INTRODUCTION TO
PEACE SUPPORT OPERATIONS
student’s guide

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PREFACE

Peacekeeping is not a soldier's job,
but only a soldier can do it

Dag Hjalmar Agne Carl HAMMARSKJÖLD,
United Nations Secretary General (1953 – 1961)

From ages people try to create the world without wars, but violent human nature causes, that we still live in times, where people kill each other and conflicts break out around the world. After the Second World War, attempts were made to establish a safe international security environment by creation of the United Nations, but very soon became apparent that the international community must obviate conflicts on a global scale. A demand for peacekeeping operations increases from year to year, as an effect of growing number of conflicts. Moreover one can observe changes in the nature of contemporary conflicts which demands new structure of peacekeeping operations. In the early years the international community had to deal with interstates conflicts. In this period of time state armies or coalitions fought against other countries (e.g. Middle East struggles between Arab states and Israel). However the situation change rapidly, especially after the collapse of the bipolar security system (East - West). There appeared new threats such as terrorism, failed states, a number of intrastate conflicts increased. Currently their nature is not strictly military, but other factors are more significant such as religious political or ethnical. Although at the present time the likelihood of conventional war is small, at least in Europe, but the demand for secure the peace is still significant even in our continent, just to mention the peace support operations in Kosovo, Bosnia and Herzegovina or Cyprus.

That’s why an important element of European security policy has become a conflict prevention and rapid response to threats before they take the form of armed struggles. An important element of the European security strategy and Common Defence and Security Policy is to build secure environment around European Union borders by supporting neighboring countries in solving problems, but on the basis of multilateral solutions. Although nowadays one can observe increased involvement of civil institutions in providing peace, but the statement of Dag Hammersjöld is still valid. The military continues to remain the largest and fastest force that can intervene abroad on short notice in order to separate the warring parties, to head of a conflict and ensure law and order.

Therefore, it is extremely important to prepare such peacekeeping forces, which jointly and coherently will perform tasks undertaken at any point on the globe. If such forces should function properly, they should be able to work competently, know common procedures, equipment and they should be trained together. This is especially important for young leaders because in integrating Europe peace support operations are joint and combined. The European Union creates its own rapid reaction forces called the EU Battle Groups, whose tasks among others are a quick and effective response to crises, delivering humanitarian aid and conducting peacekeeping operations. Joint cooperation and understanding is a basic element which can be achieved through joint training.
For this intention cooperating military educational institutions namely Czech Univerzita Obrany from Brno, Lithuanian Generolo Jono Žemaičio Lietuvos Karo Akademija from Vilnius, Polish Wyższa Szkoła Oficerska imienia generała Tadeusza Kościuszki from Wrocław and Slovak Akadémia Ozbrojených Sil generála Milana Rastislava Štefánika from Liptovský Mikuláš organized a course “Peace Support Operations as a challenge for EU and International Community” in framework of "Erasmus" programme, which is dedicated for officer cadets in order to integrate the future EU officers, built mutual understanding and cooperation and prepare them to serve together in peacekeeping operations. Subject matter specialists dealing with subjects related to peacekeeping issues from those academies and universities provided the training for course participants, as well as prepared additional supportive material. The effect of their work is this handbook consists of 12 chapters focus of topics delivered during the training. The additional material relevant should widen the students’ knowledge about problems related to conducting of international peace support operations.

Miroslaw Smolarek
CHAPTER 1

INSTITUTIONALIZATION OF INTERNATIONAL SECURITY

Alena BUDVESELOVÁ*

INTRODUCTION

Since the Cold War ended, Western policymakers have sought to create security arrangements in Europe, as well as in other regions of the globe, that are based on international institutions. These security institutions include the United Nations, the North Atlantic Treaty Organization, the Conference on Security and Cooperation in Europe. No other region of the world has institutions as extensive and as well as those in Europe. Academic institutionalists consider institutions to be powerful force for stability. Robert Keohane, for example, declares that, „avoiding military conflict in Europe after the Cold War depends greatly on whether the next decade is characterized by a continuous pattern of institutionalized cooperation“. Institutions appear to be playing a significant role in the management of a broad array of regional and global changes in the world system today. Institutions are a set of rules that stipulate the ways in which states should cooperate and compete with each other. These rules are negotiated by states and these rules are typically formalized in international agreements.

1.1 THEORETICAL CONCEPTS

I begin with brief overview of realism because of the institutionalist theories is largely response to realism. Realist and institutionalists particularly disagree about whether institutions affect the prospects for international stability. Realists say no, institutionalists say yes. Realists maintain that institutions are basically a reflection of the distribution of power in the world. They are based on the self-interested calculations of the great powers and they have no independent effect on state behaviour. Realists therefore believe that institutions are not an important cause of peace. Institutionalists argue that institutions can alter state preferences and therefore change state behaviour. Institutions can discourage states from calculating self-interest on the basis of how every move affects their relative power positions. Institutions are independent variables and they have the capability to move the states away from war. Realists recognize that states sometimes operate through institutions. However, they believe that those rules reflect state calculations of self-interest based primarily on the international distribution of power. The most powerful states in the system create and shape institutions so that they can maintain their share of world power or increase it. For realists, the causes of war and peace are mainly a function of the balance of power and institutions largely mirror the distribution of power in the system. NATO provides a good example of realist thinking about institutions. NATO is an institution which certainly played a role in preventing World War III. NATO was essentially an American tool for managing power in the face of the Soviet threat. With the collapse of the Soviet Union realists argue that NATO must either disappear or reconstitute itself on the basis of the new distribution of power in Europe. NATO cannot remain as it was during the Cold War.

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There are three institutionalist theories, and each offers a different argument about how institutions push states away from war and help foster stability - liberal institutionalism, collective security and critical theory.

1.1.1 Liberal institutionalism

Liberal institutionalism is the least ambitious of the three theories. It does not directly address the important question of how to prevent war, but focuses instead on explaining why economic and environmental cooperation among states is more likely than realist recognize. Increased cooperation in those realms is presumed to reduce the likelihood of war, although liberal institutionalist do not explain how. The theory is predicated on the belief that cheating is the main inhibitor of international cooperation and that institutions provide the key to overcoming that problem. Liberal institutionalism does not directly address the question of whether institutions cause peace, but instead focuses on explaining cooperation in cases where state interests are not fundamentally opposed. Specifically, the theory looks at cases where states are having difficulty cooperating because they have mixed interests, in other words each side can benefit from cooperation. The theory is of little relevance in situations where states interests are fundamentally conflictual neither side thinks it has much to gain from cooperation. In these circumstances, states aim to gain advantage of each other. They think in terms of winning and losing and this leads to intense security competition and sometimes war. But liberal institutionalism does not deal directly with these situations and thus says about how to resolve or even ameliorate them. Therefore, the theory largely ignores security issues and concentrates instead on economic and environmental issues. In fact, the theory is built on the assumption that international politics can be divided into two realms – security and political economy – and that liberal institutionalism mainly applies to political economy.[1]

Liberal institutionalists sometimes assert that institutions are an important cause of international stability. According to liberal institutionalists, the principal obstacle to cooperation among states with mutual interests is the threat of cheating. Each of two states can either cheat or cooperate with the other. Each side wants to maximize its own gain, but does not care about the size of the other side’s gain. Liberal institutionalism is generally thought to be of limited utility in the security realm, because fear of cheating is considered a much greater obstacle to cooperation when military issues are at stake. There is constant threat that betrayal will result in a devastating military defeat. This threat of swift decisive defection is simply not present when dealing with international economics. The cost of betrayal is potentially much graver in the military than the economic sphere.

