

Arbeitspapier zur Tagung:

## **Globalisierung als Aufgabe**

### **Handlungsmöglichkeiten und Gestaltungsoptionen der Politik**

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## **Changing Alliances, Crisis Management, Military Intervention and small States**

### **Introduction**

The Cold War system was based on the concept of "balance of power." For Hans Morgenthau,<sup>1</sup> alliances are the "most important manifestation of the balance of power." In this observation members of alliances have common interests based on the fear of other states. Stephen Walt<sup>2</sup> has since modified this concept, viewing alliances as the result of a "balance of threat." He shows that the overwhelming coalition led by the United States against the USSR and its allies was a result not of the power of the USSR but of its perceived threat. This traditional model, where the existence of alliances and a potential threat were inseparable, is consistent with the bipolarity of the Cold War.

While the dramatic events of 1989/90 indelibly transformed the global political landscape, the greatest changes remain visible in Europe. The main threat upon which defense planning was based during the Cold War has faded away, and global and European security requirements are undergoing profound change as a consequence. Today there is no major threat to deter, as in the past, and many of the new dangers tend to be smaller in scale, regional in nature, and located on the periphery or outside of Europe; the very nature of the security threat has changed. A single, overriding threat originating from a monolithic source has been replaced by a multitude of different threats, including the resurgence of centuries-old ethnic conflicts frozen by the Cold War.

Security institutions are forced to adapt as, from Portugal to Poland and beyond, the dissolution of the unique political and strategic milieu of the Cold War compels a reappraisal of national security policies. European countries are seeking security for a continent that has undergone a major structural transformation. Crisis management is the paradigm that forms the cornerstone of a new system of international security which, in turn, faces a far wider array of threats than during the Cold War. By far the greatest proportion of the operational efforts of NATO and the Western European Union (WEU) have already shifted away from collective defense toward this type of activity. Military alliances and small states alike have to reconsider their strategic options in post-Cold War Europe.

Whether members of an alliance or in the framework of the Partnership for Peace (PfP) small states will have to participate in crisis management, peace-keeping, humanitarian action and even peace-enforcement operations. All EU members, whether or not members of the WEU could take part in crisis management, peace-keeping, humanitarian action but also peace-

making in the framework of the "Petersberg tasks". Concerning these operations they also would have equal rights to decide. The tasks of allied and non-allied small states<sup>3</sup> would be blurred in the field of crisis management.

Selective participation in international peace operations are inevitable for small states. The participation of a small state in peace-enforcement or war can be dangerous. Small states could be drawn unwillingly into the conflicts of big states. Small states are thus always at risk of being "entrapped." A mandate from an international organization is indispensable. The mandate has to have clear political and military objectives that are both reasonable and attainable. If there are any doubts about feasibility, legitimation, objectives and effectivity of the participation of a small state or the operation as such a small state should not take part in such an operation. There has to be a hierarchy of feasibility over justice.

## **NATO**

Based on the assumption that alliances can hardly survive without a sufficient threat, some analysts concluded after the end of the East-West conflict that "NATO's days are not numbered but its years are".<sup>4</sup> No alliance in history survived its enemy for very long. This is true for the coalition against Napoleon, the First World War Entente against Germany and the anti-Hitler coalition. Nine years after the end of the Cold War, however, NATO shows no signs of its demise. The prediction that alliances would weaken without threat appears to be wrong. NATO looks like it will be an exception to these rules and the fundamental logic of alliance theory. How can NATO endure in the absence of a serious opponent?

The reason lies in NATO's capacity for change. NATO is redeveloping its basic structure: preparing for a coalition war is no longer the only or even primary item on its agenda and its focus now includes crisis management or crisis response operations, peace-keeping, humanitarian action, as well as peace-enforcement. The "new NATO" looks and acts in part quite differently from the old NATO. Simultaneously, the definition of the NATO area (Art. VI) is losing relevance—the NATO-led operation in Bosnia and in Kosovo/Yugoslavia are a case in point. NATO will be focusing on new areas in the time to come. It will and can no longer focus on a single mission of collective defense as during the Cold War, for if NATO remains a traditional alliance of collective defense as enshrined in Art. V of the Washington Treaty it is likely to die out or deteriorate. The new NATO's challenges lie beyond its territory in international terrorism, the proliferation of weapons of mass destruction, the disruption of Gulf oil supplies and instability along NATO's southern and eastern flanks. Since these challenges do not represent a direct threat to NATO territory, the real issue for NATO's future is not territorial defense but rather its structural transformation into a crisis management alliance.

The Partnership for Peace program, that embraces mainly small states,<sup>5</sup> has already been designed according to the new requirements. Cooperation of the Partners with NATO can be organized on an individual level through peace-keeping exercises, military-to-military contacts, and similar activities. IFOR and SFOR in Bosnia was NATO's first joint operation with PfP and 20 non-NATO states. In Madrid in July 1997, NATO formally launched an enhanced form of PfP which widened the range of participation. Military exercises can now cover the whole spectrum of possible crisis interventions. Partners will be involved in planning and preparing for contingency operations. Partners will have a stronger presence at NATO Headquarters. All in all, the Partnership for Peace will facilitate NATO's ability to integrate Partner forces in future operations. In February 1998 PfP-Partners participated for the first time in a crisis management exercise (CMX). The scenario focused mainly on actions that NATO might have to take to implement a UN-mandated peace support operation.

The new Euro-Atlantic Partnership Council (EAPC) provides a mechanism for productive consultation and more meaningful communication among Partners as well as a framework in which the enhanced PfP can develop. There will also be possibilities for closer political dialogue, consultations and greater scope for joint decision-making and coordination. With the creation of the EAPC, NATO carries forward its transformation on the basis of a broad, cooperative approach to security. Partners will have new opportunities to consult with the Alliance more regularly and more substantively. The EAPC is thus the logical political complement to a stronger, more operational Partnership for Peace. As the Basic Document of the Euro-Atlantic Partnership Council of May 30, 1997 states:

In addition, the Council will provide the framework to afford Partner countries, to the maximum extent possible, increased decision-making opportunities relating to activities in which they participate.

The specific subject areas in which Allies and Partners would consult within the framework of the EAPC might include, but are not limited to: political and security related matters; crisis management; regional matters; arms control issues; nuclear, biological and chemical (NBC) proliferation and defense issues; international terrorism; defense planning and budgets; defense policy and strategy; and security impacts of economic developments. EAPC's scope will include consultations and cooperation on issues such as: civil emergency and disaster preparedness; armaments cooperation under the aegis of the Conference of National Armaments Directors (CNAD); nuclear safety; defense related environmental issues; civil-military coordination of air traffic management and control; scientific cooperation; and issues related to peace support operations.

This new array of options and cooperation provides for an innovative capacity in the face of new challenges not requiring an Art. V (collective defense) response. This broad security approach encompasses not only military, but also economic, political, societal and environmental concerns. These occur simultaneously at global, regional and local levels. As non-Art. V contingencies they will be addressed by "coalitions of the willing" which include, as in Bosnia, both NATO and non-NATO members. NATO will create flexible military assets, suitable for use by varying "coalitions," which it can employ when taking on crisis management tasks itself but also to lend to the Europeans according to the idea of "separable but not separate" capacities.

More than merely a new form of cooperation, NATO's new instruments and tasks will blur the differences between members and non-members (i.e. partners). PfP/EAPC offers almost all the benefits of NATO except the collective security guarantee articulated in Art. V of the Washington Treaty. As the former U. S. Defense Minister Perry foresaw in December 1996 during a meeting of NATO Defense Ministers in Bergen: "The difference between membership and non-membership in NATO would be paper-thin." Indeed, in some cases non-NATO members may play an even more important role in the new operations than NATO members as NATO's focus gradually shifts away from Art. V missions (territorial defense) to non-Art. V missions (crisis management).<sup>6</sup> Washington believes that PfP/EAPC will draw Partners much closer to NATO in the field of peace operations, humanitarian intervention, and crisis management. Non-NATO states could participate in those missions and cooperate with NATO while retaining their current defense profile.<sup>7</sup>

The Combined Joint Tasks Forces (CJTFs) are specifically designed to include the participation of non-NATO countries for both non-Art. V contingencies outside Alliance territory and Art. V tasks. The concept builds on NATO's practice of multinational, multiservice operations and, therefore, could involve humanitarian relief, peace-keeping or peace-enforcement. The CJTF

concept would also facilitate the use of NATO's collective assets by the WEU, as well as provide a mechanism for involving non-NATO PfP Partners in NATO-led operations. Finally, as not all allies may be engaged in every non-Art. V contingency, the CJTF concept is designed to deal flexibly with the ad hoc nature of participation without sacrificing cohesion, effectiveness and reaction time.<sup>8</sup>

The Washington Summit Communiqué of April 1999<sup>9</sup> and NATO's new Strategic Concept<sup>10</sup> stress that NATO will be larger, more capable and more flexible. On the one hand NATO still will be committed to collective defence, on the other hand it will be able to undertake new missions including contributing to effective conflict prevention and engaging actively in crisis management and crisis response operations. However, the latter are as yet, undefined. In addition to territorial defence (covered by Articles 5 and 6 of the Washington Treaty), the Alliance security must also take into account the global context. Alliance security interests could be effected by risks of a wider nature, including acts of terrorism, sabotage, organised crime, and by the disruption of the flow of vital resources (arrangements and consultations as responses to risks of this kind can be made under Article 4).

NATO will seek, in cooperation with other organisations, to prevent conflict, or should a crisis arise, to contribute to its effective management, consistent with international law, including through the possibility of conducting non-Article 5 crisis response operations. The Alliance's preparedness to carry out such operations supports the broader objective of reinforcing and extending stability and often involves the participation of NATO's Partners. NATO recalls its offer, made in Brussels in 1994, to support on a case-by-case basis in accordance with its own procedures, peacekeeping and other operations under the authority of the UN Security Council or the responsibility of the OSCE, including by making available Alliance resources and expertise.<sup>11</sup>

The Communiqué acknowledges the resolve of the European Union to have the capacity for autonomous action so that it can take decisions and approve military where the Alliance as a whole is not engaged; Europeans (EU members and other Allies) should strengthen their defence capabilities, especially for new missions, avoiding unnecessary duplication. The Strategic Concept wants the European Security and Defence Identity (ESDI) to be developed within NATO, but in close cooperation between NATO, the WEU and, "if and when appropriate, the European Union." The objective of the Washington summit launched Defence Capabilities<sup>12</sup> Initiative is to improve defence capabilities to ensure the effectiveness of future multinational operations of Alliance missions. This includes non-Article 5 crisis response operations with a special focus on the interoperability among Alliance forces, and where applicable, also between Alliance and Partner forces.

EAPC consultations<sup>13</sup> should contribute to conflict prevention and crisis management, and develop practical cooperation activities, including civil emergency planning and scientific and environmental affairs. Although NATO pledges that it is committed to increasing the role the Partners play in PfP decision-making and planning, and making PfP more operational, the implementation of this promise still has not been put into practice. There was no involvement of the partners in the planning and decision making of a peace-keeping force in Kosovo.

