> The United States crafted the objectives and the command and control arrangements for UNITAF and, with three-fourths of the ground troops, dominated operations, at least in Mogadishu, the Somali capital. UNITAF created nine Humanitarian Relief Sectors in the central and southern

parts of the country, parceled out primary military responsibility in those sectors amongst the major troop contributors, enforced a cease-fire, and delivered relief goods. UNITAF did not involve itself in implementing the political settlement crafted in March 1993 by the principal Somali political factions, leaving that task to a UN follow-on force in May 1993. The UN force, initially less than one-third UNITAF's strength, soon found itself at war with the most powerful Somali faction in Mogadishu and struggling with some national contingents' non-compliance with mission orders and rules of engagement.<sup>174</sup> US Special Forces sent to capture the faction's leaders were ambushed by their quarry, with serious casualties on both sides. Congress demanded that US forces leave Somalia within six months, and the UN mission left a year after that, its political and peacebuilding tasks unfinished. As of this writing, Somalia remains without a functioning national government.<sup>175</sup> Operations in Somalia demonstrated the value of a powerful coalition force for imposing initial public order, but also the great difficulty of trying to build peace when one or more powerful local political factions are determined to oppose the peacebuilding enterprise.

### ***Haiti***

Haiti held its first democratic elections in 1990 but its first elected president was ousted by the army in late 1991. Its people suffered under three years of international sanctions to reverse that coup, sanctions that hurt its ruling elites not much at all but caused a large efflux of would-be refugees. US forces turned away Haitian boat people by the thousands, housing some at Guantanamo Bay and returning others to Haiti. US military intervention in September 1994 was as much motivated by a desire to keep these waves of emigrés from reaching US shores as it was by any interest in restoring Haiti's elected government, much less transforming its economy or social structure. American forces shifted from combat intervention to peacekeeping mode at the eleventh hour, when the military government agreed to resign. The Multinational Force (MNF) that deployed in Haiti acted with Chapter VII authority from the UN Security Council and was about ninety percent American in makeup.<sup>176</sup> Non-US coalition elements were of largely symbolic value. US forces drew down rapidly through the fall of 1994 and a UN peace operation took over from the MNF the following March. The UN operation had a US force commander and retained 2,400 US troops out of 7,000 total. In 1996, US forces left the UN operation, which was substantially reduced in size. Neither the coalition force nor the follow-on UN operations in Haiti touched the country's political, economic, or judicial structures. Interest in Haiti faded away by the turn of the century as outsiders grew frustrated with the country's growing political gridlock.<sup>177</sup> By early 2004, Haiti once again exhibited visible symptoms of state failure, with militias brandishing arms against an incapacitated government. A coalition

intervention force led by the United States and again authorized by the Security Council deployed for 90 days in the spring of 2004. It was replaced by a Brazilian-led UN operation, MINUSTAH. Twenty months later, Haiti remained a very troubled country but had passed a significant milestone by conducting a presidential election generally considered free and fair.<sup>178</sup>

### ***East Timor/Timor-Leste***

Australia's first venture in coalition leadership stemmed from the orchestrated violence inflicted upon the first-time voters of East Timor, a half-island annexed militarily by Indonesia when Portugal's scattered imperial realm collapsed abruptly in 1974. Local armed resistance and Indonesian counter-insurgency operations took a heavy toll over the next quarter-century, during which time Indonesian jurisdiction was recognized only by Australia. When several abrupt changes in Indonesian politics led to an equally abrupt offer to the UN to manage a "consultation" on Timorese association with Indonesia, the UN accepted. When East Timorese voters rejected "autonomy" within Indonesia, the Indonesian military unleashed armies of thugs to destroy anything standing above ground level. Nearly the entire population was displaced and a quarter-million were forced into Indonesian-controlled West Timor. On September 6, 1999, one week after the vote, UN Secretary-General Kofi Annan asked Australia, which had already launched an emergency evacuation of international staff from the island, to create and lead an intervention force to restore order, subject to Indonesian consent.<sup>179</sup> This the Australian Defence Force did, despite a lack of doctrine or experience in leading or managing multinational operations with an enforcement mandate, which the UN Security Council passed on September 15.<sup>180</sup> Three days prior, intense international pressure had convinced Indonesian's President Habibie to accept its deployment.