Liberal institutionalism is based on great hopes for international institutions and their positive impact on international security relations. The views are based on four basic arguments:

- In case of institutionalized cooperation, states shall exchange information on their intentions and actions in the field of security,
- Development of institutionalization increases interstate mutually beneficial transaction,
- Such cooperation strengthens the interdependence and dependence between states,
- Institutionalised cooperation reduces the cost of security, and so it is preferable as a focus on individual actions.

This approach to security is very successful in the program Partnership for Peace, which created a very favourable framework for reconciling former enemies of the Cold War, and thus significantly improves the international security relations in Europe and the world. Nevertheless, neorealist have doubts which are based on the following arguments against:
• international relations are dominated by anarchy and there is always the threat of mutual conflicts, which are breaking out because there is no authority in international system, which would smooth relations between states if one state would attempt to achieve its goals.
• International institutions cannot adequately mitigate the adverse effects, because each state wants to reach mainly its own interests.
• Therefore states cannot overstate their trust in international institutions, on the contrary, they have to rely primarily on its own military strength, which is a key element of their security.
• States can work only when it is beneficial for them. Their cooperation is only temporary.[2]

1.1.2 Collective security

Collective security directly confronts the issue of how to prevent war. The theory starts with the assumption that force will continue to matter in the world politics, and that states will have to guard against potential aggressors. States should reject the idea of using force to change the status quo and they must trust each other to renounce aggression. They must also be confident that other states will come to their rescue, if they become the target of aggression. Collective security is based on the idea that members of a certain group of countries have to avoid the use of force in their mutual relations and commit to defend any of them, if it were attacked by an outside force. Collective defence is the highest degree of mutual security guarantees and assumes that an attack against one member is considered an attack against all other. The theory of collective security deals directly with issue of how to cause peace. It recognizes that military power is a central fact life in international politics and is likely to remain so for the foreseeable future. The key to enhancing stability in this world of armed states is the proper management of military power. For advocates of collective security, institutions are the key to managing power successfully. The theory emphasizes the continuing importance of military force. In the early twentieth century, Woodrow Wilson and others developed the theory of collective security, which formed the basis for the League of Nations. Despite the failings of that particular institution, the theory’s popularity remains high. In fact, there has been much interest in collective security in the aftermath of the Cold War. Collective security represents a brand of international morality vastly superior to that incorporated in the balance of power system. Collective security starts with assumption that states behave according to dictates of realism. [1]

For advocates of collective security, institutions are the key to accomplishing this ambitious task. The goal to convince states to base their behaviour on three profoundly antirealistic norms. First, states must renounce the use of military force to alter the status quo. They must not launch wars of aggression, but instead must agree to settle all disputes peacefully. Collective security allows for changes in the status quo, but those changes must come via negotiation. When a troublemaker appears in the system, all of the responsible states must automatically and collectively confront the aggressor with overwhelming military power. The practical effect of this comprehensive system of mutual assistance is that lonely aggressors are quickly confronted with coalition of overwhelming military strength. States must be willing to entrust their destinies to collective security. Confidence is the essential condition of the success of the system. Collective security is an incomplete theory because it does not provide a satisfactory explanation for how states overcome their fears and learn to trust one another. Realists maintain that states fear one another because they operate in an anarchic world, have offensive military capabilities, and can never be certain about other state’s intentions.
Collective security is silent about that and says little about either anarchy or offensive capability. Collective security assumes the satisfaction of an extraordinary complex network of requirements:

First, for collective security to work, states must be able to distinguish clearly between aggressor and victim. However, it is sometimes difficult in a crisis to determine who the troublemaker is and who is victim.

Second, the theory assumes that all aggression is wrong. But there are occasionally cases where conquest is probably warranted. For example, there are good reasons to applaud the 1997 Vietnamese invasion of Cambodia.

Third, some states are especially friendly for historical or ideological reasons. Should a state with close friends be labelled an aggressor in a collective security system, its friends are probably going to be reluctant to join coalition against it. For example, it is difficult to imagine the United States using military force against Britain or Israel, even if they were branded aggressors by the international community.

Fourth, historical enmity between states can also complicate collective security efforts. Consider that a European collective security system would have to depend heavily on Germany and Russia, the two most powerful states on the continent to maintain order. However, the idea of Germany, which wrought murder and destruction across Europe in 1939-1945, and Russia, which was the core of the Soviet empire, maintaining order in Europe is sure to meet significant resistance from the other European states.

Fifth, even if states agree to act automatically and collectively to meet aggression, there would be surely being difficulty determining how to distribute the burden. Stets will have strong incentives to pass the buck and get other states to pay the heavy price of confronting aggressor. During World War I, for example, Britain, France and Russia tried to get its allies to pay the blood price of defeating Germany on the battlefield.

Sixth, it is difficult to guarantee a rapid response to aggression in a collective security system. Planning beforehand is problematic because it is impossible to know what the alignment of states will be if there is an armed conflict. There are also significant coordination problems associates with assembling a large coalition of states to fight a war. Rapid response becomes more problematic if the responsible states must deal with more than one aggressor. It took more than six months for the United States to put together a coalition to liberate Kuwait from Saddam Hussein.

Seventh, states are likely to be reluctant to join a collective security effort because the system effectively transforms every local conflict into an international conflict. Collective security theory prefers creative diplomacy and economic sanctions to military force when dealing the aggressor state. When a troublemaker appears in the system, all of the responsible states must automatically and collectively confront the aggressor with overwhelming military power. The aim is to create automatic obligations of a collective character. States must trust each other. If states fear each other, collective security cannot work. Confidence is the essential condition of the success of the system.[1]

The great powers have seriously considered implementing collective security three times: after both World Wars and after the Cold War. The League of Nations, which was established after World War I, was a serious attempt to make collective security. The United Nations was established in the waning days of World War II to provide collective security around the globe. Since the Cold War ended, there has been much talk on the West about building a collective security system. The success of the American – led coalition that pushed Iraq out of Kuwait led some experts to conclude that the UN might finally be ready to operate as
a collective security institution. In Europe, experts have discussed the possibility of turning NATO, or possibility the CSCE into a collective security system for the continent.

1.1.3 Critical theory

Critical theory is the most ambitious of the theories as its ultimate aim is to transform the fundamental nature of international politics and to create a world where is not just increased cooperation among states, but the possibility of genuine peace. Like collective security, but unlike liberal institutionalism, critical theory directly challenges realist thinking about self-interested behaviour of states. The theory is predicated on the assumption that ideas and discourse – how we think and talk about international politics – are the driving forces behind state behaviour.

Institutions are at the core of critical theory, as its central aim is to alter the constitutive and regulative norms of the international system so that states stop thinking and acting according to realism. Specifically, critical theory hopes to create pluralistic security communities where states behave according to the same norms or institutions that underpin collective security. States would renounce the use of military force. States would not think in terms of self-help or self-interest, but would instead define their interests in terms of the international community. So, national interests are international interests. Critical theorist’s aim is to create a world in which all states consider war an unacceptable practice and also to create an international system characterized not by anarchy but by community. They should have a powerful sense of responsibility to international community. Critical theorists argue that institutions often can change environment.[1]

1.2 INSTITUTIONALIZATION OF INTERNATIONAL SECURITY

In international relations, security is defined as a core value and ultimate goal of any state or security community uniting more states. Security as a state is frequently explained as a lack or absence of danger. The State is safe when is assured defence of its territory and the values, the functioning of its institutions and the protection of the population. Security cannot be absolute and it is always proportional to the threat. Security is the result of many objective (geography, history) and subjective factors. The basis of the security community is international cooperation, which in case of favourable circumstances, can lead to integration. In a global sense K. Deutsch argue about the two basic types of security communities - pluralistic and institutionalized. Pluralistic security communities exist without institutions. They are forming and operating under three conditions: sharing of common values, mutual respect of needs and clarity and predictability of the objectives and practices of political elites. Institutional security communities by respecting of the above three conditions are characterized by the establishment and functioning of institutions which are designated for the consolidation of the internal links to increase efficiency and security community.[2]