### **The European Union (EU) and the Western European Union (WEU)**

Since the so-called "Petersberg declaration" of 1992, the WEU will also focus on missions that include crisis management, peace-keeping, humanitarian action, and peace-making. If the

above observation of shifting challenges and tasks is correct, the “Petersberg missions” will become more important than Art. V. José Cutileiro, Secretary General of the WEU, acknowledges: “Today the WEU is a politico-military tool for crisis management. It will run operations that Europeans decide to undertake and in which North Americans do not wish to participate directly.”<sup>14</sup>

The Treaty of Amsterdam of the European Union of June 1997 included the “Petersberg tasks.” It states in Art. 17 that “the Union can avail itself of the WEU to elaborate and implement decisions of the EU on the tasks referred to ....” These are “humanitarian and rescue tasks, peace-keeping tasks and tasks of combat forces in crisis management, including peace-making.” The Treaty did not merge the WEU and EU. It simply states that “the WEU is an integral part of the development of the EU ... The EU shall ... foster closer institutional relations with the WEU with a view to the possibility of the integration of the WEU into the Union ....” The precondition is a European Council decision and adoption of such a decision by the Member States only “in accordance with their respective constitutional requirements.” The Common Foreign and Security Policy (CFSP) of the EU shall, according to the treaty, “include all questions relating to the security of the Union, including the progressive framing of a common defense policy ... which might in time lead to a common defense, should the European Council so decide.” Such a decision has to be “in accordance with [the Member States’] respective constitutional requirements.”

The EU after Amsterdam will focus on the “Petersberg missions,” including crisis management, peace-keeping, humanitarian action, and peace-enforcement, rather than Art. V operations (collective defense and security guarantees). Based originally on a Swedish-Finish proposal, the Treaty allows “all (EU) Member States contributing to the tasks in question to participate fully on an equal footing in planning and decision-taking in the WEU.” Membership in the WEU, therefore, is not necessary to participate in the “Petersberg” tasks.<sup>15</sup> The European institutions, WEU and EU, will limit their defence ambitions to crisis management and will try to build up separate force structures for this. The federal approach still aims to merge the EU and WEU, and Art. V (collective defense and binding security guarantees of the WEU treaty) should be incorporated into the EU. This would lead to the creation of a new military alliance.<sup>16</sup> Such a radical development is very unlikely and not an option for a very long time.

The following options have been discussed after the conclusion of the Amsterdam Treaty:

- It is also conceivable that the WEU changes dramatically and abandons Art. V, or that the WEU dissolves entirely and main European defense role remains with NATO. If mutual security commitments are included into a fourth pillar of the EU, as Britain proposed in October 1998, neutral states would be able to concentrate exclusively on the “Petersberg missions” rather than deal with the dilemma of common defense. The fourth pillar would be based on NATO.
- The declaration issued by France and Britain at St. Malo in December 1998 stresses the necessity of Europe to develop the full range of capabilities needed for the sort of crisis management tasks and humanitarian operations where Europe might take the lead. The European Union “must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them and a readiness to do so, in order to respond to international crisis.”<sup>17</sup>
- In March 1999 the British Prime Minister, Tony Blair, criticized that Europe’s military capabilities are too modest for these security problems of the 1990s and the 21<sup>st</sup> century.

The Europeans need to restructure their defence capabilities to be capable to project force, to deploy troops, ships and planes beyond their home bases and to sustain them their. However, Blair underlines that the deployment of forces is a decision for governments and not for the European Parliament, the European Commission or the Court of Justice.<sup>18</sup>

- According to the declaration of the European Council<sup>19</sup> which is based on a proposal by the German EU-presidency<sup>20</sup> a common European policy on security and defence requires "a capacity for action backed up by credible military capabilities and appropriate decision making bodies and procedures." The focus therefore should be to assure that the EU possesses the necessary capabilities (including military capabilities) to conduct crisis management operations in the scope of the Petersberg tasks. The main characteristics include: deployability, sustainability, interoperability, flexibility and mobility. Further arrangements to enhance the capacity of European multinational and national forces to respond to crisis situations will be needed.

NATO remains the foundation for collective defense (Art. 5). In the case of integration of the WEU into the EU the commitment of this Article and of the Article V of the Brussels Treaty will be preserved for the Member States already party to these Treaties. The policy of the EU shall not prejudice the specific character of the security and defence policy of certain member states.

"States will retain in all circumstances the right to decide if and when their national forces are deployed."

There should be the possibility of all EU member states (NATO members, neutral and non-aligned states) to participate fully and on equal footing in European operations drawing on NATO assets and capabilities; and there should be satisfactory arrangements for European NATO members who are not EU member states. Both EU-led operations using NATO assets and capabilities or EU-led operations without recourse to NATO assets and capabilities should be possible, and unnecessary duplication should be avoided.

Planned are regular meetings of Defense Ministers, a permanent body of representatives with political and military expertise.

This declaration included many changes proposed by European neutral and non-aligned states, explicitly excluding Art. V commitments. The equal role of these states is underlined.

- In July 20, 1999 the British Prime Minister Blair and the Italian Prime Minister D'Alema launched an initiative to improve European defence capabilities.<sup>21</sup> The declaration proposed to set criteria for improved and strengthened European defence capabilities and effective crisis management, including peace-making. These efforts should be complementary to the Union's and the Member States' capabilities concerning the non-military aspects of crisis prevention and management, and improving co-ordination between military and non-military aspects.

Whether members of an alliance or in the framework of the Partnership for Peace (PfP) small states will have to participate in crisis management, peace-keeping, humanitarian action and even peace-enforcement operations. The new Euro-Atlantic Partnership Council (EAPC) provides the opportunity for small non-members to take part in NATO's consultative and decision-making processes. The "Petersberg tasks" also include crisis management, peace-keeping, humanitarian action and also peace-making. All EU members, including the states that are not members of the WEU, would have equal rights to decide and take part in these operations. The rights of allied and non-allied small states would be blurred in the field of crisis management.

## Small States' Selective Engagement

There is a strong argument that European NATO-members should spend far more money on modern arms and equipment to carry their share of responsibility in war. The war against Iraq and the Kosovo war had demonstrated the huge disparities between American and European forces and the growing gap between the two forces and its effect on even the most sophisticated armies to react quickly in war.<sup>22</sup> According to the Brookings Institution, NATO countries spend roughly 60 percent of what the United States does and they get about 10 percent of the capability. A lack of precision-guided munitions would have been chief among the European short-comings during the Kosovo-war. Transporting troops and equipment would be another large problem for the Europeans. Without changes, the Europeans would be unable to take the next step in creating their own defense and security arm within NATO. With financial difficulties for many European governments and the absence of a direct threat it is questionable whether Europeans should copy American capabilities. Besides, the US wishes to share with its European allies the burden stemming from its own commitments, new security problems and regional crisis-management needs.

Of course, the Europeans and Americans will have to share burdens, risks and responsibilities in non-Art. V areas. Of course, European states will have to improve their ability to contribute militarily to the protection of common interests. But here must be appropriate division of labour. European forces are more designed for peace keeping, humanitarian action and disaster relief rather than the rapid deployment of larger forces over long distances. The United States will need to continue to project forces in high-intensity conflict. What is true for the European NATO-members is even more true for small states.

The increased importance of crisis management operations not only has repercussions for the type of equipment procured for what is sometimes a wide diversity of operations, but also for the operating costs, as severe demands are placed on the equipment during the various deployment. Small States should not want more than they can control. They are not able to prepare for war fighting, high-intensity combat, enforcing and making peace, peace-keeping, resolving conflicts and participating in humanitarian and rescue operations. While some militaries would like to get the equipment for this entire range of conflict contingencies, it is the involvement in low-intensity and soft security operational missions that are most appropriate for small states, rather than high-intensity conflicts against opponents using traditional forces and strategies (to be developed below). High technology equipment forces are not only not essential for soft-security and peace-keeping missions but also not very helpful. Most highly developed military technology are poorly designed to be used in crisis response operations. Advanced technologies based on absolute information to increase the ability to strike with precision over great distances and with great accuracy are not relevant to these missions.<sup>23</sup> Simulation centers like MITRE in Boston create virtual enemies and develop digital war fighting strategies based on the idea of absolute information. For them it is not important what capacities an enemy really has but what it might have. What counts is not what an enemy thinks but what it might think.

These technologies and correspondingly trained militaries are narrowly focused on high-end warfare - as used in the operation against the Republic of Yugoslavia - are incapable of intervening in conflicts that require militaries trained for humanitarian action and peace-keeping. The technological requirements of advanced technology, combined with the emphasis on sensing equipment, simply does not translate well into low intensity conflicts, and may even be counterproductive in some cases. Peace-keepers have to be physically present, visible and supportive to the population through mediation and advise (see below). A good soldier is not necessarily a good peace-keeper. A peace-keeper is a certain type of soldier. He should be

qualified to perform police tasks, civil-affairs operations, speak multiple languages and should be trained in some psychology. People who are trained to be soldiers have to be re-trained for the new role of the mandate. The mandate defines in what way soldiers have to be trained and re-trained. Each unit sent on a peace operation must be trained for a number of months.<sup>24</sup>

There is therefore a basic contradiction between this type of mission and the use of advanced technologies that are intended to reduce the need for forces on the ground. Such technologies are generally ill-suited to these missions,<sup>25</sup> while precision targeting, absolute battlefield information, an advanced command and control system do not have much relevance in environments where there is no war against an enemy with mass armies and heavy weapons.<sup>26</sup> TABLE 1 shows that advanced technology is less relevant in low-intensity conflict and soft-security missions.

**TABLE 1: Military Technology and Peace Operations**

Low	MILITARY TECHNOLOGY	high
Soft security, humanitarian and rescue operations, peace-keeping	Peace-implementation, Peace-enforcement	Conventional War

**Cases**

In examining the contribution of small states three criteria are important:

1. The state’s participation in PfP.
2. The states participation in EU-Petersberg tasks.
3. The states’ contribution to peacekeeping and crisis management.

Peace-keeping is the most common operational mission of *Canadian Forces* in the post-war period. The frequency increased dramatically in the post-Cold War era. Thus, while Canada participated in 19 UN and non-UN peace-keeping missions between 1947 and 1986, the number ballooned to more than 25 since 1988. 1999 there are 300 Canadian troops active in 10 peace-keeping operations. Canada will limit the number of its peace-keepers in the future to 4000. At the same time, Canada’s support for NATO and the defense partnership with the US (codified through NORAD<sup>27</sup>), has declined. Unlike Canada’s weakening alliance commitments, peace-keeping generates considerable support from Canadian public. In October 1996 the Department of Foreign Affairs announced the launching of the Canadian Peace-building Initiative with the aim to develop a more comprehensive approach to peace-keeping/peace-building. With the end of the Cold War and the collapse of the Soviet Union, many analysts have wondered whether NORAD is not simply a relic from a different age. It is a technology and military system that Canada might not have and might be unlikely to acquire now. If it wants to play a more active role in NORAD significant investment in those technologies earmarked for aerospace mission would be required. Canada is not directly threatened and does not have any dedicated national enemies, nor does it have the kind of international profile that might appeal to terrorist organizations. Canada is developing strategies for the operability and interoperability to participate in a multilateral coalition.<sup>28</sup> The Rwanda experience accentuated Canadian concerns to see the UN function proactively to prevent humanitarian crises (e.g. through early warning), establish a mechanism of rapid intervention (some form of rapid reaction force), and strengthen socio-economic structures that could prevent conflict as well as repair societies after war.<sup>29</sup>

There is some discussion in Canada to redirect some of the money spent to NATO to Canadian peace-keeping activities. The costs of 1300 Canadian Forces in SFOR of \$200 million a year approximately equals what Canada pays to NATO headquarters. Canada could contribute to European security under the auspices of NATO's peace-keeping responsibilities (e.g. Kosovo). Canadian peace support operations in Bosnia and Kosovo are tangible contributions to conflict management and prevention in Europe and should count for much more in NATO circles. One possibility is to contribute more peace-keeping expertise to a larger scale Lester B. Pearson Canadian International Peace-Keeping Training Centre. The 1994 defence white paper already pointed out that Canada contributes to NATO's security through the newly established Pearson Peace-Keeping Centre and the Military Training Assistance Program.<sup>30</sup>

