

**NEW FRONTIERS IN MULTIFUNCTIONAL
PEACEKEEPING: CASE STUDIES OF SOMALIA
AND NAMIBIA //**

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Declaration

This dissertation is my original work and has not been submitted for a degree in any other University.

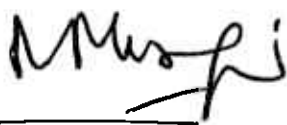
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This dissertation has been submitted for examination with my approval as the University supervisor.

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Dedication

This work is dedicated to my parents, the late Flavian Kioko Kisenga and Lea Katumbi Kioko, my wife and children, Vicky, Eddel, Nick, and Bon.

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Lastly, but not least, thanks to the faculty and fellow participants who supported me in many ways.

Abbreviations

ACRI	African Crisis Response Initiative
ADF	Arab Deterrent Force
ECOMOG	Economic Community of West African States Monitoring Group
ECOWAS	Economic Community of West African States
IGO	International Governmental Organizations
NDC	National Defence College
NGO	Non-Governmental Organizations
NPFL	National Patriotic Front of Liberia
ONUC	United Nations Operation in Congo
ONUMOZ	United Nations Operation in Mozambique
PSO	Peace Support Operations
ROE	Rules of Engagement
SOFA	Status of Forces Agreement
SOMA	Status of Mission Agreement
SRSG	Special Representative of The Secretary General
SWAPO	South West African Peoples Organization
UN	United Nations
UNAMIR	United Nations Assistance Mission in Rwanda

UNEF	United Nations Emergency Force
UNIFIL	United Nations Interim Force in Lebanon
UNOSOM	United Nations Operation in Somalia
UNPROFOR	United Nations Protection Force in Yugoslavia
UNTAC	United Nations Transitional Assistance Authority in Cambodia
UNTAG	United Nations Transitional Assistance Group
UNUSAL	United Nations Observer Mission in El Salvador
UNUTSO	United Nations Truce Supervision Organization
US	United States
USSR	Union of Soviet Socialist Republic

Abstract

This study set out to establish how successful multifunctional peacekeeping operations have been by assessing the accomplishment of the UN mandate for specific operations and the adequacy of such operations in conflict resolution with emphasis on internal conflicts by determining the recurrence or continuation of the conflict or its resolution. The study is guided by the following key objectives:

One; to examine the multifunctional approach to peacekeeping operations as the best solution to resolve conflicts, particularly in internal conflicts and two; to find out why the multifunctional peacekeeping operations in Namibia succeeded, but failed in helping resolve the conflicts in Somalia.

It was established that while it can be insisted that there are certain underlying elements and principles common to all such missions, it must be noted that each conflict evolves within a certain specific historical context. Consequently, while emphasizing the commonalities in the approach of different multifunctional missions to different conflict situations it must be borne in mind the uniqueness of each particular conflict and tailor the mission to accommodate such uniqueness; not the conflict to be transformed to fit the parameters envisioned by the mission, as was the case in Somalia. That is the only way that the new approach will be able to build sustainable peace.

It was therefore recommended that future U.N. forays into Chapter VII peace enforcement must take account of the potential incompatibility of mediating and peace enforcement responsibilities. It does seem from the Somalia experience that the mandate of peace enforcement under Chapter VII of the UN Charter is mutually exclusive from a simultaneous mediation role. This is because one of the parties to the conflict, which has been a target of enforcement action, perceives the UN as partial. Secondly, there is also need for the UN to devise a strategy for implementing the resolutions of the Security Council in a timely and ordered manner that avoids a situation whereby contingents from several countries arrive at different times. As the Namibian and Somalia case illustrate late deployment of personnel can lead to disaster.

Table of Content

	Page
Title Page	i
Declaration	ii
Acknowledgement	iii
Dedication	iv
Abbreviations	v
Abstract	viii
Chapter one: Introduction	1
Background	1
Statement of the Problem	6
Objectives of the Study	7
Justification of the Study	7
Literature Review	8
Theoretical Framework	13
Hypotheses	16
Methodology	16
Chapter Layout	17
Chapter Two: Peacekeeping: an Overview	18
Introduction	18
Background: The origin of peacekeeping	18
Formation of the United Nations	20
Cold-War Era	21
Traditional Peacekeeping Operations	22
The Context of Traditional Peacekeeping	23
Post-Cold War Era	24
Multifunctional Peacekeeping Operations	25

Conclusion	28
Chapter Three: Legality of Peacekeeping	30
Introduction	30
The General Assembly	31
The Security Council	32
The Secretary General	33
Regional Peacekeeping Arrangements	34
Legal Principles Governing Peacekeeping	34
Conclusion	36
Chapter Four : Case Study of United Nations Transitional Assistance Group (UNTAG) in Namibia	38
Introduction	38
Background	39
Diplomatic Initiatives by Initiatives by Members of the Security Council	43
The Armed Conflict	46
Implementation of the UN Resolution 435	48
Lessons Learnt	50
Chapter Five: UN Multi-Functional Peacekeeping in Somalia	53
Introduction	53
The Politics of Succession	61
Attempts at Reconciliation	65
Intervention by the International Community	66
United Nations Intervention in Somali's Conflict Begins	67
UNOSOM in Somalia	70
The Transition from UNOSOM to UNITAF	73
UNITAF Intervention in Somalia	77
UNOSOM II	81
Factors Contribution to UNOSOM II's Failure	89

Chapter Six: Summary of Findings, Conclusions and Recommendations	93
Summary of Findings	93
Conclusions	96
Recommendations	97
Bibliography	98

Chapter One

Introduction

Background

Peacekeeping as a tool of conflict management has evolved as an important function of the United Nations (UN) since its inception after the Second World War. Although peacekeeping is not solely confined to the UN alone as it has been practiced by other international organizations, multilateral coalitions and even individual states, it is the UN Peacekeeping operations that have shaped the practice of peacekeeping as an instrument of conflict settlement. The UN Charter envisaged a post World War II order that would be free from the devastation and desolation caused by war. The preamble of the Charter of the United Nations expressed in its opening statement a determination:

“To save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, ...and for these ends ... to unite our strength to maintain international peace and security”¹

Following the lessons learnt from the devastating experiences of the first and second World Wars, it was anticipated that conflicts would never again be allowed to develop into war but would instead be managed through collective security, inter-state cooperation and diplomacy through peaceful settlement of disputes as stipulated in Chapter VI of the UN Charter or by invoking Chapter VII, mobilize the combined action of all the members of the organization to effect compliance against breaches of international peace and security. The member states looked forward to take collective action to stave off and stamp out aggressive behaviour and threats against international peace and security by renouncing the use of force for the settlement of disputes among themselves and pledging to take economic, military, and any other necessary measures to restore peace and security where it had been breached.²

¹ See Charter of the United Nations

² see Charter of the United Nations, Article 1(1) and Chapters VI & VII.

Collective security implies the identification of a breach (or threat) to international peace and security³, and then making decisions on measures to be taken by all the members. The UN established the Security Council composed of fifteen members for the purpose of acting on behalf of the entire organization. Among the fifteen members, five are permanent, having held this position since the inception of the Security Council in 1946 and having veto power. The remaining ten members are non-permanent and are elected to the Security Council by the General Assembly for periods of two years only. The five victors of the Second World War (United States, Soviet Union, Great Britain, France and later China) became permanent members of the UN Security Council. The powerful composition of the Security Council, being composed of the strongest military states and the authority vested on it by the Charter endowing it with the powerful capacity to carry out the necessary measures to preserve world peace and security, was looked upon to develop a working relationship that would encourage, establish, and enforce peace.⁴

Collective action requires that decisions are arrived through the cooperation of all member states against an aggressor. The task of the Security Council is thus to identify aggression and make decisions binding (by vote) to all the member states. But a problem arises in a situation where all members do not concur on the action to be taken or even fail to agree that a certain act by a state constitutes aggression. The major powers, therefore, granted themselves veto powers in the Charter to avoid their isolation or pull out of the organization as had happened to the League of Nations, where the US refrained to join while Japan, Italy and Germany withdrew. The ability of the major powers to cooperate was pre-requisite for collective action.

³ See Article 39 of the Charter of the United Nations

⁴ *ibid*

See also Hill, S. M. and Malik, S. P., Peacekeeping and the United Nations, Issues in International Security Series edited by Croft, S. J., Aldershot: Dartmouth Publishing Co Ltd (1996).pp. 6-12; Eichelberger, Clark, M., Organising for Peace. New York: Harper and Row Publishers, 1977; The Commission on Global Governance, The Report of the Commission on Global Governance: Our Global Neighborhood, New York: Oxford University Press (1995). p. 80; Wallensteen, P., Understanding Conflict Resolution, War, Peace and the Global System, London: Sage Publications Ltd (2002).p. 233.

However, with the emergency of the Cold War and the attendant bipolar rivalry,⁵ the two superpowers (United States and Soviet Union) tended to be driven by ideological differences to take sides in regional and intra-state conflicts. This made it difficult to assure the collective security envisaged by the founders of the United Nations where ‘the collectivity of states would then gather under UN guidance to force the aggressor to give up its aggression’⁶. Thus despite numerous breaches of international peace and security few were subjected to Chapter VII enforcement action. Super power competition and lack of cooperation among the permanent members of the Security Council resulted in stalemates and incessant vetoes in the Security Council.

To avoid superpower confrontation, the “double veto” problem, and overcome the problem of member states unwillingness to contribute national military forces for enforcement action, the United Nations resorted to other (non-coercive) measures to manage conflicts through the good offices of the Secretary-General, conciliation, and mediation to arrive at a cease-fire agreement between the warring parties followed by inter-positioning of a buffer of UN peacekeeping troops between them to diffuse the tension until the conflict was resolved by peaceful means. This practice marked the concept of Traditional Peacekeeping that was in application up to the end of the Cold War, where:

‘Serving under the United Nations Flag, military personnel from many countries have carried out tasks which range from monitoring cease-fire arrangements while peace arrangements were being hammered out to assisting troop withdrawals, providing buffer zones between opposing forces and helping implement final settlements to conflicts.’⁷

Such an operation can be an observer mission like the United Nations Truce Supervision Organization (UNTSO) of 1948 which was the first peace-keeping mission, or a peace-keeping force like the United Nations Emergency Force (UNEF) of 1956 which constituted the first peace-keeping force. Stationing intervening troops in the

⁵ The United States and Soviet Union emerged as superpowers by virtue of their military and economic strength and global political objectives. See Baylis, J. and Smith, S., (eds.), The Globalisation of World Politics: An Introduction to International Relations – 2nd Ed. Oxford: Oxford University Press (2001). p. 75

⁶ Wallensteen, P., Understanding Conflict Resolution: War, Peace and the Global System, London: Sage Publications Ltd (2002).p.235

⁷ Ibid. p.3.

conflict area after an agreed cease-fire keeps the combatants separated or under observation, which restrains them from escalating the conflict.

In this context, traditional peace-keeping during the Cold War period responded mainly to interstate conflicts, as these were seen according to the UN Charter to constitute a threat to international peace and security. But international conflict has not been confined to interstate conflicts only. A large number of the conflicts as far back as the early days of the Cold War have been intrastate, and have involved civil wars, the flow of illicit arms, refugees, genocide, mass violation of human rights, and ethnic cleansing; all of which could have repercussions constituting a threat to international peace and security. The end of the Cold War also ushered in a new hope where the political obstacles to Chapter VII actions were supposed to have disappeared and brought with it a euphoria of numerous peace-keeping operations, mostly launched in response to intrastate conflicts⁸. The expansion of the traditionally 'state-centric' collective security towards a 'humanitarian' one thus broadened the agenda for the 'collective security' (and peace-keeping) envisioned by the founders of United Nations by not only expanding it to include intrastate conflicts but also to address the root causes of conflict and seek ways to resolve rather than the temporary settlement sought by traditional peace-keeping⁹.

Over the years there has, therefore, been an increase in the demand for peacekeeping operations especially with the rise of intra-state conflicts during the post-Cold War era. But the thin line between success and failure in these missions, has put in doubt the adequacy of peace-keeping to restore peace and security in the manner hitherto envisaged by the Charter of the United Nations.

It was in response to shortcomings of past peacekeeping operations that Boutros Boutros-Ghali, the then UN Secretary General, in his report to the Security Council entitled, *An Agenda for Peace*,¹⁰ called for a search for other means and ways of enabling the United Nations to perform better the task of peacekeeping. He argued for a new approach to the concept and scope of peacekeeping by inclusion of preventive diplomacy

⁸ see Oudraat, C. J., *The United Nations and Internal Conflict* in Brown, M. E. (Ed.), *The International Dimensions of Internal Conflict*, Cambridge: MIT Press (1996), p.490.

⁹ Wallensteen, P., *Understanding Conflict Resolution: War, Peace and the Global System*, London: SAGE Publications Ltd (2002), p.236

Brown, M. E. (ed.), *The International Dimensions of Internal Conflict* (Center for Science and International Affairs (CSIA) Series; No. 10), Cambridge: The MIT Press (1996). pp. 504-506

¹⁰ See Boutros-Ghali, B., *An Agenda for Peace*, op.cit., pp. 7-8

and enforcement action. This new approach was characterized by a shift from the Traditional Peacekeeping to a broader Multifunctional Peacekeeping¹¹ concept by integration of various functional elements of the United Nations, 'encompassing political, social, economic, humanitarian and human rights aspects'¹².

The new multifunctional concept focused on the need for the UN to pursue its vital task of maintaining international peace and security through a 'progression from conflict prevention, resolution and emergency assistance to reconstruction and rehabilitation, and then economic and social development'¹³. Multifunctional peacekeeping operations have been launched quite successfully in the post Cold War era, examples of which were the UN missions in Cambodia, El Salvador, Haiti, Mozambique, Namibia, and Nicaragua while others like those of Somalia and former Yugoslavia failed. Multifunctional peacekeeping operations encompass a whole range of activities from addressing the causes of conflict, political and economic reconstruction, to rebuilding of civil societies.¹⁴

This study focuses on multifunctional peacekeeping operations. It seeks to specifically examine its application in two UN peacekeeping missions, namely the United Nations Transitional Assistance Group (UNTAG) in Namibia (1989-1990) and the United Nations Operations in Somalia (UNOSOM I and UNOSOM II – (1992-1995)). The two cases were chosen because although both were multifunctional by virtue of their extended nature in comparison with traditional peacekeeping operations and in response to internal conflicts, one was considered a success (Namibia) while the other was a failure (Somalia). Both cases were also aimed at deconstruction of the existing regimes, a failed state in the case of Somalia and a colonial regime in the case of Namibia, and reconstruction of popular governments.

The study seeks to determine:

¹¹ See Mackinlay, J. (ed.), A Guide to Peace Support Operations. op.cit. p. 15; Findlay, T., 'The New Peacekeepers and New Peacekeeping' in Findlay, T. (ed.), Challenges for New Peacekeepers. Op.cit. pp. 12-13; Brown, M. E. (ed.). The International Dimensions of Internal Conflict. Op.cit. pp. 506-507

¹² see United Nations, The Blue Helmets: A review of United Nations Peacekeeping – 3rd Ed., New York : United Nations Publication (1996).p.5.

¹³ ibid

¹⁴ See Brown, M. E. (ed.), The International Dimensions of Internal Conflict. Op.cit. p. 506-507 and . pp. 622-624

- a. Why peacekeeping operations succeeded in some cases and fail in others.
- b. How 'holistic' a multifunctional peacekeeping approach is and its suitability internal conflicts.
- c. The conditions necessary for multifunctional peacekeeping to succeed.

The case studies of peacekeeping in Namibia and Somalia form a good basis by virtue of their complexity for the critical examination of multifunctional peace-keeping operations.

Statement of the Problem

The UN has conducted a large number of peacekeeping operations with varying success. While the UN Transitional Assistance Group (UNTAG) in Namibia (1989/90), UN Transition Assistance Authority in Cambodia (UNTAC, 1991/93), UN Observer Mission in El Salvador (ONUSAL, 1991/95), UN Operation in Mozambique (ONUMOZ, 1992/94) and others were successful because the missions restored peace and security and were subsequently concluded, the UN Operations in Somalia (UNOSOM I&II, 1992/95), UN Assistance Mission for Rwanda (UNAMIR, 1993/96), and UN Mission Protection Force in Bosnia (UNPROFOR-Yugoslavia, 1992/95) failed and the UN withdrew without restoring peace, escalated or have been long running without any progress towards resolution.¹⁵ Of the 13 peacekeeping operations established during the Cold War, five are still ongoing.¹⁶

Despite the process of peacekeeping having been refined over the years there still seems to be a problem which may underlie the success of some UN Missions and the failure of others. It is starting to appear that the early post-Cold War optimism that the UN can respond to every conflict anywhere on the globe is an illusion.¹⁷ The UN must make a careful evaluation of each case to determine how and when to intervene. An assessment is, therefore, necessary to examine which peacekeeping activities result in success by resolving conflict to at least the status quo ante bellum or go beyond to address the cause of the conflict, and which do not, and establish ways and means to strengthen peacekeeping operations to achieve their desired end state. This research

¹⁵ Mingst, K. A. & Karns, M. P., The United Nations in the Post-Cold War Era. Oxford: Westview Press (2000). p. 113

¹⁶ Barash, D. P., (ed.), Approaches to Peace. op.cit. p. 116

¹⁷ Mingst, K. A. & Karns, M. P., The United Nations in the Post Cold War Era. op.cit. p. 113

intends to study the process of UN peacekeeping operations to seek an explanation why peacekeeping operations succeed in some conflicts and fail in others. Success will be measured by a resumption to peaceful co-existence and redress of the structures that breed conflict.

Objectives of the Study

Based on the current practice of multifunctional peacekeeping operations, the objectives of this research are to establish how successful multifunctional peacekeeping operations have been by assessing the accomplishment of the UN mandate for the specific operations and the adequacy of such operations in conflict resolution with emphasis on internal conflicts by determining the recurrence or continuation of the conflict or its resolution.

Specific objectives

The research will seek:

- a. To establish the multifunctional approach to peacekeeping operations as the best solution to resolve conflicts, particularly in internal conflicts.
- b. Identify why the multifunctional peacekeeping operations in Namibia succeeded, but failed in helping resolve the conflicts in Somalia.

Justification of the Study

The justification for this research lies in the need to respond to the large number of conflicts, which have continued to inflict death and destruction in parts of the world especially the African continent. In order to achieve the vision of the founders of the United Nations of a world without war and of shared prosperity and peace, a solution must be sought for its many and pervasive conflicts. This research is therefore based on the requirement to seek effective and sustainable conflict resolution mechanisms. The findings of the study may provide further insights that point to the way forward in the future planning of UN and regional peacekeeping operations.

Literature Review

There is quite a large amount of literature on UN peacekeeping. The United Nations itself has published lot of manuals, books and various reports for general information, guidance, and training on peacekeeping missions.¹⁸ The United Nations describes peacekeeping as an instrument of pragmatic diplomacy devised as an alternative for the collective security that was anticipated to manage conflict among states.¹⁹ It notes that, during the Cold War, the organization could not implement its mandate to maintain international peace and security due to the two superpowers tending to support opposing sides in regional and intrastate conflicts. This made it difficult to contain or prevent conflicts from escalating without risking superpower confrontation. The goal of peacekeeping during the four decades of the Cold War was therefore limited to effecting and maintaining ceasefires to stabilize the situation while efforts were made to seek a political solution to the conflict by peaceful means.²⁰

Most of the current literature divides peacekeeping into two major types. First, the traditional peacekeeping operations practiced during the Cold War, and secondly, multifunctional peacekeeping that has characterized the complex conflicts in the post-Cold War era. Contemporary peacekeeping operations have almost exclusively been multifunctional. These have also been variously referred as multidimensional, multifaceted, or multi-disciplinary peacekeeping. Another term also used to refer to multifunctional peacekeeping is peace support operations (PSOs).

Traditional peacekeeping operations which applied up to the end of the Cold-War²¹, were mainly characterized by a practice that first sought a ceasefire agreement through diplomatic negotiations between the warring parties. This would then be followed by inter-positioning of a buffer of UN peacekeeping troops between the warring

¹⁸ For example see United Nations, The Blue Helmets: A review of United Nations Peacekeeping – 3rd Ed., New York : United Nations Publication (1996); United Nations, The United Nations and Somalia: 1992-1996 - The United Nations Blue Books Series, Vol. 111, NewYork: United Nations Publication (1996); United Nations Department of Peacekeeping Operations, General Guidelines for Peacekeeping Operations, New York : United Nations Publication (1995).

¹⁹ See United Nations Department of Peacekeeping Operations, General Guidelines for Peacekeeping Operations, New York : United Nations Publication (1995).pp. 3-4.

²⁰ Ibid. pp. 4-5

²¹ See Hill, S. M. and Malik, S. P., Peacekeeping and the United Nations, Issues in International Security Series edited by Croft, S. J., Aldershot: Dartmouth Publishing Co Ltd (1996); Boutros-Ghali, B., An Agenda for Peace – 2nd Ed., NewYork: United Nations Publications (1995).

parties to diffuse the tension while the conflict was being resolved²². The shortcomings of traditional peacekeeping can be viewed in terms of its narrow focus and hence, inadequacy in addressing more complex types of conflicts with resultant incapacity to maintain peace and security, the ultimate goal of United Nations.

The former UN Secretary General, Boutros-Ghali defined four key concepts of peacekeeping operations used by the United Nations to respond to different types of conflict. These include: preventive diplomacy to avert disputes from escalating to violent conflict; peacemaking to bring hostile parties to a negotiated settlement; peacekeeping to cease and control conflicts from escalating; peace-building to put in place measures and structures to promote peace; and peace-enforcement to maintain and restore peace and security by use of armed force.²³

Alan James ascribes the emergence of peacekeeping as a tool for conflict management to the failure of UN collective security.²⁴ He adopts a realist perception by recognizing the state as the primary actor in the international system and connects this to the requirement to seek consent of the warring states before launching a peacekeeping mission.²⁵ He further takes a critical view about peacekeeping in the post-Cold War era. He argues that peacekeeping has been a failure due to the shift from interstate to intrastate operations, which grew in number in the post Cold War era. He blames the constraint of non-use of force as a major drawback.²⁶

Alan James' analysis exonerates both the UN secretariat and peacekeepers from blame for problems experienced in post Cold War peacekeeping missions. He also contends that the UN should not establish peacekeeping missions where the parties to the conflict fail to cooperate. He feels that proper distinction should be made between peacekeeping and humanitarian interventions. And views properly managed peacekeeping useful in settling both internal and external conflicts.²⁷

²² Ibid.

²³ See Boutros-Ghali, B., *An Agenda for Peace – 2nd Ed.* New York: United Nations Publications (1995).

²⁴ James, A., *The Politics of Peacekeeping*, London: Chatto and Windus (1972).

²⁵ Ibid

²⁶ James, A., 'Peacekeeping in the post-Cold War Era', *International Journal* (1995) pp. 241-265.