1.2.1 Development of institutionalization

The development of relations between states and nations from antiquity to the present day has passed through a long evolution. In the past in dealing with crises and conflicts generally prevailed using of force. But from history are known cases when states govern their relations on the basis of contracts and agreements with other states. And it was the first sign of
international treaties which meant the basis for the process of institutionalization of international relations and international security. An important milestone in the development of institutionalization of international security was the establishment of the League of Nations after World War I. The establishment of this organization was the first attempt to create a universal world organization, which had ambitions to organize all the countries of the world. That it has never been achieved. In the interwar period and after World War II. There has been much attention devoted to institutionalization of relationships between states. Most general concepts of idealistic institutionalism have required the creation of international institutions and standards that will replace the system of balance of power. In the period after the World War II was the great hopes incorporated to the United Nations. The purpose of the UN was, among other things, establish standards to regulate conflicts, use legally procedures such as negotiation and arbitration to resolve conflicts and to avoid the war.[3]

The United Nations is essential institution in creating of international law and the nature of the international security environment. At the present we can perceive the decline of the organization because of massive inefficient bureaucratic structure and lack of response and flexibility in the field of crisis management. Since the onset of Kofi Annan to the post of Secretary General in the United Nations there has been starting the comprehensive reform that pursues the streamlining of the internal structure of the organization. However, the results of the reform are not yet fully reflected. A persistent problem is unwillingness to adapt the UN Security Council to the current state of the global political system. This condition often prevents to reach a decision that is necessary to deal with a particular crisis or conflict. The problem is compounded by the fact that the UN is not able to enforce its decisions, because of the lack of will of the Member States. The future of the organization will depend on the ability to adapt to the needs of the current security environment and the world political system as well as the willingness of member states (especially Great Powers) to accept the adaptation and then enforce.

International security policy has been institutionalized through the course of new developments and discussions involving security issues since the end of the Cold War. Institutionalization can be defined as a process by which certain rules or policy arrangements become embedded by acquiring “value and stability.” When rules or policy arrangements are institutionalized, “a stable pattern of interactions within a shared set of beliefs” is observed. Institutional creation in general occurs at a time of crisis or a time of great change and instability, often involving strong situational necessity, political conflict, and powerful leadership.[4]

1.3 INSTITUTIONS AND THEIR IMPACT ON SECURITY

Union of International Associations (UIA), defines "international organization" as the organization established by agreement between three or more nation-states and having permanent and active activities. Several empirical studies have shown that membership in international organizations statistically reduces the risk of war, but a deeper analysis shows that different organizations have an impact on the safety of a very different way. For example, from a purely statistical point of view, regional military organizations reduce the likelihood of conflict between two Member States to develop into war, while regional economic organizations reduce the likelihood of the actual outbreak of the conflict between the Member States.[5] Impact of international organizations in addition depends on how the institutional structure of the organization is developed. Haas divided the regional organizations on military-political, economic, and mixed. According to the statistical analysis, the military
organizations reduce the risk of international disputes between Member States more than any other type of international organizations. In conflict prevention area, there are the most successful military organizations that have developed mechanisms to enforce decisions and standards of mediation through arbitration or sanctions. Despite their relative effectiveness, regional military alliance lost due to the fundamental transformation of the international system (loss of the bipolar system, globalization, rapid reduction of inter-state armed conflicts), a large part of their attractiveness and their number remains roughly at the end of the 50ties of 20th Century constant. As other types of regional organizations are developing rapidly, the share of military organizations is declining in number and in importance. Cooperation in the field of security (control of proliferation CRBN weapons of mass destruction and sensitive technologies, the fight against terrorism, military ad hoc coalitions) is simultaneously becoming more inter-regional and trans-regional cooperation (e.g. the cooperation of two regional organizations, such as the EU and Mercosur). Trans-regional cooperation is a cooperation between states or non-state actors from two different regions (e.g. France and Senegal). So-called new regionalism, the third wave of regional integration, lasting roughly from the 90ties of 20th Century, put the emphasis of the release of trade barriers and global, economic and political liberalization.[6] E.g. countries of Southern and Eastern Europe before the EU entry not only abolished tariff barriers to other member countries, but also had to build a functioning democratic political system and a competitive market economy. Other regional trade agreements (such as Mercosur) contain clauses relating to security, foreign and domestic policy. The boundaries between different types of regional organizations are thus partially blurred and economic integration of the direct impact on the security situation.

1.3.1 International organizations and crisis management

a. United Nations

The United Nations was established on 24 October 1945 by 51 countries committed to preserving peace through international cooperation and collective security. Today, nearly every nation in the world belongs to the UN: membership now totals 193 countries. When States become Members of the United Nations, they agree to accept the obligations of the UN Charter, an international treaty that sets out basic principles of international relations. According to the Charter, the UN has four purposes: to maintain international peace and security, to develop friendly relations among nations, to cooperate in solving international problems and in promoting respect for human rights, and to be a centre for harmonizing the actions of nations. Preserving world peace is a central purpose of the United Nations. Under the Charter, Member States agree to settle disputes by peaceful means and refrain from threatening or using force against other States. Over the years, the UN has played a major role in helping defuse international crises and in resolving protracted conflicts. It has undertaken complex operations involving peacemaking, peacekeeping and humanitarian assistance. It has worked to prevent conflicts from breaking out.

Principal Organs of the United Nations are: Secretariat, General Assembly, International Court of Justice, Security Council, Economic and Social Council, Trusteeship Council and Agencies of the United Nations. General Assembly is the world’s forum for discussing matters affecting world peace and security, and for making recommendations concerning them. It has no power of its own to enforce decisions. On important questions including international peace and security, a two-
thirds majority of those present and voting is required. It also maintains a broad program of international cooperation in economic, social, cultural, educational, and health fields, and for assisting in human rights and freedoms.

The Security Council is the primary instrument for establishing and maintaining international peace. Its main purpose is to prevent war by settling disputes between nations. Under the charter, the council is permitted to dispatch a UN force to stop aggression. All member nations undertake to make available armed forces, assistance, and facilities to maintain international peace and security. Under the Charter, the functions and powers of the Security Council are:

- To maintain international peace and security in accordance with the principles and purposes of the United Nations;
- To investigate any dispute or situation which might lead to international friction;
- To recommend methods of adjusting such disputes or the terms of settlement;
- To formulate plans for the establishment of a system to regulate armaments;
- To determine the existence of a threat to the peace or act of aggression and to recommend what action should be taken;
- To call on Members to apply economic sanctions and other measures not involving the use of force to prevent or stop aggression;
- To take military action against an aggressor;
- To recommend the admission of new Members;
- To exercise the trusteeship functions of the United Nations in “strategic areas”; Trusteeship Council. The UN charter originally established the Trusteeship Council as a main organ of the UN and entrusted it with the administration of territories placed under the trusteeship system.[7]

The Economic and Social Council (ECOSOC), established by the UN Charter, is the principal organ to coordinate the economic, social and related work of the United Nations and the specialized agencies and institutions.

The Secretariat carries out the day-to-day work of the Organization. It services the other principal organs and carries out tasks as varied as the issues dealt with by the UN: administering peacekeeping operations, surveying economic and social trends, preparing studies on human rights, among others.