*Sweden*, a country with a long neutral tradition. It is usually asserted that Sweden's policy of neutrality stems from the foreign policy of King Carl XIV Johan in the 1800s when it declared "strict and independent neutrality" in the conflict between Great Britain and Russia. During the First World War Sweden pursued a policy of neutrality in accordance with the rules laid down in the 1907 Hague Conventions. At the outbreak of war on September 1<sup>st</sup> 1939, Sweden declared itself neutral. In the Post-War era, Sweden's formula for security became: "non-participation in alliances in peacetime with a view to neutrality in the event of war." Since 1992 Sweden's policy has been described as "non-participation in *military* alliances, with the aim of making it possible to be neutral in the event of war in Sweden's vicinity." In contrast to Austria, Sweden's previous policy of neutrality and its present policy of non-participation in military alliances was not and is not incorporated into Sweden's constitutional law. Sweden also sees changes in the nature of neutrality towards crisis management. The 1998 report on Swedish security states clearly:

"Our policy of non-participation in military alliances precludes our participation in operations that concern the defense of our territory and security guarantees. But it presents no obstacle to Sweden's participating in other ways in the emerging, multi-faceted European security cooperation where the focus is on cooperation based on trust, conflict-prevention and crisis management."<sup>31</sup>

The Swedish Defence Commission's report<sup>32</sup> stresses that Sweden should increase its ability to participate in international security cooperation and crisis management, both with military and civilian resources. In the short term, Sweden should have the capability to contribute ground troops to peace-keeping and peace-enforcement operations in Europe and its vicinity. On a global scale, Sweden should be able to provide peace-keeping units and functional capabilities, such as de-mining units. In the medium term, Swedish ground forces should participate in peace-enforcement in a global perspective. Naval and Air Force elements should be capable of taking part in peace-keeping operations in Sweden's vicinity. Sweden's civilian defense resources should also be able to participate in international security cooperation. In the past Sweden participated in 33 peace-keeping missions. In 1999 there are 200 Swedish troops active in 8 peace-keeping operations. In future Sweden plans to have 3000 troops available for international operations. Together with the USA Sweden organized a computerized peace-keeping (non combat) simulation during the NATO-summit in Washington in April 1999.

For the way ahead Sweden wishes to stress the following points:

The real security challenges for Europe today and in the foreseeable future lie in the area of crisis prevention and crisis management, not territorial defence and mutual defence commitments. Precisely for this reason, the Amsterdam Treaty brought the Petersberg tasks to the forefront that should remain the guiding principle. In this context, the primary responsibility of the UN Security Council for the maintenance of international peace and security should be

reaffirmed. All EU action must be in accordance with the UN Charter, including a Security Council mandate for enforcement action. Through the Amsterdam Treaty, the Petersberg tasks became central elements of the CFSP. An integrated civilian and military approach to conflict prevention and crisis management should be established. Particular emphasis should be placed on preventing the escalation of emerging conflicts, in order to avoid having to resort to military means.<sup>33</sup>

*Finland* will strengthen its crisis management capabilities for peace support. In the 1990's, international activities have expanded in the Finnish Defence Forces. For Finland the development of military interoperability and participation in international crisis management would increase its national security and support indirectly its defense readiness.<sup>34</sup>

Finland changed the term neutrality to non-alignment. The core of neutrality remains unchanged, however. It can be characterized as military non-alignment and an independent defence.

President Ahtisaari underlined that "it is natural for countries that have opted not to participate in alliances to be actively involved in developing cooperation in military questions within the framework of the EU, because it is not a military alliance. ... The Treaty of Amsterdam will add clarity to the EU's task and role in crisis management. ... From the beginning, the countries not participating in military alliances wished to play an active part in the cooperation arrangement that NATO has launched, such as the Partnership for Peace programme."<sup>35</sup>

In June 99 the Finnish Prime Minister Paavo Lipponen<sup>36</sup> suggested setting up of an EU military force for crisis management that could be deployed rapidly and to which each Member states, including neutral countries, would provide troops. Emphasizing that neutral countries must take part equally in this force, the Finnish President remarked that "we should not make a problem by talking about merging WEU with the EU, and including Art. 5" of the WEU in the EU. Finland's general goal is to create interoperable forces and qualified staff personnel that can be effectively used for peace support operations, and one of the key tools to reach this goal is the NATO- initiated PfP Planning and Review Process, PARP. It is preparing to use the rapid reaction brigades of the ground forces for international tasks as well. So far approximately 35.000 finish soldiers participated in UN peace-keeping missions. 1999 there are more than 800 Finish troops active in 8 peace-keeping operations. In future Finland plans to have 3000 troops available for peace-keeping operations.

The Finnish Presidency of the EU worked on the two inter-related tasks of military and non-military crisis management as distinct and parallel processes.

*Denmark's* Defence Act of 1993 widened the tasks of the Danish armed forces from the traditional to a global role. Priority is the cooperation on peace-keeping training with most Baltic and Central European States. Denmark has coordinated the joint Baltic Peace-keeping Battalion (BALBAT). 1993 Denmark had decided to establish "The Denmark International Reaction Brigade" that provided forces to SFOR and is also part of the Danish contribution to NATO's Rapid Reaction Forces. The brigade's staff officers and headquarters company are also at the disposal of the UN Stand-by Forces System. Denmark has long supported the UN and multilateral cooperation. Denmark also has taken the initiative together with other countries to form this Multinational UN Stand-by Forces High Readiness Brigade (SHIRBRIG). The Secretaries of Defence from Canada, the Netherlands, Norway, Sweden, Poland, Austria and Denmark signed the Letter of Intent in December 1996. It increases the level of readiness of small and medium sized states and their ability to finance their own participation.

Denmark has served as host site for some PfP and has been active in many PfP missions abroad. It hosted Operation 'Cooperative Jaguar' in 1998, in which 17 NATO and PfP members prepared for a potential peace-keeping mission and to test the interoperability of air and sea-based machinery. In 1997 Denmark hosted 'Baltic Triangle 97,' in which German and Polish armed forces trained for a joint peace-keeping operation.

In future Denmark plans to have 4500 troops available for international operations. In an effort to be more effective in peace-enforcement operations, Denmark is also developing weaponry that allows for greater accuracy and more utility in NATO operations.

Denmark has always been very active in crisis management (per capita, it is the largest contributor to Kosovo-type operations) and for this reason, it considers it very important for the EU to improve its decision-making capacity in this field. After the EU Cologne Meeting June 3 - 4, 1999 the Danish Foreign Minister<sup>37</sup> made clear that Art. V of the WEU Treaty could not be integrated into the EU Treaty. After Cologne "the whole package goes back to NATO," he noted. When one speaks of European Security and Defence Identity, one means Petersberg missions and not territorial defence.

Due to the disappearing Russian threat in the post-Cold War era, Norway's role in NATO security has been decreased. However, Norway has adapted extremely well to NATO's broader mission changes. In the PfP's first year in practice, Norway hosted 'Cooperative Venture 94,' which was a training operation for joint naval maneuvers. Later, for example, Norway joined other allies and PfP members in a substantial test of NATO's naval capabilities, and also participated in 'Strong Resolve 98,' which involved 53.000 troops in a test of NATO forces in Northern and Southern Europe simultaneously. Norway has contributed to many other PfP operations. It has also made considerable contributions to SFOR (initially 910 forces and 797 as of 1998). Norway was the first NATO member state to provide emergency aid to the ethnic Albanian refugees from Kosovo.

Norway's enthusiasm for peace-keeping was evident well before it joined NATO through its contribution of 492 peace-keepers to the United Nations Truce Supervision Organization (UNTSO) in 1948. The first UN Secretary General, Trgve Lie, was a Norwegian who initiated the first international peace-keeping deployments. Norway's UN peace-keeping activities later became more prominent under UN Secretary General Dag Hammarskjold.<sup>38</sup>

The *Netherlands* started to rethink the aims of their defense planning.<sup>39</sup> The Netherlands has modern, all-volunteer armed forces with well-trained and motivated personnel and high-grade equipment. They should be able to a) defend national and NATO territory; b) protect and promote the international rule of law; this may include crisis management and peace-keeping on the periphery of the NATO treaty area and elsewhere in the world; c) support and assist civilian authorities, both national and international, in the event of disaster relief and peace-building. It gives high priority to the participation in operations for peace-support purposes. More emphasis will have to be placed on capacity for contributing to controlling regional conflicts near the NATO treaty area. The Dutch Army should be capable of participation simultaneously in a maximum of four crisis management or peace operations under the mandate of UN or the OSCE and it should be able to maintain rapidly deployable assets for an adequate contribution to peace-enforcement. Readiness and availability are priority requirements of the units available for crisis management operations. The Netherlands' contribution will consist of modules which fit in as well as possible with contributions from other countries. The armed forces must be very flexible with regard to sending military personnel on missions abroad; this will concern the deployment of smaller units. The Netherlands does

therefore not have to possess armed forces which are capable of any possible military activity; any combat-ready Dutch unit should, in principle, be able to be deployed for peace operations, crisis management operations and other international operations. The Netherlands want to improve mobility and flexibility, i.e. air mobile brigade, amphibious transport ship, transport aircraft. In the past the Netherlands contributed to 21 peace-keeping missions. 1999 there are 2000 Dutch troops active in international operations. To carry out crisis management and peace operation for the promotion or maintenance of international rule of law should be a sufficient international legal basis (preferable a mandate from the UN or the OSCE).

Since the threat of a large-scale conflict or massive attack is fading, units that are chiefly suited for this type of conflicts can be reduced in number and size. As a result, some 150 tanks can be removed; this is almost 50 percent of the tank complement of 330 Leopard-2 tanks. The mobilisable part of the Royal Netherlands Army, currently numbering over 34.000 functions, will decrease by approximately 7.000 functions. The National Command (NATCO) is to be reduced by about 800 functions, including in the staffs. Investments in munitions supplies will be strongly reduced.

In the event of new investment, the Defence organization will take into account the requirements disaster relief tasks impose on equipment. The National Reserve Corps (NATRES) can easily be deployed for disaster relief. The armed forces' rescue tasks, anti-terrorist units, explosive ordnance disposal, assistance in fighting the drug trade, hydrography, emergency aid for large numbers of people, support in tracing perpetrators of environmental crime and carrying out fishing inspections, air reconnaissance tasks at the request of civilian authorities and their contribution to air traffic control are also important. The Defence organization intends to form a structural capacity for civil-military relations, which can also be deployed during peace operations.

*Austria* concentrates on the new elements that are mainly covered by the formula "Petersberg plus PfP." It participates in IFOR and SFOR in Bosnia. 1999 there are more than 1,000 Austrian troops active in 13 peace-keeping operations. Since 1960 about 40.000 Austrian troops participated in more than 30 peace-keeping operations. This demonstrates that Austria, while maintaining a form of neutrality, is not a "free rider." Austria does not need security guarantees because there is no big threat to Austria. No major attack on Austrian territory is likely. Therefore membership in a collective defense system is not necessary. Even though the concept of neutrality is changing it does not entail formal membership in NATO or WEU. Austria could participate in crisis management, peace-keeping, humanitarian action and even peace-enforcement operations in the framework of the Partnership for Peace (PfP). The new Euro-Atlantic Partnership Council (EAPC) provides the opportunity for Austria, as a non-member, to take part in NATO's consultative and decision-making processes.

Only Art. V's security commitments are incompatible with Austria's neutrality law. Austria does not need security guarantees along the lines of Art. V because no major attack on Austrian territory is likely. Therefore, membership in a collective defense system does not automatically increase Austria's security. The concept of neutrality is flexible enough to allow Austria's participation in the "Petersberg" Tasks or PfP without necessitating formal membership in NATO or the WEU.

Politically, the adoption of a permanently neutral status was the price Austria had to pay the Soviet Union for the latter's agreement to restore full Austrian independence in the Austrian State Treaty of 1955. In the Moscow Memorandum of April 15, 1955, the USSR agreed to sign the State Treaty in exchange for the declaration of permanent neutrality by Austria. The

Memorandum was legally non-binding, however. Even though neutrality was not really a free choice, it was the best deal Austria could get.