²⁷ Ibid

Others writers who include Zacarias,²⁸ Boyd,²⁹ Bowett,³⁰ Brown,³¹ and Claude³² all agree on the principles of peacekeeping which include a multinational military operation, that has first and foremost, the consent and cooperation of the warring parties. This principle is complimented by those of impartiality and objectivity of the peacekeeping force, legitimacy through a clear and achievable Security Council mandate, and non-use of force except for self-defense or under UN mandate.³³

The principle of impartiality of the peacekeeping force is particularly important for the deployment of international forces as a buffer in a conflict. It enables the creation of an environment that tones down violence, minimizes risk of escalation of the conflict and ensures an atmosphere conducive to the development of constructive negotiations. Any behavior short of impartiality draws the peacekeeping force to become party to the conflict with the possibility of not only escalating violence but also risking the operation becoming dangerous to the peacekeepers themselves.³⁴

Diehl has written comprehensively on peacekeeping, the concept, its origin and evolution over the years. He has given a distinction between peacekeeping forces and peacekeeping observers.³⁵

Brown has quite clearly described the various types of peacekeeping operations as instruments for conflict prevention, conflict management and conflict resolution of internal conflicts. The various types of peacekeeping operations are categorized as humanitarian assistance, fact-finding, traditional peacekeeping, economic sanctions, and

²⁸ Zacarias, A., The United Nations and International Peacekeeping, London: I. B. Tauris Publishers (1996).

²⁹ Boyd, J. M., United Nations Peacekeeping Operations: A Military and Political Appraisal. New York: Praeger Publishers (1971).

³⁰ Bowett, D. W., United Nations Forces In Practice. London: Stevens & Sons (1964).

³¹ Brown, M. E. (ed.), The International Dimensions of Internal Conflict (Center for Science and International Affairs (CSIA) Series; No. 10), Cambridge: The MIT Press (1996).

³² Claude, I. L., 'The Peacekeeping Role of the United Nations' in Tompkins, B. (ed), The United Nations Perspective. Stanford: Hoover Institution Press (1973).

³³ United Nations: Department of Peacekeeping operations, General Guidelines for peacekeeping operations, 1995, pp 15-24

³⁴ Fabian, L. L., Soldiers without Enemies, Washington: The Brookings Institution (1971). p.3

³⁵ Diehl, P. F., International peacekeeping, Baltimore: The John Hopkins University Press (1994).

arms embargos, judicial enforcement measures, and use of military force³⁶. Brown clearly distinguishes traditional peacekeeping from multifunctional peacekeeping.

Zacarias sums it all up by alluding that UN peacekeeping forces have until 1987 played various important roles which have included: the maintenance of neutral, demilitarized zones, ceasefire observation, separation of rival forces, verification of truces or armistices agreements, prevention of external intervention and maintenance of law and order which have had a crucial impact in the maintenance of international peace and security.³⁷

The above literature deals quite exhaustively about the concept, evolution, characteristics and functions of peacekeeping both during the Cold War and post-Cold War eras. It had attempted to explain peacekeeping operations, their successes and failures. However, there seems to be no concrete lessons carried from one mission to the other in most cases. The UN has continued to plunge itself into these missions with uncertain outcomes.

In response to past shortcomings of peacekeeping operations, the former UN Secretary General, Boutros Boutros-Ghali, in his report to the Security Council entitled, *An Agenda for Peace*³⁸, called for a multifunctional approach to peacekeeping operations. The Secretary General envisaged a concept of peace-keeping operations that would integrate all other functional elements of the United Nations and specialised agencies.³⁹ In this context, future operations would be based on multifunctional peacekeeping, thus incorporating: conflict prevention; peacemaking; peacekeeping; peace enforcement; and post-conflict peace-building⁴⁰. Examples of countries where multifunctional peacekeeping operations have been deployed include Namibia (United Nations

³⁶ Brown, M. E. (ed.), The International Dimensions of Internal Conflict (Center for Science and International Affairs (CSIA) Series; No. 10), Cambridge: The MIT Press (1996), pp. 499-516.

³⁷ Zacarias, A., The United Nations and International Peacekeeping, London: I. B. Tauris Publishers (1996), p. 14

³⁸ *ibid*

³⁹ See White, N. D., Keeping the Peace, (Melland Schill Studies in International Law Series), Manchester: Manchester University (1997), pp. 208-210.

⁴⁰ Boutros-Ghali, B., An Agenda for Peace, op.cit. pp. 12-29; Chopra, J., Peace-Maintenance: The Evolution of International Political Authority, pp. 3-8; Barash, D. P. (ed.), Approaches to Peace, Op.cit. pp. 117-121; Malone, D. M., and Wermester, K., 'Boom and Bust? The Changing Nature of UN peacekeeping' in Adabajo, A. and Sriram, C. L. (eds.), International Peacekeeping: Managing Armed Conflicts in the 21st Century, Volume 7/4, 2000, pp. 37-54

Transitional Assistance Group - UNTAG) in 1989-1990 involving supervision of the transition to independence from South Africa's long disputed illegal rule. Another similar mission was the United Nations Observer Mission in El Salvador (UNUSAL) of 1991-1995. This mission was mandated with monitoring human rights, ceasefire, demobilization and reintegration of forces, and monitoring of elections. Another example is the United Nations Operation in Somalia (UNOSOM I & II) of 1992-95 that was deployed to monitor ceasefire and assist in the provision of humanitarian relief.

With so much literature on peacekeeping, there is need to conduct research to highlight the body of literature around each type of peacekeeping operation with the aim of examining the extent to which multifunctional peacekeeping operations differ from traditional peacekeeping operations. The underlying point of the study is that such differences need to be soundly and clearly articulated, if the gaps or shortcomings in traditional peacekeeping operations have to be filled. In other words, multifunctional peacekeeping operations may not fundamentally deliver improved peacekeeping operations in future as envisaged in the Secretary General's proposition, unless the functions of multifunctional peacekeeping operations are indeed tailored to help resolve the shortcomings of the preceding traditional peacekeeping operations. An analysis of these differences to gauge whether they provide potential answers to improved peace and security in future will be the ultimate intention of this research. United Nations peacekeeping operations were not initially envisaged by the founders of the United Nations, they evolved with the organization's responsibility to maintain international peace and security. The legal basis of the United Nations peacekeeping operations is enshrined in the organization's Charter. The UN Charter bestows the Security Council with authority to take action in furtherance of international peace and security. The exercise of Security Council authority comes in the form of mandates or resolutions. By 1988, the Security Council adopted an average of 15 resolutions per year. By 1994, the number had risen to 78 resolutions per year.

Security Council resolutions are usually the result of political compromise. For instance, Resolution 435 signed on the 22 December 1988 between South Africa, Cuba and Angola was as a result of pressure by the United States on South Africa and the

Soviet Union on Cuba and Angola. South Africa agreed to withdraw from Namibia while Cuba would withdraw from Angola⁴¹. The legality of peacekeeping is therefore implicit from the application of the UN Charter through resolutions and mandates. The question one would like to pose is; What are the shortcomings, if any, of the powers of the Security Council, the General Assembly and the Secretary General, in the creation of peacekeeping? What are the legal principles and themes that govern peacekeeping operations? How are the principles of the Charter of the UN being applied in these operations? Are there any flaws or loopholes?

To answer these questions an in-depth analysis needs to be done to examine the constitutional issues of peacekeeping operations as well as the legal principles governing peacekeeping operations during their emplacement, operations and withdrawal. The constitutional basis of the peacekeeping operation gives the peace operator the legal authority and competence to undertake the task while the principles of operation determine the operational capability of the peacekeeper). Participating countries must also operate within the framework of international law, this being the legal basis of involvement in peacekeeping operations and domestic law permitting the use of the military beyond national boundaries. In addition mandates, agreements, regulations, and other consensual conditions for a specific peace operation will control the conduct of the forces as well as the use of force within the mission area.

This research will be concerned with the issues arising from the expansion of peacekeeping from traditional (1980s and before) to multifunctional (1990s) approaches in peacekeeping operations. The prevalence of intra-state as opposed to inter-state conflicts in the post-Cold War era also makes it important to relate legal issues to internal conflicts.

Theoretical Framework

The main purpose of theory in social science is to describe, explain, and predict the complex relationships between variables in human behaviour. It is a way of

⁴¹ White, N. D., Keeping the Peace, (Melland Schill Studies in International Law Series), Manchester: Manchester University (1997).

explaining or making sense of a situation of complex issues and large data of facts⁴². Peacekeeping falls in the discipline of conflict management in the realm of international relations. Three major theories of world politics stand out in contemporary international relations, namely: Realism, Liberalism, and Marxism. The two contending theories for this study are Realism and Liberalism. Marxism focuses more on class forces rather than actors who are the main basis of discussion and analysis in this study.

The realist views States as the main and sovereign actors in world politics. Sovereignty guarantees that there are no other actors above the State that can compel it to act against its interests. To exert their influence and protect their national interests, States endeavour to accumulate power to gain a balance of power over their rivals and resort to the self-help of military power to maintain order and to achieve their ends. All actions by States are aimed at protecting their respective interests in the anarchy of the international system. In this context, intergovernmental organizations (IGOs) and non-governmental organizations (NGOs) are marginal actors, work for and within the framework of inter-state relations, and enjoy no autonomy or capability of independent action in the international system. Indeed, they rally the interests of their members, especially the most powerful among them. According to this view, the UN is constrained by the interests of its members and their willingness to cooperate to deal with specific issues, comply with and support its actions, provide peacekeeping contingents where necessary, and to fund its operations and programmes. While this view explains quite well the international relations during the Cold War, it fails to readily explain the current events in the post-Cold War era of globalization, increased multilateral diplomacy, and influence of the UN and other IGOs and NGOs.⁴³

Liberals, on the other hand, view the international system as encompassing other actors, besides States, that are equally influential in some issues of world politics. In this view, international and non-governmental organizations, transnational corporations, and

⁴² See Baylis, J. and Smith, S., (eds.), The Globalisation of World Politics: An Introduction to International Relations – 2nd Ed. Oxford: Oxford University Press (2001). p. 3,

⁴³ See Mingst, K. A. & Karns, M. P., The United Nations in the Post Cold War Era – 2nd Ed. Oxford: Westview Press (2000). p.9-10, Baylis, J. and Smith, S., (eds.), The Globalisation of World Politics: An Introduction to International Relations – 2nd Ed. Oxford: Oxford University Press (2001). p. 4, Stern, G., The Structure of International Society: An Introduction to the Study of International Relations – 2nd Ed. London: Pinter (2000).p. 9-17.

even individuals (such as terrorists) do influence world politics. The state can be viewed, rather than being the unitary actor, but as a set various bureaucracies having various interests that become manifest at different times and places. Order in the international system is not brought about by a balance of power but from the interactions between various bureaucracies in form of norms, laws, institutional rules and international regimes. Power does not concentrate on military force but also stresses on the importance of economic, technological and environmental aspects. The international system in this regard is characterised by interdependence of states in which cooperation should be maximised and conflict minimised among the various actors. In this context, liberalists and in particular liberal institutionalists postulate that international organisations like the United Nations make an impact on world politics by modifying state interests and in the process change state behaviour by establishing rules that constrain states. These institutions have an influence in the way states and other actors relate with each other in world politics.⁴⁴

This study will adopt a liberalist approach in its examination of peacekeeping. Liberalism, and in particular, liberal institutionalism offers itself more readily in the post-Cold War era of multifunctional peacekeeping. It can be argued that this approach is likely to be handy in placing the various facets of multifunctional peacekeeping alongside the emerging shift towards globalisation and growing role of both international governmental and non-governmental actors in peacekeeping operations. In this framework, an examination of conflict management should be directed to respond to new priorities of the changing world order of international governmental and non-governmental institutions, which play a critical role in conflict and its collateral effects in such issue-areas as development, human rights, governance and the environment.⁴⁵

⁴⁴ *ibid*

⁴⁵ Jeong, H. (ed.), The New Agenda for Peace Research, Aldershot: Ashgate Publishing Ltd (1999). pp. 6-9

Hypotheses

Three hypotheses have been advanced to facilitate an exhaustive investigation into the problem under study.

Hypothesis 1

Multifunctional approach to peacekeeping operations has the best potential to resolve most conflict situations.

Hypothesis 2

Multifunctional peacekeeping operations are a 'holistic' approach to conflict resolution.

Hypothesis 3

The failure of the multifunctional peacekeeping operation in Somalia was due to lack of planning, flawed command and control, and lack of confidence and premature pull out of the UN operation rather than unsuitability of the approach.

Methodology

The methodology of the study will rely on the use of both primary and secondary sources of data. Primary data will be collected through discussions with Kenyan peacekeepers, United Nations and Africa Union officials involved in peacekeeping, various resource persons teaching and visiting the National Defence College (NDC), Kenya Government officials from the Ministry of Foreign Affairs and International Co-operation and the Department of Defence, and officials of Non-Governmental Organizations who have worked in Somalia. I will also draw on my own experience while I served as Military Observer with the United Nations Transitional Assistance Group (UNTAG) in Namibia between 25th March 1989 and 25th March 1990.

Secondary sources will, however, provide the bulk of the information through literature review of books, journals, obituaries, magazines, periodicals, United Nations documents, Government documents and the internet. Detailed case studies for the

Namibia and Somalia conflicts will be investigated to provide a background for the analysis of the study.

Chapter Layout

This study is divided into 6 chapters. After this introduction, Chapter: 2 will present the theoretical background of peacekeeping as a tool of conflict management with a comparison of traditional and multifunctional approaches to UN peacekeeping operations. Chapter: 3 is a focus on the legal issues of peacekeeping with emphasis on internal conflicts. It will examine the principles, themes, and structures of peacekeeping operations. Chapter: 4 presents a case study of the United Nations Transitional Assistance Group (UNTAG) in NAMIBIA, focusing on the causes and nature of the conflict between the South West African People's Organization (SWAPO) and the Apartheid Regime of South Africa, the application of multifunctional peacekeeping approach to the UN Peacekeeping Operation and the end results. Chapter: 5 presents a case study of the United Nations Operation in SOMALIA (UNOSOM), focusing on the causes and nature of the ethnic conflict and humanitarian crisis that betided the country following the collapse of the Siad Barre Regime, the application of multifunctional peacekeeping approach to the UN operations, and results achieved. Chapter: 6 presents a critical analysis of the application of the relevance of the multifunctional peacekeeping approach to both the Namibia and Somalia cases to draw the lessons on why the findings suggest success of the approach in Namibia and failure in Somalia. It ends with a conclusion of the study and subsequent recommendations.

Chapter Two

An Overview of Traditional Peacekeeping and Multifunctional Peacekeeping

Introduction

The failure of the League of Nations to stop the events that led to the devastating World War II prompted concerted efforts by the major powers to form a system of collective security even before the end of the war. The death toll and misery to millions of people was catastrophic. The founders of the United Nations were, therefore, determined to ensure that such war would never be repeated.

The new collective security system, the United Nations, envisaged the peaceful resolution of future international conflicts. However, the ideological rivalry that developed between the United States and the Soviet Union rendered the anticipated system unworkable. The United Nations therefore had to settle for an alternative, in the form of peacekeeping.

This chapter seeks to examine the concept of peacekeeping; its origins and evolution, as a method of peacefully managing conflicts that threaten or can potentially threaten international peace and security. Because localized conflicts can become internationalized as happened during the events that led to World War II, the study of peacekeeping should be traced to the conflict.¹ An understanding of the background in international relations leading to peacekeeping and its relation to the conflict is important in contextualization and conceptualizing peacekeeping operations.

Background: The origin of peacekeeping

The end of the World War I as a means of settling a dispute between Nations failed to bring a permanent solution to the conflict. It only achieved 'negative peace',²

¹ Peck, C., *Sustainable Peace: The Role of the UN and Regional Organisations in Preventing Conflict* (Carnegie Commission on Preventing Deadly Conflict Series, Carnegie Corporation of New York), Lanham: Rowman & Littlefield Publications, Inc. (1998).pp. 43-44.

² Victory in war does not bring lasting peace. Unless the underlying cause of the war is resolved it leaves the losers dissatisfied with the outcome and are likely to wage another war in future. See Mwangi, M., *Conflict: Theory, Processes and Institutions of Management*. Nairobi: Watermark Printers (Kenya) Ltd

and the unsettled conflict actually provided for a more devastating confrontation, the World War II. The losers of the World War I, Germany, Austria and Hungary were dissatisfied with the territorial losses suffered and the hefty reparations imposed on them. In effect they were to pay fully for the war. On the other hand, Italy and Japan who were both victors in the war were unhappy that they did not make considerable gain from the war, while France, Great Britain and the United States considered themselves to have attained their war objectives. Led by US President, Woodrow Wilson, the Allied powers who were the victors of the war coined the creation of the League of Nations as a means of preventing another destructive world conflict. Despite the enthusiastic participation of the US President, the US Congress failed to ratify the Treaty of Versailles, which contained the Covenants of the League of Nations. This seriously weakened the treaty and Britain and France obsessed themselves with the expansion of their empires while United States relegated itself to isolationism.³

The covenant of the League embodied the principles of collective security (joint action by League members against an aggressor), arbitration of international disputes, reduction of armaments, and open diplomacy. It was, therefore, created as an international alliance for the preservation of world peace. The idea of collective security was conceived to exploit the combined power of the League members to neutralize the threat of war by aggressor states. However, decisions of the council of the League of Nations had to be unanimously effected. Lack of unanimity, secret treaties between some members, and the limited membership, limited the League's powers in reconciling interstate disputes, leaving the member states free to pursue their interests as they saw fit.⁴

As a consequence, the League of Nations only managed to settle two disputes: one between Finland and Sweden over the Åland Islands in 1921, and the other between Greece and Bulgaria over their common border in 1925. The League was unable to intervene in the French occupation of Ruhr and Italian occupation of Corfu, both in 1923;

(2000). pp. 58-70; Barash, D. P. (ed.), Approaches to Peace, (A reader in Peace Studies), New York: Oxford University Press (2000). pp. 1-28.

³ Encyclopedia Britannica, Inc., 'Versailles, Treaty of', in Britannica 2002 Deluxe Edition, Britannica.com Inc (1994-2002).

⁴ See Nations, League of., in Encyclopedia Britannica, Inc., Britannica 2002 Deluxe Edition, Britannica.com Inc (1994-2002).

the wars between Bolivia and Paraguay in 1932 and 1935 (the Chaco Wars); and Italian invasion of Ethiopia in 1935. The League also lost global support with the failure of the United States to ratify its membership, the pullout by Germany and Japan in 1933, and expulsion of USSR in 1939 for attacking Finland.⁵ These events led to the powerlessness of the League to prevent the events that led to World War II.

Formation of the United Nations

Like its predecessor, the League of Nations, which was founded following the World War I, the United Nations was created as a result of the lessons of the devastating effects of the World War II, but unlike the League of Nations, which was initially an organization of victorious allies, it sought reconciliation and assimilation of all nations including those that were defeated in the war.

This was a major step towards the search for 'positive peace', with the UN Charter that emerged clearly stipulating that its main purpose is "to maintain International peace and security".⁶ The charter also detailed how this would be carried out in Chapter VI where it deals with pacific settlement of disputes through negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, counsel of regional agencies or any other peaceful means. Where peaceful means fail, Chapter VII of the Charter, provides for coercion to maintain or restore international peace and security against threats to peace, breaches of peace and acts of aggression perpetrated by one sovereign state against another. Such action could range from political and economic sanctions to use of force depending on the severity of the aggression.⁷

The first UN peacekeeping operation, the United Nations Truce Supervision Organization (UNTSO), was called in 1948 to observe cease fire agreements between Israel and her Arab neighbours following the conflicts that arose during the partition of Palestine to create a Jewish homeland. This operation is still active to-date. Other peacekeeping operations that followed, as earlier highlighted, included: the first United Nations emergency force (UNEF-1) of 1956-1967 which observed a cease-fire and

⁵ *ibid*

⁶ Article 1 of the Charter of the United Nations

⁷ Articles 41 and 42 of the Charter of the United Nations

established buffer zones between Israel and Egypt in the Sinai desert; United Nations operation in Congo (ONUC) of 1960-1967, which was a UN intervention in the Congo civil war; the United Nations Transitional Assistance Group of 1989-1990 in Namibia; and the United Nations Operation in Somalia (UNOSOM I) of 1992-1993 and UNOSOM II in 1993-1995 which were both humanitarian missions.

The UN has been involved in peacekeeping in fifty five (55) disputes and conflicts since 1948 at an approximate cost of US\$ 23.3 billion up to 30 June 2001. Among these are fifteen (15) ongoing missions with a total budget of US\$ 2.77 billion (01 Jul 2001 to 30 Jun 2002) and a military strength of 45,145 troops. The latest missions are the United Nations Mission in Ethiopia and Eritrea since July 2000, and the United Nations Mission of Support in East Timor since May 2002. The total number of fatalities of peacekeepers since 1948 as of 31 May 2002 were 1,739.⁸

Cold-War Era

The Cold War was characterized by intense bipolar rivalry between the United States (US) and the Union of the Soviet Socialist Republics (USSR). Although they were allies during the World War II, their divergent ideological differences led them to develop mutual suspicion and hostilities as they sought to secure themselves from the threat of future war. Between these countries developed economic and military competition, and scramble for allies in the international scene. Consequently every conflict in the world had a super-power interest.

To avoid superpower confrontation, the UN adopted a strategy of conflict containment, using the first UN peacekeeping operation (UNTSO) to develop a UN peacekeeping doctrine. Unarmed military observers were positioned between Israel and its Arab neighbors to monitor and supervise the truce. As the UN continued to get involved in mediation of other conflicts, its peacekeeping practice gradually developed into a defined concept of deploying a neutral international force as a buffer between opposing armies. Other UN agencies and NGOs were later also able to find their

⁸ Source: United Nations Department of Peacekeeping Operations (FACTSHEET UN PEACEKEEPING DATA.pdf, 2 Jun 2002)

functions. This practice continued throughout the Cold-War period and came to be referred to as Traditional peacekeeping.

Traditional Peacekeeping Operations

The UN Charter does not contain the term 'peacekeeping'. The term describes the operationalization of Chapter VI of the Charter, which as already mentioned, refers to a military operation of inter-positioning troops as a buffer between two opposing armies, but without enforcement powers, to help maintain or restore peace and security. It is operations of this nature that came to be described as Traditional peacekeeping operations.⁹ In essence, Traditional peacekeeping missions, which were highly constrained operations, comprised of unarmed or lightly armed contingents of military observers and interpositional forces with little or no freedom of maneuver.

There are a number of peacekeeping definitions but they all generally agree in principle. Diehl, for example, defines peacekeeping as the imposition of neutral and lightly armed interpositional troops following cessation of armed hostilities on agreement by the state(s) on which territory the forces are deployed with the aim of discouraging further military conflict and promoting an environment under which the cause of the dispute can be resolved.¹⁰ The International Peace Academy also defines peacekeeping as the prevention, containment, moderation and termination of hostilities through the medium of a peaceful third party intervention organized and directed internationally using multinational forces, soldiers, police and civilians to restore and maintain peace.¹¹

⁹ See Hill, S. M. and Malik, S. P., Peacekeeping and the United Nations, Issues in International Security Series edited by Croft, S. J., Aldershot: Dartmouth Publishing Co Ltd (1996); Boutros-Ghali, B., An Agenda for Peace – 2nd Ed, New York: United Nations Publications (1995); Zacarias, A., The United Nations and International Peacekeeping, London: I. B. Tauris Publishers (1996); United Nations Department of Peacekeeping Operations, General Guidelines for Peacekeeping Operations, New York : United Nations Publication (1995); Defence Institute of International Legal Studies, Executive Programme for Kenya Peace Support Operations and Domestic Operations, Seminar (2000).