The International Court of Justice, located at The Hague in the Netherlands, is the principal judicial organ of the United Nations. It settles legal disputes between states and gives advisory opinions to the UN and its specialized agencies. Its Statute is an integral part of the United Nations Charter.

b. OSCE

The Organization for Security and Co-operation in Europe (OSCE) is the largest regional security organization in the world with 56 participating States from Europe, Central Asia and North America. It is active in four areas: early warning, conflict prevention, crisis management and post-conflict rehabilitation. The OSCE’s approach to security is comprehensive and co-operative: comprehensive in dealing with a wide range of security related issues including arms control, preventive diplomacy, confidence and security building measures, human rights, democratization, election monitoring and economic and environmental security; co-operative in the sense that all OSCE participating States have equal status, and decisions are based on consensus.

The basic priorities of the OSCE in international crises field are:
- To prevent local conflicts, restore stability and bring peace to war torn areas;
• To overcome real and perceived security deficits and to avoid the creation of new political, economic or social promoting a co-operative system of security.

The OSCE decision-making bodies are: The Permanent Council (PC) - the main regular decision-making body of the Organization, convenes weekly in Vienna to discuss current developments in the OSCE area and to make appropriate decisions. The Forum for Security Cooperation (FSC) - to discuss and make decisions regarding military aspects of security in the OSCE area, in particular confidence and security building measures. The Senior Council/Economic Forum - to focus on economic and environmental factors that affect security in the OSCE area. Summits - OSCE Heads of State or Government meet periodically to set priorities and provide orientation at the highest political level. Ministerial Council (MC) a meeting of OSCE Foreign Ministers is convened in those years when no Summit takes place to review OSCE activities and to make appropriate decisions. Chairman-in-Office (CiO) - The Minister of Foreign Affairs of an OSCE participating State, selected each year, bears overall responsibility for executive action and co-ordination of OSCE activities. Parliamentary Assembly (PA) - gathers over 300 parliamentarians from OSCE States. Secretariat - under the direction of the Secretary General. Office for Democratic Institutions and Human Rights (ODIHR) - is the principal institution responsible for the promotion of human rights and democracy in the OSCE area. High Commissioner on National Minorities (HCNM) - plays a key role in conflict prevention and early warning and seeks early resolution of ethnic tensions that might endanger peace, stability or friendly relations between OSCE participating States. Representative on Freedom of the Media (RFOM) - observes media development in OSCE participating States and provides early warning on violations of freedom of expression. Court of Conciliation and Arbitration - created to settle disputes among OSCE participating States.

Arms Control, Confidence and Security Building Measures. The OSCE Chairman-in-Office has appointed Personal Representatives. The Personal Representative of the Chairman-in-Office on the Conflict Dealt with by the OSCE Minsk Conference; High Level Planning Group OSCE Assistance in Implementation of Bilateral Agreements; The OSCE Representative to the Latvian-Russian Joint Commission on Military Pensioners; The OSCE Representative to the Estonian Expert Commission on Military Pensioners.

The Organization for Security and Cooperation in Europe (OSCE) is engaged in standard setting in fields including military security, economic and environmental cooperation, and human rights and humanitarian concerns. In addition, the OSCE undertakes a variety of preventive diplomacy initiatives designed to prevent, manage and resolve conflict within and among the participating states. Regular OSCE decision-making is based on the principle of consensus.

OSCE has developed certain mechanisms and procedures that, in cases requiring rapid reaction, facilitate prompt and direct contact between the parties involved in the crisis, and help to mobilize concerted action by the OSCE. In order to ensure early warning there are the following institutions: Permanent Council, the Office for Democratic Institutions and Human Rights (by monitoring the implementation of human dimension commitments), Chairman-in-Office. The establishment of the Permanent Council has strengthened OSCE capabilities for early warning, as OSCE participating States can now use this forum to draw the attention of the OSCE to potential crisis situations at any given moment. OSCE can prevent crisis by:

• Participation as a result of UN Security Council request;
• Appointing personal representatives;
• Setting up long term field missions;
• Convention on Conciliation and Arbitration within the OSCE;
• Provisions for Directed Conciliation. There are some shortcomings in OSCE activity: does not have its own military forces therefore depends on NATO and EU concerning the forces
and assets, the decision making is difficult and can be blocked because of the large number of states and sometimes conflicting interests among these.

c. **EU**

The European Union (EU) is an economic and political union of 27 member states that are located primarily in Europe. The EU operates through a system of supranational independent institutions and intergovernmental negotiated decisions by the member states. Institutions of the EU include the European Commission, the Council of the European Union, the European Council, the Court of Justice of the European Union, the European Central Bank, the Court of Auditors, and the European Parliament.

New threats and new requirements, linked to the end of the Cold War, the reunification of Germany and the collapse of the former Yugoslavia, have led the Member States to equip themselves with a resource. The Maastricht Treaty on European Union (1992) was the first to contain provisions anchoring the Union’s responsibility for all questions relating to its security, including the eventual framing of a common security and defence policy, as a part of the Common Foreign and Security Policy. The Treaty envisages that the EU, having no military capabilities of its own, will request the Western European Union (WEU) to elaborate and implement planned military measures on its behalf. The Petersberg tasks of 1992 are define the “humanitarian” aspects of “warfare” . Here the signing nations decided that humanitarian, rescue, peacekeeping and peace-making missions should be a part of North Atlantic Treaty Organization (NATO) policy. The Treaty of Amsterdam (1997) incorporated the WEU’s “Petersberg tasks” (humanitarian and rescue tasks, peace-keeping tasks and tasks of combat forces in crisis management, including peacemaking) into the Treaty on European Union. This laid the Treaty basis for the operative development of the ESDP. The Amsterdam Treaty, which entered into force on May 1, 1999, enhanced the provisions of Common Foreign and Security Policy under Title V of the Treaty on European Union to contribute towards the progressive formation of a common defence policy. The Amsterdam Treaty spells out five fundamental objectives of the CFSP:

- To safeguard the common values, fundamental interests, independence and integrity of the EU in conformity with the principle of the United Nations Charter;
- To strengthen the security of the EU in all ways;
- To preserve peace and strengthen international security, in accordance with the principles of the UN Charter;
- To promote international co-operation; and
- To develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms. In June 1999, as a result of the Kosovo conflict, the Cologne European Council placed the Petersberg tasks – as was already the case in the Treaty – and the crisis management at the core of the European Common Security and Defense policy. The fifteen Heads of State or Government decided to develop the Union’s capacity for autonomous action under the ESDP, which is an integral part of the CFSP, in order to respond to international crises without prejudice to actions by NATO. The goal is for the ESDP to be operational in 2003, which would give the EU a unique position in the world thanks to its comprehensive range of instruments (encompassing economic, diplomatic, military, police and other tools). The Petersberg tasks have been incorporated into Title V of the Treaty on European Union and represent possibility to safeguard security through operations such as the following:

- humanitarian and rescue tasks;
- peacekeeping tasks;
tasks of combat forces in crisis management, including peacemaking. Whereas their extension under the Headline Goal 2010 endorsed by the June 2004 European Council refers to tasks including: "...humanitarian and rescue tasks, peace-keeping tasks, tasks of combat forces in crisis management, including peacemaking. As indicated by the European Security Strategy this might also include joint disarmament operations, the support for third countries in combating terrorism and security sector reform". The "Petersberg Tasks" according to article 28 B of the Lisbon Treaty refer to tasks including: "...joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation. All these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories."