On the legal level, however, Austria tried to avoid the image of a neutralized state. It was felt that permanent neutrality imposed on the country in a treaty, especially in an agreement with the Great Powers, would make this status less respectable. Hence, the Austrian Parliament adopted the Federal Constitutional Law not before it regained full independence (it waited until the last soldier of the occupation forces had left its territory). Art. I (1) emphasizes, therefore, that:

For the purpose of the permanent maintenance of its external independence and for the purpose of the inviolability of its territory, Austria, of *its own free will*, declares herewith its permanent neutrality which it is resolved to maintain and defend with all the means at its disposal.

The neutrality law in Art. I (2) only prohibits Austria from joining a military alliance and the deployment of foreign troops on its soil:

In order to secure these purposes Austria will never in the future accede to any military alliances nor permit the establishment of military bases by foreign States on its territory.

According to the Hague Convention of 1907 on sea and land war, neutral states are required to refrain from all direct or indirect participation in wars. For Europe after 1990, however, this legal tradition is fairly outdated. Within the borders of the EU and among the OECD countries war is no longer an issue. Furthermore, wars between states have become increasingly rare. War within states, however, are not covered by this trend.

Austria's concept of neutrality is historically and globally unique. This form of neutrality cannot be put on a level with other concepts of neutrality. Certainly, it followed the legal structure of the Swiss example, but it was born in the East-West conflict. Finland has similar Cold War historical roots, but a different legal basis. Presumably, Austria's understanding of neutrality belongs to a model of the past. The question remains whether the idea of neutrality will survive in different form. This does not mean a return to the "policy of active neutrality" of the Kreisky era (Chancellor between 1970 and 1983), which was less neutrality than an active foreign policy. The privileged role of mediation associated mainly with neutral states has become a remnant of the East-West Conflict. This does not mean that neutral states will henceforth be avoided as meeting and mediating places. Austrian territory is home to one of the seats of the UN and the headquarters of IAEA, UNIDO, the Comprehensive Test Ban Treaty Preparatory Commission (CTBTO), and also OPEC. The OSCE is also based in Vienna.

Permanent neutrality between East and West was a more or less effective means to protect Austria from the military blocs during the Cold War. Yet the concept of neutrality has to change along with the concept of alliances. This does not necessarily mean the converse, however--that neutral states will now have to join an alliance. It means only that the status of neutrality must take on a new meaning. Austria's neutrality has already *de facto* adapted several times to changing situations: membership in the UN was a move away from the Swiss model; the permission for the aircraft of the anti-Iraq coalition to overfly Austrian airspace in the second Gulf war (1990/91) was compatible only with a broad interpretation of the legal concept of neutrality; membership in the EU with its CFSP and Amsterdam Treaty (that includes peace making) has little to do with traditional understandings of neutrality. Neutrality has become a function that does not extend beyond the negative definition of non-membership in NATO. This

is not to say that little remains of neutrality; but that these changes demonstrate the flexibility of the concept even within its existing legal framework.

Both NATO's and the WEU's old core concepts are incompatible with a traditional understanding of neutrality. But is there potential for a new conception of neutrality within NATO and the WEU's new elements? Both have created instruments for crisis management and peacekeeping, and NATO's enhanced Partnership for Peace (PfP) also includes non-members for such missions. All EU members can also participate in the so called "Petersberg" tasks of the WEU. Let us now look at these new developments more closely.

Based on the observations above, *neutrality can technically be defined as non-participation in military alliances and non-participation in wars.* Alliances are formal associations of states bound by the mutual commitment to use military force against non-member states to defend member states' integrity. Regarding NATO, this applies only to Art. V of the Washington Treaty and not to crisis management missions. A *war* describes a state when force is used between two or among more conflicting parties on the basis of partiality and clearly designated enemies absent any mandate from an international organization. Peace enforcement measures according to chapter VII of the UN Charter are not covered by this definition.

For all the above reasons, neutrality is not necessarily incompatible with international solidarity. Selective participation in international peace operations is possible for neutral states. Peace operations are conducted in a different environment than traditional military operations and involve operations and objectives different from those characterizing traditional armed conflicts. These include conflict prevention, peace keeping, peace building, peace making, peace enforcement and humanitarian operations.

Ireland's policy of neutrality is not contained in its constitution. A central tenet of Irish neutrality was its permanent conflict with Great Britain. As the conflict between Britain and Ireland over the 'national question' this factor has ceased to be of much relevance to any consideration of the issue of neutrality. Thousands of Irish soldiers joined the British Army in both World wars, however. The only official declaration of neutrality came at the start of the second World War, when it was decided that Ireland would remain neutral in that conflict.

Ireland<sup>40</sup> underlines that PfP does not involve any mutual defence guarantee or commitment, and that it does not affect Ireland's policy of military neutrality. PfP is not an alliance. In 1996, the Coalition Government of Fine Gael, Labour and Democratic Left published a White Paper on Foreign Policy which conclusion was that participation in PfP has several advantages, for example to cooperate in the fields of peace-keeping, search and rescue, humanitarian missions and environmental matters. The experience of Irish peace-keepers is drawn from 40 years UN service. Nearly 40.000 Irish soldiers have served in UN peace-keeping operation (and lately, in peace-enforcement operations). The UN Training School at the Curragh has a high reputation and will be a means of sharing and providing expertise in the PfP context. The Irish constitution declares Ireland's position in support of the rule of international law, and favour of the pacific settlement of all disputes. Ireland has never refused a request by the UN to participate in any mission - and has always argued that such requests must emanate from the Security Council, rather than any subsidiary or independent body. There is a general understanding that a change from peace-keeping to peace-enforcement represents no diminution of Irish neutrality.

Ireland welcomes the new focus on the Petersberg tasks. Ireland stresses that there is no compulsion on any EU state to participate in these new tasks under the Amsterdam Treaty. The European and international security environment has evolved in ways which put increased

emphasis on peace-keeping, conflict prevention and crisis management - activities in which Ireland has an impeccable record. Ireland occupies observer status in the WEU. The official Irish Government position (enunciated in a White Paper on Foreign Policy in 1996) is that Ireland will not become full member of the WEU, essentially because of its command structure and nuclear policy, but it is willing (without compromising neutrality) to participate in the Petersberg tasks of peace-keeping and peace-enforcement, provided those tasks are carried out in the accordance with a UN mandate. It is unlikely that any Irish Governemt in the near future would advocate joining NATO, for largely the same reasons as apply in th case of the WEU. For as long as the military alliances rely on nuclear powr, and for as long as sevice with either body would involve a command structure that owes nothing to the UN, it seems safe to predict that Ireland will remain military neutral.

Emerging *regional arrangements* could be the building blocks of the new crisis management organization, with regional cooperation based on the terms of the PfP program. As small states are unable individually to provide the resources that are required for conflict prevention and crisis management they have to cooperate and pool their resources and share their experience they have gained from peace-keeping activities both with each other and with larger states. The mission profile of regional contingents, in turn, could encompass operations in the context of the UN Charter Chapters VI and VII, such as support or assistance to conflict prevention, peace-keeping, peace-enforcement, peace-building and peace-making, as well as humanitarian operations. A modular framework could establish multinational contingents that can be used for both PfP operations and "Petersberg" tasks. Such regional crisis management contingents could then serve as the nucleus around which a larger force is constituted. Regional crisis management building blocks are already developing in the Nordic Cooperation and the Baltic region, BALTBATT<sup>41</sup> and the NORDCAPS,<sup>42</sup> and in the Central European region (CENCOOP).<sup>43</sup> In 1994, the Nordic states and the United Kingdom supported the establishment of a Baltic peace-keeping battalion (BALBATT) to increase the capacity of the Baltic states in peace-keeping operations. The purpose of NORDCAPS is to improve consultation and cooperation among the existing fora concerned with international peace-keeping operations. The new NATO-member Hungary as well as Austria, Slovenia, Romania and Slovakia will participate in CENCOOP, and Switzerland and the Czech Republic intend to join.

These cases demonstrate that smaller states can make a considerable contribution to crisis management, whether it is in the framework of PfP or Petersberg.

To sum up, it can be said that Finland and Sweden have appeared eager joining all those bodies and organizations that do not directly include military alliance obligations. For Sweden and Finland as non-aligned countries WEU and NATO are similar in that both organizations constitute military alliances. Therefore, the two countries cannot join any of them as full members while remaining non-aligned. However, they can and wish to maintain close relations and close cooperation with NATO and WEU in order to carry out tasks within the large area which is unrelated to Art. 5 in the statutes of the two organizations. They are focusing on the specific tasks and objectives rather than on the organization.<sup>44</sup>

PfP membership brought Sweden, Finland, Austria and probably Ireland together in the area of crisis management. As expressed by the Swedish and Finish defence ministers, non-alignment "precludes participation in cooperation relating to the defence of our territory and security guarantees but does not otherwise present any obstacle to international cooperation." Sweden, Finland and Austria have been very active in NATO crisis management, participating in IFOR/SFOR in Bosnia as well as in KFOR in KOSOVO. Finland and Sweden see themselves as making a special contribution to crisis management through their long experience in this field of

work. For Sweden and Finland the Petersberg initiative thus fulfills the criteria of providing a good platform for further activities. At the same time, it draws a line between defence obligations and crisis management. On the basis of a Swedish-Finnish initiative the right for non-aligned states to participate in the Petersberg activities was included in the Amsterdam Treaty of the EU in 1997. Furthermore, these states will be allowed to participate fully and on equal footing in planning and decision making concerning the operations in which they engage.

In the same way a small NATO-state could concentrate on crisis management tasks within NATO.

**Crisis Response Operations and Small States**

The concept of crisis management, crisis response and peace support operations (PSO) aim at preventing conflicts and restoring stable conditions for peace in the area between peace and war. Crisis management includes arbitration and international intervention. Selective participation in international peace operations are inevitable for small states. Peace operations are conducted in a different environment than traditional military operations and involve operations and objectives different from those characterizing traditional armed conflicts. These include conflict prevention, peace-keeping, peace-building, peace-making, peace-enforcement and humanitarian operations.<sup>45</sup> (SEE TABLE 2)

TABLE 2:

<p><b>Typology of Crisis Reponse Operations:</b><sup>46</sup></p> <p><i>Preventive diplomacy</i> seeks to resolve disputes before violence breaks out.</p> <p><i>Conflict prevention/resolution:</i> Diplomatic and other noncoercive activity aimed at settling disputes by negotiation and avoiding the use of force (if it has not yet occurred) or (where conflict is already in progress) at ending it or at least preventing the escalation of violence.</p> <p><i>Peace-keeping (classic model):</i> Positioning of lightly armed forces as neutral observers in a conflict zone, with the consent of the parties to the conflict, as a confidence-building measure to help them maintain a cease-fire (examples: Sinai, Golan Heights). It is normally based on Chapter VI of the UN Charter.</p> <p><i>Preventive deployment:</i> This is the same as the classic peace-keeping model, but undertaken before actual conflict has broken out (example: Macedonia).</p> <p><i>Extended Peace-keeping:</i> Part of a negotiated political solution. Here the responsibilities of peace-keepers may include weapons collection, resettlement of refugees and/or disarmed combatants, election monitoring, police training and supervision, assistance in integrating former rebels into armed forces, provision of accurate, unbiased information to the population, and other temporary administrative tasks. It is also based on Chapter VI of the UN Charter.</p> <p><i>Monitoring (Verifying):</i> Chapter VII of the UN Charter allows for monitoring and verification, such as the 2,000 person "Verification Mission" of the OSCE will verify compliance of Yugoslavia and the Serb forces with UN Security Council Resolution 1199 on Kosovo in September 1998. The verifiers themselves are unarmed, and among their roles will be the supervision of elections.</p>
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*Peace Implementation:* Execution of a peace agreement and peace-building after a conflict. It covers all measures (including military) of security assistance. Regarding military measures there are three main tasks: demilitarization, military reform, arms control and regional stability. They all contribute to confidence building transparency. Consent would be the objective for peace-implementation. Since full consent of the belligerents might not always be forthcoming, Chapter VII provisions based on forced could be required. This force must be used impartially, however. The realization of the Dayton peace accord in Bosnia since 1996 is an example of *peace implementation*. The UN resolution on Kosovo in June 1999 also put the "international security presence" under Chapter VII. The difference from enforcement is that implementation is to build and not to destroy.