¹⁰ Diehl, P. F., International peacekeeping, Baltimore: The John Hopkins University Press (1994). P. 3

¹¹ See Rikye, I., et al, The Thin Line: International Peacekeeping and its Future, New Haven: Yale University Press (1974). p.11.

The Context of Traditional Peacekeeping Operations

The established principles of the Traditional peacekeeping operations are: Security Council Authority, Consent of Warring Parties, Impartiality, Non-Use of force and Multinational force composition. In order to operate with authority, the approval of the UN Security Council is required to launch a peacekeeping force. The Security Council is the UN body that receives, investigates and brings to the attention of the General Assembly international disputes that are a threat to international peace and security. The constitution of a peacekeeping force should therefore enjoy the support of a Security Council. This gives peacekeeping operations credibility and acceptance by the belligerents as well as the international community.¹²

To complement UN approval, the consent and co-operation of the Warring Parties is required for peacekeeping to succeed. It is for this reason that a ceasefire was always negotiated and agreement to peace process was always sought before UN troops were mobilized to the conflict area. This reduces the risk to UN troops of combat casualties as well as increasing the chance of settling the dispute. On the other hand, the sudden withdraw of consent by one of the warring parties may be an indicator of lack of faith in the peace process and a warning to peacekeepers of the inherent danger of being drawn into the conflict.¹³

Another key principle of traditional peacekeeping operations is that of impartiality. The impartiality of national contingents taking part in peacekeeping operations is critical. Without impartiality it could indeed be difficult to win confidence and cooperation of the conflicting factions. Lack of impartiality can also result in the breakdown of the operation. Peacekeepers must therefore observe, preserve and demonstrate impartiality whenever possible.¹⁴

Peacekeepers are, as a rule, prohibited from the use of force in the execution of their duties except in self-defence. Peacekeepers were usually comprised of unarmed observers and or lightly armed contingents. Peacekeepers are not authorized to use force except in self-defense or in resisting attempts of use of arms to prevent them from

¹² See United Nations Department of Peacekeeping Operations, General Guidelines for Peacekeeping Operations, New York : United Nations Publication (1995),p. 15.

¹³ See Diehl, P. F., International peacekeeping, Baltimore: The John Hopkins University Press (1994),p. 9

¹⁴ See Groom, A. J. R., 'The Question of Peace and Security' in Taylor, P. and Groom, A. J. R., (eds.) International Institutions at work, London: Pinter Publishers (1988). p. 85.

performing the mandated duties. In case of truce violation, it is required that peacekeepers employ their international status and moral pressure to persuade the violating party back to track.¹⁵ To guide peacekeepers on the use of force for self defense it is a command responsibility to draw Rules of Engagement (ROEs) to guide and control the use of force during peacekeeping operations. Status of Forces Agreements (SOFA) and Status of Mission Agreements (SOMA) are other measures taken to avoid conflicts between peacekeeping troops and the host governments.¹⁶

Although implicit at formation of the United Nations of the necessity of an international force, the United Nations cannot maintain a standing force. It relies on member states to provide troops. This is usually comprised of a number of contingents from selected countries on request by the Secretary General in consultation with the Security Council and with other concerned parties. The choice of participating countries would also take into consideration equitable geographic distribution. The Command of the UN force is exercised by a Force Commander appointed by the Secretary General with the consent of the Security Council.

Post-Cold War Era

The collapse of the United Soviet Socialist Republic (USSR) in 1989/1990 marked the end of the Cold war. The political tension that had characterized the Security Council eased and the UN became more responsive to conflicts that it could not effectively address due to prevailing interests of the United States (US) and former USSR during the Cold War.¹⁷

However, the end of the Cold war opened up other challenges in international peace and security debates, that of internal conflicts. The number of internal conflicts towards the end of the cold war era had also increased. For instance, the end of the Cold War removed the constraints that had inhibited internal conflicts with a resultant flare up of war in the third world especially in Africa. The new internal wars ushered in new dimensions of war perceptions, as these were being waged by militias and armed civilians

¹⁵ See Liu, F. T., United Nations and the Non-Use of Force, Boulder: Lynne Rienner Publishers (1992). p. 7

¹⁶ Defence Institute of International Legal Studies Seminar: Executive Programme for Kenya Peace Support Operations (2000).

¹⁷ See Zacarias, A., The United Nations and International Peacekeeping, London: I. B. Tauris Publishers (1996).

who lacked military training and hence were not disciplined. There were no clear frontlines and the carnage on civilians was overwhelming with overwhelming resultant collapse of state machinery. Peacekeeping in this scenario became difficult, complex, risky and expensive. It is this scenario that has raised the debates in the 1990 that search for answers on how to improve peacekeeping operations if the goals of international peace and security have to be maintained.¹⁸

A new concept was defined in *An Agenda for Peace* involving deployment of both military and civil personnel and the incorporation of multiple UN humanitarian agencies. The categories of peacekeeping functions also expanded to include preventive diplomacy, peacemaking, peace enforcement and post-conflict peace-building.¹⁹ It is this new dimension of peacekeeping operations described as 'Multifunctional peacekeeping operations', that has characterized the concept of peacekeeping in the post-Cold War Era. There have been 42 peacekeeping operations in the post- Cold War era compared to 13 that were initiated during the Cold War.

Multifunctional Peacekeeping Operations

As highlighted in the introduction, a Multifunctional approach to peacekeeping operations had been envisaged for peacekeeping operations of the 1990s onwards. The emergency of Multifunctional peacekeeping operations from Traditional peacekeeping has changed the peacekeeping approach significantly transiting it from simply assisting in the maintenance of ceasefires during the Cold War era, to a Multidisciplinary approach involving conflict resolution and emergency reconstruction of war torn economies. Thus in addition to traditional peacekeeping and preventive diplomacy tasks, the functions of UN forces in the post-Cold War era have been expanded considerably. From 1990 they supervised elections in many parts of the world, including Nicaragua, Eritrea, and Cambodia; encouraged peace negotiations in El Salvador, Angola, and Western Sahara; and distributed food in Somalia.²⁰

¹⁸ See Gordon, D. S., and Toase, F. H., (eds.), *Aspects of Peacekeeping*, The Sandhurst Conference Series No. 2, London: Frank Cass Publishers (2001).

¹⁹ See Boutros-Ghali, B., *An Agenda for Peace – 2nd Ed.* New York: United Nations Publications (1995).

²⁰ See Adabajo, A. and Sriram, C. L. (eds.), *International Peacekeeping: Managing Armed Conflicts in the 21st Century*, Volume 7/4, 2000.

To distinguish between the two types of peacekeeping, Traditional peacekeeping operations as also earlier highlighted, were mostly military operations with limited political goals and tasks. Consequently, the civilian element was limited and where present operated under the military organization. The military structure took the shape of a task force under the command of a Force Commander. Political and other civilian functions were usually handled and directed from UN Headquarters.

On the other hand, Multifunctional peacekeeping operations are usually placed under the supervision of a Special Representative of the Secretary General (SRSG) to whom both military and civilian components report. This allows the mission to have a greater capacity to handle political issues. The SRSG is able to coordinate and discharge the duties of the mission on the ground and has direct link with UN Headquarters.

Besides traditional peacekeeping, the United Nations uses a range of concepts in multifunctional peacekeeping. First, good conflict prevention entails identifying the sources of conflict and dealing with them. Conflict Prevention or Preventive Diplomacy is action taken as part and parcel of peacekeeping to prevent disputes from developing between parties. It also includes preventing existing disputes from escalating to conflicts, and where conflicts occur, limit their proliferation. Some measures taken towards conflict prevention include confidence building missions, fact finding, early warning and establishment of demilitarized zones.²¹

Secondly, is Peace-making which is the action taken to bring hostile parties to negotiated agreement through such peaceful means as those foreseen under Chapter VI of the United Nations Charter.²² It can also be defined as a process of diplomacy, mediation, negotiation, or other forms of peaceful settlement that settle disputes and resolve the issues that led to the conflict.²³

Thirdly, is Peace Enforcement which is applied only when all other efforts to bring about peace have failed. It involves the use of armed forces to maintain or restore peace and order in situations that the Security Council has determined the potential threat

²¹ United Nations Department of Peacekeeping Operations, General Guidelines for Peacekeeping Operations, New York : United Nations Publication (1995).p. 5; Boutros-Ghali, B., An Agenda for Peace – 2nd Ed, NewYork: United Nations Publications (1995).pp. 47-51

²² Boutros-Ghali, B., An Agenda for Peace – 2nd Ed, NewYork: United Nations Publications (1995).p. 51-57

²³ Source: Defence Institute of International Legal Studies Seminar: Executive Programme for Kenya Peace Support Operations (2000).

to peace, breach of the peace or act of aggression. The authority of enforcement is provided in the United Nation Charter Chapter VII and may involve combat, armed intervention, or physical threat of armed intervention.²⁴ In contrast to peacekeeping, peace enforcement forces do not require consent of the parties in conflict, and they may not be neutral or impartial. Typical missions include: protection of humanitarian assistance, establishment of order and stability; enforcement sanctions; guarantee or denial of movement; establishment or supervision of protected zones, and forceful separation of belligerents. Some large-scale Chapter VII operations cross the legal and doctrinal line and become international armed conflicts within the meaning of the Geneva Conventions. Examples of such operations are the Korean and Gulf Wars.

Forth, are post-conflict peacekeeping actions that aim at the identification and support of measures and structures that would promote peace and build trust and interaction among former enemies, in order to avoid a degeneration of peace or relapse into conflicts. These actions take the form a merger of military and civil activities including civil affairs/nation-building operations, such as controlling weapons, reforming police and judicial institutions, monitoring human rights and elections, and strengthening governmental institutions and economic development.

Lastly, protracted violent conflict can result in or exacerbate natural disasters such as a famine, deprivation and disease. Humanitarian assistance is relief action of distributing aid necessary to sustain life and dignity of the victims. During peace operations, it requires the coordination and cooperation of the UN, military, governmental and non-governmental units and organizations to ensure that the delivery of the aid is in accordance with the fundamental principles of humanity, impartiality and neutrality. The Somalia case is a good example of a humanitarian assistance mission that went wrong.

The above highlights of the components of the new dimensions of Multifunctional peacekeeping operations raise many questions for analysis that remain unanswered in this limited scope of this study. The analysis of the case studies, which will be the second part

²⁴ United Nations Department of Peacekeeping Operations, General Guidelines for Peacekeeping Operations, New York : United Nations Publication (1995).p. 6.

of this study is expected to bring out answer these questions. The following conclusion summarises the issues gathered in this limited study.

Conclusion

This chapter focused on the current literature around peacekeeping operations, with a specific focus on both the traditional and multifunctional peacekeeping operations. The following points emerge as the conclusion that can be drawn from the literature consulted.

The emergence of peacekeeping in the global community was a product of necessity rather than design. After World War I, many nations formed the League of Nations to promote global peace through mediation, reconciliation, and diplomacy. This League failed to forestall World War II. At the end of the latter war, in 1945, the world community created the United Nations. It again became evident that the principle of collective security could not be applied to resolve conflicts due to the coveted interests of the superpowers and permanent members of the Security Council. The UN was therefore forced to design an alternative method to contain international conflicts that were considered a threat to international peace and security. There is thus no specific language in the Charter on peacekeeping. Peacekeeping emerged as a practical step to carryout the objectives of the UN to manage inter-state conflict.

During the Cold War Era, peacekeeping operations were deployed to observe, supervise, monitor, and occupy a buffer or neutral zone between parties in conflict. They operated under the authority of Chapter VI of the UN Charter, on invitation and /or consent from all the parties in conflict, had to conduct themselves impartially, and were restricted form the use of force. This is what came to be known as the Traditional peacekeeping operations.

The post Cold War era saw a broad range of internal conflicts erupting around the world which caused a departure form the inter-state to intra-state peacekeeping models. The traditional peacekeeping concept was transformed to a multifunctional peacekeeping approach in order to include the other dimensions of the new wars, and this included: humanitarian assistance; human rights, and civilian police components in addition to the peace components of peace enforcement, peace-building, peacemaking, peacekeeping

and post-conflict peacekeeping. Multifunctional peacekeeping missions as was exemplified in this study and as suggested in the literature proved successful to varying degrees, whereas others such as in Somalia in 1992-95, Bosnia in 1992-94, and Rwanda in 1993-1996 it failed.

Issues that may require analysis and questions that remain answered could be posed for future discussions and analyses. The question of success or failure of these missions may not be determined unless with country-specific analysis of the factors on the ground that each mission sought to address or help resolve. To what extent traditional peacekeeping operations differ distinctly from multifunctional peacekeeping operations is also subject to critical analysis by case study method. The implications of the new components in multifunctional peacekeeping operations are substantial and sometimes may render the operations infeasible, but this study did not bring them out due to its limited scope. The case studies of a successful and an unsuccessful peacekeeping operations are deemed necessary to provide the insights of the operations in actual conflict situations. These will be presented later.

Chapter Three

Legality of Peacekeeping

Introduction

Nations and organizations have been involved in peacekeeping operations as far back as the Napoleonic era. The Hague Conferences of 1899 and 1907, the Covenant of the League of Nations (1919 and 1946), and the 1928 Kellogg-Briand Pact of Paris, being fora where nations sought to promote global peace through peaceful means.¹ After World War II, the United Nations was created to carry on the task of maintaining international peace and security.

United Nations peacekeeping operations were not initially envisaged by the founders of the United Nations, they evolved with the organization's responsibility to maintain international peace and security. The legal basis of the United Nations (UN) peacekeeping operations is enshrined in the organization's Charter. The UN Charter bestows the Security Council with authority to take action in furtherance of international peace and security. The exercise of Security Council authority comes in the form of mandates or resolutions. By 1988, the Security Council adopted an average of 15 resolutions per year. By 1994, the number had risen to 78 resolutions per year. Security Council resolutions are usually the result of political compromise. For instance, Resolution 435 signed on the 22 December, 1988 between South Africa, Cuba and Angola was as a result of pressure by the United States on South Africa and the Soviet Union on Cuba and Angola. South Africa agreed to withdraw from Namibia while Cuba would withdraw from Angola.²

The legality of peacekeeping is implicit from the application of the UN Charter through resolutions and mandates. The question is what are the powers of the Security Council, the General Assembly and the Secretary General, in the creation of peacekeeping? What are the legal principles and themes that govern peacekeeping operations?

¹ See Jeong, H. (ed.), The New Agenda for Peace Research, Aldershot: Ashgate Publishing Ltd (1999).p. 17.

² See White, N. D., Keeping the Peace. (Melland Schill Studies in International Law Series), Manchester: Manchester University (1997).

This chapter seeks to examine the constitutional issues of peacekeeping operations and the legal principles governing peacekeeping operations during their emplacement, operation and withdrawal. The constitutional basis of the peacekeeping operation gives the peace operator the legal authority and competence to undertake the task while the principles of operation determine the operational capability of the peacekeeper.³ Participating countries must operate within the framework of international law, this being the legal basis of involvement in peacekeeping operations and domestic law permitting the use of the military beyond national boundaries. In addition mandates, agreements, regulations, and other consensual conditions for a specific peace operation will control the forces and the use of force within that operation.

This chapter also seeks to examine issues arising due to the expansion of peacekeeping from traditional (1980s and before) to multifunctional (1990s and onwards) approaches in peacekeeping operations. The prevalence of intra-state as opposed to inter-state conflicts in the post-Cold War era also makes it important to relate legal issues to internal conflicts. The chapter examines the authority and competence of the General Assembly, Security Council, and Secretary General, and the principles of consent, neutrality, and non-use of force.

The General Assembly

The authority of the United Nations is spelt out in Chapter I of the Charter. Article 1 explains the primary purpose of the UN, as that of maintaining international peace and security, and the means to do this as twofold. First, it takes collective measures for the prevention and removal of threats to peace and for the suppression of acts of aggression or other breaches of the peace. Secondly, it adjusts and settles international disputes or situations that might lead to a breach of the peace by peaceful means, in conformity with the principles of justice and international law.⁴

Article 2 of the Charter acts as a check on the broad powers enshrined in Article 1 by interjecting the sovereignty of individual states, that the UN is based on the principles of sovereign equality of all its members (Art 2 (1)) and restricting intervention in the

³ *ibid*

⁴ See United Nations, Charter of the United Nations, New York : United Nations Publication (1945).

domestic jurisdiction of any state (Art 2 (7)) except under provisions of Chapter VII of the Charter. In addition, Art 24 (i) empowers the Security Council to act on behalf of the General Assembly on matters of maintenance of international peace and security. Articles 10 and 14 further allow the General Assembly to make recommendations to the members of the UN or to the Security Council. The General Assembly, therefore, has both authority and competence to constitute peacekeeping operations. The General Assembly actually authorized the United Nations Emergency Force (UNEF I: 1956-67) after the United Kingdom and France had paralyzed the Security Council's ability to make a decision because of their involvement in the conflict.⁵

The Security Council

The Security Council is responsible to the United Nations in consultation with the Secretary General and resolutions of the General Assembly, for the establishment of a peacekeeping force and the issuance of mandates for the control of the force. Article 24 confers the Security Council with the responsibility for the 'maintenance of international peace and security'. And in so doing, the members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the Charter (Art 25).

Security Council resolutions or mandates are the basis on which UN peace keeping operations are drawn. Peacekeeping has become the way the UN performs the task of maintaining international peace and security in the best way possible, within the restrictions of the Charter. UN forces are not legally permitted to take action that is not set out by a Security Council Resolution. Consequently, a clear understanding and formulation of the mandate is important in order to achieve and be focused on action to be taken by all participating nations and their forces. The mandate must not contradict the basic right to self-defence and the need to observe norms and principles of international law in all dealings and operations.⁶

⁵ White, N. D., Keeping the Peace, (Melland Schill Studies in International Law Series), Manchester: Manchester University (1997).

⁶ Ibid. p. 225

The specific powers of the Security Council fall in two categories. One, the consensual and non-offensive peace operations in accordance with Chapter VI of the Charter, and two, the peace-enforcement empowered in Chapter VII of the Charter. Chapter VI recognizes that not all disputes require a military presence. This is referred to as the pacific settlement of disputes. The Security Council can therefore use its powers to call upon parties in dispute to settle it by peaceful means (Art 33 (2)). The Security Council may also investigate any dispute, or any situation that might lead to international friction or give rise to dispute, nurture and recommend appropriate procedures or methods of adjustment. Examples of consensual peacekeeping operations (Chapter VI), include UNEF I & II of 1956-1979 between Egypt and Israel, and UN Interim Force (UNIFIL) of 1978-present, in Lebanon.

Peace Enforcement (Chapter VII) operations require no consent and are allowed the use of force against threats to peace, breaches of peace, and acts of aggression. Other operations (Chapter VII) include those of Korea in 1950-1954, Congo, 1960-1964, the Gulf War/Iraq 1990-1991, Somalia and Yugoslavia, 1992 to date.

The Secretary General

The office of the Secretary General, as established by the Charter, has over the years developed considerable powers used in the peaceful settlement of disputes and situations. Article 97 appoints the Secretary General as the chief administrative officer of the United Nations. Further Article 98 bestows the office of the Secretary General the power to perform such other functions as are entrusted to him by the Security Council, General Assembly and other organs of the UN. Consequently, the Secretary General carries out the mandates granted to him by the Security Council or General Assembly which may range from a fact finding mission, offering his good offices, to the organization and emplacement of a peacekeeping force.⁷

The Secretary General also has power to bring to the attention of the General Assembly any matter that in his opinion may threaten international peace and security. Secretary General Dag Hammarskjold did this in 1960 when he brought to the attention

⁷ See United Nations, Charter of the United Nations, New York : United Nations Publication (1945).

of the Security Council the deteriorating situation in the Congo.⁸ The Secretary General may also as has happened in the past, be involved in the negotiations on the technical requirements of a peacekeeping force. The Secretary General of the United Nations therefore enjoys both authority and competence by virtue of the office.

Regional Peacekeeping Arrangements

Chapter VIII of the Charter provides for regional arrangements. Regional members may come together as a coalition for the purposes of peace enforcement action under the Security Council's authority. Such coalitions are considered particularly appropriate due to local knowledge the regional members may enjoy. Regional organizations also enjoy familiarity with the region and its problems, greater acceptance by the belligerents, a greater stake in the final outcome, and a possibility of an existing or committed force structure which the coalition can use. Examples that could be cited include the Arab Deterrent Force (ADF) positioned in Lebanon since 1976, and Economic Community of West Africa States (ECOWAS) Monitoring Group (ECOMOG) deployed by West African states against the National Patriotic Front (NPFL) of Liberia since 1990.⁹

Legal Principles Governing Peacekeeping Operations

Consent

Traditional peacekeeping involves first securing consent from parties in conflict, agreeing on a ceasefire, and the presence of a UN force. In inter-state conflicts, this is straight forward since the governments of the states involved will be available to make the agreement. The problem becomes evident when dealing with intra-state conflicts. It is not always possible to get the consent of all factions. Consequently, the consent may only be obtained from the government. This complicates intra-state peacekeeping and can render the process ineffective. In the recent past the UN has tried to obtain the consent of

⁸ See United Nations, *The Blue Helmets: A review of United Nations Peacekeeping* – 3rd Ed., New York: United Nations Publication (1996).p. 175-199.

⁹ See White, N. D., *Keeping the Peace*, (Melland Schill Studies in International Law Series), Manchester: Manchester University (1997); Defence Institute of International Legal Studies, *Executive Programme for Kenya Peace Support Operations and Domestic Operations*, Seminar (2000).

all factions in a civil war, but indications are that there is a high prevalence of breaking their agreements. It has been argued that the lack of accountability of these factions in the international plane accounts for their lack of co-operation.

Peacekeeping operations in internal conflict, therefore, need to be carefully approached. At some stage of the mission it may become necessary to change from consensual, non-offensive peacekeeping operations to an enforcement action (Art 39 and 42 of the Charter). This complicates matters since the traditional peacekeeping set up may not easily convert to become effective in the enforcement role. Also consent would need to be sought from contributing countries for the more robust operation.

Non-consensual operations or where continued consensual operations are not likely to be sustained need to be approached with caution. The deployment of peacekeeping troops can be seriously restricted and their effectiveness diminished. In such situations, the operation should right from the beginning have an element of peace-enforcement to avoid change of mandate during the process. Then the whole operation will be within the law.

Neutrality

Neutrality of UN peacekeeping forces is an asset for the continued cooperation with the host country or factions to the conflict and could possibly lead to faster settlement of conflicts. The multifunctional approach to peacekeeping can be looked upon to build on the fundamental principles of consent and neutrality during post-conflict peace-building to achieve the agreed peace settlement in intra-state conflicts.

Restriction on the Use of force

An important distinction between consensual peacekeeping and peace enforcement is the use or non-use of force. Consensual peacekeeping forces are only authorized to use force in self-defence. In inter-state conflicts where both states have consented to the deployment of the peacekeeping force, the issue of self-defence does not arise, but in intra-state conflicts, it poses problems especially when the faction leaders are unwilling to cooperate or they have no control over their troops.