The success of crisis management, which will comply with the United Nations Charter, depends on the collaboration with the North Atlantic Treaty Organization (NATO) since the EU will have to use NATO resources, including military capabilities, operational planning capacities, and so on. The capacities and structure of the Common security and defence policy (CSDP) are divided into three components. The first two, military crisis management and civilian crisis management, are known as the Petersberg tasks. Conflict prevention is the third component. The military component (Rapid Reaction Force) was introduced by the Helsinki and Nice European Councils. Firstly, Helsinki (December 1999) established the 'headline goal', that is, the Union’s capacity to deploy within 60 days, and sustain for at least one year, up to 60 000 persons (even some of the candidate countries participate with military forces). This was accompanied by new military structures introduced at Nice, the most important being the Political and Security Committee (PSC). The civilian component, developed at the Feira European Council (1999) and Gothenburg European Council (2001), that consist in possibility of providing up to 5 000 policemen, including 1 000 within 30 days, for tasks ranging from restoring order in cooperation with a military force to the training of local police and strengthening the rule of law: possibility of providing up to 200 judges, prosecutors and other experts in the field;

Conflict prevention, the third component of the ESDP, is a natural development given the human suffering and enormous costs generated by violent conflicts. The Commission plays an important role in this respect by concentrating on improving the consistency and effectiveness of all of the Union’s actions.

d. NATO

The North Atlantic Alliance was founded on the basis of a Washington Treaty between member states entered into freely by each of them after public debate and due parliamentary process. The Treaty upholds their individual rights as well as their international obligations in accordance with the Charter of the United Nations. It commits each member country to sharing the risks and responsibilities as well as the benefits of collective security and requires of each of them the undertaking not to enter into any other international commitment which might conflict with the Treaty.

The fundamental principle underpinning the Alliance is a common commitment to mutual cooperation among the member states, based on the indivisibility of their security. Solidarity and cohesion within the Alliance ensure that no member country is forced to rely upon its own national efforts alone in dealing with basic security challenges. Without depriving member states of their right and duty to assume their sovereign responsibilities in the field of
defence, the Alliance enables them to organization their essential national security objectives through collective effort.
The means by which the Alliance carries out its security policies include the maintenance of a sufficient military capability to prevent war and to provide for effective defence; an overall capability to manage crises affecting the security of its members; and active promotion of dialogue with other nations and of a cooperative approach to European security, including measures to bring about further progress in the field of arms control and disarmament. To achieve its essential purpose, as an Alliance of nations committed to the Washington Treaty and the United Nations Charter, the Alliance performs the following fundamental security tasks:

Security: To provide one of the indispensable foundations for a stable Euro-Atlantic security environment, based on the growth of democratic institutions and commitment to the peaceful resolution of disputes, in which no country would be able to intimidate or coerce any other through the threat or use of force.

Consultation: To serve, as provided for in Article 4 of the Washington Treaty, as an essential transatlantic forum for Allied consultations on any issues that affect their vital interests, including possible developments posing risks for members’ security, and for appropriate coordination of their efforts in fields of common concern.

Deterrence and Defense: To deter and defend against any threat of aggression against any NATO member state as provided for in Articles 5 and 6 of the Washington Treaty. And in order to enhance the security and stability of the Euro-Atlantic area:

• Crisis Management: To stand ready, case-by-case and by consensus, in conformity with Article 7 of the Washington Treaty, to contribute to effective conflict prevention and to engage actively in crisis management, including crisis response operations.

• Partnership: To promote wide-ranging partnership, cooperation, and dialogue with other countries in the Euro-Atlantic area, with the aim of increasing transparency, mutual confidence and the capacity for joint action with the Alliance.[8]

The main Civilian Organization and Structures are: NATO Headquarters; Permanent Representatives and National Delegations; The Secretary General; The International Staff; The Private Office; The Office of the Secretary General; The Executive Secretariat; The Office of Information and Press; The NATO Office of Security; The Division of Political Affairs; The Division of Defense Planning and Operations; The Divisions of Defense Support; NATO Headquarters, Consultation and Command and Control Staff; The Division of Security Investment, Logistics and Civil Emergency Planning. The Military Organization and Structures are: The Military Committee, Strategic Commanders, International Military Staff and Partner Country Representation.

NATO has played an essential part in strengthening Euro-Atlantic security since the end of the Cold War. Its growing political role; its increased political and military partnership, cooperation and dialogue with other states, including with Russia, Ukraine and Mediterranean Dialogue countries; its continuing openness to the accession of new members; its collaboration with other international organization; its commitment, exemplified in the Balkans, its conflict prevention and crisis management, including through peace support operations all reflect its determination to shape its security environment and enhance the peace and stability of the Euro-Atlantic area.

The security of the Alliance remains subject to a wide variety of military and non-military risks which are multi-directional and often difficult to predict. These risks include uncertainty and instability in and around the Euro-Atlantic area and the possibility of regional crises at the periphery of the Alliance, which could evolve rapidly. Some countries in and around the Euro-Atlantic area face serious economic, social and political difficulties. Ethnic and
religious rivalries, territorial disputes, inadequate or failed efforts at reform, the abuse of human rights, and the dissolution of states can lead to local and even regional instability. The resulting tensions could lead to crises affecting Euro-Atlantic stability, to human suffering, and to armed conflicts. Such conflicts could affect the security of the Alliance by spilling over into neighbouring countries, including NATO countries, or in other ways, and could also affect the security of other states.

The Alliance’s crisis management process is founded on Article 4 of the North Atlantic Treaty which emphasizes the need for Alliance consultation. The article states the following: “The Parties will consult together whenever, in the opinion of any of them, the territorial integrity, political independence or security of any of the Parties is threatened.” This article established one of the most important mechanisms, the consultation procedure, which is implemented whenever any ally considers the territorial integrity or political independence of any of the allies to be threatened. First of all the specified principles required to rule the crisis management process must be considered:

• The Alliance being composed of nineteen sovereign member countries, consensus is needed to achieve an Alliance decision;
• The highest authority of the Alliance is NAC. In defence policy matters that involve the integrated force structure, the highest authority is the Defense Planning Committee (DPC);
• The Council/DPC, in carrying out their main tasks of collective decision-making in a crisis, act as the forum for consultation, wherein member governments can express and compare their views, leading to the organization of these views in the form of collective decisions on measures to be implemented;
• All decisions taken in the Council/DPC (and all other NATO bodies) are expressions of national sovereignty and are therefore taken by consensus. The nations have delegated to their Ambassadors the responsibility of representing all elements of their Governments (political, economic, defence, and civil emergency);
• The Council/DPC is supported by the Military Committee, the Political Committee, the Senior Civil Emergency Planning Committee, the Crisis Response Committee, and, when required, other relevant Committees which provide advice and recommendations on aspects and measures within their respective fields of competence;
• Major NATO Commanders are responsible for conducting operations, in conformity with political guidance by the Council/DPC;
• Finally, at every step in the Crisis Management there is political control of the military; no decision regarding planning for deployment, or actual employment of military forces, can be taken without political organization. The forum for consultation and co-ordination of crisis management is the Council Operations and Exercises Committee (COEC) at the level of political military representatives from national delegates, concerned with crisis management and exercises. Its role is to provide arrangements, procedures and facilities, including communications issues, questions relating to the NATO Situation Centre (SITCEN), and the preparation and conduct of crisis management exercises, and its sustainability in the management of crisis for this proposal. The Crisis Management and Operations Directorate includes the Crisis Management Section, the Council Operations Section, and the Peacekeeping Staff. The Director of Crisis Management and Operations is also responsible on behalf of the Secretary General for the development and control of the NATO Situation Centre (SITCEN). The Crisis Management Section provides staff support to the Secretary General, the Council and Defense Planning Committee, and relevant subordinate groups on major politico military crisis management policy issues. It is responsible for implementing, monitoring and reporting on Council decisions associated with crisis management and the preparation and conduct of NATO operations. In defining the new strategic environment in
which these operations are conducted, it is clear that the Armed Forces have to deal with a complex and diverse spectrum of actors, risks, situations and demands. The following factors must be taken into account:

- Environment can range from permissive to hostile and be influenced by the perception of the local population and local organization.
- Institutions of law and order could be fragile or non-existent.
- May have a specific mission, such as extraction operations or military support to disaster relief, non-combatant evacuation, or search and rescue.
- May be of a humanitarian nature not connected with any potential conflict.
- May be enforcement operations, to contain and prevent conflicts by early engagement or to terminate conflicts before escalation into war. The use of force is one area where incorrect application can bring mission failure and which therefore requires careful judgement. In all cases, the use of force must be in accordance with International Law, and politically approved guidance attached to the Rules of Engagement.