Australia sent 5,700 troops to the International Force in East Timor (INTERFET).<sup>181</sup> In doing so, however, Australia deployed about one-third of its entire ground force to Timor and thus committed virtually the entire force to the operation. Essential operational assistance was provided by the United States, which contributed strategic lift, local heavy lift, intelligence, and communications assets. US Navy assault carriers cycled through the harbor at Dili, East Timor's major town, to give INTERFET critical heavy-lift helicopter support as its forces deployed away from the capital.<sup>182</sup> (The UN force that followed INTERFET in February 2000 used private-sector contractors using Russian helicopters to acquire comparable capabilities.) Essential financial support was provided by Japan through a trust fund established by the United Nations to reimburse the costs of developing state members of the coalition. Australia, however, paid out of pocket operational costs equivalent to its entire

defense budget for the previous year.<sup>183</sup> INTERFET maintained stability and took on some aspects of governance in East Timor until a United Nations follow-on mission could be stood up in February 2000. That mission had temporary governing authority and managed the territory until presidential elections in May 2002, whereupon the newly-independent nation of Timor-Leste became self-governing, with three more years of help from a UN advisory mission.

### *Afghanistan*

International operations in Afghanistan started as a U.S.-led effort to oust the ruling Taliban and destroy al Qaeda training bases in the immediate aftermath of the September 11, 2001, terrorist attacks on New York and Washington. Special Forces units and concentrated air support helped the “Northern Alliance” of opposition forces regain the offensive and win control of the northern and central parts of the country, including the capital, Kabul, in a matter of weeks. The US coalition enlisted the aid of other regional warlords (“local commanders”) to fight Taliban and al Qaeda forces in the rugged southern and eastern parts of the country, near the largely lawless Pakistan border. Focused closely on the counter-terrorist campaign, the United States looked up after two years to find much of the country overgrown with opium poppy. It began to pay closer attention to public security and police training, having initially left those tasks in the hands of Germany under a division of labor agreed to by the Group of Seven industrial powers.<sup>184</sup>

For most of its existence, the coalition operated in parallel with the politics-and-aid-focused UN Assistance Mission in Afghanistan (UNAMA). UNAMA helped implement the December 5, 2001, Bonn Agreement, signed by most of the country’s major political actors, which laid out a multi-year process for restoring legitimate governance to the country. UNAMA also helped coordinate international aid supplies and to build up the capacities of central government ministries.

Annex I of the Bonn Agreement called for deployment of an international security presence in Kabul and, eventually, beyond it, which became ISAF.<sup>185</sup> The force was further authorized by Security Council Resolution 1386 (December 20, 2001). Pulled together under British leadership, it comprised 4,500 troops, primarily from European states. Unlike the US coalition, ISAF was, in structure and makeup, a more collective enterprise. At no time in its first four years did the lead nation or entity (which changes every six months, even under NATO management) provide more than 40 percent of the total force.<sup>186</sup>

## Coalition Lessons Learned

Most of the coalition operations reviewed here were set up on an emergency basis and shared an impulse to leave just as quickly. Their ad hoc nature and the uncertain nature of their domestic political support mean that sustainability issues begin rapidly to overtake them if they cannot find a quick exit.