The use of force by UN troops can alienate the some of the factions while at the same time non-action can endanger the peacekeepers. The dilemma of whether to remain neutral and non-coercive or to tackle the faction that appears to be preventing a peaceful solution to the conflict emerging has faced peacekeepers in a number of intra-state conflicts. Between 1978 and 1990, UNIFIL lost 130 soldiers from hostile acts. When the UN operation in Congo (ONUC) in 1960-1964 found itself in a precarious position, the UN widened the peacekeeping forces' mandate from consensual to peace-enforcement. This was able to drive away foreign military personnel and mercenaries as well as quell the Katangese secessionists. This would have taken a long protracted war.¹⁰

It is thus clear that in intra-state conflicts, unless all the parties consent to peacekeeping, then traditional peacekeeping may not make much headway. In such a situation the circumstances of the case need to be weighed carefully to determine whether a broader (multifunctional) operation enabled and mandated to carryout peace enforcement may provide the solution. It must, however, have full support of the international community, as was the case in Congo and Bosnia.

Conclusion

The United Nations is a multi-faceted political organization that has evolved for the purpose of maintaining international peace and security. The UN Charter forms the legal basis for action by this 'multi-government ' body. The General Assembly performs the function of legislation while the Security Council has executive powers in maintenance of international peace and security. In line with this structure, then, "virtually any action the United Nations takes that is consistent with the preamble of the Charter and is directed by the Security Council will be legal within the context of international law since it will have achieved 'de jure' consensus of the world community. However, since principles of sovereignty and non- intervention are such a bedrock of international law and international relations, not to mention the UN may be legal, but not perceived as 'legitimate' by people of the world, particularly any group who perceive

¹⁰ Otunnu, O. A. and Doyle, M. N., Peacemaking and Peacekeeping for the New Century, Oxford: Rowman & Littlefield Publishers, Inc. (1998).pp. 127-128

themselves as victims of UN 'aggression', For that reason the UN decision process must attempt to reflect a 'de facto' legitimacy as well, since in the end, popular support for UN actions is required to sustain any intervention".

As indicated in this essay, UN peacekeeping forces operating under direct UN mandate or as a regional organization with UN sanction, have legal right under international law to be deployed as an armed force in the territory where peace operation is being undertaken. The conduct of operations must however be conducted within the rule of the law. Military discipline and protection of human rights is also applicable to UN armed forces as it is for any other non-peacekeeping operations.

Chapter Four

Case Study of United Nations Transitional Assistance Group (UNTAG) in Namibia

Introduction

The Namibian conflict was a struggle for self-determination of the people of Namibia. The struggle was championed by the South West African Peoples Organization (SWAPO), against exploitation and annexure of the territory by apartheid South Africa.¹ A long and protracted multilateral diplomatic and judicial process towards the peaceful settlement of the dispute was frustrated by international politics.² The United Nations (UN) maintained a firm stand on the status of the territory by adopting a series of Judgments of the International Court of Justice (ICJ) and Resolutions, culminating in a collective security option in 1978 by mandating a UN supervised transition to independence for Namibia vide UN Security Council Resolution 435 of 26th July, 1978.

However, due to South Africa's unwillingness to cede the territory to the UN, and superpower interests, it was not until the end of the Cold War era in 1989 that the process towards independence of Namibia was implemented. The UN established a peacekeeping force, the United Nations Transitional Assistance Group (UNTAG) marked by, and for the first time in peacekeeping operations, a substantial civilian component in the supervision and overseeing of the transition to independence process.³

Except for an initial bloody ambush and massacre by South African troops against SWAPO fighters returning from Angola in the north of the country, and the lengthy delay of the process, the transition process saw the election and installation of a legitimate government in Namibia. This became one of UN peacekeeping operations deemed to have been successful. The deployment of UNTAG to monitor the implementation of the electoral treaty started in February 1989 headed by a Special Representative to the UN Secretary General. The UNTAG comprised of 4,650 troops, 500 civilian police and 1000

¹ Zacarias, A., The United Nations and International Peacekeeping. London: I. B. Tauris Publishers (1996).pp. 51-52.

² Mwarania, B., Kenya Battalion in Namibia. Nakuru: Media Document Supplies (Nairobi, Department of Defense, 1999).p.1.

³ Chopra, J., Peace-Maintenance: The Evolution of International Political Authority, (Routledge Advances in International Relations and Politics Series; No. 4), London: Routledge (1999). p.46.

civilian observers.⁴ A UN supervised withdrawal of South African forces, confinement of SWAPO fighters in designated places, repeal of discriminatory legislation, release of political prisoners, and return of refugees culminated in the free and fair election of a pre-independence Constituent Assembly which drafted the constitution of Namibia.

Namibia became independent on 21st March 1990 with the Constituent Assembly becoming the National Assembly. The quest for self determination of Namibia starting way back in 1947 when the issue was first petitioned in the ICJ, through the diplomatic intrigues in the 1960s to 1980s, ending in 1990. It has been claimed that Namibia's success story was a combination of prudent conflict management, new and more comprehensive approaches to peacekeeping practices, and effective diplomacy. This essay is a case study of Namibia's conflict, its management and resolution. The essay aims at establishing some of the central conditions for the success in multifunctional peacekeeping operations in Namibia in particular and possibly for other conflicts in general.

Background

The original inhabitants of Namibia comprised of the San (Bushmen) hunters and gatherers who are thought to have occupied the territory as far back as 11,000 years; the Khoikhoi (Nama) estimated to have arrived in Southern Namibia about 500 AD; and the Damara, Herero, Ovambo and Kavango who migrated to the territory from central and Eastern Africa from around 1400 AD. The first Europeans to appear in the territory were Portuguese explorers (Diogo Cao in 1485, Bartholomew Diaz in 1488) along the coast en route to and returning from the Cape of Good Hope.⁵

The activities of the Dutch East India Company (1602 – 1799) in the 17th and 18th century which resulted in occupation of the South African Cape Province by Dutch Settlers (Boers or Africaners) marked the beginning of expeditions into this vast and semi-arid territory.⁶ The Great Boer Trek (1835 – 1840) was one such incursion. By 1860, missionaries, explorers, traders and hunters of varied nationalities had also made

⁴ Europa Publications Ltd, *Africa South of the Sahara – 1999 – 28th Ed.*. (London: Europa Publications Ltd, 1999).p.757.

⁵ V. C. Knight, 'Grolier Inc' (New York, Dunbury, 1996).

⁶ Encyclopaedia Britannica (1994-99)

inroads into the territory. Outsiders created avenues not only for trade (ivory and cattle), but also introduced firearms, a development that made prevailing conflicts among the region's people very destructive.⁷

During the Berlin conference of 1884-85, Germany declared its claim for Namibia, calling it German South West Africa.⁸ Right from the outset, the African indigenous inhabitants of the territory resisted their displacement by newcomers. Indeed the German rule of Namibia was characterized by bloody suppression of black African resistance. The 1904 and 1907 Herero and Nama rebellions against German land policies were brutally suppressed resulting in the Herero being reduced from 80,000 to 15,000 and the Nama from 20,000 to 9,000.⁹

During the World War 1, the Union of South Africa invaded and conquered the German colony in Namibia, forcing Germany to renounce the territory in the treaty of Versailles. South Africa was subsequently granted mandate over the territory in 1920 by the League of Nations.¹⁰ South Africa took advantage of the trust to justify settlement, exploitation, abuse of human rights, and moved to annex the territory to be a fifth province. Widespread resistance flared into violence in the territory repeatedly, with trade unions organizing political and economic defiance as early as the 1920s.

In 1925, the South African Government granted limited self-government to the territory's white settlers, established a society based on separation of races (apartheid), and in 1946 applied to the United Nations (UN) to annex South West Africa to become a territory of South Africa. The request to annex Namibia was denied by the UN General Assembly and South Africa (SA) was prevailed upon to submit a trusteeship agreement to the UN in lieu of the mandate granted by the defunct League of Nations. South Africa declined, marking the beginning of the protracted dispute.

From 1947, Namibians started petitioning the UN against South African rule, with a series of cases before the International Court of Justice (ICJ). Despite these protests, South Africa extended its parliamentary representation to South West Africa by

⁷ Encyclopedia Britannica (1994-1998)

⁸ T. Pakenham, 'The scramble for Africa: White Mans Conquest for the Dark Continent from 1876 to 1912' (1991)

⁹ V. C. Knight, 'Grolier Inc' (New York, Dunbury, 1996).

¹⁰ B. Mwarania, 'Kenya Battalion in Namibia' (Nairobi, Department of Defense, 1999), p.4.

constitutional amendment in 1949.¹¹ In 1950, the ICJ ruled this action to be illegal as the status of the mandate could not be changed without the consent of the UN.¹² South Africa agreed to revisit the trusteeship question by negotiation through a special committee of the General Assembly, but the negotiations ended in failure in 1951.

Nationalist resistance groups started forming in the 1950s and 1960s within the territory.¹³ In 1957 the Ovamboland Peoples Congress (OPC) was formed. In 1958, the Congress was renamed as Ovamboland People's Organization (OPO), and in 1960, it became the South West Africa People's Organization (SWAPO).¹⁴ OPC was initially founded in Cape Town by the gallant Toivo ja Toivo with an original idea to fight for the rights of migrant workers. Inside Namibia, Sam Nujoma was one of the early members of OPC and took leadership of the party when it changed its name to OPO. OPO took an increasingly militant stance and was always in the forefront in airing grievances on wrongs inflicted on black people by the white administration. Besides SWAPO was South West Africa's National Union (SWANU) formed earlier in 1959 by Herero intellectuals, although SWAPO grew to become the dominant liberation movement. From 1963 onwards, SWAPO meetings were effectively banned, but the organization remained legal.

Given that continued resistance and petitioning against the South African apartheid regime had failed, the liberation movements took root. Apartheid against Black Namibians was experienced in many forms including the oppressive and exploitative contract-labour and land policies. For instance, contract-labour paid only enough to support a single person at subsistence level. To increase contract-labour, forced land relocations were imposed on the Black populations driving them into abject poverty and eroding social and civil structures. The forced relocation of Black Namibians from the old location in Windhoek to the desolate outlying township of Katutura was a key catalytic event to increased tension and bloody uprising.

¹¹ Europa Publications, Africa South of the Sahara-1999, 28th Ed (1999) p.755.

¹² *ibid*

¹³ *ibid*

¹⁴ *ibid*

In June 1964, the UN Security Council condemned apartheid and ordered a study to be made of sanctions against South Africa. In 1966, the UN General Assembly voted to terminate South Africa's mandate, assume responsibility for the Namibian territory, and went ahead to establish the 'Council for South West Africa' in 1967 and renamed the Territory 'Namibia' in 1968.¹⁵

Despite these measures the South African Government refused to relinquish the territory to the UN and increased its oppression particularly against the Black nationalists through a wave of trials, imprisonment and torture. For instance, Nujoma and Toivo ja Toivo of SWAPO were tried for terrorism and sent to prison in 1968, while scores of other SWAPO supporters took to exile. As a result, SWAPO escalated its liberation struggle by waging an armed insurgency through its military wing, the People's Liberation Army of Namibia (PLAN).¹⁶ The South African rejection of further proposals by the UN and the ICJ to help resolve the prevailing conflicts provoked the 1971-72 massive strike in Namibia, which marked a turning point in Namibia's national solidarity and nationwide participation in the struggle for self determination.

The South African Administration responded with increased arrests, detention and imposition of a state of emergency. In retaliation SWAPO began cross-border attacks targeting South African troops in Namibia from nearby country, Angola. The conflict heightened and spread with the South African Government's response by building its force in Namibia, and supporting the National Union for the Total Independence of Angola (UNITA) rebels, then fighting the Angolan government.

The UN Assembly voted to recognize SWAPO as the authentic representative of the People of Namibia and gave it observer status in the General Assembly. It also appointed the first UN Commissioner for Namibia to undertake administration of the territory making South Africa's position more vulnerable. South Africa's unsuccessful invasion of Angola in 1975 escalated the Namibian armed struggle, and further weakened South Africa's position with the UN. With succession to power of the pro-SWAPO Popular Movement for the Liberation of Angola (MPLA) government in Angola, PLAN was able to establish bases close to the borders of Namibia, a threat to South Africa,

¹⁵ *ibid*

¹⁶ B. Mwarania, 'Kenya Battalion in Namibia' (1999), p.8.

whose government reacted by greater expansion of its counter insurgency forces in northern Namibia. However, the armed struggle had become militarily damaging and economically unsustainable for South Africa, who consequently, began to seek a political solution.

In September 1975, the South African Prime Minister, B. J. Vorster, attempted to install a puppet regime by convening a constitutional conference, the Turnhalle Conference, to discuss the Namibia's future. The conference earmarked 31 December 1978 as the date for Namibia's Independence. A pre-independence constitution draft was produced in March 1977. The constitution, based on apartheid governance was denounced by both SWAPO and the UN, and SWAPO issued its own constitutional proposals based on a parliamentary system and with universal adult suffrage.

Diplomatic Initiatives by Members of the Security Council

Despite the UN position as outlined in the background above, the continued occupation of Namibia by South Africa could have remained unabated given the veto powers of western powers, namely Britain, France and the United States of America. The three countries, also permanent members of the Security Council, used their veto power to frustrate the UN efforts of isolating and cutting off South Africa from the international community through mandatory sanctions. The continued support of South Africa by the three powers and the state of emergency imposed on Namibia by South Africa, were not only grave concerns in the international community, the three countries were faced with a moral obligation to seek a final and lasting resolution to the escalated conflict, acceptable to all parties concerned.

In April, 1977, five western powers (Britain, France, USA, Germany and Canada) formed a 'contact group' to explore ways of reaching a negotiated settlement with South Africa in place of its Turnhalle proposals.¹⁷ The 'contact group' held talks with the South African Government, SWAPO, 'frontline states' and other interested parties with encouraging reception. South Africa moved to consolidate its interests in Namibia in face of the waning international support by appointing an Administrator-General for Namibia

¹⁷ Europa Publications Ltd, Africa South of the Sahara – 1999 – 28th Ed.. London: Europa Publications Ltd (1999).p.756.

in September 1977, and terminating the territory's representation in the South African Parliament.

The 'contact group' continued to work on a proposal taking into account the conflicting and divergent views of all the interested parties to the conflict. By April 1978, the 'contact group' was able to present proposals for a settlement providing for UN-supervised elections, a reduction in numbers of South African troops from Namibia, and the release of political prisoners. These proposals were accepted by South Africa by late April and by SWAPO in July. Following this agreement, Security Council resolution 431 of 27th July, 1978 was passed. The resolution urged all parties concerned to do their best in the quest for the independence of Namibia. It also called on the Secretary General to appoint a Special Representative for Namibia, and further, for the submission of a possible commencement date of the implementation of the Security Council Resolution 385 of 1976 calling for the early independence of Namibia through 'free and fair' elections, under the supervision and control of the United Nations.

Marti Ahtisaari, a long serving and experienced Finnish diplomat was appointed by the Secretary-General, as his Special Representative, who on his appointment immediately embarked on a fact-finding mission in Namibia. His report, Minute S/12827 of the 29th August, 1978 was submitted to the security Council who deliberated on and together with Resolution 431 of 27th July, 1978 was incorporated into UN Security Council Resolution 435 of 28th September 1978. They called on South Africa to cooperate with the Secretary General, and declared all unilateral measures taken by the illegal administration in Namibia – electioneering in contravention of Security Council Resolutions – to be null and void.

South Africa insisted on holding its planned elections for a Namibian constituent assembly in December in contravention with the UN Security Council Resolution 435. This was rejected by the International community, but as would have been the case, no sanctions were imposed on South Africa. Consequently, SWAPO boycotted the puppet elections and 41 of the 50 seats of the puppet constitutional assembly were won by the Democratic Turnhalle Alliance (DTA), a puppet coalition of the ethnic groups involved in the Turnhalle Conference.

Dirk Mudge, the leader of DTA became Chairperson of the Ministerial Council of the puppet constitutional assembly and was granted limited powers. In 1980, South Africa also established a separate South west African Territorial Force (SWAFT) but continued to control defence, security matters and external affairs of Namibia.

In January 1981, the UN convened a conference in Geneva which was attended by SWAPO, South Africa, the DTA and other internal parties. The UN 'contact group', and 'Frontline states' also attended but as observers. South Africa and the internal parties could not agree on a cease-fire date and the implementation of the UN plan. It was apparent that South Africa believed that SWAPO was a communist organization and could therefore not be allowed to ascend to power in Namibia. The DTA also needed time to establish itself as a credible alternative to SWAPO. The South African Government skillfully protracted the negotiations playing on US fears of communism and hoped that the newly elected Reagan Administration in US would be sympathetic to South Africa.

During 1981, the 'contact group' under the chairmanship of the US continued negotiations with South Africa and SWAPO and arrived at an agreement on constitutional guidelines in July 1982. The guidelines provided that the post-independence constitution should include a bill of rights and be approved by two-thirds of the members of a constituent assembly. However, the parties could not agree on whether the election should be conducted wholly on the basis of proportional representation or universal adult suffrage.

The issue of communism, however, started to take root and became an obstacle to the implementation of the UN plan. South Africa was concerned about Cuban troops in Angola who had defeated its invasion of Angola in 1975, insisting that the Cuban troops withdraw. This issue commonly referred to as the 'Linkage condition' in the negotiations led to a repeated and time-consuming stalemate. It was further extended by the US Government who viewed the war in Namibia and Southern Angola as a buffer against Soviet expansionism, a view not shared by the other members of the 'contact group' particularly France. France eventually withdrew from the group in December 1983. The US continued with the negotiations alone.

Within Namibia, the DTA was seriously weakened by the resignation of Dirk Mudge, the Chairman, and Peter Kalangula, the leader of the Ovambo ethnic group in the alliance. The Ministerial Council thus automatically dissolved itself, and in turn, the Administrator General dissolved the National Assembly and assumed direct rule of Namibia on behalf of the South African Government.¹⁸

The Armed Conflict

SWAPO continued to wage its liberation war from bases in Angola during the 1980s. South Africa also continued to re-inforce its troops and police in the northern part of Namibia with the locally recruited SWAFT, mercenary and covert police (Koevoet) detachments. This resulted in severe escalation of human rights abuses in Ovamboland, Kavango and Caprivi regions. There were numerous reports from churches of torture and killings attributed to state apparatus in the period 1981-84. South Africa conducted extensive raids across the Namibia-Angola border occupying up to 200km inside Angola.¹⁹

In February 1984, a cease-fire agreement was concluded in Lusaka following negotiations between South African and US Government officials. Under the terms of the agreement, a joint commission was established to monitor the withdrawal of South African troops from Angola, with Angola undertaking to permit neither SWAPO nor Cuban forces to move into areas vacated by south African troops. SWAPO on their part declared that it would abide by the agreement but made it clear that it would continue PLAN operations until a cease-fire was in effect in Namibia in the process of implementing UN Resolution 435. To this latter end, the US Government continued to push for the removal of Cuban troops from Angola as an incentive for South Africa to agree to the implementation of the Resolution.

In November 1984, President Dos Santos of Angola agreed to the withdrawal of Cuban troops from southern Angola. At this time, South Africa continued to lose internationally and militarily. For instance, in 1986, South Africa had lost some 2,500 soldiers in the protracted war. Further still, South Africa's financial support to maintain

¹⁸ ibid

¹⁹ ibid

its occupation of Namibia and defense spending in the war had started to take its toll. The war effort, like the negotiations had become a stalemate. This was exacerbated by the dramatic defeat in combat of South Africa in early 1988 following its invasion of Angola, thus reaching a turning point in the conflict.²⁰ In the battle, fought near Cuito-Cuanavale, South Africa lost air control, and the western front defenses tumbled back to the border. This brought the conflict to a 'ripe moment', as it seemed to have forced South Africa to take a more objective attitude in the ongoing negotiations in various avenues with the mediation of the US representatives.²¹

In January 1988, Angola and Cuba had agreed in principle to the US demand for a complete withdrawal of Cuban troops from Angola as a condition for the implementation of the UN independence plan for Namibia. South Africa demanded for a detailed timetable for the withdrawal of the Cuban troops to be agreed upon. By mid July the parties in the negotiations had already adopted a document containing 14 'essential principles' for a peaceful settlement of the conflict. In early August, it was agreed that the implementation of resolution 435 would start on 1st November, 1988. Consequently, South African troops pulled out of Angola by the end of August although the November deadline was not met following a disagreement on the schedule for the evacuation of Cuban troops. However, this was settled in mid-November and finally ratified in mid-December.

On the 22nd of December, 1988, South Africa, Angola and Cuba signed a treaty designating 1st April, 1989 as the implementation date of resolution 435. Another treaty, between Angola and Cuba required the evacuation of all Cuban troops from Angola by July 1991. A further agreement was also signed establishing a joint commission to monitor the implementation of the trilateral treaty. The terms of the agreement spelt out that South African forces in Namibia were to be confined to their bases, and their numbers reduced to 1,500 by 1st July 1989. All South African troops were to have been withdrawn from Namibia, one week after the UN supervised elections in Namibia. A multinational UN observer force, the United Nations Transition Assistance Group (UNTAG), was to monitor the South African withdrawal, and supervise the elections.

²⁰ Zacarias, A., The United Nations and International Peacekeeping, London: I. B. Tauris Publishers (1996). p.62.

²¹ *ibid*

Implementation of the UN Resolution 435

In January 1989, the UN deployed the 'United Nations Verification Mission' (UNIVEM) in key towns and strategic areas in Angola to monitor Cuban troops' withdrawal. UNIVEM was a contingent of 90 monitors comprised of both civilian and military personnel drawn from Argentina, Algeria, Congo, Brazil, Czechoslovakia, India, Jordan, Kenya, Norway and Spain. It was headed by a senior military officer, Brigadier General, from Brazil.

The UNTAG force started arriving in Namibia in February 1989. The UN budget for UNTAG was approved late by the Security Council on the 16th February, 1989. The original proposal for Resolution 435 was for UNTAG to be composed of 7,500 troops. However, due to budgetary constraints, this was reduced to 4,650 troops plus some 500 police and about 1,000 civilian observers.

By the end of February, the installed Transitional Government of National Unity (TGNU) by South Africa was disbanded. The puppet National Assembly dissolved itself on 1st March 1989 leaving Namibia to be governed, until independence, by the Administrator-General in consultation with the Special Representative of the UN Secretary General.

UNTAG started its operation on 1st April, 1989. A disastrous incident did however take place.²² A large number of PLAN troops were sighted entering northern Namibia from Angola. South Africa alleged an incursion by SWAPO in violation of the agreement of 22nd December 1988. South Africa obtained approval from the Special Representative of the UN Secretary General to release from base SANDF and SWAFT forces presumably for self defence. As a result, 300 PLAN troops were killed in the ensuing ambush by South African troops. The UN and UNTAG had been caught completely unawares by this very serious development. Except for skeleton numbers mainly comprising of advance parties, the UN peacekeeping troops had not arrived and the Special Representative was helpless. A team of four representatives each from the Administrator-General, and the Special Representative were immediately dispatched to the border with Angola to assess and report on the situation, and who in turn submitted their report.

²² B. Mwarania, Kenya Battalion in Namibia (1999), p.31-35.