*Enforcement:* Use of armed force to reverse aggression (UN in Korea, 1950; UN member states authorized by Security Council in Kuwait 1991), impose a settlement on parties that have not consented to it (Syria in Lebanon, 1976), restore a legitimate government that has been deposed by force (United States authorized by the Security Council in Haiti, 1994), protect a population against genocide or other abuse (NATO's threat to use force in Kosovo/Yugoslavia, 1998). It is normally based on Chapter VII of the UN Charter.

*War:* "A war (a 'war event') is an occurrence of purposive and lethal violence among two or more social groups pursuing conflicting political goals that results in fatalities, with at least one belligerent group organized under the command of authoritative leadership."<sup>47</sup> According to this definition the air raids against Serbia in March 1999 have to be called war. The definition used here describes *war* as a state when force is used between two or among more conflicting parties on the basis of partiality and clearly designated enemies absent any mandate from an international organization. Peace enforcement measures according to chapter VII of the UN Charter are not covered by this definition. More statistical oriented approaches define international war as "a military conflict waged between national entities, at least one of which is a state, and that results in at least 1,000 battle-death of military personnel."<sup>48</sup>

*Peace-building* is a post-conflict action to identify and support structures that will strengthen and solidify a political settlement in order to avoid a relapse into the conflict. It may involve the creation or strengthening of national institutions, monitoring elections, promoting human rights, providing for reintegration and rehabilitation programs, and creating conditions for resumed development. In many ways extended peace-keeping overlaps with peace-buiding during which civilian and military forces strengthen civil and humanitarian institutions, support economic and social development, and organize elections and full political participation.<sup>49</sup>

*Peace-maintenance* is defined as the overall political framework, as part of which the objectives of diplomatic activities, humanitarian assistance, military forces, and civilian components are not only coordinated but harmonized.<sup>50</sup>

TABLE 3: **Participation of small states**

CRISIS RESPONSE OPERATIONS - PETERSBERG TASKS PARTICIPATION OF SMALL STATES	
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HUMANITARIAN ACTION RESCUE OPERATIONS REFUGEE/DISPLACED PERSONS ASSISTANCE	PEACE OPERATIONS (PSO)		WAR
	PEACE KEEPING  PREVENTIVE DEPLOYMENT  MONITORING	PEACE ENFORCEMENT  PEACE IMPLEMENTATION  RING (Verification)	Ku Wait  Kosovo (Operation Allied Force)
CONSENT (Chapter VI)		Usually NO CONSENT but consensual Chapter VII possible (Dayton, Kosovo UN resolution)  AGAINST CONFLICTING PARTY  BUT IMPARTIALITY (Chapter VII)	Designated Enemy
Use of force for self defense		Use of force for the implementation of a mandate (agreement)	Use of force for defeat
e.g.: EARLY WARNING, PIONEER-, MINE SWEEPING-, RESCUE-, TRANSPORT-, DISASTER RELIEF- UNITS		COMBAT TROOPS  Prepared for Combat	Combat

x

Source: Heinz Gärtner. The author received important suggestions from Johann Pucher and Karl Schmideder.

One important dividing line falls between the extended peace-keeping and enforcement models. It does not presuppose the consent of the parties to the conflict or potential conflict. (Line x in TABLE 2). In some cases, there could be a type of consensual Chapter VII, such as the Dayton and the Kosovo peace agreement. The other dividing line is the one between peace-enforcement and war (line y). The participation of a small state in a war with a designated enemy and no mandate from an international organization can be dangerous. Small states could be drawn unwillingly into the wars of big states. Empirical research shows that the magnitude, duration, and severity of war are substantively connected to alliance configuration, for the reason that war spreads through alliances. Alliances turn small wars into big wars.<sup>51</sup> Small states

are thus always caught between being "entrapped" or "abandoned".<sup>52</sup> The greater one's dependence on the alliance and the stronger one's commitment to the ally, the higher the risk of entrapment. The looser the ties, the larger the risk of being abandoned in the case of war. One strategy to escape this trap has been to adopt "neutrality" or "hide."<sup>53</sup>

However, there is some room for interpretation about a clear distinction between peace-enforcement operations and war, however. Legally, one could argue that peace-enforcement operations which are authorized by the UN are not wars. Yet the differences are blurring, as the example of the second Gulf War shows. The anti-Iraq coalition was authorized by a mandate of the Security Council; the liberation of Kuwait could also, however, have taken place on the basis of self-defense (Art. 51 of the UN Charter), which then would have counted as a war under the above definition.

A *war* describes a state when force is used between two or among more conflicting parties on the basis of partiality and clearly designated enemies absent any mandate from an international organization. Conversely, UN peace operations are based on the three basic principles, namely consent, impartiality and the use of force only in self-defence.<sup>54</sup> These principles have occasionally been jeopardized by the use of humanitarian action as a pretence for political intervention with ambiguous and ill-defined objectives, as in Somalia.<sup>55</sup> A clear, appropriate and realistic mandate has to be implemented in an impartial manner.

More difficult for small states are the political decisions that accompany participation. They can be decisions between life and death. In principal, a small state would be able to take part in all operations. It can demonstrate that international solidarity is not something to be left to military alliances. Operations between lines x and y must be based on international legitimation of the UN or the OSCE, whether it is in the framework of NATO/PfP or Petersberg. In such circumstances the use of force requires strict impartiality. Limited force against any party that violates the mandate and impartiality will not be mutually exclusive.

In practice, a small state should concentrate on the "soft security" and non-military crisis-response operations (left of line x in TABLE 3 and Box below). Its participation in combat is unlikely to be decisive. On the one hand, the resources of a small state are limited; on the other hand, small and especially neutral states have useful experiences in humanitarian action, rescue operations and peace-keeping. Their activities can range from infrastructure restoration to basic police, medical, and veterinary services.

Security can be defined as the absence of threat or the capacity to deter threat. Security lies at the intersection of threats and capacities. Capacities are resources with which an actor can pursue desired outcomes. Security is a universally desired outcome, and capacities are used to deter threats (with counter-threat) or defeat those who try to implement their threats. Increasing military capacities to achieve security dominated the period of the Cold War. A steadily growing security dilemma was the result. Balancing threats and capacities, not ensuring that one's own strength exceed the one of the adversaries, should be the strategy for smaller states after the end of the Cold War. This wider perspective of security challenges allow states to achieve security by threat-abatement instead of capacity enhancement.<sup>1</sup>

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<sup>1</sup> Daniel N. Nelson, Threats and Capacities, and Germany, in: *International Politics* 34, No 1 (March 1997), p. 63-78.

### **Non-military crisis-response mechanisms**

They can be summarized according to the cycles of the crisis:<sup>56</sup>

- Early-warning-mechanisms, confidence-building measures, diplomatic action, review of human rights situation, peaceful settlement of disputes, arbitration, civilian monitoring.
- Humanitarian aid, search and rescue services, logistic maintenance and repair, protection of displaced persons and refugees, immediate shelter and reconstruction, civilian police operations.
- Mine-clearance, resettlement of soldiers and para-military units, voluntary return of refugees and displaced persons, rehabilitation, sanitation, reconstruction, monitoring the human rights situation, rebuilding of democratic institutions incl. Independent media, judicial assistance, organising elections.

### **Political Guidelines**

A mismatch between forces and missions, due to lack of a clear mandate and incomplete understanding of the missions, has been a common failing in many post-Cold War interventions.<sup>57</sup> For the involvement in operations mapped out on the right side of line x, a small member or non-member of an alliance should define conditions. Such a list of criteria could set guidelines for decision making. This would demonstrate a small state's willingness to participate in international peace operations, while preventing a small state from being entrapped in military actions which only serve the interests of big powers or are doomed to fail, such as the Somali disaster. The mandate for the operation in Somalia 1993 shifted back and forth between a humanitarian action, peace-keeping, peace enforcement and peace building.<sup>58</sup> This operation proved to be a failure because of the lack of knowledge about the differences among the different types of peace operations. A central point is to determine from the beginning to which category an operation belongs. Rules of engagement will differ with the nature of the mandate. It is impossible to answer the question of *whether* to intervene without also considering *how* to intervene.<sup>59</sup>

Such guidelines for political and military feasibility could include the following:<sup>60</sup>

1. A participation in military operations is contingent on the small state's interests and/or on the promotion of international law and international principals.
2. It should be based on a mandate of an international organization, preferably the United Nations. The mandate has to have clear political and military objectives that are both reasonable and attainable.
3. It has to be a multinational operation. It should be based on international solidarity and a fair distribution of responsibilities, burdens and risks.
4. There can be no automatic process for the deployment of troops. Each mission requires a case-by-case political decision by the parliament.
5. The units of a small state will have to operate within a clear command structure of an international organization.

6. The financing of the participation has to be guaranteed. Overstretching the military capacities of a small state has to be avoided; the equipment and armaments must be adequate for the task. The risks for dispatched personnel must be kept at a minimum.
7. Rules of engagement have to be formulated unambiguously. The conditions governing when and how troops may use force must be clear. The level of risk must be reasonable.
8. The operation has to be limited in duration. There can be no open-ended commitments.
9. The operation must have a high likelihood of success.
10. Troops of a small state must have an exit strategy if the operation fails.

These criteria could also help in deciding on selective engagement. They do not imply an automatic refraining from all forms of military involvement beyond self-defense and not an automatic involvement. The participating small state has to be associated with the conception, the planning and the command of the operation. The precondition is that participation takes place on a voluntary basis and preferably with UN or OSCE authorization. Participation could take place in the framework of PfP as in the case of Bosnia or as part of the "Petersberg" tasks. Under these circumstances, "case-by-case action" would be not only acceptable but likely.

Further points have to be clarified:<sup>61</sup>

- Should one side be aided, still on the basis on impartiality but not on consent?
- Should oe side be military weakend or coerced?
- Should be there a deterrence through presence or threats to act?
- Should safe havens be created?
- Should failed states supported?
- Protect an entire population or part of it?

### **Moral Motives for Small states**

If force is used, some principles of the "just war" should be taken into consideration: having a just cause in the eyes of others; discrimination in means so as to not unduly punish the innocent; proportionality of means to ends; and a high probability of good consequences (rather than wishful thinking).<sup>62</sup> There must be a just cause of sufficient importance to warrant its defense by recourse to armed coercion. The probable good of the just cause must outweigh the probable evil tha the war will produce.<sup>63</sup> There is no necessary or natural proportion between 'just cause' and 'war.' The existence of a just cause, even when allied with legitimate authority, does not in itself justify recourse to war. A hasty recourse to war is an unjust recourse to war.<sup>64</sup> Even a good cause is not worth any price that a small state would have to pay. Not every repression is a genocide.

Other factors that can influence the decision to intervene have to be taken into consideration:<sup>65</sup> What are the other interests beyond humanitarianism, economic or strategic? What are the likely costs and consequences of intervening? Will action significantly reduce the problem? What larger consequences, regional and global, will intervention have? What would be the likely

results of other policies, including, but limited to do nothing?<sup>66</sup> These considerations would have made interventions such as in Somalia less likely.