1.3.2 The functions of institutions in the field of international security

One of the main features of international and regional organizations is confidence building through information exchange and mutual control. A typical example of a successful confidence building is the activity OSCE (Organization on security and cooperation in Europe). OSCE provides both the legal and policy framework for reducing conventional forces in Europe and also the means for effective monitoring. Similarly, Shanghai Cooperation Organization successfully enhances confidence among Central Asian states by introducing the obligation to notify military exercises.[9]

From the purely rational perspective, wars between member states within international organizations are not necessary. On the other hand, many wars are leading to irrational reasons, so building trust through institutions may not always be effective. In case of the outbreak of the international divisions, some regional organizations (such as the EU, the OSCE, and the Organization of American States - OAS) offer institutionalized mechanisms for the settlement of disputes (dispute resolution). These usually include mediation, arbitration or decision of transnational judicial authority. Many organizations introduced an informal ad hoc mechanisms for conflict resolution. E.g. predominant mode of resolving disputes within ASEAN are bilateral negotiations, but sometimes by informal mediation under the auspices of another member state, although the reluctance of sovereign states to transfer greater powers to international organizations is understandable, organizations with formalized methods of intervention are statistically more effective than the settlement of disputes organization with informal, ad hoc mechanisms. According to statistical studies, the effect of regional organizations for the settlement of international crises is also particularly strong if the members of institution are democratic states. Regional organizations (except EU) usually have no tools to enforce the decision taken collectively, states submit voluntarily by calculating the long-term benefit. Voluntary instead of enforcement is an essential feature of the international system based on formally equal sovereign states.

In addition to keeping peace within the security community, the organizations are seeking to maintain peace and security in its neighbourhood (policing of the neighbourhood). Regional organizations also invest in post-war reconstruction of neighbouring countries, building institutions capable of preventing new conflicts. E.g. The EU is globally very active in promoting good governance (good governance) and OSCE observers recognized free elections.[10]
Apart from direct actions, organizations perform security tasks indirectly as well, for example, socialization of actors in the environment of certain norms and values. Regular meetings of politicians, civil servants and soldiers give these officials a key opportunity to recognize each other and build relationships. The ability of ASEAN to settle conflicts is even explicitly based on informal contacts between leaders of the Member States. Organization also is spreading its values. E.g. OSCE organizes seminars in which police officers and officials of various Ministries of the Interior teach the same principles of police work. Building mutual trust, common identity and common interests, regional organizations transform the national interest so that the policy states in the region tend to converge. The ultimate goal is to create a normative convergence security community where people expect that social disputes will be resolved without violence. Security communities arise when states cease to assume mutual war as a viable option, because they face important external threat. However, for the maintenance and development of such security community are essential two factors: effective communication between governments (usually right guaranteed by international institutions) and common values.[11]

Another important way how organizations influence security is increasing of economic interdependence. Regional economic integration has led to the growth of trade between member states and sometimes economic policy coordination (e.g., within the monetary union). Increasing flows of goods and money flowing between states, drastically increase the cost of a possible war between them. State economic relations also offer the opportunity to move into non-military sphere. The result is a statistically significant reduction in the risk of interstate war by the influence of economic interdependence.

REFERENCES

CHAPTER 2

CONTEMPORARY ARMED CONFLICTS

Jan DROZD*

INTRODUCTION

Contemporary armed conflicts are as old as mankind itself. If you have a look back into history you would find countless armed conflicts. Even though we have some idea what to imagine under the concept of Contemporary armed conflict we have to distinguish among the types as well. Although there was declining tendency concerning a number of armed conflicts, the last period raised the warning finger. During 2011 the sudden and dramatic popular uprisings in parts of the Middle East and North Africa, which together constituted the Arab Spring, produced diverse patterns of conflict. We could read and we still can a lot of data concerning information about the uprising and eventually the armed conflict in Middle East and North Africa, with potentially far-ranging consequences for the region and indeed for the entire international system. Only in Tunisia and Egypt have there been clear-cut political changes, whereas the outcomes of the violent events in Libya, Bahrain, Syria, and Yemen are still undetermined. Other countries in the region, like Jordan and Morocco, have experienced public protests, but neither the protests nor the government responses have escalated or led to substantial political changes. The events of the Arab Spring were not, however, isolated in terms of contemporary conflict trends. Rather, developments across the region served to underline some of the long-term changes that have occurred in the armed conflict over recent decades. This has involved important shifts in the scale, intensity and duration of armed conflict around the world, and in the principal actors involved in violence. Together, these changes point to the emergence of significantly different conflict environment than that which prevailed for much of the 20th century. [1] Based on the latest statistic data we, as a European society in collaboration with other contributors, adequately react in order to prevent escalation of violence, humanitarian crisis and erratic consequences. Countless opponents could truly respond that this contribution would be unexpectedly expensive, particularly in the upcoming economic crisis. However, to solve the potential consequences, could be much more expensive. We cannot rely on self-solution and we definitely have to face the reality.

2.1 WHAT DOES IT MEAN “CONTEMPORARY ARMED CONFLICTS”? 

A contemporary armed conflict is a contested incompatibility which concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths. The separate elements of the definition are defined as follows:

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• The use of armed force: use of arms in order to promote the parties’ general position in the conflict, resulting in deaths.

• 25 deaths: a minimum of 25 battle-related deaths per year and per incompatibility.

• Party: a government of a state or any opposition organization or alliance of opposition organizations.
  o Government: the party controlling the capital of the state.
  o Opposing organization: any non-governmental group of people having announced a name for their group and using armed force.

• State: a state is
  o an internationally recognized sovereign government controlling a specified territory, or
  o an internationally unrecognized government controlling a specified territory whose sovereignty is not disputed by another internationally recognized sovereign government previously controlling the same territory.

• Incompatibility concerning government and/or territory of the incompatibility, as stated by the parties, must concern government and/or territory.
  o Incompatibility: the stated generally incompatible positions.
  o Incompatibility concerning government: incompatibility concerning type of political system, the replacement of the central government or the change of its composition.
  o Incompatibility concerning territory: incompatibility concerning the status of a territory, e.g. the change of the state in control of a certain territory (interstate conflict), secession or autonomy (intrastate conflict).[2]

2.2 CONTEMPORARY ARMED CONFLICTS CLASSIFICATION

Based on the above mention classification we can distinguish three basic armed conflicts:

a. International armed conflicts
b. Internationalized armed conflicts
c. Non-international armed conflicts

In many other papers we could not find the second type of armed conflicts, the internationalized armed conflicts. Although this type of conflict is not defined by the Geneva Convention of 1949, nowadays this term has a progressively growing value. Even though we distinguish among those three types of armed conflicts, in reality it is sometimes not very easy to classify particular armed conflicts to those three groups. Moreover, if we consider the fact that all contemporary armed conflicts have their own development based on the situation, international intervention and other influencing factors include time element, which makes selecting the appropriate type of the armed conflict even more difficult. That is the reason for defining each type of the contemporary armed conflicts.