Most of the coalition peace operations discussed above were top-down organized and lead-nation-dominant. The United States supplied about 75 percent of the force in Somalia; the next-largest troop contributor (France) contributed 9 percent. The United States supplied 90 percent of the 1994 Haiti MNF; the next-largest contributor (Bangladesh) sent 6 percent. U.S.-led fighting coalitions have been similarly weighted: 60 to 90 percent of the fighting forces in Afghanistan have been American, as were 75 percent of the troops in the first Gulf War and 75 to 85 percent of the troops in Operation Iraqi Freedom.<sup>187</sup>

In dominating its coalitions, the United States is not unique. Operation Artemis, although technically an EU operation, was in essence a coalition planned and led by France, with 81 percent French participation overall and a slightly higher French percentage in the actual operational presence on the ground in Bunia.<sup>188</sup> Such top-down coalitions led by great powers have the trappings of international collaboration and some smaller contributors may bring niche capabilities but these are largely national undertakings.

INTERFET was a little different. Australia provided the planning and organizational impetus and 55 percent of its troops but INTERFET was closer to a lateral coalition in that its operational objectives served a regional as well as lead nation goal of furthering Timorese independence. Some funding issues were assuaged by the UN-managed trust fund but Australia was no less eager than the United States or France to place the longer-term problem of Timor's transition on the UN's plate.

In its first two years, ISAF resembled a bottom-up coalition as its lead nations supplied only 27 to 38 percent of its troops. Although built on hard power, it used that power rather softly. It lasted as a coalition for twenty-one months, much longer than is typical, for several reasons: Its members were mostly wealthy and the United States was willing to subsidize the participation of some other troop contributors. Its contributors all had clear national interests in seeing Afghanistan stabilized under non-Taliban rule. Finally, it was an operation essential to the "war on terrorism" and let participants render active support to US foreign policy without committing troops to the unpopular struggle in Iraq.

ISAF's longevity was only assured, however, when it graduated from an ad hoc coalition to a NATO-run enterprise.

Coalitions of the willing may be more nimble and capable of wind sprints than either UN or regional PSOs but they remain governmental efforts with all the accoutrements of the public sector. Supporting those efforts, much as they support UN operations, are many private firms. What began as supplemental logistical support has grown in recent years into a much more complex, public-private relationship with potentially troubling implications.

## **THE PRIVATE SECURITY SECTOR**

Few issues in this field inspire as much impassioned debate as that of the role of military support and service companies, which have become much more visible in PSOs since the mid-1990s. The industry as a whole may generate annual revenues of \$100 billion, a major proportion of which derive from contracts with governments, whose military expenditures topped \$1.1 trillion worldwide in 2005.<sup>189</sup> While the front-line war-fighting of firms such as Executive Outcomes (EO) and Sandline International (both now out of business) brought notoriety to the industry during the 1990s (and while firms specializing in such activities still exist), most companies provide less dramatic services, from base construction and logistical support to weapon system maintenance, military training, site security, and close protection. But certain types of activities—from executive policing to the aggressive site and convoy protection provided by Blackwater Security in Iraq or the interrogation and/or translation services offered by CACI and Titan—have raised concerns that private firms are taking on roles best left to the public sector.

This section looks at the sources and consequences of reliance on the private sector by PSO security providers. In engaging this question, we review some of the current literature on private security firms, look at current and potential frameworks for making the industry more accountable in the field, and discuss the implications of growing private involvement for both the efficacy and the legitimacy of PSOs.

### **Origins**

Security contractors' prominent roles in Iraq since 2003 have raised the industry's profile but its rapid growth began in the early 1990s as the combined result of several trends related to the end of the Cold War, the most direct of which involved regimes losing Cold War-related support from both East and West, which helped terminate some conflicts and generate others. But globalization, defense downsizing, the changing nature of warfare, and trends in

outsourcing of heretofore governmental functions contributed to the growing presence of private firms in what had previously been considered the public sphere.

In the 1990s, non-state actors—from multinational corporations to humanitarian NGOs—began to increase their activities in potentially dangerous conflict zones. In places rich in natural resources but lacking effective public security, corporations hired their own security forces rather than abandon potentially lucrative capital investments. The booming global market in small arms and the ease of stashing profits in the darker corners of international financial markets made it easier to finance and sustain rebel movements. Where public institutions lacked capacity to maintain order, private companies were sometimes hired to fill the security void. Meanwhile, international NGOs faced an unenviable choice: either hire their own security or abandon activities in unstable regions where they were needed the most.<sup>190</sup> In the 1990s, a growing number of NGOs chose the former option.