Concerning the participation in international operations more than big states small states have to rely on a legitimate authority. In most of the cases the United Nations will be the authorized agent. Sometimes a mandate by the OSCE may be sufficient. The OSCE only can act under Chapter VIII of the UN Charter. It excludes peace-enforcement operations. So the OSCE can give a mandate under two conditions: a) if European and not global issues are at stake, and b) if the mandate concerns civilian and peace-keeping operations (side left of line x in Table 2). In some cases a split mandate between UN and OSCE might be possible: the OSCE for civilian and the UN for Chapter VIII operations. A participation in a NATO operation outside the Alliance territory runs the risk of entrapment for a small state: the involvement in a violent conflict that is mainly in the interest of the big states in the alliance.

In spite of an UN mandate small states might want to have ethical and moral criteria as a guide for their participation in international operations. Besides self-interest the motives can be security, peace, and justice. Not any peace operation authorized by a mandate from an international organization (i.e. UN, OSCE) can justify a small state's participation. The governments of small states do not get around to ask themselves about the nature of the crisis. Is this a purely humanitarian crisis (like a flood) or a larger crisis with humanitarian consequences (Somalia or Kosovo)? Is the crisis the consequence of a failed states (Somalia, Bosnia, Haiti) or of repression of an authoritarian state (e.g. Kosovo)? Are there clear identifiable conflicting parties (as in Bosnia) or chaos and disorder (as in Somalia and DR Congo)?

Based on answers to these questions,<sup>67</sup> what should the objectives be? The answer to purely humanitarian crisis could be to provide immediate relief and aid (food, shelter). Most of the time a humanitarian crisis is part or result of state failure or civil war, however. Can the humanitarian crisis be separated from the political crisis? Should the objective be the resolution of the conflict and the elimination of the causes?

As a general rule considered can be that the more extensive the human disaster is the more justified is the use of force to stop it. Here are some guidelines on ethical reasons<sup>68</sup> of small states to participate in peace support operations:

1. If there is a **genocide-policy** as in the cases of Pol Pot Cambodia or the massacre of the Tutsi in Rwanda 1994 a small states' participation in international intervention is most justified. The Genocide Convention<sup>69</sup> says that the contracting parties "may call upon the competent organs of the United Nations to take such action under the Charter ... as they consider appropriate" (Art. 8). This implies humanitarian intervention authorized by the UN. But what is appropriate? The main limitation in the convention is that it defines genocide by the *intend* "to destroy, in whole or in part, a national, ethnic, racial or religious group." Supporters of intervention maintain that genocide-policy is a threat to peace and security and therefore justifies intervention. On the one hand, the international community did not define the mass killings in Rwanda as "genocide;" so they had no obligation to intervene. On the other hand Milosevic's ethnic cleansing in Kosovo was called by the UN Secretary General a "genocide" to give the NATO air raids against Yugoslavia additional moral justification.
2. **Massive ethnic-cleansing and violent displacement of large numbers of people** as in Bosnia and Kosovo called for intervention if the likelihood is high that this policy can be stopped.

3. An involvement in **war (inter- and intrastate)** always runs the risk of entrapment. Military intervention has to be based on a clear political mandate and the likelihood of success requires careful consideration. If intervention fails wars can escalate. Small states should only participate if they can make a useful contribution. The rules of engagement (see above) have to be clear.
4. Intervention hardly can prevent **massive violations of human rights** within states. Political and economic sanctions should be imposed on a case by case basis.
5. Production, deployment and proliferation of **weapons of mass destruction** mainly should be prevented by diplomatic means and on the basis of arms control agreements (Non-Proliferation Treaty, Comprehensive Test-Ban-Treaty, Convention on Chemical Weapons, Convention on Biological Weapons, Missile Technology Regime). Especially small states depend heavily on diplomacy. The USA is pushing for greater collaboration by the alliance to deter weapons of mass destruction and to defend allied populations and territory against them. Proposals include vaccines, advanced protective outfits for the military, detection equipment and other cooperative research and development. This would alleviate the need for each country of the alliance to bear the cost of covering every contingency on its own. The UN and not NATO should be the first address for this issue, however. Only in the case of immediate danger a military intervention can be taken into consideration.
6. **Terrorism** America is a special target for people like the bombers who blew up its embassies in Kenya and Tanzania on August 7<sup>th</sup> 1998. President Clinton ordered U.S. military strikes against "terrorist facilities" in Afghanistan and Sudan after linking them to the embassy bombings in Africa. The US has to operate as world police force without a world judiciary or a proper world system of law. The US argues action must be taken against terrorists not to encourage further terrorism. Military strikes also can provoke new terrorism, however. The Lockerbie incident of 1988, in which 270 people died, probably was a reaction on the bombing of Libya 1986. This case also demonstrates that painstaking investigation and the pursuit of terrorists through the international courts can be an effective response to terrorism. The two Libyans suspected of playing a part in the bombing suddenly found that they might have to stand trial in The Hague, now that Britain and America have agreed that they can be tried there under Scottish law. Libya, which has been harboring the suspects, was thrown on to the defensive and at last agreed to their trial. For small states there is no alternative to call upon international courts.

In general, the phrase "humanitarian intervention" can be misleading. If, on the one hand, the UN is to intervene militarily, it should always be for humanitarian motives. On the other hand, an effective military intervention cannot be limited to purely humanitarian action in the sense of directly relieving suffering.<sup>70</sup> Fixdal and Smith<sup>71</sup> make two major objections against the argument that humanitarian reasons always justify intervention. The first is the "...why not" argument: if Iraq, why not Iran? Iraq's action against Kuwait was opposed while its war with Iran received at least quiet support. If Bosnia, why not Algeria or Rwanda? Where was NATO when Russia squashed the Cechnians? If Kosovo, why not Turkey? In 1956 the world watched when the Soviet Union invaded Hungary, in 1991 the coalition drove Iraq out of Kuwait.

The second objection is that brutal regimes that repress its domestic population but do not threaten other states, are considered to be part of the regional order and stability, as Indonesia for example. Intervention, so the argument, could easily threaten the regional stability. Furthermore, there are many degrees of humanitarian concern and many degrees of

intervention to reflect them, such as condemnation, sanctions targeted on individuals, broad sanctions and various uses of forces.

Moral motives have to be in accordance with the political guidelines and the military capacities of small states. The compromise between the humanitarian and political imperatives is difficult to achieve. But it should be the norm to have a political and a military mandate as well as a humanitarian one.<sup>72</sup> It is up to the governments and parliaments of the single states to decide whether moral motives outweigh political arguments, a mandate by an international organization. Legitimate human aid can lead to an escalation of war if objectives and strategies are not clear, for example. The aggrieved parties can believe that peace-keepers are not impartial and are therefore parties to the conflict. This can result in confrontations between the peace-keepers and the parties. In the case of Somalia humanitarian action and peace-keeping were intended to halt the starvation of Somalis mainly caused by the effects of the civil war. UNOSOM II's attempt at disarming the Somali warlords in order to achieve a secure environment led to armed confrontations that resulted in casualties on all sides, military objectives were taking priority over humanitarian ones. Eventually UNOSOM II had to withdraw.<sup>73</sup> Peace-keepers were unable neither to create a secure environment nor to deliver humanitarian aid.

The overall goal should be to reconcile the feasibility and political guidelines with humanitarian and moral motives. If there are any doubts about feasibility of the participation of a small state or the operation as such, a small state should not take part in such an operation. There has to be a hierarchy of feasibility over justice. Small states should deploy troops only in those international conflicts where there is sufficient legitimation, where the objectives are clear, and where they can be effective. There is no point of being moral when one cannot do anything against the conflict: First, the whole operation could fail, or second, the participating states cannot make a sufficient contribution and in the third case, there could be heavy casualties.

For small states the participation in intervention that can be characterized as war without a clear mandate of an international organization (3. of the ethical guidelines) increases the risk of entrapment. To claim the right for humanitarian intervention can get out of control.<sup>74</sup> Small states strictly have to base their decision to participate in humanitarian intervention not only on the moral motives but also on the political guidelines.

## **Kosovo**

In the Kosovo crisis some European states first insisted that NATO needed an explicit UN mandate for an intervention in a sovereign state. The concern about a UN mandate was overcome, however, when NATO allies<sup>75</sup> became convinced that the danger of a humanitarian disaster overwhelmed the strictures of international law. Some international lawyers argued that NATO's bombing is legal because it is in accordance with customary international law. Furthermore, there would be enough precedents to justify the claim that armed humanitarian intervention is now accepted by most states as legal. Humanitarian Intervention almost always had a power dimension.<sup>76</sup>

NATO Secretary General gave moral reasons for the NATO Air Operations against targets in the Federal Republic of Yugoslavia:

"We must stop the violence and bring an end to the humanitarian catastrophe now taking place in Kosovo. *We have a moral duty to do so.*"<sup>77</sup>

US-President Clinton also saw a *moral imperative*:<sup>78</sup>

“Ending this tragedy is a moral imperative. It is important to America’s national interests. Our children need and deserve a peaceful, stable, free Europe.”

An intervention without a clear authorization of an international organizations does not mean that the political and military objectives do not have to be clear, reasonable and attainable. In the case of Kosovo the objectives of the intervention have not been entirely clear. From the start there was confusion about NATO’s precise purpose and legal justification. Officially there have been divergent goals. On March 23, NATO Secretary General, Solana, said the offensive had three goals:<sup>79</sup>

- “NATO wants to halt a growing humanitarian tragedy by destroying Serbian forces’ ability to continue their offensive in Kosovo,
- Milosevic must accept the international peace plan, including a NATO-led peacekeeping force,
- The West wants to end the threat of regional instability caused by the stream of Albanian refugees and fueled by fears of the emergence of a ‘greater Albania.’”

The explanations of the objectives underwent several shifts in the hours before and after missiles began striking targets in Yugoslavia. There were vehement denials at the State Department, the White House, and the Pentagon that the alliance was trying to bomb Yugoslavia back to the bargaining table and to force President Slobodan Milosevic to sign a peace pact.

“The threat of force was there to help him come to the conclusion that a peaceful solution was the best solution,” said the State Department spokesman. But the use of force, as opposed to threat of force, is completely different, he said. The State Department’s spokesman also said that the protection of Kosovo was not intended.

For US-President Clinton the strikes had three objectives:<sup>80</sup>

- to “demonstrate the seriousness of NATO’s opposition to aggression,”
- to deter Mr. Milosevic “from continuing and escalating his attacks” in Kosovo,
- to damage Serbia’s capacity to wage war.

The objectives given by the Pentagon were to diminish Yugoslavia’s military capabilities and deter a further offensive against Kosovo. But the Secretary of Defense, Cohen, stopped short of saying that the air raids should force the Serbs to sign the “Kosovo Peace Agreement.”<sup>81</sup> A top Pentagon planner conceded: “We have no great expectations that Milosevic is going to back down and agree to a satisfactory peace settlement because of one bombing raid or 10.”

General Wesley Clark, SACEUR (Supreme Allied Commander Europe), said on March 25, 1999:<sup>82</sup>

“We are going to systematically and progressively attack, disrupt, degrade, devastate and ultimately destroy these forces and their facilities and support, unless President Milosevic complies within the demands of the international community.”

He also said that stopping the killings in Kosovo has not been a goal; only Milosevic could stop it.<sup>83</sup>

On April 12 Solana<sup>84</sup> completed the objectives:

- the first: a verifiable stop to all military action and the immediate ending of violence and repression;
- the second: the withdrawal from Kosovo of the Yugoslav army, the military, the police and the paramilitary forces;
- third: the stationing in Kosovo of an international military presence;
- the fourth: the unconditional and safe return of all refugees and all the displaced persons;
- the fifth: the credible assurance of Milosevic's willingness to work on the basis of the Rambouillet Accords towards a political solution for Kosovo in conformity with International Law and the Charter of the United Nations.