Captured PLAN fighters explained that they were under the instructions of their commanders across the border to cross into Namibia from Angola to establish military bases which would be monitored by UNTAG. They further explained that they had been assured of safety from South African security forces as UNTAG would take care of them. They had indeed come on foot and not armed for combat. The cause of this sudden and unanticipated conflict apparently lay in mistaken interpretation of the terms of the UN Peace Plan. SWAPO, having not participated in the 1988 negotiations may have relied on provisions under UN Resolution 435 for the confinement to base of Plan combatants located within the territory on 1st April. The insurgents claimed that they intended to report to UNTAG officials.

The President of SWAPO, Sam Nujoma, recalled all combatants inside Namibia to stop fighting, regroup and report to Angola within 72 hours. Meanwhile, the Special Representative marshaled diplomatic efforts to avert any other catastrophe by convening a joint commission that met at Mount Etjo in Northern Namibia on the 19th May, 1989 where an agreement dubbed the 'Mount. Etjo Declaration' was signed. The declaration reaffirmed the commitment by all parties to put back on track the independence process and thrashed out all matters of administrative detail to avoid future misunderstandings.

The Namibian independence process picked up well in line with the agreed programme. In June, 1989, most racially discriminatory legislation was repealed and an amnesty granted to Namibian refugees and exiles. By late September, some 42, 000 refugees including the SWAPO president, had returned to Namibia. Meanwhile South Africa completed its troop reduction ahead of time.

As the election date for the constituent assembly drew near, party political activities reached a climax and UNTAG, was charged with monitoring the process to maintain confidence among the parties for 'free and fair' elections. The Administrator-General and his team organized the entire operation while UNTAG made elaborate arrangements to supervise and monitor the electioneering.²³ More staff was recruited from UN headquarters and contributing member countries to ensure total coverage. UNTAG military officers were also detached to beef up the election teams over and

²³ Hill, S. M. and Malik, S. P., Peacekeeping and the United Nations, Issues in International Security Series edited by Croft, S. J., Aldershot: Dartmouth Publishing Co Ltd (1996). p.66.

above their military duties. Polling took place throughout the country from 7th to 11th November, 1989 and the process was peacefully conducted with more than 95% of the electorate voting. Candidates from 10 political parties and alliances contested for the 72 seats in the Constituent Assembly. SWAPO received 57.3 % of all votes cast and won 41 seats, thus obtaining a majority but failing to achieve the two-third majority that would have allowed SWAPO a higher hand in drafting the country's constitution. DTA won 28.6 % of the votes giving it 21 seats. The elections were pronounced 'free and fair' by the Special Representative to the UN Secretary General, and the elected constituent assembly proceeded to draft the constitution of Namibia. Soon after the elections, the remaining 1,500 South African troops left Namibia and SWAPO bases in Angola were disbanded.

On 21st March 1990, Namibia became Independent with Sam Nujoma as its first President and the Constituent Assembly becoming the National Assembly. A new Nation had been born. The role of the United Nations Transitional Assistance Group in Namibia was therefore deemed a success.

Lessons Learnt

The 'Namibian question' as conflict was popularly known was one of the longest liberation struggles having lasted the whole of the Cold War era. South Africa's obstinate denial of a people's freedom in the age of civilization was as a result of Cold War intrigues among the superpowers. It was only at the end of the Cold War and assurance of the US that communism had been checked that South Africa relented its hold on the territory. The other issue was the ever growing popularity and military strength of SWAPO.

Although SWAPO operated outside Namibia, it had extensive support internally. Its military wing, PLAN had also secured internal support although militarily weaker than the South African war machine. SWAPO's continued prosecution of the armed conflict became increasingly costly to South Africa. In addition, South Africa's wish to install its own style of governance in Namibia failed due to lack of credibility and popular support. Its sponsorship of DTA and TGNU proved lacking in leadership and could not stand the test of leadership.

Thus by the time South Africa agreed to implementation of Resolution 435, the conflict had reached a 'ripe moment'. Consequently, the implementation process was swift, smooth and successful to the surprise of many who had feared that South Africa would renege on her commitment to the Resolution.

UNTAG was the first UN mission to employ a broad Multifunctional peacekeeping approach. It comprised of a wide mandate on diplomacy, refugee repatriation and settlement, military and police monitoring, supervision of elections, public relations, release of prisoners, human rights, and voter education and information dissemination. Unlike previous missions, the peacekeeping force also included a substantial civilian component, which was most appropriate for the essentially political nature of the settlement process. The success of the mission can thus be attributed to the following conditions, which were apparent during the implementation of the transition process.

First, it is clearly evident that the conflict had reached a ripe moment. The superpower rivalry had more or less come to an end and South Africa was finding itself internationally isolated. Internally, the majority of Namibians were tired of the protracted conflict and were ready for a lasting peace solution.

Secondly, the UN had skillfully applied exhaustive multilateral diplomacy by ensuring the parties had agreed to resolve the conflict before the process was launched. It was not just a cease-fire, but an agreement to a lasting solution.

Thirdly, UNTAG included a substantial number of civilians which was most appropriate given the political nature of the mission.

Fourthly, the wide mandate, enjoyed by UNTAG enabled it to deal with most situations as they arose. The mission was not confined to cease-fire lines as has been that case in traditional peacekeeping practice. The powers of the Special Representative to supervise the political process strengthened the negotiating powers of UNTAG with South Africa.

Lastly, while the above conditions contributed to what has been deemed a successful peaceful transition to independence in the case of Namibia, the 1st April flare-up at the border with Angola is still one issue that could have derailed the whole

process.²⁴ The surrounding issues suggest a link of this event to the funding levels and timing since this had reduced the peacekeeping force from 7,500 to 4,650 and resulted in delayed deployment. Funding therefore becomes a condition. It is therefore correct to suggest that it is necessary to ensure that operational budgets for peacekeeping are approved early enough to allow for early and possibly sufficient deployment of peacekeeping forces.

²⁴ White, N. D., Keeping the Peace, (Melland Schill Studies in International Law Series), Manchester: Manchester University (1997). p.271.

Chapter Five

UN Multi-functional Peacekeeping in Somalia

Introduction

Somalia forms the Horn of Africa, the easterly projection or 'Horn' of the continent of Africa. It is an important geopolitical position between sub-Saharan Africa and the countries of the Middle East and Southwestern Asia.¹ With an area of some 637,000 square kilometers, it borders a long coastline with the Gulf of Aden on the North and the Indian Ocean on the East. On the Northwest, it borders Djibouti, on the west, Ethiopia, and Kenya further Southwest.

Most of Somalia's land consists of dry thorn bush savannah and is semi-desert with a hot and dry climate, and only 2% of arable land area. It is thus a predominantly nomadic pastoral country with few and scattered settlements around wells, except in the limited agricultural region in the south between the only two permanent rivers, the Juba and Shabeele.

The population of Somalia consists of a 'racially, ethnically, linguistically and religiously homogeneous' people of Cushitic dialect.² Their history goes back to antiquity, and Somali is thought to form part of the 'punt', 'the land of aromatics and incense' mentioned in ancient Egyptian writings.³

There are two theories about the origin of the Somali people. Some historians claim that present-day Somalis migrated northward from parts of southern Ethiopia around the 5th century as evidenced by the existence of their fellow Cushitic speaking Oromos in Southwestern Ethiopia and Northern Kenya. Other scholars argue that their origin stems from the southward migration of Arabs from Yemen in the 13th century as a result of the trading activity and establishment of coastal towns on the long coastline by Arabs seafarers who since the 7th century, had established trading points.⁴

¹ Lewis, I. M., in *Encyclopedia Britannica* 1998: pp. 948

² Schwartzstein, S. J. D., in the *Academic American Encyclopedia*, The 1997 Grolier Inc (1997)

³ Somalia is still a major source of aromatic gums from the frankincense (*Boswellia*) and myrrh (*commiphora*) trees.

⁴ Lewis, I. M (ibid)

Despite a homogenous ethnic ancestry that according to Somali folklore trace it to a common father, and his two sons, Somali and Salo, the ancestry is paradoxically⁵ deeply divided into familial lineage groups of clan families, clans, and sub-clans.⁶ Somali clan genealogy is complex to say the least. In short, there are six major clan-families - the four overwhelmingly pastoral clans of the Dir, Hawiye, Isaaq and Daarood and the two predominantly agricultural clans of the Digil and Rahanwayn - which subdivide into several dozen sub-clans.⁷

The clan families belonging to the Somali lineage, the Dir, Isaaq, Huwiye and Daarood, inhabit the northern and western regions of Somalia and are predominantly nomadic pastoralists. The Dir traditionally lived in Northwestern corner of Somalia; the Isaaq in the Central and Western parts of northern Somali; the Daarood in the Northeastern Somalia; and the Hawiye on both sides on the middle Shabeelle and South-central Somalia. In the South and Southeastern Region live the Sal clan families (the Digil and Rahanwayn) who inhabit the interfluvial area and are predominantly sedentary cultivators and agro-pastoralists.⁸

The strong sense of ethnic consciousness and belligerence exhibited by the Somali is attributable apparently transcends to the community's struggle for survival in the geographic extremes of the dry, hot climate and hostile landscape of thorn bush savanna and semi-desert. It has been argued that the Somali are an egalitarian, independent people who are ethnocentric, class-conscious, belligerent and suspicious of government authority and are highly prone to internecine conflict.⁹

The first European influence in the region was the British acquisition of Aden (now Yemen) on the Arabian coast in 1839 in order to protect its trade routes. This was

⁵ Also referred to as the 'Somali Paradox'

⁶ Lewis, I. M., and Mayall, J., 1994: pp.109

⁷ David Laitin and Siad Samatar, *Somalia: Nation in Search of a State* (Boulder, CO: Westview Press, 1987), pp. 29-34.

⁸ Isabelle Duyvesteyn, Clausewitz and African War: Politics and Strategy in Liberia and Somalia. New York: Routledge, 2004, p. 37-38.

⁹ Lewis, I. and Mayall, J., United Nations op.cit., Samatar, A. I., Anyang Nyong'o 1993: pp 72

further consolidated when Britain occupied the territory to safeguard the route to India after opening the Suez Canal in 1869. In 1887, a British protectorate known as 'British Somaliland' was proclaimed in the northern part of Somalia. The Italians and French also developed interest in the territory, which culminated in the imperial partition of Somalia into British Protectorate of Somaliland, in the north, Italian Somaliland in the south and French Somaliland in present day Djibouti.

After conquering Ethiopia in 1935, Italy went on to conquer British Somaliland. Britain counterattacked in 1941 and laid claim to the entire area. In retaking the area, Britain also drove the Italians out of Ethiopia and reinstated Emperor Haile Selassie. After the war, a commission made up of the victorious allied powers was established to determine the future of Somalia. Britain wanted to administer the entire area of Somalia in a trusteeship arrangement until it became independent. The other allied powers, accusing Britain of imperialist motives, would not agree to this. In the meantime, in an effort to appease Emperor Selassie, the United States and the Soviet Union pressured Britain to hand over part of the Ogaden area to Ethiopia. In spite of strong Somali opposition to the idea, Britain gave in to this request in 1948, reestablishing a separation of the clan based in that area. In the end, the commission was unable to agree on Somalia's future and turned the issue over to the United Nations. In November 1949, the UN General Assembly made southern Somalia a trust territory under Italian control, stipulating that the country was to be made independent by 1960. Britain continued to hold its area as a protectorate. The British and Italian sectors both gained independence in 1960 and merged to form one country.¹⁰

The first independent government was formed of a coalition of the southern-based Somali youth League (SYL), predominantly composed of the Daarood clan, and the northern-based Somali National League (SNL). The SYL had won 83 of the 90 seats in the legislative assembly. Aden Abdullah Osman Daar, the leader of SYL, became the first President and Abdi Rashid Ali ShirmarKe, also a leading SYL politician, became the first Prime Minister.

¹⁰ Jane Boulden, Peace Enforcement: The United Nations Experience in Congo, Somalia, and Bosnia, (Westport, CT: Praeger, 2001), p. 51.

The politics of the new republic were, however, from the onset, affected by problems of merging the administrative system of the former colonies and clan rivalry. The northerners were discontented by what they saw as poor representation in government. Urgent improvements in communication between the former Italian trust territory and the former British protectorate, and readjustments in the legal and judicial systems were also necessary. Internal harmony was sought by encouraging pan-Somalism, a commitment of the political leadership to a policy of extending the boundaries of the state to include Somali communities in Ethiopia's Ogaden region, North-Eastern Kenya and French Somaliland (now Djibouti). Thus the Somali government strongly supported self-determination of Ogaden, Kenyan Somalis, and Issaq of Djibouti. However, this led to the breakout of the guerilla war in Northern Kenya and a Somali uprising supported by Somali forces from the Ogaden region of Ethiopia from 1963. The principle of the inviolability of colonial borders – *uti possidetis* - enshrined in the 1963 Organization of African Unity (OAU) Charter was principally aimed at Somalia. The principle stiffened the resolve of both Ethiopia and Kenya to resist Somalia's irredentist ambitions. In effect, the OAU Charter made the Somalis the outlaws of Africa.¹¹

Somalia's expansionist drive was therefore a cover to mask internal problems. A split within the Daarood SYL's leadership led to the appointment of a new Daarood Prime Minister, Abd ar-Razak Hussein, leaving the party seriously divided. In the 1967 elections, Shirmarke was elected President and formed a new government with Mohammed Ibrahim Egal (a northerner from the Isaaq clan) as Prime Minister. The government of Shirmake also abandoned its pan-Somali campaign and, through the mediation of former Zambian President Kaunda, made agreements with Ethiopia and Kenya to negotiate a lasting settlement of the frontiers issue.

Agreements with Kenya and Ethiopia eased external pressure on the Somalia republic as the characteristic political activism came to the fore with an upsurge of divisive tribalism. This led to the over-contested 1969 elections, with over 1,000 candidates representing 68 mostly clan-based parties vying for 123 seats in the National

¹¹ Jeffrey A. Lefebvre, "The U.S. Military Intervention in Somalia: A Hidden Agenda?" Middle East Policy. Vol. 2 (1), 1993, p. 44.

Assembly. The incumbent government, led by the SYL, through the abuse of state machinery and manipulation of elections, once more secured victory and Egal was reappointed premier. The prevailing political fragmentation and discontent with increasing autocratic style of the President and Prime Minister, led to the deepening of inter-clan rivalry between the northerners and the southerners, with the Northerners persistently complaining that the administration, dominated by the southerners, had failed to serve their interests.

In October 1969, President Shirmarke was assassinated in the course of factional violence, provoking a government crisis and resultant military intervention that led to a bloodless coup d'état on 21, October 1969. The Army Commander, Major General Muhammed Siad Barre became the President and head of state and formed a Supreme Revolutionary Council (SRC) to govern the state. The military government claimed that it had acted to preserve democracy and justice, and to eliminate corruption and tribalism. The country was then renamed 'Somali Democratic Republic' to symbolize these aims. A policy of scientific socialism was also introduced which Siad Barre claimed was compatible with the people's devotion to Islam. He installed a military style administration which was greatly influenced by the Soviet Union's model of public administration. Siad Barre further nationalized most of the economy, declared a campaign to liberate the country from poverty, disease and ignorance, and outlawed clanism. Of the government's reform programme, the most successful was the mass literacy campaign of 1973 and 1974 that made Somali a written language for the first time.

Siad Barre however, seemed to pay lip service to his ideals. His style of Presidency suggested a practice of the age-old clan-inspired behaviour by developing his inner power circle from members of his own Marehan clan, members of the Marjerteen clan of his son-in-law, and from his mother's Ogaden clan - all these clans belonged to the Daarood clan family. Siad Barre's egocentric authoritarian rule was reinforced by a national network of vigilantes, a national security service headed by his son-in-law, ruthless national security courts, and a totalitarian structure of regional committees in the rural areas.¹²

¹² United Nations, The Blue Helmets, p. 287

Besides a totalitarian form of rule, a severe drought in 1974 and 1975 caused widespread starvation. This was despite the government's resettlement programme through which some 140,000 people were relocated to farming colonies in the agricultural south and experimented fishing settlements along the coast.

The internal strife after the 1974 overthrow of Emperor Haile Selassie of Ethiopia gave impetus to the self-determination course of the Western Somali Liberation Front (WSLF) in Ogaden (his mother's clan), for support.¹³ This desire eventually culminated in full-scale invasion of the Ogaden region in 1977 and threatening movements towards Djibouti just as that country was about to gain its independence in 1977. By March 1978, Ethiopia - backed by Soviet equipment and Cuban soldiers, counter-attacked and Somalia withdrew out of Ogaden. Hundreds of Somali refugees poured into Somalia from Ethiopia's counter guerilla operations in Ogaden and also due to the prevailing drought conditions following the failure of rains in 1978.

The effects of the military defeat, famine and the influx of refugees resulted in considerable negative impact on internal conflicts which the Siad Barre regime faced from a surge of clan pressures. Opposition movements started to appear in the country with an abortive coup staged in April 1978. Indeed it can be asserted that Somalia's defeat in the war put in motion the internal discontent and clanbased insurgency that would lead to Barre's overthrow as leader of Somalia. The Somali Salvation Democratic Front (SSDF) comprising the Majeerteen clan was the first one to be formed in the aftermath of the failed April 1978 coup by one of the coup plotters, Lieutenant Colonel Abdullahi Yusuf Ahmed. Members of the Isaak clan, in exile in London, formed the Somali National Movement (SNM) in 1981. The SNM established a base in Ethiopia from which they began guerrilla activity. By the mid- to late-1980s, other clans formed

¹³ Somalia had never given up its irredentist ambitions despite the agreements with Kenya and Ethiopia. The overthrow of Haile Selassie gave the Somalia government a chance to support the Western Somali Liberation Front (WSLF) in Ogaden, an organization committed to the secession of Ogaden and its reunification with Ethiopia.

their own movements. The Ogaden clan formed the core of the Somali Patriotic Movement (SPM) and the Hawiye clan formed the United Somali Congress (USC).¹⁴

A peace accord in 1988 signed between Siad Barre and the Ethiopian leader, Mengistu Haille Mariam obliging each side to cease supporting anti-government guerillas intensified the civil war in Somalia. Threatened with isolation after closure of their bases in Ethiopia, the SNM directed their anger against Somali government forces, seizing Burao and Hargeisa in the north, strongholds of the Isaak clan. The Siad Barre government responded ruthlessly, bombarding Hargeisa using South African mercenary pilots. The result of this bitter conflict was an estimated 40,000 deaths and a similar estimate of refugees into Ethiopia, leaving ghost lands in the hands of the government forces. The brutal suppression of the insurgency further resulted into greater support for the SNM within Isaak and other northern clans that the SNM had never managed to rally behind on its own. Ogaden Somali who had been progressively absorbed into the army and militia felt betrayed and began to desert and attack Siad Barre's clansmen.

Clan-based guerilla opposition groups multiplied rapidly, and Siad Barre's succession struggle within his own Maheeran clan became an issue and significantly weakened his government.¹⁵ Claimants to his succession included his oldest surviving son, General Maslah, and his cousin, Abd ar-Rahman Jama Barre, a veteran foreign minister. Their rivalry divided the clan and the armed forces. Somalia plunged into economic difficulties as superpower Cold War came to an end, and international aid declined due to rising concerns over the Siad Barre's regime's human rights record.

Thus whereas in Namibia the end of the Cold War led to increased international isolation of South Africa¹⁶ and a resultant decision by Fredrick de Klerk to grant

¹⁴ Jane Boulden, Peace Enforcement: The United Nations Experience in Congo, Somalia, and Bosnia, (Westport, CT: Praeger), 2001, p. 51.

¹⁵ The succession struggle was prompted by Siad Barre's advanced age at the time, which was 71 years in 1990

¹⁶ For instance, in 1986, the US Congress instituted the Comprehensive Anti-Apartheid Act, which imposed economic sanctions against South Africa. Specifically, the Act sanctioned heavy penalties against US companies found doing business in South Africa, in violation of the Act. Cf. Legum, C. (ed), *Africa Contemporary Record*, Vol. XX, 1987-88, p. A 108.

independence to the country (Namibia) in Somalia the situation was different; the end of the Cold War in Namibia led to the consolidation of the state's administrative structure under black majority rule in, but in Somalia it led to the disintegration of the administrative polity. The reason lay in the United States' desertion of Siad Barre as his regime became an international pariah due to its human rights abuses. In other words after the collapse of communism US foreign policy was not driven by the need to support dictators so long as they renounced communism; indeed such dictators became a liability to the US, resulting in diminished military and political support.¹⁷

In 1989, General Mohamed Farah Aidid (an Hawiye) who had been Somali's ambassador to India returned and joined the opposition. Aidid, and other notables from his clan formed the United Somali Congress (USC) in exile in Rome with Aidid commanding the guerilla wing operating from Ethiopia after his arrival. Another opposition group, the Somali Patriotic Movement (SPM) was also established in the south by Ogaden army deserters and marshalled considerable support from the Ogaden clan who had long considered that the Siad Barre's Mareha clan had been able to expand their grazing land at the expense of the Ogaden in the Abba Valley.

Siad Barre's reaction to the increasing opposition was ruthless repression and manipulation of clan rivalries for his political survival, leading to further escalation of the opposition. The arrest of a number of Muslim religious leaders accused of supporting various opposition elements led to demonstrations in Mogadishu in July, 1989, which were further ruthlessly crushed by the security police. Reports reflected as many as 1,500 dead and injured, besides an instance where 46 northerners were summarily executed at Jasiira Beach west of Mogadishu on 10th July 1989.

Through his regime's repressive actions against the civilian population Siad Barre achieved what he least sought – the unification and crystallization of opposition to his regime by disparate Somalia clans that had never coalesced around a common point before. By the time Barre came to realize the gravity of the mounting military and civil

¹⁷ For instance, the amount of United States military and economic aid to the regime was US\$34 million in 1984; by 1987 this amount had dwindled to about US\$8.7 million, a fraction of the regime's requested allocation of US\$47 million. Cf. Isabelle Duyvesteyn, *Clausewitz and African War: Politics and Strategy in Liberia and Somalia*, New York: Routledge, 2004, p. 41.

opposition, it was too late and his reconciliatory gestures were largely dismissed as superficial. His castigation of his government by accusing and sacking his Prime Minister, General Samatar, for the government's poor performance did not persuade any opposition figures to join the administration and finally he had to re-appoint Samatar. The government continued to lose credibility and authority and by the end of 1990, it had little control outside Mogadishu. The army administration and command structure had virtually disintegrated owing to decay introduced by over-promotion of untrained Marehan clan people, the President's clan.

A full-scale uprising erupted in Mogadishu in November 1990, with USC guerillas advancing steadily against government forces. Urgent efforts to form an acceptable government headed by Umar Arteh Ghalid, an Isaaq and former minister of foreign affairs, and an announcement by Barre that he would relinquish power in exchange for a ceasefire were ignored. Italian government's efforts to mediate a peaceful transfer of power were also unsuccessful. The final blow to Siad Barre's regime, precipitating state collapse, saw Siad Barre flee from Mogadishu with the remnants of his army to the south on 27th January 1991.