Post-Cold War cuts in many developed states' defense budgets meanwhile created a growing pool of former soldiers. US active duty ground forces decreased 33 percent from their Reagan-era peak in 1986 to just 652,000 in 1999, before rebounding some. Other militaries worldwide employed 7 million fewer soldiers in 2002 than they did in 1989. Some of these demobilized soldiers naturally turned to companies able to use their primary areas of expertise and training. Up to 70 percent of the former KGB in the Soviet Union, for example, is estimated to have turned up in the private security industry.<sup>191</sup>

Since the typical internal conflict in the 1990s featured poorly equipped and badly paid government forces fighting poorly-trained and ill-disciplined militias, small, well-organized entities such as Executive Outcomes could have a significant and immediate impact on the battlefield. Demand for their services therefore increased. In countries such as Colombia, the DRC, Angola, and Sierra Leone, residual ideological motives were eventually superseded by the allure of profits from drugs, gold, or diamonds and conflicts became both criminalized and market-driven. Hiring market-driven actors to fight such market-driven fighting forces entailed a certain symmetry.<sup>192</sup>

In the 1990s, US politicians, in particular, concluded that many heretofore governmental functions could be performed better and more efficiently by the private sector. Although “inherently Governmental functions,” which were “so intimately related to the public interest as to mandate performance by Government employees” were not to be outsourced,<sup>193</sup> everything from prisons

to garbage collection was privatized under the Clinton administration's "Reinventing Government" initiative and "National Performance Review."

The military was not immune to the outsourcing wave of the 1990s. Public-sector jobs in such supposedly non-"core" military functions as logistics, transport, foreign military training, weapons maintenance, civilian policing and, more controversially, some intelligence collection were contracted out to private businesses. The US military today could not launch or sustain a large-scale operation without the services provided by military contractors.

### **Is Private Security "Mercenary"?**

Peter Singer has offered a set of five "distinguishing characteristics" to separate what he calls "Private Military Firms" from mercenaries. These characteristics include a corporate structure; pursuit of business profit rather than individual gain; participation in the market as public, legal entities; public recruitment of employees with specialized skills; and ties to financial markets.<sup>194</sup>

Still, firms that appear to have a transparent corporate structure may in reality have few concerns about long-term legitimacy and little regard for market constraints beyond immediate profits. Some are "virtual companies" consisting of little more than a database of contacts and former employees to call up when a new contract is signed, as Singer notes.<sup>195</sup> If a mission goes awry, both the employees and the firm itself can disappear with little trace. EO, for example, disbanded in 1999, two years after the introduction of a regulatory framework in South Africa, where it was based. Most industry observers believe that it splintered into a number of smaller firms based in neighboring countries that lack similar regulations and that many of these firms' current activities likely go undocumented. The boundary separating such firms from mercenaries is inherently blurry and less reputable firms may cross it.

The complex realities in conflict zones make it difficult to categorize definitively the activities of different firms, as a UK government Green Paper noted:

The distinction between combat and non-combat operation is often artificial. The people who fly soldiers and equipment to the battlefield are as much a part of the military operation as those who do the shooting. At one remove the same applies to those who help with maintenance, training, intelligence, planning and organization—each of these can make a vital contribution to war fighting capability. . . . The fact is that there are a range of operators in this field who provide a spectrum of military services abroad. It is possible to devise labels

according to the activities concerned, the intention behind them and the effect they may have; but in practice the categories will often merge into one another.<sup>196</sup>