Although NATO-spokesmen frequently assured that NATO would not compromise on these conditions there was much diplomatic debate on whether *all* or most of the Yugoslav forces should be withdrawn, whether there should be an agreement and/or an UN-mandate before the international military presence, on how they would be armed, whether it should enforce or keep the peace.

On April 5 the US-President said that everything has to be done to win this war. Eventually it was more important to keep the alliance together than to stop the "ethnic cleansing." Another goal that was added while the raids were already going on was to prevent Serbia to attack neighboring countries. An unofficial reason was that NATO must act or it will lose its credibility; the danger for NATO is, however, if it does not achieve the other goals it is bound to lose credibility in spite of the intervention.

During the air campaign the goals have shifted from humanitarian motives to punishment and a war winning strategy. The reason for these shifting goals might have been that the objective of the intervention to bring relief to the population in Kosovo has not been achieved by the air raids. On the contrary, Serb police intensified violence against Albanian civilians. General Clark admitted on March 29 that Milosevic was accelerating an offensive to "cleanse" Kosovo of its ethnic Albanian majority.<sup>85</sup> Also this offensive produced new waves of ethnic Albanian refugees from Kosovo which may destabilize the fragile governments of Albania and Macedonia - and possibly the rest of southeastern Europe. A challenge the Alliance wanted to prevent by the assaults. The alliance was facing mounting moral pressure to get results and live up to the humanitarian rationale used to launch the air war. Although NATO officials underline that NATO's eventual goal remained to return the refugees to Kosovo they had to acknowledge that its air campaign has had little effect in stemming the Serbian effort to evict ethnic Albanians from Kosovo.<sup>86</sup>

The peace that finally was signed on June 9th was not a clearcut victory for NATO. It resorted to force to make Slobodan Milosevic accept the terms he had rejected at Rambouillet in February. He had rejected the plan in particular at two conditions: that NATO should have the free movement not just of Kosovo, but of all of Serbia, and that within three years the Kosovars should have the chance of voting for independence. Their abandonment means Mr Milosevic may legitimately claim at least a partial vindication of his defiance.

At the end there were 600,000 displaced people within Kosovo, 800,000 driven out, and perhaps 100,000 Kosovars are dead. Of course, the blame for most of these deaths and displacements lies with Mr Milosevic, not NATO. But not for all of them. The goal of the war was to stop ethnic cleansing, but the main effect was to intensify it. The bombing campaign

accelerated the killing—no more than 2,000-3,000 people had died in the province before the bombing began, quite a few at the hands of Kosovar guerrillas—and it accelerated the emptying of the population at large. In humanitarian terms, the Kosovo campaign turned into a disaster.

Smaller NATO-members were not involved in the decision-making process during the campaign. The Important choices - such as whether to bomb targets that had a largely civilian character - were made by the leaders of three countries: The United States, Britain and France.<sup>87</sup>

For a clear mandate necessary questions have not been addressed: What would constitute success? If the ultimate goal is peace in Kosovo, who is to enforce peace once the raids stop? Is the plan to keep on bombing more or less indefinitely? If so, how will that help Kosovo? The decision to intervene in Kosovo did not meet other political guidelines such as an exit strategy.

## Summary

Crisis management is the paradigm that forms the cornerstone of a new system of international security. By far the greatest proportion of the operational efforts of NATO and the Western European Union (WEU) have already shifted away from collective defense toward this type of activity. Military alliances and small states alike have to reconsider their strategic options in post-Cold War Europe. Whether members of an alliance or in the framework of the Partnership for Peace (PfP) small states will have to participate in crisis management, peace-keeping, humanitarian action and even peace-enforcement operations. All EU members, whether or not members of the WEU could take part in crisis management, peace-keeping, humanitarian action and also peace-making in the framework of the "Petersberg tasks". Concerning these operations they also would have equal rights to decide. The tasks of allied and non-allied small states would be blurred in the field of crisis management. Selective participation in international peace operations are inevitable for small states. The participation of a small state in peace-enforcement or war can be dangerous. Small states could be drawn unwillingly into the conflicts of big states. Small states are thus always at risk of being "entrapped." The states' decisions can be decisions between life and death. In principal, a small state would be able to take part in all operations. In practice, small states should concentrate on the "soft security" operations. Its participation in combat is unlikely to be decisive. For the involvement in international operations a small member or non-member of an alliance should define conditions. Among others a participation in military operations is contingent on the small state's interests and/or on the promotion of international law and international principals. Peace-enforcement and peace-implementation operations must be based on international legitimation of the UN or the OSCE, whether it is in the framework of NATO/PfP or Petersberg. In such circumstances the use of force requires strict impartiality. Limited force against any party that violates the mandate and impartiality will not be mutually exclusive. The mandate has to have clear political and military objectives that are both reasonable and attainable. Rules of engagement have to be formulated unambiguously. The conditions governing when and how troops may use force must be clear. The level of risk must be reasonable. However, the cases demonstrate that smaller states can make a considerable contribution to crisis management, whether it is in the framework of PfP or Petersberg.

These criteria could also help in deciding on selective engagement. Such a list of criteria could set guidelines for decision making. Even a good cause is not worth any price that a small state would have to pay. Concerning the participation in international operations more than big states small states have to rely on a legitimate authority. In most of the cases the UN will be the authorized agent. In spite of an UN mandate small states might want to have ethical and moral

criteria as a guide for their participation in international operations. As a general rule it can be considered that the more extensive the human disaster is, the more justified is the use of force. If there is a genocide-policy, massive ethnic-cleansing and/or violent displacement of large numbers of people, there needs to be serious consideration for participation. An involvement in war (inter- and intrastate) always runs the risk of entrapment of a small state. The prevention of weapons of mass destruction mainly should be a matter of diplomatic means and on the basis of arms control agreements. For small states military strikes as retaliation against terrorists attacks is out of the question. In this case there is no alternative to call upon international courts. There are many degrees of humanitarian concern and many degrees of intervention to reflect them. Some principles of the "just war" should be taken into consideration. Moral motives have to be in accordance with the political guidelines and the capacities of small states. If there are any doubts about feasibility, legitimation, objectives and effectivity of the participation of a small state or the operation as such a small state should not take part in such an operation. There has to be a hierarchy of feasibility over justice.

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#### **ANMERKUNGEN:**

<sup>1</sup> Hans Morgenthau, *Politics among Nations* (6th. ed., New York: 1985): 205-206.

<sup>2</sup> Stephen M. Walt, *The Origins of Alliances*, Ithaca, 1987.

<sup>3</sup> The literature on small states has had a history of terminological and methodological problems. The set of European states that are referred to here excludes the European great powers and the so-called "middle states" of Italy and Turkey, as well as the ceremonial or microstates such as Monaco or Lichtenstein. This includes neutral, non-aligned states as well as members of alliances.

<sup>4</sup> Kenneth N. Waltz, "The Emerging Structure of International Politics," *International Security* 18, no. 2 (Fall 1993), 75-76. See also John J. Mearsheimer, "Back to the Future," *International Security* 15, no. 1 (Summer 1990): 52.

<sup>5</sup> The only exception are Russia and the Ukraine. However, Russia is linked to NATO through the Founding Act and the Permanent Joint Council and the Ukraine through the NATO-Ukraine Charter and the NATO-Ukraine Commission.

<sup>6</sup> F. Stephen Larrabee, *NATO Enlargement and the Post-Madrid Agenda* (RAND, Santa Monica: Cambridge University Press, 1997).

<sup>7</sup> Stephen J. Blank, "NATO enlargement between rhetoric and realism," *International Politics*, Vol. 36, No.1, March 1999, 67-88, here 69.

<sup>8</sup> John Barrett, "NATO Reform: Alliance Policy and Cooperative Security," in *New Security Challenges: The Adaptation of International Institutions, Reforming the UN, NATO, EU and CSCE since 1989*, ed. Ingo Peters (New York: St. Martin's Press, 1996, pp. 123-152, here 136.

<sup>9</sup> "An Alliance for the 21<sup>st</sup> Century," *Washington Summit Communiqué*, Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Washington, D.C. on 24<sup>th</sup> April 1999.

<sup>10</sup> *The Alliance's Strategic Concept*, Approved by the Heads of State and Government participating in the meeting of the North Atlantic Council in Washington D.C. on 23<sup>rd</sup> and 24<sup>th</sup> April 1999.

<sup>11</sup> "An Alliance for the 21<sup>st</sup> Century," *Washington Summit Communiqué*, Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Washington, D.C. on 24<sup>th</sup> April 1999 (31).

<sup>12</sup> *Defence Capabilities Initiative*, 25<sup>th</sup> April 1999.

<sup>13</sup> See also Chairman's Summary of the Meeting of the Euro-Atlantic Partnership Council at Summit Level, Washington D.C., 25 April 1999.

<sup>14</sup> *International Herald Tribune*, December 17, 1998. *NATO-Review* (Spring 1998): No. 1, p. 18.

<sup>15</sup> Austria presently occupies observer status in the WEU.

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- <sup>16</sup> The WEU-Treaty prohibits such a development, however. Art. IV states that "recognizing the undesirability of duplicating the military staffs of NATO, the Council and its Agency will rely on the appropriate military authorities of NATO for information and advice on military matters."
- <sup>17</sup> The declaration also states that "the collective defence commitments to which member states subscribe (set out in Article 5 of the Washington Treaty, Art. V of the Brussels Treaty) must be maintained." Text of French-British European Defence Statement, Saint-Malo, France, Dec 4.
- <sup>18</sup> Speech by the Prime Minister Tony Blair at the United Services Institute NATO 50<sup>th</sup> Anniversary Conference, 8 March 1999.
- <sup>19</sup> Declaration of the European Council on strengthening the Common European Policy on Security and Defence, 3 June 1999.
- <sup>20</sup> Draft Presidency Reaction: Strengthening the Common European Policy on Security and Defence, 07.05. 1999.
- <sup>21</sup> British-Italian Summit: 19-20 July 1999 Joint Declaration Launching European Defence Capabilities Initiative.
- <sup>22</sup> E.g. George Robertson, NATO Secretary General, Reuters, Aug. 4, 1999.
- <sup>23</sup> Paul Van Riper and F. G. Hoffman, "Pursuing the real revolution in military affairs: Exploiting knowledge-based warfare," *National Security Studies Quarterly*, vol. 4, no. 3 (Summer 1998), 4.
- <sup>24</sup> This reaffirmed also former US Secretary of State, Les Aspin, "Challenges to Value-Based Military Intervention," Address to the Managing Chaos Conferences, United States Institute of Peace, *Peaceworks*, no. 3 (February 1995).
- <sup>25</sup> Andrew Richter, "The Revolution in Military Affairs and Its Impact on Canada: The Challenge and the Consequences," Institute of International Relations, The University of British Columbia (Working Paper No. 28), March 1999, 36-50.
- <sup>26</sup> This does not mean that some advanced technologies are helpful for soft security operations, e.g. mine-sweeping, counter mortar capabilities, technologies that can demobilize individuals without casualties, peace-keeping simulation.
- <sup>27</sup> North American Aerospace Defence Command, a Canada-US command that continues to form the cornerstone of bilateral defence cooperation.
- <sup>28</sup> Andrew Richter, *The Revolution in Military Affairs and Its Impact on Canada: The Challenge and the Consequences*, Institute of International Relations, The University of British Columbia (Working Paper No. 28), March 1999.
- <sup>29</sup> Astri Suhrke, "Human Security and the Interests of States," *Security Dialogue*, Vol. 30, No. 3, September 1999, 265-276, here 266.
- <sup>30</sup> Erika Simpson, "The looming costs of NATO expansion in the 21<sup>st</sup> century. What alternatives does Canada have?" *International Journal*, No. 2 (Spring 1999), 324-339.
- <sup>31</sup> Ministry of Defence, Sweden, "Swedish Security Policy in the Light of International Change," 20 February 1998, 22.
- <sup>32</sup> Ministry of Defence, Defence Commission, "A Changing World - A Reformed Defence," Stockholm, 19 January, 1999.
- <sup>33</sup> Ministry of Foreign Affairs, European Conflict Prevention and Crisis Management - the Way Ahead after Cologne, Stockholm, June, 1999.
- <sup>34</sup> Daniel F. C. Austin, "NATO Expansion to Northern Europe," *European Security*, Vol. 8, No.1 (Spring 1999), 79-90.
- <sup>35</sup> Speech by the President of the Finnish Republic Maartti Ahtisaari to the Paasikivi Society on 27. 11. 1998.
- <sup>36</sup> Financial Times, 2 June 1999.
- <sup>37</sup> Atlantic News, 2 June 1999.
- <sup>38</sup> Ryan C. Hendrickson, "NATO's Northern Allies: Contributions in the Post-Cold War Era," *European Security*, Vol. 8, No.1 (Spring 1999), 64-78.
- <sup>39</sup> Ministry of Defence, Framework Memorandum for the 2000 Defence White Paper, 25 January, 1999.
- <sup>40</sup> Department of Foreign Affairs, Irekland and the Partnership for Peace: An Explanatory Guide, May 1999.
- <sup>41</sup> Baltic peace-keeping battalion . See Military Cooperation and its Prospects in the Baltic Sea Region, 1997.