The Politics of Succession

The alliance that overthrew Siad Barre was inherently unstable. It was mainly formed from three major but mutually antagonistic ethnic groups, within which numerous complex clan and tribal loyalties co-existed, and was quite unable to reach the sort of essential compromises upon which any national regime must depend. The Somali National Movement (SNM) was dominated by the Isaak people from the north. The Somali Patriotic Movement (SPM), drawn mainly from the Ogadeni clan, held the south. The third major group, the United Somali Congress (USC), was composed mostly of people from the Hawiye clan and controlled the capital, Mogadishu.

The flight of Siad Barre and an end to his dictatorship did not pave way to peace in Somalia. The effects of a disintegrated opposition and the Somali problem of inter-clan and intra-clan intrigues led to total anarchy in the collapsed state of Somalia. Rather than banding together in victory, the final collapse of the government brought disunity to the

various rebel groups. Without consulting any of the other clans or USC clan factions,¹⁸ the USC executive named Ali Mahdi Mohammad of the Abgal sub-clan of the Hawiye clan, a prominent businessman and former politician in the former pre-1969 government, as interim President. Although the USC emphasized that this was temporary and urged all opposition forces to participate in a national reconciliation conference, the move was not acceptable to the other factions. The other groups rejected this choice, as did Mohammad Farah Aidid, who believed that as the military leader of the victory in the battle for Mogadishu (the United Somalia Congress was the first faction to enter Mogadishu as Siad Barre and remnants of his troops fled) he deserved to be named leader.¹⁹ Aidid created a split within the USC by forming his own USC faction, the Somali National Alliance, (SNA).²⁰

From this point onwards, the country steadily descended into political and economic anarchy. The split in the USC, which constituted the interim government, in combination with the inability to get agreement from the other rebel groups on the formation of a government, led to uncertainty and turmoil in Somalia. From January 1991, therefore, Somalia was a state without an effective government, and in the midst of a civil war.

The ensuing civil war had many facets but in the course of time the rivalry between Aidid and Ali Mahdi became dominant. First, Siad Barre did not give up after fleeing from Mogadishu. One of his daughters was married to Mohammed Said Hersi, also called Colonel Morgan. He had received his military training in the United States as part of a US military aid package to Somalia at the beginning of the 1980s.¹²⁶ He

¹⁸ There were two major sub-clans that dominated the USC, the Abgal and the Habar Gidir.

¹⁹ Aidid was not only the military leader of the USC but also its chairman while Ali Mahdi Mohammad had been USC's representative in Somalia when the group was formed in exile when said Barre was still in power.

²⁰ This rivalry between Aidid and Mohammad has been explained as a confrontation between the old soldier (Aidid) - part of the authoritarian culture - and the businessman with newly acquired wealth (Ali Mahdi). Cf. Daniel Compagnon, "Somali Armed Movements: The Interplay of Political Entrepreneurship and Clan-Based Factions," in Christopher Clapham (ed.), *African Guerrillas*, Oxford: James Currey, 1998, pp. 73-90, p. 84.

commanded the Somali armed forces in northern Somalia when the SNM fighters invaded from Ethiopia in 1988. After Barre was forced to flee his presidential mansion, Morgan became a member of the Somali National Front (SNF), representing the forces of the old order. He and his men, mainly from the Marehan and Majerteen sub-clans, part of the Darod clan, established a base in the south of Somalia, the heartland of Barre's support, to attack the other factions from there. Throughout the war, the actions of Morgan's faction were concentrated in southern Somalia.

Secondly, the USC's announcement of a provisional government in February 1991 angered its allies, who maintained that they had not been consulted. Other opposition movements, particularly the SSDF, felt that the USC had slighted their long years of struggle against the Siad Barre regime, and refused to accept the legitimacy of the provisional government. The SPM and the SSDF formed a loose alliance to contest USC control of the central government and ousted USC forces from Kisimayu, Somalia's main southern city. Violent clashes between the SPM-SSDF alliance and the USC occurred throughout 1991. Although in early April 1991, the USC and its guerrilla opponents in the south agreed to a cease-fire, this agreement broke down in the latter part of the year as fighting spread throughout those areas of Somalia under the nominal control of the provisional government.

The major reason for the breakdown of the ceasefire was the composition of the new government. The majority of the posts in the interim government were allocated to Hawiye clan members (read USC), save for Umar Ateh Ghalib, who was appointed Prime Minister, and General Mohamed Abshir, both of the Majerteen clan. The other political groups also saw the appointments as an attempt by the USC (Hawiye) to preempt their participation in the new government. Even though the provisional government continued to hold talks on power sharing, the prospects for long-term political stability remained uncertain.

Thirdly, the situation in northern Somalia was even more serious for the provisional government. The dominant SNM, whose fighters had evicted Siad Barre's forces from almost all of Woqooyi, Galbeed, Togdheer, and Sanaag regions in the north as early as October 1990, had also captured the besieged northern garrisons at Berbera, Burao, and Hargeysa at the end of January; they were not prepared to hand over control

to the new government in Mogadishu. Like its counterparts in the south, the SNM criticized the USC's unilateral takeover of the central government, and the SNM leadership refused to participate in USC-proposed unity talks. The SNM moved to consolidate its own position by assuming responsibility for all aspects of local administration in the north. Lacking the cooperation of the SNM, the provisional government was powerless to assert its own authority in the region. The SNM's political objectives began to clarify by the end of February 1991, when the organization held a conference at which the feasibility of revoking the 1960 act of union¹²⁷ was seriously debated.

In the weeks following Siad Barre's overthrow, the SNM considered its relations with the non-Isaaq clans of the north to be more problematic than its relations with the provisional government. The recently formed Somali Democratic Alliance (SDA), supported primarily by the Gadabursi clan, and the relatively new United Somali Front (USF), formed by members of the Iise clan, felt apprehension at the prospect of SNM control of their areas. During February 1991 there were clashes between SNM and USF fighters in Saylac and its environs. The militarily dominant SNM, although making clear that it would not tolerate armed opposition to its rule, demonstrated flexibility in working out local power-sharing arrangements with the various clans. SNM leaders sponsored public meetings throughout the north, using the common northern resentment against the southern-based central government to help defuse inter-clan animosities. The SNM administration persuaded the leaders of all the north's major clans to attend a conference at Burao in April 1991, at which the region's political future was debated.

The net outcome of the Burao conference was the decision to create a northern independent state, and on May 17, 1991, the formation of the Republic of Somaliland was announced. The new state's border roughly paralleled those of the former colony, British Somaliland. SNM Secretary General Abdirahmaan Ahmad Ali "Tour" was named president and Hasan Iise Jaama vice president. Ali "Tour" appointed a seventeen-member cabinet to administer the state. The SNM termed the new regime an interim government having a mandate to rule pending elections scheduled for 1993. During 1991 and 1992, the interim government established the *sharia* as the principal law of the new republic and chose a national flag. It promised to protect an array of liberties, including freedom

of the press, free elections, and the right to form political parties, and tried, albeit unsuccessfully, to win international recognition for the Republic of Somaliland as a separate country.

Fourthly, Mogadishu could not deal effectively with the political challenge in the north because the interim government of President Ali Mahdi Mohammad gradually lost control of central authority. Even though the interim government was dominated by the USC, this guerrilla force failed to adapt to its new position as a political party. Although the USC was primarily a Hawiye militia, it was internally divided between the two principal Hawiye clans, the Abgal and Habar Gidir. Once in power, the clans began to argue over the distribution of political offices. Interim president Mohammad emerged as the most prominent Abgal leader whereas Aidid emerged as the most influential Habar Gidir leader. Fighters loyal to each man clashed in the streets of Mogadishu during July 1991, then engaged in open battle beginning in September. By the end of the year, the fighting had resulted in divided control of the capital. Aidid's guerrillas held southern Mogadishu, which included the port area and the Mogadishu international airport, and Ali Mahdi Mohammad's forces controlled the area around the presidential palace in central Mogadishu and the northern suburbs.

Attempts at Reconciliation

Throughout 1991, various unsuccessful attempts were made by regional actors as well as clan elders to find a resolution to the conflict. The SNM, in large measure the key player in bringing about the collapse of the Barre regime by virtue of being the longest serving of the rebel groups, once again (Siad Barre had also hailed from the south) faced the prospect of a national government dominated by the south (the SNM was majorly composed of the Isaak clan from the north). In May 1991, in order to distance themselves from the infighting of the other clans, and trying to hedge off the possibility of domination by stronger southern groups, SNM officials declared the independence of the Republic of Somaliland in the north.

In August 1991, meetings that were attended by representatives of the major factions (including USC, the Somali Democratic Movement (SDM), the SSDF, SPM and SNM) in Djibouti resulted in agreement on the Djibouti Accords, the essence of which

was to accept Ali Mahdi Mohammad as interim President on the condition that he takes steps to end the conflict, develop a basic civil infrastructure, and reconstitute a national army. The accords were never adhered to, and the situation continued to deteriorate.²¹ The issues negotiated included the driving out of Siad Barre's forces, implementation of a general ceasefire, respect for national unity, re-adoption of the 1960 constitution and the status of Ali Mahdi's two-year interim government. Major discussions were devoted to sharing ministerial portfolios equitably among the clan groups. For instance, the Darod groups, SSDF and Somalia Patriotic Movement (SPM) wanted a Darod prime minister while the others wanted a northerner but not Umar Artech.

A United Nations-mediated cease-fire agreement that came into effect in March 1992 helped to reduce the level of fighting, but did not end all the violence. Neither Mahammad nor Aidid was prepared to compromise over political differences, and, consequently, Mogadishu remained divided. Mogadishu was consumed by the feud between the two main powerbrokers of the United Somali Congress – Ali Mahdi Mohammed (erstwhile USC leader in the capital) and General Mohammed Farah Aidede (military commander of USC forces, operating under the banner of SNF).

Intervention by the International Community

The fighting during this period was happening at a time of serious drought. Notwithstanding, the fighting saw the devastation of farms of the Southern grain-growing region, killing of livestock, burning of food harvests and razing of homes to the ground.²² By 1992, almost 4.5 million people, more than half of the country's population, were threatened with hunger, severe malnutrition, starvation and accompanying diseases. It is estimated that during the height of these conflicts, half of all Somali children under the age of five years, died from starvation, malnutrition and disease. Overall, some 300,000

²¹ Isabelle Duyvesteyn, *Clausewitz and African War: Politics and Strategy in Liberia and Somalia*, New York: Routledge, 2004, p. 40.

²² It was this 1960 Act of Union that united British and Italian Somaliland to create the state of Somalia.

people are estimated to have died and some 2 million displaced with majority fleeing to other areas within Somalia or other neighbouring countries.²³

During the first year of anarchy (1991), the situation within the country became so dangerous that most nongovernmental organizations (NGOs) and UN humanitarian agencies left the country.²⁴ This was due to the fact that insecurity was so rampant that humanitarian aid-flows were systematically diverted through looting by bandits and combatants for their own use. For instance, Aidid's faction of the USC comprised an estimated 10,000 guerrillas. Many of these men looted food supplies destined for famine victims and interfered with the operations of the international relief agencies. They justified their actions on the grounds that the assistance would help their enemies, the USC faction loyal to Mohammad. The pro-Mohammad forces included an estimated 5,000 fighters. They also used food as a weapon. Consequently, most organizations moved their headquarters to Nairobi and continued to try to run aid and assistance programs in Somalia.²⁵

United Nations Intervention in Somalia's Conflict Begins

The Somalia conflict intensified at a time when the position of Secretary General of the UN was changing hands (1992). Consequently, outgoing United Nations Secretary General, Javier Perez de Cu'ellar, handed over the problem to the incoming Secretary General, Boutros Boutros Ghali. Ghali tasked a team of UN Officials headed by the then Under-Secretary General for Special Political Affairs, James Jonah, to visit Somalia for possible talks with the rival parties on reconciliation and secure access of emergency humanitarian aid to the needy.

²³ Jane Boulden, Peace Enforcement: The United Nations Experience in Congo, Somalia, and Bosnia, (Westport, CT: Praeger, 2001), p. 51.

²⁴ Africa Watch, A Government at War with its Own People: Testimonies about the Killings and the Conflict in the North, (New York: Africa Watch, 1990), p. 33.

²⁵ Steve Hansch et al. Lives Lost, Lives Saved: Excess Mortality and the Impact of Health Interventions in the Somalia Emergency. (Washington D.C.: Refugee Policy Group, November 1994).

During the Under-Secretary's visit he noted that all the faction leaders supported a ceasefire except General Aidid. Based on his report, the UN Security Council, in its meeting held on 23rd January, 1992, unanimously moved to adopt Resolution 733 (1992) imposing an arms embargo on Somalia and requesting the Organization of African Unity (OAU), and the League of Arab States (LAS), to use their good offices to assist in finding a political settlement in Somalia. The Resolution further tasked the Secretary General to mobilize for, and oversee humanitarian aid from all UN agencies for Somalia.

Looked at critically Resolution 733, which called on all states to immediately implement a general and complete embargo on all deliveries of weapons and military equipment to Somalia until the Security Council decides otherwise, was the first response by the UN to the Somalia crisis. Yet the resolution had all the hallmarks of failure. An arms embargo was a traditional and understandable first response to the conflict. It was also clearly a step without any hope of implementation and as such it represented a very minimal response. This was because at the time Somalia was already awash in arms that had been stockpiled by the Siad Barre regime and which at the time of his fall got into private hands. An arms embargo would have been effective only if the arms were entering the country from outside.²⁶

During consultations between the two warring factions of the USC held on the 12th and 13th February 1992 at the UN headquarters in New York, the leaders of the two factions, Ali Mahdi and General Aidid, and representatives from the OAU, LAS and the Organization of the Islamic Conference (OIC), agreed to a cessation of hostilities. It was also agreed that a delegation composed of representatives of the United Nations, OAU, LAS and OIC, visit Mogadishu, Somalia's capital, to work out a lasting ceasefire.

The joint delegation visited Mogadishu between 29th February and 3rd March 1992, and met both Mr. Ali Mahdi and General Aidid who signed an "Agreement on the Implementation of a Ceasefire." On one hand, Mr. Ali Mahdi had pressed for a full-

²⁶ The bulk of the relief work was being carried out by nongovernmental organizations (NGOs) such as the International Committee of the Red Cross (ICRC), Save the Children Fund (SCF), CARE, CONCERN and Médecins sans frontières (MSF). Cf. Jeffrey A. Lefebvre, "The U.S. Military Intervention in Somalia: A Hidden Agenda?" *Middle East Policy*, Vol. 2 (1), 1993, p. 54.

fledged UN peacekeeping force to implement the ceasefire agreement, disarm civilians and protect the stockpiling and distribution of humanitarian aid. On the other hand, General Aidid had refused to the deployment of UN peacekeeping forces and only agreed to a United Nations security component for humanitarian aid convoys and military monitors in civilian dress for ceasefire monitoring. The final agreement involved a limited scope of deployment of UN monitors at the airports, ports and for humanitarian convoys. The two factions agreed to a UN Technical Team that was to be dispatched to Mogadishu to work out detailed mechanisms for effecting the ceasefire monitoring.

On 17th March, 1992, the UN Security Council approved the UN peacekeeping operations in Somalia by adopting Resolution 746 (1992) which urged a continuation of humanitarian work in Somalia. They also agreed to the UN Technical team to be tasked to develop a “high priority plan to establish mechanisms to ensure the unimpeded delivery of humanitarian assistance”. The Secretary General moved swiftly to appoint a Coordinator, to oversee humanitarian aid delivery, and another Coordinator to lead the 15-member UN Technical Team consisting of members from LAS, OAU and OIC. The UN Technical Team, in its attempt to work out a plan with rival factions about ceasefire monitoring and humanitarian assistance, secured an agreement for the UN to deploy observers to monitor the ceasefire and security staff to protect its personnel and safeguard its activities in the humanitarian and other relief operations around Mogadishu.

Following the consent by the rival parties for the establishment of a UN presence in Mogadishu, on 24 April 1992, the Security Council authorized an initial peacekeeping mission to Somalia known as the UN Operation in Somalia (UNOSOM). Resolution 751 called for the immediate deployment of fifty military observers to Somalia to monitor the cease-fire. The Security Council also agreed “in principle” to the Secretary General's proposal that a “security force” of five hundred military personnel be established under the direction of the secretary-general's special representative to provide security for UN personnel, equipment, and supplies at the port and the airport in Mogadishu, and in escorting humanitarian aid deliveries from there to distribution centers. While the parties to the conflict had agreed in principle to the deployment of the fifty observers, the actual deployment of the security force awaited further consultations with the parties to the conflict.

UNOSOM comprised of 50 military observers to monitor the ceasefire, and a 500 strong infantry unit to provide the UN convoys of relief supplies with a necessary strong military escort, and to fire effectively in self-defense if deterrence should not prove effective. Due to unavailability of suitable accommodation, as well as security considerations, the Secretary General further recommended that the operation be accommodated aboard a ship that would function both as a base-camp and logistics support for the mission. The Secretary General's recommendation on the provision of the humanitarian food and non-food supplies such as seeds and basic health and drinking water to the 5 million people at risk of starvation was contained in a 90-Day Plan of Action. It extended to cover for thousand of soldiers and other armed groups in disarmament and demobilization programmes.

UNOSOM in Somalia

As already highlighted above, the Security Council's adoption of Resolution 751 (1992), to establish UNOSOM came in April 1992, following the Secretary General's recommendation to the same effect. In spite of the initial agreement by Aidid and Mahdi to the deployment of military observers, Aidid was reluctant to give final agreement for their deployment. He finally agreed to the deployment of the observers (though not yet the security force), on 25 June 1992. Due to logistical problems the deployment of the observers began in mid-July—more than two months after the initial authorization. Implementation of the measures approved by the Security Council continued to be a problem. It was only in August 1992, that General Aidid, who held out on giving consent to the deployment of UN troops, agreed to the deployment of the five-hundred-strong security force approved by the Security Council in April, and only after negotiations with the Secretary-General's special representative, Mohammed Sahnoun. Even then, the troops did not arrive until the beginning of October, and once on the ground Aidid blocked their deployment within the city.

The UNOSOM mission, though falling short of true multifunctional peacekeeping, was effectively done for as soon as the cooperation and consent of Aidid disappeared. According to Sahnoun, the delay in deploying the UN troops in conjunction with the arrival of a Russian Antonov aircraft in June 1992 (before the arrival of UN

observers), with UN markings even though at that point it was not operating for the UN, but was delivering support to Mahdi's factions contributed to Aidid's shift to an anti-UN stance.²⁷ Therefore, UNOSOM started with an embarrassment, as (to Aidid and his followers) the UN appeared to have breached the impartiality condition, a guiding principle in UN peacekeeping operations.

Meanwhile, as disagreement between Aidid and UNOSOM continued conditions in Somalia did not improve but rather continued to deteriorate for the majority of the people. This was due to the fact that the UN presence had only been established in Mogadishu yet factional clan fighting and insecurity continued to rage in central and southern parts of the country. It is on this basis, that the Secretary General, in two reports to the Security Council, one in July and a second in August 1992, proposed new measures to deal with the situation. In particular, the Secretary General pushed for a broadening of UN action beyond its focus on the south to take in the whole country by establishing four operational zones in which a "consolidated" UN operation would carry out the basic activities of establishing a secure environment, ensuring humanitarian aid delivery, and monitoring the cease-fire. The four zones were north-west (Berbera), the north-east (Bossaso), the central area and Mogadishu (Mogadishu), and the South (Kismayu). He suggested that this would involve deploying a maximum of thirty-five hundred troops (including the original five hundred) as part of the UNOSOM operation. In arguing for this expansion, the Secretary General stated:

The almost total absence of central, regional or local government, posed enormous operational difficulties for the United Nations in establishing a large-scale

²⁷ For a good description of the NGOs experience during this time, see John G. Sommer, *Hope Restored? Humanitarian Aid in Somalia 1990-1994*, Washington D.C.: Refugee Policy Group, November 1994. The absence of UN agencies is a particular source of criticism in the debate about what went wrong in the early stages of the crisis. In particular, the deliberate decision of the United Nations Development Program (UNDP) to stay out of Somalia on the grounds that it was not a situation that offered much prospect for "development" has generated considerable criticism. UNDP is traditionally the lead UN agency in these situations and would have provided the mechanism for sending warning signals about the extent of the problem and activating stronger international involvement. Instead, ICRC and other NGOs found themselves having to develop a strategy to try to draw international attention to the crisis.

effective presence. Nonetheless, the threat of mass starvation facing large segments of the population and the potential renewal of hostilities which could affect peace and stability throughout the Horn of Africa region require an immediate and comprehensive response from the United Nations and the international community.²⁸

The Security Council approved the Secretary General's proposals in Resolution 767 on 27 July 1992 and in Resolution 775 on 28 August 1992. Resolution 767 also called for a massive humanitarian aid effort, requesting that the secretary-general "make full use of all available means and arrangements, including the mounting of an urgent airlift operation, ...in accelerating the provision of humanitarian assistance to the affected population." This last provision reflected increased concern about the depth of the humanitarian crisis in the country, with estimates indicating that as many as 4.5 million Somalis [sixty-five percent of the population] were in desperate need of food and other assistance.²⁹

The need to ensure delivery of humanitarian assistance, monitor the ceasefire and maintain security while helping combatants demobilize and disarm within a framework of national reconciliation in Somalia had the hallmarks of multifunctional peacekeeping, just like UNTAG's role in Namibia. Based on further consultations between the UN

²⁸ Whereas Pentagon officials during the 1980s, \$35 million worth of American weapons were transferred to Siad Barre's government, including 4,800 rifles, 3,672 grenades, 482 TOW anti-tank missiles, 24 armored personnel carriers, 18 155-mm howitzers, 6,032 artillery shells, 75 81-mm mortars and 144 land mines, the full magnitude of U.S. support is documented in the *Congressional Presentation for Security Assistance Programs* prepared by the Departments of Defense and State each year. Beginning with FY 1980 and running through FY 1989 the United States provided Somalia with more than \$125 million in Military Assistance Program (MAP) funds, just under \$200 million in fungible Economic Support Funds (ESF), \$60 million in FMS financing credits, another \$200 million in FMS cash guarantees and programmed approximately \$7 million in International Military Education and Training Program (IMETP) funds to train more than 350 Somali military students. Cf. Jeffrey A. Lefebvre, "The U.S. Military Intervention in Somalia: A Hidden Agenda?" *Middle East Policy*, Vol. 2 (1), 1993, p. 44. Further, during the peak years (1967-87), foreign powers transferred approximately \$2.5-3 billion worth of arms to Somalia. Cf. See U.S. Department of State, Arms Control and Disarmament Agency (ACDA), Cf. *World Military Expenditures and Arms Transfers* for the years 1967-76, 1976-80, 1981-85 and 1983-87.

²⁹ Mohamed M. Sahnoun, "Prevention in Conflict Resolution: The Case of Somalia," *Irish Studies in International Affairs* 5 (1994), p. 11.

Technical team and the warring parties, another Security Council Resolution 751, approved and saw the deployment of 500 troops from Pakistan. On the 28th August 1992, with further consultations and agreement, the Security Council adopted Resolution 775 (1992), increasing the strength of the UN troops to 3,500 troops mainly to take positions in the rest of the other regions. General Aidid is Siad to have opposed this move. The extra UN troops were also beefed up with three logistic units with a total of 719 personnel, raising the total authorized strength to 4,219 troops and 50 military Observers. The troops started arriving in Mogadishu in mid September 1992.