a. International armed conflict

The Geneva Conventions of 1949, common article 2 define an international armed conflict as “all cases of declared war or of any armed conflict that may arise between two or more high contracting parties, even if the state of war is not recognized, the convention shall also apply to all cases of partial or total occupation of the territory of a high contracting party even if the said occupation meets with no armed resistance” (Geneva Convention, 1949, common art.2). The definition of this type of the conflict is more than clear. To put it simple, it is
possible to state that this conflict is between legal armed forces of two different states. A good example would be the North Korean-South Korean war of 1950. [17]

b. Internationalized armed conflict

The situation of an internationalized armed conflict is between two or more different factions fighting within one country but significantly supported by two or more different states. The most visible example of an internationalized armed conflict was the conflict in the Democratic Republic of Congo in 1998 when the forces from Rwanda, Angola, Zimbabwe and Uganda intervened to support various groups in the DRC. This type of armed conflicts is new, but as it is apparent, this type of conflict we cannot incorporate neither to international armed conflict, since the conflicts are within one country and no foreign legal army is involved, nor to not-international armed conflicts, since there is still a significant influence of other countries. [17]

c. Non-international armed conflicts

According to common article 3 of the Geneva Convention, these are ‘armed conflicts that are non-international in nature occurring in one of the High contracting parties’ (Geneva Convention, common article 3, 1949). This means that one of the parties involved is nongovernmental in nature. However, common article 3 also states that it does not apply to other forms of violence such as riots, isolated and sporadic acts of violence. For a situation to be classified as a non-international armed conflict, it has to achieve two variables: first, the hostilities have to reach a certain minimum level of intensity and form in a collective character; and second, there has to be a level of organization of the parties. [17] Number of the contemporary armed conflicts reach peak after 1991, which was mainly cause by war in formal Yugoslavia and tension after the communism fall down period, as it is depicted in this second graph as well as sorting focused on regions. Mainly the biggest number of the contemporary armed conflicts are in Africa and Asia.

![Figure 1. Armed conflicts by region 1946-2011](c) UCDP 2012

It is not as easy as could be from the beginning of this paragraph to state which armed conflict is which. However, this particular definitions or classification had to be made in order to find an appropriate course of action of the international community so as to find the solution.
Despite the fact, that any solution of the contemporary armed conflict is not simple, classifying the type of the conflict is very important, especially during the decision making process, which is supposed to be the consensus of the international community.

2.3 CAUSE AND PREREQUISITES OF CONTEMPORARY ARMED CONFLICTS

Many complex factors lead to armed conflicts within States as well as between the states. From the statistic data and historical experience we can distinguish the cases of the contemporary armed conflict as follows:

a. Inability of Government to provide basic governance and protection
As it is apparent from the above mentioned, weak government is one of the biggest premises for potential armed conflicts. Government who is not able to protect the population, who is not able to stop the eruption and spread of violence, is clearly some kind of “invitation” for armed groups or another country with an interest in the country. Moreover, we can include to this cause Government who is not interested in the prosperous country, but just in their personal profit.

b. Struggle for power
In history we can find countless examples of armed countries where some section of the elite has been excluded from the power.

c. Social inequalities
This cause of the armed conflict is self-evident and it has been proved many times that this factor is sometimes more important for a people than for instance poverty. These social inequalities could be based on the:

- Ethnicity
- Religion
- National identity
- Economic class

Inequalities could lead to unequal access to political power and other benefits.

d. Economic decline
As we are experienced nowadays, economic crisis could lead to radical market-oriented economic reforms, which are mostly painful for population, and in combination with weak government the violence could erupt.

e. Ethnic and religious animosities
This phenomenon is different than the above mentioned social inequalities. Violation of human and minority rights and ethnic cleansing are factors that enhanced possibilities of the armed conflicts eruption. In 1994 in Rwanda occurred well known genocide based on the ethnic animosities which resulted in more than 800 000 inhabitants from the Tutsi ethnic being killed by another ethnic group of Hutu using machetes. This genocide has significantly influenced the deteriorating situation in the neighboring Democratic Republic of Congo where one of the biggest internal armed conflicts is still ongoing.
f. Arms trafficking
Arms trafficking itself may not be the direct cause of the contemporary armed conflicts, but has significant influence on it. Arms are trafficked and smuggled all over the world and become a big business with extreme profit. Moreover, availability of the arms makes armed conflict eruption much easier. It is estimated that over 500 million light weapons are in circulation in the world. In addition to this, the prize of the weapons is reasonable even for the armed groups with fewer resources.

g. Mass movement of the population
Examples of the armed conflicts which were cause by mass movement are armed conflicts in Central and West Africa.

h. Key natural resources
The key natural resources are mostly diamonds, gold and coltan, which is nowadays one of the most popular elements used for increasing electronic production. For example, in Angola, where the rebel movement UNITA controls a substantial part of the diamond production, estimated revenue of $3.7 billion from the sale of diamonds between 1992 and 1998 which allowed UNITA to maintain its armed forces. This cause of the contemporary armed conflicts, together with weak Government, plays the most important role. In the Democratic Republic of Congo, a number of complex factors, including the desire to get a share of the country’s rich potential wealth in minerals, especially diamonds and gold, have drawn six states in the region into a battle either for or against the Government. We can recognize a similar example in Sierra Leone where diamond resources were main cause of the rebellion and civil war.

i. Border disputes
Disputes over the precise location of colonial frontiers are also one of the very important causes of the mainly international armed conflict. However, we can state that these types of the armed conflicts have gradually been reduced. As an example we can name armed conflicts between Nigeria and Cameroon, Eritrea and its neighbors, and Botswana and Namibia. Between 1994 and 1996, Cameroon contested Nigeria’s garrisoning of the oil-rich Bakassi peninsula before both sides submitted the issue of the region’s legal status to international arbitration. Sporadic fighting between Nigerian and Cameroonian soldiers caused an exodus of 5 000 refugees. [10]
In the graphs you can recognize sorting of the armed conflicts by incompatibility.

Figure 2. Armed conflicts by incapability 1946-2011 [3]
2.4 CONTEMPORARY ARMED CONFLICTS IMPACTS

Firstly, we have to point out that any impacts of the contemporary armed conflicts are very crucial for the future of the country or countries where it happened. As it is well known, the impact could be positive and negative, but it is almost impossible to find a positive impact of armed conflicts, speaking about ordinary people. We have already mentioned above the division of the contemporary armed conflicts and we can use it in the same way to speak about the impact of armed conflicts. Nowadays, internal armed conflicts have indisputably much heavier negative impact particularly on civilians than inter-State conflicts. The reason is more than clear. During this type of armed conflicts, civil population is very frequently and deliberately targeted, including females, children and the disabled. We have a lot of examples where armed groups and even the regular army used raping as a tactics to submit local population. Mostly the population becomes strategic objective. Of course it is not going with the humanitarian law and definitely it broke the Geneva Conventions. However, to force fighting sides not to do it is not a simple task.

The impact of the contemporary armed conflicts we can named as follows:

a. Vulnerable civilians (children and women)
Unfortunately the most suffering during any armed conflicts are civilians. It is estimated that more than four million people have been killed in the violent conflicts since 1989. Of course it necessary to stress the word estimated since the accurate number is not possible to find out, but it is clear that the number could be even bigger. There are two particular sub categories of this group. Children and women. The question, why just those two, is simple to answer. Those two groups are the most vulnerable during any violence or armed conflicts. They suffer unspeakable atrocities. Some number could support this theory. In the past decade up to two millions children were killed. Three times as many have been seriously injured or permanently disabled, many of them maimed by landmines, and millions were psychologically scarred by violence. Countless others have been forced to witness or even to take part in horrifying acts of violence.