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<sup>42</sup> Nordic Coordinated Arrangement for Peace Support.

<sup>43</sup> Considerations in this directions are made in the Framework Document for the Central European Nations Cooperation in Peace Support (CENCOOP), 1998, and in the Presentation-Paper, Central European Nations Cooperation in Peacekeeping (CENCOOP), 1998.

<sup>44</sup> Gunnilla Herolf, "The Role of Non-Aligned States in European Defence Organizations: Finland and Sweden," in Mathias Jopp/Hanna Ojanen (ed.), *European Security Integration, Implications for Non-alignment and Alliances* (The Finnish Institute of International Affairs, Institut für Europäische Politik, WEU Institute for Security Studies: Helsinki, Bonn, Paris) 1999, 137-166.

<sup>45</sup> See NATO-SACLANT, Bi-MNC Directive for NATO Doctrine for Peace Support Operations, 11 December 1995. These are tasks that are covered here by the expression crisis management.

<sup>46</sup> For more details see: Boutros-Ghali, "An Agenda for Peace. Preventive Diplomacy, Peace making and Peacekeeping. Report of the Secretary General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992," 17 June 1992. Boutros-Ghali, "Supplement to An Agenda for Peace. Position Paper of the Secretary-General on the occasion of the Fiftieth Anniversary of the United Nations," 3 January 1995. Edward Mortimer, "Under What Circumstances Should the UN Intervene Militarily in a Domestic Crisis?" in *Peacemaking and Peacekeeping for the New Century*, ed. Olara Otunnu and Michael W. Doyle (Lanham, New York, Boulder, Oxford: Rowman & Littlefield, 1998), 111-144.

<sup>47</sup> Claudio Cioffi-Revilla, "Origins and Evolution of War and Politics," *International Studies Quarterly*, Vol. 40, No. 1 (March, 1996), 1-22.

<sup>48</sup> David J. Singer, "The 'Correlates of War' Project: Interim Report and Rational," *World Politics*, Vol. 24, 1997, 243-270.

<sup>49</sup> Adam Roberts, "The Crisis in UN Peacekeeping," *Survival*, 36 (Autumn 1994), 97. David Jablonsky and James S. McCallum, "Peace Implementation and the Concept of Induced Consent in Peace Operations," *Paramenter* (Spring 1999), 60.

<sup>50</sup> Jarat Chopra, "Introducing Peace-Maintenance," *Global Governance*, 4 (January-March 1998), 7.

<sup>51</sup> Daniel S. Geller, "Explaining War: Empirical Patterns and Theoretical Mechanisms," in *Handbook of War Studies II*, ed. Manus Midlarsky (forthcoming).

<sup>52</sup> Michael Mandelbaum, *The Nuclear Revolution: International Politics Before and After Hiroshima* (Cambridge: Cambridge University Press), 1981.

<sup>53</sup> Paul Schroeder, "Historical Reality vs. Neo-realist Theory," *International Security*, Vol. 19, no. 1 (Summer 1994), 108-148.

<sup>54</sup> Boutros-Ghali, "Supplement to An Agenda for Peace. Position Paper of the Secretary-General on the occasion of the Fiftieth Anniversary of the United Nations," 3 January 1995, paras. 33, 80, 85-87.

<sup>55</sup> Michèle Griffin, retrenchment, Reform and Regionalization: Trends in UN Peace Support Operations, *International Peacekeeping*, Vol. 6, no.1 (Spring 1999), 1-31, here 11.

<sup>56</sup> It was the Finnish Presidency that the first time in the EU concentrated on non-military crisis-management. CFSP/PRES/HEL/0291/99 070799 1210Z ACRONYM COSEC.

<sup>57</sup> David Jablonsky and James S. McCallum, "Peace Implementation and the Concept of Induced Consent in Peace Operations," *Paramenter* (Spring 1999), 64.

<sup>58</sup> Restore Hope, UN Operation in Somalia (UNSOM I,II) and the U.S.-led Unified Task Force (UNITAF). The US troops started to hunt the leader of the rebels, Aidid.

<sup>59</sup> Richard N. Haass, "What to Do With American Primacy," *Foreign Affairs*, Volume 78, No. 5, September/October 1999, 46.

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<sup>60</sup> The Netherlands, as a small member state of NATO, defined criteria for participation in peace support operations in 1995.

<sup>61</sup> Compare: Richard N. Haass, "What to Do With American Primacy," *Foreign Affairs*, Volume 78, No. 5, September/October 1999, 46.

<sup>62</sup> Joseph S Nye, "Redefining the NATIONAL Interest," *Foreign Affairs*, Volume 78, No. 4, July/August 1999, 32.

<sup>63</sup> W.V. O'Brian, "The Conduct of Just and Limited War" (New York: Praeger), 1981, 27-28.

<sup>64</sup> A.J. Coates, "The ethics of war" (Manchester and New York: Manchester University Press), 1997.

<sup>65</sup> Compare: Richard N. Haass, "What to Do With American Primacy," *Foreign Affairs*, Volume 78, No. 5, September/October 1999, 45-46.

<sup>66</sup> Edward N. Luttwack argues that war can resolve conflicts and lead to peace. Imposed cease-fires tend to arrest war-induced exhaustion and lets belligerents reconstitute and rearm their forces. They intensify and prolong the struggle once the cease-fire ends. The peace-makers bring is usually a false peace - a temporary affair that reverts to violence when the mediators turn away. Edward N. Luttwack, "Give War a Chance," *Foreign Affairs*, Volume 78, No. 4, July/August 1999, 36-44.

<sup>67</sup> Compare also the questions posed by Robert H. Dorff, "The Future of Peace Support Operations," in Max G. Manwaring and John T. Fishel, ed., *Toward Responsibility in the New World Disorder: Challenges and Lessons of Peace Operations* (London and Portland, OR: Frank Cass), 1998, 160-178, here 174-175.

<sup>68</sup> Compare: Mona Fixdal and Dan Smith, "Humanitarian Intervention and Just War," *Mershon International Studies Review*, Vol. 42, Supplement 2, November 1998, 283-312. Dieter Senghaas, "Global Governance: How Could It Be Conceived?" in: *Security Dialogue 1993*, Vol 24. No. 3, S. 247-256. Ernst B. Haas, Beware the Slippery Slope: Notes towards the Definition of Justifiable Intervention, in: Laura W. Reed, Karl Kaiser (Hg.), *Emerging Norms of Justifiable Intervention*, American Academy of Arts and Sciences, Cambridge, Mass., 1993, S. 81.

<sup>69</sup> "Convention on the Prevention and Punishment of Crime of Genocide" adopted by the General Assembly already in 1948 and accepted by 114 states in 1994.

<sup>70</sup> Edward Mortimer, "Under What Circumstances Should the UN Intervene Militarily in a Domestic Crisis?" in *Peacemaking and Peacekeeping for the New Century*, ed. Olara Otunnu and Michael W. Doyle (Lanham, New York, Boulder, Oxford: Rowman & Littlefield, 1998), 139-140.

<sup>71</sup> Mona Fixdal and Dan Smith, "Humanitarian Intervention and Just War," *Mershon International Studies Review*, Vol. 42, Supplement 2, November 1998, 294.

<sup>72</sup> Michèle Griffin, retrenchment, Reform and Regionalization: Trends in UN Peace Support Operations, *International Peacekeeping*, Vol. 6, no.1 (Spring 1999), 1-31, here 12.

<sup>73</sup> Duane Bratt, "Peace over Justice: Developing a Framework for UN Peacekeeping Operations in Internal Conflicts," *Global Governance*, Vol. 5, No. 1 (Jan.-Mar. 1999), 63-82, here 70.

<sup>74</sup> Winrich Kühne, Humanitäre NATO-Einsätze ohne Mandat? Ein Diskussionsbeitrag zur Fortentwicklung der UNO-Charta, Stiftung Wissenschaft und Politik (SWP - 3096), März 1999.

<sup>75</sup> The alliance stressed the potent symbolism in the solid allied line-up of the member states, with only three small countries staying out militarily of the operation against Serbia. Greece asserted its close ties to Serbia. Hungary, which shares a frontier with Serbia and has a 350,000 member ethnic minority in the Serbian province of Vojvodina, has kept its distance from the NATO attack. Hungary's Prime Minister pledged that no Hungarian troops would enter Yugoslavia but Hungary has said that allied warplanes can use their airfields and other facilities. NATO's decision to bomb has created a growing split in the Czech political leadership. 48 percent of Czechs opposed the air strikes, and 36 percent supported them.

<sup>76</sup> India's invasion of Bangladesh in 1971 partly was done to halt some appalling atrocities, mainly to end Pakistan's intervention and to stop the refugee flow. Tanzania's invasion of Uganda in 1979 put not only an end to the barbaric

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rule of Idi Amin but also to several invasion attempts of Tanzania. Vietnam intervened in Cambodia to remove the Pol Pot regime but also to establish a friendly government 1979. The 1990 intervention by ECOWAS (Economic Community of West African States) was put together to stop mass killing in Liberia, was used by Nigeria to the leading state of the group to secure its influence; the UN Security Council legitimized the action ex post (resolution 788 in Nov. 1992).

<sup>77</sup> Press Statement by Javier Solana, NATO Secretary General Following Commencement of Air Operations, 24 March 1999. Emphazised by the author.

<sup>78</sup> Bill Clinton, televised speech, March 25, 1999.

<sup>79</sup> Press Statement by Javier Solana, NATO Secretary General, 23 March 1999.

<sup>80</sup> Bill Clinton, televised speech March 24, 1999.

<sup>81</sup> Press conferences 24 March 1999, transmitted live by CNN.

<sup>82</sup> Press conference of Secretary General and SACEUR, 25 March 1999.

<sup>83</sup> Press conference 26 March 1999.

<sup>84</sup> Transcript Of Press Conference By Nato Secretary General, Javier Solana In Brussels On Monday, 12 April 1999

<sup>85</sup> International Herald Tribune, March 30, 1999.

<sup>86</sup> New York Times, April 5, 1999.

<sup>87</sup> Dana Priest, "Serb Targets:NATO's Conflicting Views," *Intewrnational Herald Tribune*, Sept. 21, 1999.