## Private Firms and Peace Operations

The more exotic and potentially combat-related roles of private firms notwithstanding, every UN peacekeeping mission since 1990 has benefited from the presence of at least some private contractor support.<sup>197</sup> And while Kofi Annan declared in 1994, after the Security Council declined to hire a private firm to address the refugee crisis in Goma, DRC, that “The world may not be ready to privatize peace,” by 2006 it had come much closer to doing so.<sup>198</sup>

The UN has relied on private companies for logistics support, transportation, and some of its civilian policing work. It also frequently uses private security firms to protect its field offices, convoys, warehouses, and personnel.<sup>199</sup> Los Angeles-based PAE, for example, developed airfields for MONUC and assisted with air traffic control in the country.<sup>200</sup> Given the massive land area of the DRC and its paltry road network, MONUC is probably more reliant on air transport than any previous UN mission. PAE also provided fuel, rations, and medical and communications support to the UN Operation in Côte d’Ivoire (UNOCI).<sup>201</sup>

Other companies provide similarly critical support to UN missions. ICI frequently has provided heavy airlift support, transporting peacekeepers even in potentially unstable environments. The British company Defense Systems Ltd. (DSL) provided local security guards to UN peacekeeping operations in Angola and security and logistics personnel to operations in the former Yugoslavia. (DSL counts De Beers, Shell, Mobile, Amoco, Chevron, CARE and GOAL among its other clients.) DynCorp, PAE, and MPRI have all supplied civilian police to UN missions under contract to the US State Department. The South African firms KZN Security and Empower Loss Control Services provided local intelligence to UNTAET in East Timor, while DynCorp provided transport, logistics, and communication services. A number of private firms conduct most of the UN’s de-mining efforts, as RONCO does in the Sudan. In February 2005, the US government awarded DynCorp a \$35 million contract to recruit and train a new 4,000-man Liberian army, while UN forces keep the peace. A firm from Canada, Black Bear Consulting, even provides private training in peacekeeping.<sup>202</sup>

In addition to DPKO, at least seven UN agencies have reportedly hired private firms to perform various security roles. DSL, for example, provides personnel and property security for both the United Nations Children’s Fund (UNICEF)

and the World Food Program. The ECOWAS Ceasefire Monitoring Group (ECOMOG), a West African peacekeeping force, benefited from US State Department logistics contracts with ICI and PAE. When the United States needed to send an unarmed verification team as part of the OSCE's mission to monitor promised Serb withdrawal from Kosovo, it outsourced the job of observation to employees of DynCorp.<sup>203</sup>

More recently, private firms have supported West African forces in Liberia (2003) and the AU Mission in Darfur, which likely would have been impossible to sustain had not companies such as PAE and Medical Support Solutions (MSS) prepared bases, set up logistics systems, and provided housing, office equipment, transport, and communications gear.<sup>204</sup> West African troops in Liberia benefited from private transportation and logistical support and many had earlier received peacekeeping training from companies such as MPRI.<sup>205</sup>

The UN and other multinational organizations have not yet outsourced the most critical of peacekeeping duties—actual foot soldiering—although private firms have done nearly everything but that. It is in this area that advocates of privatized peacekeeping see the greatest potential and detractors harbor their greatest fears.

Private firms could be further used in other ways to supplement UN forces, however. Without replacing UN boots on the ground, companies could be used to provide certain high-tech services, making current troop numbers more effective and efficient. For the UN operation in the DRC, for example, the private firm AirScan offered aerial surveillance capacity that could help the UN operation track multiple militia forces and better target its patrols.<sup>206</sup>

Similarly, in Darfur, monitors from the African Union have compiled invaluable information on attacks against civilians and even deterred some attacks but the reach of the AU's force is extremely limited compared to the 256,000 square kilometers of territory it is expected to cover. The use of surveillance drones has usefully augmented ground capacity in other conflict zones, and a number of private firms could provide such services to the AU in Darfur. The main issue would be cost.