According to the literature consulted for this case study,¹³⁷ the deployment of UN security forces in Somalia was rather slow, and did little to stop the ongoing fighting. As a ceasefire was being effected in Mogadishu between General Aidid and General Mahdi's factions, forces loyal to former President Siad Barre regrouped and attempted to recapture Mogadishu. They had advanced to within 30 kms of the capital before they were repulsed by General Aidid's forces in the battle at Afgri in April 1992. Siad Barre's forces were pushed to Guerhaharre (Gabaaharrey), and then to Kenya.

Following the expulsion of Siad Barre's forces in May 1992, Aidid joined forces with the Somalia Patriotic Movement (SPM) faction, headed by Col. Ahmed Omar Jess, and proceeded to recapture the port of Kismayu from Gen 'Morgan's' forces who also fled into Kenya with his supporters. Despite Aidid's military successes, his attempt to establish administrative control in southern Somalia was strongly resisted and the conflict continued at a low level with alliances between the various factions forming and unraveling depending on interests.

The Transition from UNOSOM to UNITAF

Within five months after the deployment of UNOSOM it became obvious that the UN was unable to deal with the conflict in Somalia. Indeed, for the five months that the military observers and peacekeeping troops were in the country fighting between the various Somalia groups intensified rather than de-escalated. Several reasons can be advanced to explain this failure.

First, fighting between the various factions never stopped. The reasons for continued fighting between the various clan factions in Somalia after the overthrow of

Siad Barre include: traditional clan animosities, which Barre had effectively exploited to maintain his regime; the need to gain access to state power and exclude other clans from sharing the national cake; the personal political ambitions of key faction leaders such as Aidid and Ali Mohammad; the proliferation of small arms that had been accumulated by the Barre regime and their spread into private hands; the need to gain access to pasture and water points and prevent other groups' accessibility; and, a collapsed economy that made the looting of food aid imperative for survival.³⁰ It is based on this endless fighting that UNOSOM found itself unable to implement its mandate.

Secondly UNOSOM's mandate limited its effectiveness and undermined its efforts. Unlike Namibia UNOSOM was a mixture of traditional and multifunctional peacekeeping. Thus whereas in UNTAG in Namibia had a strong civilian component UNOSOM had a strong military element. Further, part of the mandate which dealt with ensuring that humanitarian assistance reached those who deserved presupposed that security would not be a major issue; it failed to take into account the collapsed economy of Somalia and the fact that food aid would be the only means of subsistence available to both the civilians and the combatants. Further, the troops were only supposed to fire in self-defence; they never anticipated that they would be the major targets as they were the only barrier between the food aid and the militias. The destruction of the country as a result of the war and the severe drought that occurred at the same time had left food aid as the only liquid asset. Fighting over food supplies became intense during the course of 1992. It became imperative to withhold food from opponents and get as much of it oneself as possible as a form of currency. When UNOSOM troops tried to defend themselves they realized that they were heavily outnumbered. Consequently, they became more pre-occupied with their safety than with implementing the mandate for which they were there for in the first place.

Thirdly, because of the resultant insecurity posed by the conflict aid agencies could not safely and effectively distribute relief supplies; many were forced to hire armed

³⁰ Jane Boulden, *Peace Enforcement: The United Nations Experience in Congo, Somalia, and Bosnia*, Westport, CT: Praeger, 2001, p. 55.

guards from local clans for protection; while others abandoned relief services for their personal security. This created a humanitarian disaster that called for a reappraisal of UNOSOM's mandate in order to make its humanitarian assistance objectives more feasible.

There were also disagreements within the UN as it pressured for a ceasefire as a precondition for relief supplies to ensure their safe delivery and block looting, while the other aid agencies wanted to distribute the food aid immediately to alleviate the humanitarian crisis. Criticisms of the UN were high. The Secretary General tasked the under-Secretary General, Department of Humanitarian Affairs to lead a high-level inter-agency delegation to review the work under the main six UN agencies in Somalia: United Nations International Children's Education Fund (UNICEF); World Food Programme (WFP); United Nations High Commission for Refugees (UNHCR); Food and Agricultural Organization (FAO); World Health Organization (WHO); and United Nations Development Programme (UNDP). The review also covered some other 30 NGOs in the field.

The delegation noted serious shortcomings, notably the slow process of implementation of UN Security Council Resolutions in Somalia and the lack of support from the United Nations for the Somali operation.³¹ The delegation recommended, a '100-Day Action Programme for Accelerated Humanitarian Assistance' where more food-aid and provision of basic health services were recommended alongside the rehabilitation of civil society. During the conference in Geneva (12th -13th October, 1992), to launch the Action Programme, the Special Representative, Mr Sahnoun advised strongly on local reconciliation and gradual approach to a national reconciliation conference. He opposed the idea of a rapid deployment of UN peacekeeping forces.³² His clash with the Secretary General and other senior UN officials over the future policy for Somalia forced him to resign later in the month.

³¹ Ibid.

³² Mohamed M. Sahnoun, "Prevention in Conflict Resolution: The Case of Somalia," *Irish Studies in International Affairs* 5 (1994), p. 11.

Sahnoun's views at that moment in time seem to have been well ahead of contemporary thinking in the UN. Whereas the concept of attempting to reconcile the warring factions was part of UNOSOM's mandate it does seem, in retrospect, that the UN definition of reconciliation was narrow and merely focused on ensuring a ceasefire. Sahnoun however seems to have broadened it to encompass peace building or an attempt to create trust and confidence between the parties, which is so essential to lasting peace. This is reflected in the fact that whereas a ceasefire can be a political deal between faction leaders peace building necessitates participation by a majority of the followers of faction leaders, most of who can be found at the grassroots level. In essence Sahnoun was alluding to the need for a true multifunctional peacekeeping operation rather than an amorphous mixture of traditional and multifunctional peacekeeping.

Indeed, Sahnoun was well regarded and widely considered to have won the confidence of the various factions in Somalia, to understand the Somali way of doing things, and consequently to be extremely well placed to further the UN operation. His resignation, accepted by the Secretary General, created a serious gap in the UN operation at a critical juncture. Mr. Ismat Kittani replaced Mr. Sahnoun on November 8 1992.

Fifthly, the way the United Nations dealt with the various factions undermined its claims to impartiality. When the UN tried to bring the factions to the negotiation table to agree on a ceasefire in March 1992, only Aidid and Mahdi were invited to these negotiations, yet they were not the only parties to the conflict. The process was thus not all-inclusive, despite the fact that UNOSOM was supposed to ensure the delivery of food aid throughout Somalia and not just in Mogadishu and its suburbs where Ali Mahdi and Aidid were dominant. Secondly, when Ali Mahdi readily welcomed the UN effort but Aidid seemed reluctant, the UN was unable to dispel the impression between Aidid and his followers that it sided with Mahdi against Aidid.³³ The UN's loss of impartiality, from Aidid's perspective, led to his withdrawal of consent at the first opportunity and undermined UNOSM. Given the fact that an attempt by Aidid on 14 February 1992 to take over the whole of Mogadishu led to heavy casualties Aidid agreed to a ceasefire

³³ For an analysis of the issues involved in the Somali conflict see, Isabelle Duyvesteyn, *Clausewitz and African War: Politics and Strategy in Liberia and Somalia*. New York: Routledge, 2004, p. 37-38.

mainly because he occupied the most important parts of Mogadishu and he could use some breathing space after heavy losses in the February fight. The signing of the ceasefire agreement on 3 March 1992 was a mere time buying gimmick for Aidid.

UNITAF Intervention in Somalia

By the end of November, the humanitarian and security situation had deteriorated so significantly that the Secretary-General wrote to the Security Council about the possibility of changing the parameters of the UNOSOM operation. The Security Council's discussion of the Secretary-General's assessment eventually led to Resolution 794 (3rd December 1992), which changed the mandate of UN operations in Somalia from peacekeeping to the use of force.³⁴ The transformation from peacekeeping to the use of force was guided by the inextricable link between food and security in Somalia.

The purpose of the Unified Task Force - UNITAF 'Operation Restore Hope' - was therefore to create a 'secure environment' for delivery of humanitarian assistance. To attain a 'secure environment,' through the use of force, UNITAF was authorized to use "all necessary means" under Chapter VII of the UN Charter. The US Central Command (CENTCOM), which was authorized to assume leadership of UNITAF, defined UNITAF's objectives as to: secure major airports, seaports, key installations, and food distribution points; and provide security and free passage of personnel and humanitarian relief supplies to the needy.³⁵

The United States' proposed to spearhead the operation with 30,000 troops to ensure the delivery of food supplies to the needy and starving, but this was resented in Somalia. It was also opposed by other aid-workers who saw the intervention over-scaled and unnecessary. Yet, the Security Council approved it, arguing that the situation in

³⁴ For instance, a report submitted by U.N. Secretary-General Boutros Boutros Ghali on July 22, 1992, to the UN accused the Security Council of only being concerned about "a rich man's war" in white Bosnia.

³⁵ In particular, the Secretary General's recommendation to deploy a further three thousand troops was approved by the Security Council on 28 August 1992, just after Sahnoun managed to get Aidid's agreement to the initial five hundred. This apparently occurred without any prior consultation or even notification to the UNOSOM staff in Somalia. See, Mohamed Sahnoun, *Somalia: The Missed Opportunities*, Washington D.C.: United States Institute for Peace, 1994, pp. 37.41.

Somalia was a threat to peace and security in the entire region. The emergence of an Islamic political group calling itself Ittihad Al-Islamiya (Islam United Front), which tried, in June 1992, to gain control over parts of the country, reportedly posed a threat to the US.³⁶ The attempt by this Muslim fundamentalist group, mounted with support from Iran and Sudan, however, failed. The US saw perceived the group as an attempt to spread Islamic fundamentalism in Somalia, Kenya and Ethiopia, and this partly explains its offer to spearhead UNITAF.

The first elements of UNITAF arrived in Mogadishu on 9th December 1992. They secured the port and the airport, having overwhelmed Somali militiamen who disappeared from the streets to inland regions or across to neighbouring countries. Contingents from other 21 countries of the world joined the Task Force and were deployed throughout Somalia reaching peak strength of 38,300 troops by mid-January 1993. The United States alone had 28,000 troops. Once this was done, UNITAF would then transfer the peacekeeping responsibility back to UNOSOM, during which it was envisaged, the factions would have agreed on national reconciliation.³⁷

Another feature of UNITAF was that it was not financed like other peacekeeping missions, whose contributions come from mandatory contributions by all UN member states on assessment basis. For UNITAF, the Security Council welcomed offers from interested member states to provide military forces and contributions to be channeled directly to the operations. The cost of the organization was met by the US, while those countries supplying troops met the cost of their individual troops. Other expenses were

³⁶ The incident involving the Antonov aircraft with UN banners that flew to in June 1992 to Ali Mahdi's controlled area to allegedly deliver Somalia's currency even before Aidid agreed to deployment of the 500 UN peacekeepers only reinforced this perception.

³⁷ It should be noted that UNITAF established a unified command under U.S. leadership with authority from the Security Council, but did not operate under the UN flag or use the traditional peacekeepers' blue helmets. The Security Council resolution established an ad hoc commission of Security Council members to monitor the implementation of the resolution on behalf of the Security Council and invited the Secretary General to attach a "small Operational liaison staff to the field headquarters of the unified command. Because the operation was under the command of the United States, not the Secretary General, on behalf of the Security Council, some commentators prefer not to refer to it as a peace enforcement operation. See for instance, , *Peace Enforcement: The United Nations Experience in Congo, Somalia, and Bosnia*, Westport, CT: Praeger, 2001, p. 58.

met from contributions into a voluntary UNITAF Trust Fund created by the Security Council.

For purposes of coordination, the UN established at UN Headquarters, New York, a Policy Group on Somalia to consult with senior US Government officials on matters relating to review, operations, force structure, funding and planning of the peacekeeping operation in Somalia which was to later revert to UNOSOM. Other co-coordinating mechanisms were an operational task force at UN Headquarters, close ties between senior UN and US officials in Somalia, attachment of a UNOSOM liaison staff to UNITAF Headquarters and regular meetings with states participating in the Task Force.

UNITAF did achieve some limited success in its initial phase of deployment. As a result of UNITAF operation, the full implementation of humanitarian assistance, 'the UN 100-Day Action Programme', was realized. With the airports and seaports secured, relief supplies were ably received and distributed quickly to the needy. Many airstrips and roads were also repaired, and where necessary clearing of mines was done, and the infrastructure was greatly improved. Aid could now come by air, road and sea. Looting and attack on relief working had also been brought under control. This made it possible for other UN agencies and NGO's to increase and strengthen their staffing in Somalia and expand their operations. Consequently, by March 1993, deaths from starvation and disease fell sharply and the challenge for humanitarian assistance was shifted from emergency relief to food aid to support long-term programmes like school-feeding programmes, food-rations for displaced persons, food-for-work projects and food for sale to help stabilize the food market.

UNITAF's objectives and scope of operation, did however, seriously limit its capacity to restore peace and security in Somalia. Unlike UNTAG in Namibia, the Security Council had failed to include in its mandate to UNITAF, the disarmament of warring factions and gangs. The US also avoided enforcing it despite the Secretary General having pointed out that disarmament was a necessary precondition to bringing about a 'de facto' ceasefire.³⁸ This omission was to have a major setback on UN

³⁸ Jane Boulden, *ibid.*

peacekeeping in Somalia. Like the Namibia case disarmament and demobilization of combatants is a major component of multifunctional peacekeeping, yet in the Somalia case this element that is crucial to peace building seems to have been disregarded.

Further, UNITAF depended heavily on the US. The implication of this is that the US led the operation, provided the largest number of troops, and essentially footed the operational bill, making the operation to be seen as a sole US initiative. In other words, a perception grew among the warring factions in Somalia, that this was no longer the multinational peacekeeping force envisaged but a US affair. Given the close historical links between the US and the former regime of Siad Barre, which had oppressed most Somalis, resentment and hostility built up towards the operation.

The deployment of UNITAF troops with the authority to use force created a lull in the factional fighting. In the absence of fighting the atmosphere was propitious for negotiations and General Aidid and Ali Mahdi met 'face to face' for the first time and agreed to respect the ceasefire generated by UNITAF.

The new situation created by the deployment of UNITAF and the Special Representative continued to encourage negotiations between factions. It culminated in an informal preparatory meeting for a conference of national reconciliation scheduled for March 1993 in Addis Ababa, Ethiopia. The meeting, held from 4th to 15th January 1993 was attended by 14 political groups. The groups agreed to host the conference on the 15th March 1993 to negotiate the modalities for immediate ceasefire and disarmament. An ad hoc committee to work out the criteria for participation and agenda for the conference was also established.

Disarmament was always the weak link in any attempts at resolving the conflict in Somalia for there was no guarantee that the armed militia would respect a commitment to voluntary disarmament given the number of similar promises that factions leaders would make and later violate. To this end, therefore, it was not a surprise when forces led by General Morgan (SPM) infiltrated Kismayu in February 1993, and in March, proceeded to drive out forces led by Col. Omar Jess (SPM/SNA), an ally of Gen Aided in the presence of UNITAF's troops in the city. This posed a serious threat to the Addis Ababa Reconciliation Conference. Thus, although the US claimed that the task of restoring

security had been achieved by the end of February 1993, sporadic violence was still rife. There can however be no doubt that the presence of UNITAF troops led by the US dissuaded the militias from brazenly attacking relief convoys. Despite the sporadic violence US officials sought to withdraw and hand over the operations back to UNOSOM.³⁹

As a result of General Morgan's attack on Kismayu, the National Reconciliation Conference, which was attended by 15 representatives of factions with SNM from the self-declared 'Republic of Somaliland', attending as observers, almost collapsed. But the leaders managed to reach a compromise agreement to form a Transitional National Council (TNC) government to lead to elections in two years time, disarm within 90 days and UN to monitor a ceasefire.

Even though the SNM was attending as an observer the UN and the Conference's insistence on "One Somalia" meant that SNM's participation in the agreement would be doubtful. Consequently, the TNC was tasked to seek reconciliation with SNM. The SNM moved to consolidate its breakaway state by forming an 'inter-clan council conference' which drafted a constitutional structure, declared independence and elected in May 1993, Somalia's former Prime Minister (1967 to 1969), Ibrahim Egal, the new president. The self-declared independence of 'Somaliland' however, failed to get recognition by any state.

UNOSOM II

By end of February 1993, the US intimated that UNITAF had achieved its mission in Somalia. In response to this position, Secretary General made recommendation to the Security Council regarding the transition from UNITAF to UNOSOM II. His position was that despite the positive impact on humanitarian assistance, owed to UNITAF interventions, there still loomed a problem of insecurity in Somalia. Incidents of violence continued. The Secretary General therefore, requested that UNOSOM II be mandated with enforcement powers under Chapter VII of the UN

³⁹ Ibid.

Charter, and the size of the force be expanded to 28,000 troops and 2,800 civilian staff in order to effect a secure environment throughout Somalia to oversee a ceasefire and disarmament agreements.

The Security Council unanimously adopted the Secretary General's recommendation in Resolution 814 (1993) on the 26th, March 1993. The Resolution authorized the deployment of UNOSOM II to replace UNITAF, and this to be officiated on 4th May, 1993. Invoking Chapter VII of the UN Charter, the Council expanded the size and mandate of UNOSOM II as done earlier, to use force where necessary towards peace disarmament of combatants, protection of relief workers and aid to pave way for the establishment of legitimate authority in Somalia. The UNOSOM force comprised of troops from more than 30 countries and numbered more than 30,000. This was to be the largest peacekeeping operation ever dispatched under the auspices of the UN. It was also the first such operation to be engaged in peace enforcement without consent of the parties in the relevant country.⁴⁰

General Aidid's factions (USC/SNA) would not cooperate with UNOSOM II. The former claimed that UNOSOM II was partial and interfered in the talks among the factions. For instance, Belgian UNOSOM forces prevented the retake of Kismayu by the SPM/SNA factions allied to General Aidid's faction. Indeed the SPM/SNA faction had been driven out of town during the Addis Ababa talks and the UN took no action. Thus, one of the major factions became pitted against the operation of UNOSOM II in Somalia. An attempt by UNOSOM II to implement disarmament against Aidid's USC/SNA factions in Mogadishu led to the violence of 5th June 1993. UNOSOM II troops were ambushed by Somali militia believed to belong to General Aidid's factions. It resulted in the death of 25 Pakistani soldiers, 19 reported missing and 54 wounded, and several hundred Somali casualties as gunmen used women and children as shields.

⁴⁰ The U.S. and UN intention was that UNITAF would be an interim measure that would provide the intensive response required by the crisis. Once the situation was stabilized, UNOSOM or some version thereof would resume control.

The Security Council reacted quickly to what was seen as 'unprovoked attack' on UNOSOM II by passing Resolution 837 (1993) of June 1993 that demanded the arrest and punishment of those responsible. General Aidid was blamed for the attack and both UNOSOM and the US Rapid Deployment Force launched a series of attacks on the SNA with a view to disarm and arrest Aidid. On 17th June 1993, the UN issued a warrant of arrest of Aidid for charges of war crimes. Violent operations increased. They included use of US helicopter gun ships but failed to arrest Aidid or stop the fighting in Mogadishu. Indeed the violence provoked hostility, as tens of UN and hundreds of Somali lives were lost in the ensuing clashes. For instance, in one attack, Pakistani soldiers killed 20 and injured 50 others when they fired into a crowd. In another case, US helicopters attacked without warning a building they suspected was Aidid's command center, but which according to SNA was occupied by Somali elders seeking an end to the hostilities. The SNA claimed that 73 were killed while the Red Cross assessed the number of the dead to be 52. UNOSOM claimed that only 20 had died. As an aftermath, an enraged crowd killed four foreign journalists.

Attacks and ambushes on UN personnel and facilities increased and the USC/SNA resorted to urban guerilla tactics with armed gunmen mingling in and using civilian crowds, mainly women and children as screens during their attacks on UNOSOM II troops. Unable to neither disarm the militiamen nor apprehend the leadership, UNOSOM II operations and its command structure came under criticism. Italy, providing the third largest contingent wanted UNOSOM II operations stopped to diffuse tension and promote dialogue. There were also claims that UNOSOM II original humanitarian mission had been sacrificed to US government's preoccupation to capture Aidid. Various aid agencies, the OAU, and even UN's Department of Humanitarian Affairs shared similar opinion.

UNOSOM II's partiality was also evident when Italy was asked to withdraw its commander in Somalia on allegations that he was taking orders directly from his government rather than from the UN command, and therefore unilaterally negotiating with Aidid. The Italian contingent was subsequently deployed elsewhere in the country.

The flaw in the UNOSOM II command structure was to unravel itself on 3rd October 1993. The US had dispatched its elite military unit, the US Army Rangers, to

Mogadishu to reinforce efforts to capture General Aidid. This followed the death of four US soldiers in August 1993. The Rangers reported directly to their commanders in the US rather than the force they were reinforcing. They started by mistakenly raiding a UN compound and briefly arresting UN employees. They also brought UNOSOM under strong criticism by Human Rights organizations for arresting and detaining without warrants and counsel, suspected SNA members, and failure to provide figures of Somalis killed during their operations. In the October incidence, the Rangers raided the Olympia Hotel in the heavily populated section of South Mogadishu to capture Aidid's key aides suspected to have been in the complex. Although the operation succeeded in apprehending 24 suspects, the rangers came under militia fire and got trapped when two US helicopters were shot down. UNOSOM II's reinforcements took too long to reach then due to heavy militia fire. By the end of the battle, 18 US soldiers, and one Malaysian soldier had been killed, 75 US, 15 Malaysian and Pakistani soldiers wounded, and one pilot captured. 200 Somalis died and more than 700 were wounded. The tragedy could be attributed to poor coordination, command and control between UNISOM II troops and the US forces. The tragedy also increased criticism in the manner in which UNISOM was conducting its operations, characterized by indiscriminate military action and damage to non-military installations.

The tragedy led to the loss of public support for the US, and prompted a change on US policy on Somalia. The Clinton Administration announced its intention to withdraw its troops from Somalia which was effected on the 31st March 1994. It reflected a shift of US policy from military to a political approach to the conflict in Somalia.

In October 1993, the Secretary General requested for an interim extension of UNOSOM II operations in Somalia after consultation with the region's leaders, to allow time for a report. The Security Council extended the mandate to 18th November 1993 through Resolution 898 (1993). According to the report, UNOSOM II's activities in Mogadishu had achieved dramatic reduction in starvation and famine despite the fighting. Significant improvements were also realized in health, water supply, agricultural sector, and commercial and trading activities picked up with increased commercial traffic at Somali airports, resumption of telecommunication services and availability of fuel throughout the country. Refugees and internally displaced people had also started

returning to their homes. On the political scene, District and regional councils started taking root and were used to help resolve conflicts at regional levels with remarkable achievements in the reconciliation of leaders and clans.

The first such regional conference was the Jubaland Peace Conference, held in Kismaiyu where an agreement between 20 clans was signed. Other regional conferences were held in the northeast, central and northwest, Erigavo and Gedo regions. In Mogadishu despite the fighting, several meetings were held between UNOSOM II officials and the Supreme Committee of the Hawiye sub-clan.

UNOSOM II is also seen to have made significant progress in the establishment of police, judicial and penal institutions. By November, 1993, 5000 former policemen, 3000 in Mogadishu area and 2,000 in the other regions, had been recruited to assist in the performance of police duties and UNOSOM II's police experts from several countries, had started training a local police force. As for the courts and prisons, UNOSOM's II Justice Division helped set up an interim judicial system with a judicial selection committee of respected Somalis. Advised by UNOSOM II's Justice Division officials a committee was set up in Mogadishu to select judges and magistrates for the court system in the capital and similar bodies were planned for the parts of the country. UNOSOM II was also providing training and funding for renovation of courts, equipment and materials and salaries for judges, magistrates and court officials.

Likewise, UNOSOM II had also helped in the establishment of a penal system by renovating prisons and funding salaries of prison staff, and providing food for prisoners. An office for Human rights was also being set up by UNOSOM II to investigate and facilitate prosecution of violations against international humanitarian law such as mass murder of Somalis and assist in the establishment of local Somali Humanitarian Rights Committee. There were also already re-established, 107 police stations in Somalia's Districts and nationally there were 6,737 policemen at the regional and District levels, 311 judicial personnel in 8 regions and 26 Districts, and over 700 prisons officers.

Despite the achievements already made by May, 1994, the situation in Somalia was far from determined. There were still no functional institutions government, no disciplined national armed force, no organized civilian police force, and judiciary. UNOSOM's operations continued to be marked by violent incidents, particularly those of

3rd June and 3rd October 1993, which seriously challenged the cause for disarmament and reconciliation in Somali. The violence also aroused awe and criticism on the conduct of UNOSOM operations, safety of peacekeepers, as well as diminished support of the mission by troop-contributing countries as they sought to withdraw their troops. Following the US lead the Governments of Belgium, France and Sweden, whose involvement depended on US participation, also announced towards the end of 1993 their decision to withdraw from UNOSOM 11.

Noting that, despite the prevailing situation, UNOSOM 11 had reached achieved some success the Secretary-General made a recommendation to the Security Council to review and extend the mandate of UNOSOM 11 from its expiry date of 18th November 1993. The Security Council adopted Resolution 886, which extended the mandate of UNOSOM 11 for a further period of six months to 31 May 1994.

As for the security situation, banditry and localized clan fighting was still rampant and indeed increased in Mogadishu and Juba Valley making movement of personnel and humanitarian work increasingly dangerous. Malnutrition had already started creeping into those areas where conflict and insecurity was still pervasive. The Secretary General reiterated the pre-requisite of disarmament to the creation of a peaceful and secure environment for humanitarian activities. Voluntary disarmament had failed and indeed there was growing concern that the major factions were actively rearming themselves.

On 4 February 1994, the UN Security Council adopted Resolution 897 (1994), approving a revised mandate for UNOSOM 11 by removing the peace enforcement provisions of Resolution 814 (1993) under which UNITAF and UNOSOM 11 initially operated, and reducing the force level to 22,000. This ended UNOSOM's task of disarmament of Somali factions in favor of protection of ports, airports, and convoys. In February, fighting resumed between rival clans and factions in Kismayu, with increased acts of banditry and attacks on humanitarian aid workers.

A meeting convened in Nairobi beginning on 17 March 1994 between Ali Mahdi of the Somali Salvation Alliance (SSA), representing the group of 12, and General Aidid, leader of SNA, provided an opportunity to put back on track the process of political reconciliation in Somalia. On 24 March, after intensive consultations they both signed a declaration on national reconciliation, repudiating violence as a means of resolving

conflicts and committing themselves to voluntary ceasefire and disarmament. It was also agreed to hold a National Reconciliation conference on 15 May 1994 to elect a president and vice-president and to appoint a prime minister. They would hold a meeting in Mogadishu on 15 April 1994 together with all the other groups to prepare for the conference.

Due to prevailing factional disputes, conflicts and disagreements on modalities for the preparatory meeting of the National Reconciliation Conference it was repeatedly postponed. On 24 May 1994, the UN Secretary-General reported to the Security Council the poor progress towards national reconciliation but recommend six-month extension of UNOSOM 11 to give the Somali leadership a "last chance," subject to resumption of the reconciliation process, strict observance of ceasefire, and cooperation with UNOSOM 11 to prevent inter clan conflicts.

The Security Council on 31 May 1994 renewed the mandate of UNOSOM 11 until 30 September 1994 vide resolution 923 (1994), subject to a review by 29 July after which the UN Security Council would determine the future of UNOSOM 11. In the following months of June and July there was no progress on national reconciliation and the security situation continued to be characterized by inter-clan clashes and banditry especially in Mogadishu.

A special mission sent by the Secretary-General to Somalia from 28 July to 4 August made recommendations for UNOSOM 11 troop level to be reduced from 22,000 to 15,000 based on the limited scope of operations dictated by failure by the factions to bring fighting under control. The actual troop strength had reduced to 18,761. While approving the Secretary General's proposed troop reduction, the security council expressed its grave concern on the deteriorating situation in Somalia and strongly deplored the attacks and harassment against UNOSOM 11 and other international personnel and directed UNOSOM 11 to concentrate on security of international personnel and staff of NGOs.

On 17 September, UNOSOM 11 started being withdrawn from outlying areas and concentrated in three locations only, Mogadishu, Baidoa and Kismayu, for security reasons. In the meantime the Secretary-General considered that there might still be prospects for national reconciliation by mid-October and requested for an extension of

UNOSOM 11' mandate by one more month. The Security Council by Resolution 946 (1994) of 30 September agreed to grant the extension of the mandate of UNOSOM 11 until 31 October 1994.

On 14 October, the Secretary-General briefed the Security Council that despite achievements by UNOSOM 11 in the humanitarian area, no progress had been achieved towards national reconciliation and security had continued to worsen especially in Mogadishu. Further, the cost of maintaining the high troop levels was proving increasingly difficult for member states. He therefore, recommended that the mandate of UNOSOM 11 be given a final extension up to 31 March 1995 in order to allow for at least 120 days for secure and expeditious withdrawal of all UN forces and equipment.

The Security Council send to Somalia a seven-member mission headed by Ambassador Colin Keating of New Zealand to convey its views on the developments in the country to Somali political parties. The mission visited Somalia from 26 to 27 October, during which they met with Somali faction leaders, representatives of UN agencies, and NGOs operating in Somalia. During the meetings the Somali factions received the message about the intention to withdraw UNOSOM 11; surprisingly, none requested for extension of UNOSOM 11's mandate and assured their cooperation during the missions withdrawal. However, the various factions still insisted that they were still committed to political reconciliation. In view of these consultations the mission concluded that 31 March 1995 was appropriate time to end the mandate to UNOSOM 11.

On 4 November 1994, the UN Security Council, by Resolution 954 (1994) decided to extend the mandate of UNOSOM 11 for a final period until 31 March 1995, affirming that UNOSOM 11 was to continue to facilitate political reconciliation as it prepared to withdraw. Except for some agreements that were made between Gen. Aidid (SNA) and Mr. Ali Mahdi (SSA) during the month of February 1995 as UNOSOM 11 was withdrawing, there were no further developments in national reconciliation and UNOSOM 11 proceeded with its withdrawal under protection of a US led combined task force code named "United Shield".

Factors Contributing to UNOSOM II's Failure

Several factors contributed to UNOSOM II's failure. First the death of 18 US marines in October 1993 and the dragging of one of the dead soldiers, under the glare of television cameras, through the streets of Mogadishu in victory by groups of Somalis, contributed to the US decision to withdraw. The overall effect was to undermine other states commitment to the UNOSOM II effort. In other words, with the U.S. withdrawal from the mission on the cards, other states also announced their intention to withdraw. UNOSOM thus over-dependd on the US. It was reduced commitment from the US and other states that made the Secretary General, in January 1994, to review the UNOSOM II mission. He noted that there were unmistakable signs of fatigue among the international community and advocated a scaling back of the UNOSOM II mandate to bring it into line with the likely military support available from member states.

Secondly, the complicated and convoluted command and control arrangements that established UNOSOM II and then were added to as the mission changed provide a good example of how not to design an efficient and useful command arrangement, especially in a peace enforcement operation. In the first place, the UNOSOM II command was beset by more than the usual problems associated with a multinational command. In spite of the Chapter VII authorization of the operation, some national contingents participated in the operation only on the basis of being involved in implementing the assistance tasks - those where force would not be used. In addition, a number of contingents would not carry out orders from General Bir, the overall commander of the UNOSOM II operation, before checking them through their own national commands at home. This had a negative effect on the "unity of effort" aspect of the operation and also created serious time constraint problems in situations where decisions had to be made quickly. In particular, the Italian contingent's disagreement with the forceful approach of UNOSOM II policy led to a deliberate refusal to carry out orders it received from General Bir, and created a serious internal controversy for the operation, prompting the UN command to ask that the Italian commander be sent home.

Furthermore, the traditional problems associated with running a multinational operation were exacerbated by the separation of certain U.S. forces. This became a critical problem in situations where force was being used, as in the raid on the Olympia

Hotel.⁴¹ Because U.S. forces gave no prior notification of their plans to UNOSOM II officials, there was no prior preparation for possible support and reinforcement from other troops. Reinforcements from UNOSOM II troops, therefore, took some time to arrive and were ill prepared for the scale of fighting that they had to face.⁴²

Thirdly, UNOSOM's intended role in assisting Somalis to resuscitate a political structure was further complicated by the perplexing question of legitimate authority in the context of a collapsed state. UNOSOM's role was to facilitate a process by which Somalis themselves made fundamental choices regarding the structure of an interim administration and the process through which leadership was to be selected for that administration. While attractive in principle, this formula in practice begged a critical question: Which Somalis controlled these preliminary choices? As it happened, neither the United States nor the United Nations could avoid making basic choices that tipped the scales in favor of some Somali constituencies over others. Somalis, hypersensitive to the slightest favoritism of one clan at the expense of another, raised a chorus of indignant protest at virtually every move the United States and the United Nations made, reading intent into the international community's ignorance.

Fourthly, the decision to subcontract the UNITAF operation to the United States, and then to accept heavy U.S. involvement in and control of the UNOSOM II operation in order to keep U.S. resources involved also created other problems. For example, because of UN resistance to the end of the UNITAF operation and the U.S. insistence on leaving, the planning for the transition from UNITAF to UNOSOM II lagged far behind what was needed.

The transition of UNITAF to UNOSOM II meant that UNOSOM II inherited the shortcomings of UNITAF. The main problems seemed to rotate around the secession of 'Somaliland,' and the UN's continued insistence that Somaliland was part of Somalia.

⁴¹ It was in the Olympia Hotel of October 1993 raid that eighteen US soldiers were killed.

⁴² The U.S. and UN intention was that UNITAF would be an interim measure that would provide the intensive response required by the crisis. Once the situation was stabilized, UNOSOM or some version thereof would resume control. The US desire to withdraw was prompted by their experience in Vietnam where they had been bogged down in a disastrous quagmire. Another factor was the change of government in the US and attempts by the outgoing Bush administration not to saddle the incoming Clinton administration with costly military ventures abroad.

Others included the failure to disarm combatants, which provided the capacity for continued fighting, and lack of 'goodwill' towards UN operations on the part of some of the faction leaders. Lastly, was the slow deployment process of UNOSOM II similar to UNOSOM I, where at the time of take-over from UNITAF, there were only 17,000 troops in Somalia compared to the 28,000 needed. Thus, as UNOSOM II took over, with a mandate to implement the Addis Ababa Agreement and Resolution 814 (1993), tensions increased.

The formal transition from UNITAF to UNOSOM II occurred on 4 May 1993. Although the formal transition was anticipated, the full departure of the final elements of the UNITAF force was not. The speed of the transition, when it occurred, and the lack of extensive prior planning meant that UNOSOM II began the mission scrambling to find its feet and waiting for resources, including troop contributions, with only a basic plan for mandate implementation. Even before UNITAF drew to a close, the security situation in Somalia had become more tenuous with increasing clashes between militia and UNITAF troops. Because of a lack of sufficient military support when UNOSOM II began, activities such as patrols in Mogadishu were scaled back. The local militias responded accordingly, taking advantage of the situation.

In his report of 6th January, 1994, the Secretary General indicated that the main obstacles to political settlement in Somali were the deep divisions between the two main factional alliances: the group of 12 supporting Mr. Ali Mahdi on one side, and USC/SNA, General Aidid's groups on the other, but also the latter's continued rejection of all political initiatives undertaken by UNOSOM II. The treatment of Aidid as a criminal and a barrier to the peace process without attempting to address his concerns only engendered hostility from his faction towards UNOSOM. Further, the failure to neutralize Radio Mogadishu, which he controlled, meant that he was able to use propaganda and address anti-UN sentiments to a larger audience, in the process gaining sympathy and support.

There was mixing of political and military goals of UNOSOM II. The military and political goals of the UNITAF mission were clear—the need to deal with the massive humanitarian crisis and the use of force to create a secure environment in which that was possible. Under the UNOSOM II mandate, the specific political goals were less clear. As

a result of the nature of the situation, the political objectives of the mission were of a very general nature. Unlike UNTAG in Namibia there was there was no formal agreement or understanding that the UN mission was seeking to implement.

The absence of a clear set of political goals for the United Nations and the parties to the conflict contributed to an intertwining of the political and military aspects of the mission, making it possible for the military to supersede the political. In principle, the military objectives of the mission are driven by the mandate of the mission with the former serving the latter. In practice, however, this distinction was difficult to implement in the context of a broad assistance mandate aimed at facilitating political reconciliation and nation building.

A consequence of this mixing of military and political goals was the creation of problems with impartiality. Impartiality is critical to a peace enforcement operation. Even before the 5 June 1993⁴³ attacks the impartiality of the UNOSOM II mission vis à vis Aidid and the SNA was already in question. But any remaining sense of UNOSOM II impartiality, for those on the ground, ended when the Security Council passed the mandate to arrest "those responsible" and when UNOSOM II officials named Aidid as the target. The commission that investigated the attacks against UNOSOM II troops said that the arrest mandate resulted in a virtual war situation between UNOSOM II and the SNA. After the beginning of July, when the SNA began to take the military initiative⁴⁴, UNOSOM II orders referred to "enemy forces," a change from the previous term of "hostile forces." The arrest mandate added another coercive element to the mix. Military efforts to arrest Aidid coincided with disarmament efforts, which often involved the use of force, contributing to perceptions that UNOSOM II was using force to bring about its own desired outcome to the conflict. With the loss of the perception of impartiality UNOSOM II also lost its ability to play a credible role in the political process.

⁴³ The June 1993 attacks by the SNA against UNOSOM against UNOSOM troops resulted in the deaths of 25 Pakistani Troops.

Chapter Six

Summary of Findings, Conclusions and Recommendations

Summary of Findings

Contemporary conflicts have necessitated innovative thinking from policy makers and the academic fraternity in attempts to manage them and prevent them from degenerating into endless cycles of violence. Peacekeeping is one such tool of conflict management that has evolved as an important function of the United Nations (UN) since its inception after the Second World War. Peacekeeping is a form of collective security by which the United Nations Security Council, through troop contributions from member states, attempts to contain conflicts and ensure that they do not spiral out of control.

Traditionally, peacekeeping involved the interposition of neutral troops between belligerents who act as a buffer to ensure that the belligerents do not shoot at each other. The aim of peacekeeping troops was to give the belligerents time to cool down and negotiate an agreement that could hopefully lead to lasting peace.

This study set out to investigate new frontiers in peacekeeping operations, namely the emergence of multifunctional peacekeeping operations in the post-Cold War era. The emergence of multifunctional operations owes much to the changing nature of warfare in the post-Cold War era; in other words whereas traditional peacekeeping operations mainly dealt with interstate conflicts the new approach addressed intrastate conflicts as well. Furthermore, the new approach owes much to the optimism generated in the immediate post-Cold War era, the belief that the UN, which was tied down by the veto power of the two superpowers, could now play a much more active role in fulfilling its objectives, key of which is the maintenance of peace and security.

The distinguishing element between the two approaches is that whereas the traditional approach was narrow in scope and limited to policing ceasefires the new approach is broader and attempts to address the root causes of conflicts, encompassing political, social, economic, humanitarian and human rights aspects.

This study sought to examine the application of multifunctional peacekeeping operations in two UN peacekeeping missions, namely the United Nations Transitional Assistance Group (UNTAG) in Namibia (1989-1990) and the United Nations Operations in

Somalia (UNOSOM I and UNOSOM II – 1992-1995). The rationale for the choice was the fact that the Namibia case was a success story whereas the Somalia case was a failure. In other words, the key objective was to assess what conditions are necessary for a multifunctional peacekeeping operation to succeed – why was Namibia a success and Somalia a failure.

Three hypotheses were advanced: a multifunctional approach has the best potential of resolving conflict; such an approach must be holistic; and, the failure of the approach in Somalia had more to do with problems in planning and implementation rather than the suitability of the approach. With regard to the first and second hypotheses the findings of the study indicate that multifunctional peacekeeping has the best potential of resolving conflict if planned and executed well. This is because multifunctional peacekeeping addresses wider issues that have the potential of undermining any peace agreement reached between warring groups. However, and this is related to the third hypothesis, a multifunctional approach that is not well planned out and implemented has the potential of leading to disaster for the peacekeeping mission and even exacerbating the conflict rather than resolving it. The Namibia case represents an instance of a well-planned and implemented mission whereas the Somalia case represents poor planning and implementation. The key question that this study set out to address is: what ingredients or components were present in the United Nations Transitional Assistance Group (UNTAG) to Namibia but were lacking in UN Operation in Somalia (UNOSOM)?

First the mandate of UNTAG had a clear political objective: to monitor the withdrawal of South African troops in Namibia in preparation for that country's independence and monitor the elections to ensure that they were free and fair. In other words, the political objective was geared towards achieving a structural change in Namibian society by means of a democratic process, in accordance with an agreed timetable. Unlike Somalia UNTAG had no ambiguity surrounding its military objectives. UNTAG was to monitor the ceasefire and the confinement of the parties' armed forces to base; monitor the dismantling of the South African military presence in Namibia; and maintain some degree of surveillance over Namibia's borders.

Secondly, the implementation of the UNTAG mission was well carried out. The Secretary-General established at the UN Headquarters in New York a high-level Namibia

Task Force, which met daily under his chairmanship, to coordinate the Secretariat's role and to provide policy guidance and maximum support to the Special Representative in the field. The Task Force comprised the Secretary-General's Chef de Cabinet, the Under-Secretary-General for Special Political Affairs, the Under-Secretary-General responsible for African questions, the Legal Counsel, the Military Adviser, the Secretary-General's Spokesman and supporting staff.

Further, UNTAG was an operation, in which the tasks of each element - civilian, police, military - were bonded together in the field under the Special Representative of the Secretary General and each step had to be done to his satisfaction. The breadth and depth of the United Nations' political engagement with the process of change, and the integration of high-level Secretariat and UNTAG elements into this process, contributed to UNTAG's success.

Thirdly, there was a demonstrable willingness by both SWAPO and South Africa to respect the agreements brokered between them. This can be demonstrated by the fact that even after the misunderstanding related to the violation of a ceasefire agreement between the two parties in April 1989, which led to resumption of hostilities, both parties were willing to reach agreement and move on with the implementation process. However, the diplomatic efforts of the Special Representative to the Secretary General that led to the Mount Etjo Declaration of Re-commitment to the peace process did play a role. In other words, unlike Somalia, the UN got into the Namibian crisis after ensuring that the parties were willing to listen to each other.

Lastly, unlike Somalia, UNTAG had a civilian component of over 2000 civilian personnel. This enabled it to carry out the sensitive political tasks to which it was mandated.

Failure of multifunctional peacekeeping in Somalia can be attributable to several components that were present in UNTAG but lacking in Somalia. First there was no clear political objective in all the UN as to what needed to be done. Instead the mandate alluded peripherally to issues such as moving the parties towards reconciliation, among other issues, without specifying exactly what needed to be done to achieve that.

Secondly, unlike Namibia both UNOSOM II and I lacked a civilian component; indeed Somalia was essentially a military operation. This made it difficult to achieve any

political progress because the overriding concern was security, which eventually became an end in itself as the mission moved from peace keeping to peace enforcement.

Thirdly, unlike in Namibia where there were legitimate bodies to negotiate with Somalia had a proliferation of so many factions, none of which could claim legitimacy, that it became almost impossible for the UN to initiate an all-inclusive peace process. That is why the UN resorted to dealing with the two most dominant factions, those of Aidid and Ali Mahdi.

The multiplicity of issues involved in the Somalia conflict were several that achieving broad consensus on all of them by all the numerous factions was almost an impossibility. In addition to the numerous issues the conflict had not yet reached a ripe moment when the UN intervened, that is why there were repeated violations of ceasefires.

The slow level of implementation of UNOSOM I & II as well as UNITAF, over dependence on the United States, lack of support from UN Headquarters, conflict in command and control, perceived lack of impartiality by the UN are all problems that bedeviled the UN operation in Somalia and contributed to its failure.

Conclusions

In conclusion, what is the future for multifunctional peacekeeping operations? The verdict over the effectiveness of multifunctional peacekeeping operations is still out. Whereas some like Namibia have been success stories others like Somalia demonstrate that there is still much that needs to be learnt about the new approach. What can the experiences of the two countries point forward to?

The contention of this study is that there is no "one fit all" formula for carrying out multifunctional elements. While it can be insisted that there are certain underlying elements and principles common to all such missions one has to note that each conflict evolves within a certain specific historical context. Consequently, while emphasizing the commonalities in the approach of different multifunctional missions to different conflict situations one also has to bear in mind the uniqueness of each particular conflict and tailor the mission to accommodate such uniqueness, not the conflict to be transformed to fit the parameters envisioned by the mission, as was the case in Somalia. That is the only way that the new approach will be able to build sustainable peace.

Secondly, whereas the multifunctional approach has to be as holistic as possible it also has to take into consideration certain externalities and be ready to counter them. In other words, the Namibian case illustrates the importance of complementary approaches. First, there were intense and exhaustive multilateral diplomatic initiatives, which succeeded in moving the parties towards the idea of building a lasting peace. It was only when the parties were ready that a multifunctional operation was initiated. In the case of Somalia the parties were not ready for peace yet and no intense diplomatic efforts were made before sending in the peacekeepers. What the Somali scenario implies is multifunctional peacekeeping is not a panacea for all conflicts; it has to be contextualized within certain parameters. Outside of these parameters it may end up intensifying rather than resolving the conflict.

Recommendations

Several recommendations can be advanced related to the findings of this study:

Future U.N. forays into Chapter VII peace enforcement must take account of the potential incompatibility of mediating and peace enforcement responsibilities. It does seem from the Somalia experience that the mandate of peace enforcement under Chapter VII of the UN Charter is mutually exclusive from a simultaneous mediation role. This is because one of the parties to the conflict, which has been a target of enforcement action, perceives the UN as partial.

Secondly, there is also need for the UN to devise a strategy for implementing the resolutions of the Security Council in a timely and ordered manner that avoids a situation whereby contingents from several countries arrive at different times. As the Namibian and Somalia case illustrate late deployment of personnel can lead to disaster.

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