## **Concerns with Outsourcing to the Private Sector**

Decisions and capabilities regarding the use of deadly force by PSOs should be kept in public hands—at least until more transparent international regulatory and legal mechanisms are devised and implemented (about which more, below). But private use of deadly force is not the only issue raised by critics and advocates

of the PSP industry alike. There are also concerns involving accountability of the companies and their employees, the accountability of governments who employ them, their impact on the coherence of military action, and their contributions to the erosion of public sector capacity in the security sphere.

### ***Criminal Accountability***

It is often difficult to hold personnel of private firms accountable for their behavior in the field. In many cases, rule of law has broken down in a given area of operations, which makes *in situ* prosecution of misbehavior by the host state unlikely or impossible. The domestic criminal law of a contractor's home state may lack extraterritorial reach, that is, jurisdiction over crimes committed by its nationals on foreign soil. Issues of accountability already plague UN and other peace operations, the scandal in MONUC discussed earlier being only the most prominent of these. It is unclear whether companies' concerns for corporate image and future contract prospects would make them less tolerant of illegal behavior in their ranks than are publicly-provided forces, since market forces can both create incentives for professionalism and drive firms to cover up rather than correct institutional flaws. Under US laws, at least, a federal agency can issue directives only to its prime contractors, not to those firms' subcontractors, meaning that public contractual oversight and the possibility of contract-based disciplinary measures reaches only the first of potentially many layers of contract personnel. Nor is it clear whether subcontractors can be held accountable under new US laws designed to extend criminal liability to contractors working for DoD (discussed below).<sup>207</sup>

### ***Political Accountability***

As noted earlier, use of private firms can increase the power and flexibility of the executive and decrease the checks and balances of legislative and judicial oversight. They can help a government implement a more flexible, activist, and independent foreign policy, mitigating the constraints imposed by military end-strength limitations as well as pesky opposition politicians and public opinion, because security firms' activities—and their costs—could be defined as proprietary information under the terms of their contracts.

If UN DPKO were given the authority to hire more of its security service personnel from the market, would it remain as accountable to UN member states? Since all of its funding comes directly from member states, the answer is, ultimately, yes, providing contracts were subject to scrutiny by UN legal advisors and performance was scrutinized by the requisite bodies of auditors, including resident auditors now deployed with most large UN PSOs. The innately risk-averse nature of the organization and its lack of independent

resources would tend to serve as natural brakes on risky contractor behavior in the field, though on occasion those brakes have failed.

### ***Impacts on military coherence***

Some observers worry that contracts, no matter how well-written and all-encompassing, cannot ensure that contractor personnel react appropriately to military contingencies or even appropriately anticipate such contingencies, and this applies not only to warfighting situations but to some of the more dangerous types of PSOs. Firms unable to protect themselves in a dangerous environment can be a drain on regular military capacity, and contractors unwilling to maintain their support if the going gets tough could leave an operation in jeopardy.<sup>208</sup> Yet many courageously uphold their end of the bargain if given appropriate equipment, protection, and incentives. Nonetheless, in a security contractor-saturated environment, the public-private blurring of roles can be serious and may be correctable only if armed contractors withdraw or adopt a common livery.<sup>209</sup>

Proliferating security providers can also cause problems with intelligence sharing, something that has been clearest in Iraq but that could easily apply to PSOs like MONUC, as well, were they to employ armed civilians who operated in the field. In Iraq, because the US Army initially gave companies access to delayed and edited versions of military intelligence, many firms found it necessary to gather intelligence of their own. Some were in turn less-than-generous in sharing the information they collected with their competitors. Singer suggests that insufficient intelligence led four Blackwater employees to be captured in Falluja in March 2004, which led in turn to the first, abortive Marine siege of the city and to a major increase in anti-Coalition violence. This problem may have eased once a Reconstruction Operations Center became operational in October 2004. The Center was designed to facilitate DoD/other agency/contractor information sharing, to serve as a central emergency contact number for contractor and non-DoD US agency personnel, and to transmit requests for assistance to the US military unit closest to the incident.<sup>210</sup> This model has to some extent already been adopted in UN operations in the form of Humanitarian Information Centers, which, together with Civil-Military Information Centers, or CIMICs, serve to coordinate field activities and collate security-relevant information.

Because the UN already leases its logistics capabilities from the private sector and borrows its military capacity from dozens of troop contributing countries, it is accustomed to outsourcing as a way of life. The Memorandum of Understanding that a contributing country signs with the United Nations is the

public-sector equivalent of a company contract (though without much chance of redress in case of material breach). It may specify what the country is willing to let its forces do and whether they may collaborate with other contingents in tactical operations. Thinking in terms of possible private-sector substitutes for some of the security provided to UN peace operations, one can conceive of contracts tailored specifically to the goals of an operation's mandate, but many current UN operations call for more than the private sector is presently capable of providing, namely, brigade-sized mechanized forces. Private firms do not, at present, have remotely the sorts of ground capabilities needed to carry out such mandates, no matter how efficient they may be. As a matter of public policy, moreover, it is not clear that one would want them to have such capabilities. There may be other areas such as close-in protection for VIPs or site security, however, where private security firms would be well-suited to the task, if the accountability problem can be solved.

### ***Erosion of public capacity***

Critics contend that military outsourcing erodes as well as supplements governmental military capabilities. The US military, for example, has found itself competing with private firms for a limited supply of military labor. Veteran special forces personnel are in particularly high demand and can earn far more working for private companies than they can by staying in the military. At the start of the Iraq invasion, the most highly-trained, experienced special forces personnel could earn up to \$1,000 or \$2,000 a day working for private firms, although the figure two years later was closer to \$700 a day.<sup>211</sup> Each Navy SEAL or Army Green Beret who joins a private security firm is highly-skilled human capital, the cost of whose training has been borne over many years by the public sector, that is, US taxpayers. Security firms in effect lease back to the military the people that it has trained, to perform less complex and demanding tasks than the special forces soldier likely would have performed while on active duty, at much higher per capita cost.

National militaries have begun to respond to this challenge by increasing the incentives offered to special forces and other personnel to forgo retirement and stay in the armed services. Both the US Army and the US Air Force offered a \$150,000 bonus to their most experienced, best trained personnel who opt to stay in the armed forces for a minimum of six years.<sup>212</sup> The British government was reportedly considering similar incentives to stem the loss of Special Air Services personnel.<sup>213</sup>

The availability of private security providers tends to reduce pressure on governments to adapt their militaries to changing security threats and to fill

capacity gaps. In the United States, such firms have enabled the government to contribute civilian police to UN operations without having a federal police force or a police reserve system drawing on state and local officers. Although developing such capacity for use abroad may well be in the country's long-term interests, and although competent civilian police are both in short supply globally and vital to the present and the future success of international peace operations, Washington shows no inclination to create such a force, perhaps believing that DynCorp and other contractors provide all the capability that is needed.<sup>214</sup>

There is a danger in such creeping privatization. Much of the cost-saving attributed to outsourcing rests on the adaptable nature of the private sector and the option that it gives the military to discard standing capacity for infrequently-utilized services. It is quickly becoming apparent, however, that many military tasks once deemed "non-mission essential" are in fact crucial to long-term security in the post-9/11 world, and that requirements to perform these tasks show no signs of disappearing. Peace and stability operations, only recently considered peripheral to US national security, are now the subject of a DoD Directive that, as noted earlier, establishes stability operations as a core US military function. Yet there are few to no core capabilities within the active components of the US military to perform many critical sub-functions within peace and stability operations. The military's options are to grow them, buy them, or get the civilian side of government to grow or buy them. Like many a commercial firm looking to expand its core competence, the temptation on the part of military and civilian agencies alike is to buy. But like many a corporate merger that fails to last, the purchase may generate higher than expected costs downstream.

## **Regulating the Private Security Sector**

The upsurge in private security activities in the 1990s led to a number of efforts at regulation, the most successful of which have been at the national level. Thus far, however, only South Africa and the United States have comprehensive regulatory frameworks. The UK published a "Green Paper" that outlined various legislative options in 2002, but as of spring 2005 had not yet translated any of these options into law, although Parliament appeared ready to revisit the issue.<sup>215</sup>

South Africa's Regulation of Foreign Military Assistance Act required domestically-based security firms to obtain government authorization for every contract.<sup>216</sup> While the Act significantly restricted the activities of firms based in South Africa, it has been largely unsuccessful at curbing the activities of

individual South Africans. An abortive coup attempt in Equatorial Guinea in 2004 involved South African mercenaries, and South Africans were among the most common nationalities of private security employees in post-intervention Iraq.<sup>217</sup> Strict new legislation recently introduced in South Africa would criminalize working for private security companies anywhere in the world without special permission of the government.<sup>218</sup>

The United States licenses private security firms in much the same way that it licenses arms exports, through the International Traffic in Arms Regulations (ITAR), which does not always keep companies from signing contracts contrary to US interests. MPRI, for example, signed a contract to upgrade the naval security capacity of Equatorial Guinea, one of the world's most oppressive dictatorships, despite the objections of the US State Department. The firm succeeded in obtaining a license by arguing that if it did not conduct the training, Equatorial Guinea would simply hire another firm—from France.<sup>219</sup>

The United States has also enacted legislation aimed at ending private contractor impunity abroad, but with limited success. Employees of private firms are exempt from the Uniform Code of Military Justice and thus cannot be prosecuted by military courts or be forced to deploy against their will. However, the Military Extraterritorial Jurisdiction Act of 2000 extended the jurisdiction of domestic US courts to civilians “employed by or accompanying the Armed Forces outside the United States.”<sup>220</sup> A 2004 amendment extended the law's jurisdiction to employees of any Federal agency supporting DoD missions overseas, but the Act still does not cover civilians providing security where DoD is not involved.<sup>221</sup>

Despite the existence of such laws and the probability that someone among the more than 20,000 private security personnel employed by the Coalition Provisional Authority in Iraq from March 2003 to January 2005 might have engaged in felonious behavior during that time period, not one was prosecuted for criminal behavior.<sup>222</sup> There are no established institutional mechanisms analogous to the US military's Judge Advocate General corps assigned to investigate and prosecute civilian contractors (or, for that matter, US civil servants on overseas assignment). Extending the reach of the law will not ensure accountability if forensic investigations and prosecutions both remain difficult. Moreover, if more states were to do a better job extending their domestic laws, not all states will do so, leaving opportunities to change a corporation's state of registry.

Some attempts have been made at international regulation but these have been largely ineffective, even irrelevant to the firms and activities considered here, as

they have focused on outlawing mercenaries, whose line of work is defined in a way that allows modern security companies to easily set themselves apart.<sup>223</sup> Another suggestion is to create a UN regulatory body that could register and monitor security firms and/or specific contracts.<sup>224</sup> But such an arrangement would require an internationally agreed-upon definition for both mercenaries and security companies and guidelines for regulation, neither of which appear likely in the foreseeable future.

The industry has made some strides towards voluntary self-regulation. The International Peace Operations Association (IPOA), for example, has adopted a Code of Conduct written by human rights organizations and other NGOs, most recently updated in March 2005. The Code of Conduct includes guidelines on human rights, transparency, accountability, choice of clients, safety, insurance, clients' control over firm activities, ethics, and use of partner companies and subcontractors.<sup>225</sup> Adherence to such codes demonstrates a firm's interest in upholding standards of professionalism and accountability, and contributes to a responsible company image. Penalties for non-adherence are fairly mild, however. Loss of IPOA membership is not quite the same as being hauled into court and threatened with jail time, however, and a number of firms have called publicly for more effective government regulation.<sup>226</sup>