Figure 2. Numbers of fatalities 2001–2011 [1]
b. Child soldiers
There are a lot of examples, especially in Africa, where children have been used as soldiers. To quote a commander of an armed group in the Democratic Republic of Congo, children are the best soldiers. If you train them, they would never ask why, in response to commanders’ order to kill. They will just kill.

c. Raping
Particularly in Africa women are frequently raped, since the culture does not allow raped women to live an ordinary live again. Warring parties resort to rape and sexual slavery of women to humiliate, intimidate and terrorize one another like in the recent conflicts in Bosnia and Herzegovina and Rwanda. Rape has been a weapon of ethnic cleansing aimed to humiliate and ostracize women and young girls for bearing the “enemy’s” child and to eventually destroy communities. The society excludes the raped and armed groups’ commanders are aware of it. All this creates extensive emotional and psychological stress which persists long after the conflicts have been ceased. This effect makes normal live difficult and in many cases even impossible. Those victims are not able to deal with ordinary problems; they are not able to work, take care of the children, which cause other horrible consequences.

d. Starvation
Millions of children suffer from starvation and as a result of armed conflicts. There are countless IDP (internal displace persons) or refugee camps where starvation and disease problems are faced. There is high incidence of malnutrition, disease and deaths among young children. The armed groups are frequently trying to disrupt food supply. Girls are sometimes obliged to trade sexual favors for food, shelter or physical protection for themselves or their children.

e. Orphans
Contemporary armed conflicts have separated millions of children from their families. For instance in 1994, the genocide in Rwanda left about 100,000 children without families. In 1995, 20 per cent of children in Angola were separated from families and relatives, according to a UNICEF study. In Cambodia, a country where half the population is under 15 years old, the war deprived children of adult caretakers. As a result, problems of delinquency, child prostitution, drug abuse and other crimes are rampant [3].

f. Landmines (IED)
Another danger for the civilian population comes from landmines or in Afghanistan well known Improvised Explosive Devices (IED), which is mainly targeted at enemy forces, however the victims are mostly from the civil population. Some countries, such as Afghanistan, Angola, and Cambodia, have approximately 10 million landmines each. [18] Landmines do not have only the immediate effect, but could have also medical, economical and sociological consequences. Even long time after the conflict the landmines and IEDs are still dangerous, mainly for the local population. As an economic consequence we can mention the situation when the areas with landmines are left uncultivated, drinking water is sometimes unreachable due to this. Moreover, the Government is supposed to spend a significant part of their budget to clear mines. Some countries dealing with these contemporary armed conflicts consequences are not able to fully cover the costs of victim rehabilitation and mine clearance.
g. Refugee and IDP
As it was already marginally mentioned, refugees and IDPs are the symptoms of armed conflicts as well. The number of refugees and IDPs was about 50 million, of whom 30 million were internally displaced persons at the beginning of the 1990s. The number of refugees increased from 17 million in 1991 to 27 million in 1995 and then declined to 22.25 million in 1999. The situation of internally displaced persons varies from one country to another and is influenced by many social, economic and political factors. [3] Internal displacement causes a threat to political and economic stability at national and international levels. The communities left behind and the towns and villages in which the displaced find refuge are often ravaged. In many situations of armed conflict, the violence generated in one country often spreads through entire regions. It means that not only the country where the conflict is ongoing is affected, but also neighboring countries are forced to deal with coming refugees. Even countries that are continents away may have to contend with waves of desperate refugees.

2.5 INTERNATIONAL ROLE IN CONTEMPORARY ARMED CONFLICTS

The primary responsibility for responding to contemporary armed conflict is without any question in the hands of the affected states. Nevertheless, we have to point out that international involvement is inevitable. There are at least four reasons why:

a. Responsibilities
We are supposed to openly state that in many cases of the armed conflicts international community is responsible for that as well. There are definitely various guises as a source of contemporary armed conflicts and we must not deny this fact.

b. International influence
Contemporary armed conflict, whether we want it or not, affect not only the country or countries involved, but also their neighbors and beyond.

c. Media
Human suffering and media press cannot leaf outsider cold.

d. Internal solution incapability
It has been proved many times that in countless cases the only possible solution of the contemporary armed conflict is on the international level.

2.5.1. International key players

Of course the main role in any solution of the armed conflict plays the affected states itself. Apart from them, we can recognize three main types of agents, who play an important role in the resolution of contemporary armed conflict: the United Nations, regional organizations, and non-governmental organizations. The United Nations and its agencies remain the most important to the international community’s response to conflict. As it is well known, the UN is the main player especially in peacekeeping, peacemaking and peacebuilding, from the earliest stage of conflict prevention to the stage of post-conflict reconstruction. The UN effort ranges from conflict prevention,
peacekeeping and humanitarian action as well as crisis management in warzones, conflict settlements to post-settlement peace building.

Since the United Nations Charter gives the United Nations Security Council the power and responsibility to take collective action to maintain international peace and security, the international community usually looks to the Security Council to authorize peacekeeping operations.

Most of these operations are established and implemented by the United Nations itself, with troops serving under the UN operational control. We have already mentioned basic terms of peacemaking, peacekeeping and peace building. [4]

Today's multidimensional peacekeeping operations are called upon not only to maintain peace and security, but also to facilitate the political process, protect civilians, assist in the disarmament, demobilization and reintegration of former combatants; support the organization of elections, protect and promote human rights and assist in restoring the rule of law. [4]

Peacekeepers monitor and observe peace processes in post-conflict areas and assist ex-combatants in implementing the peace agreements they may have signed. Such assistance comes in many forms, including confidence-building measures, power-sharing arrangements, electoral support, strengthening the rule of law, and economic and social development. Accordingly, UN peacekeepers (often referred to as the Blue Berets because of their light blue berets or helmets) can include soldiers, police officers, and civilian personnel. [4]

Peacemaking is a conflict transformation focused on establishing power relationships robust enough to forestall a future conflict. Peacemaking is usually called restorative justice, but sometimes also transformative justice.

In contemporary international affairs, especially after the end of the Cold War, the concept of peacemaking has often been associated with the imposition upon warring parties of a peace settlement, usually under the auspices of an international organization. [4]

Peacebuilding is a term describing outside interventions that are designed to prevent the start or resumption of a violent conflict within a nation by creating a sustainable peace. The exact definition varies depending on the actor, with some definitions specifying what activities fall within the scope of peacebuilding or restricting peacebuilding to post-conflict interventions. In 2007, the UN Secretary-General's Policy Committee defined peacebuilding as follows: "Peacebuilding involves a range of measures targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management, and to lay the foundations for sustainable peace and development. Peacebuilding strategies must be coherent and tailored to specific needs of the country concerned, based on national ownership, and should comprise a carefully prioritized, sequenced, and therefore relatively narrow set of activities aimed at achieving the above objectives."[4]

Regional organizations are the second player on the scene. In many cases the regional organizations are a very reliable as well as respected element of the armed conflict resolution, particularly by the local population. In this place we have to mention the effective collaboration of those agencies with the UN. The regional organizations have developed widely varying mandates, which reflect the very different characteristics and historical experience of states in the different regions. There could be a question where the European Union and NATO are, and answer to this question is exactly here, since those two international players are considered as a European regional organization playing significant role in conflict management. The most significant advantage of the regional organizations is their familiarity with the main actors, cultural values and local conditions.

Finally, the above mentioned UN and regional organization still leave some space for humanitarian agencies and non-governmental agencies. Agencies such as the International
Committee of the Red Cross have taken on an enhanced profile in internal conflicts. Non-governmental organizations have also become more important. They are able to work with local protagonists without the worry of thereby conferring official recognition. They have played a significant role in a number of peacemaking breakthroughs, although in individual cases the appropriateness and effectiveness of particular NGO initiatives has been criticized. [5]

Beside the above mentioned, the affected parties themselves are the key actors for managing their own conflicts. Domestic conflict management capacity is crucial, since it is likely to be culturally appropriate and sustained. Indigenous political parties, institutions, business organizations, church groups, and third parties of all kinds play important and often undocumented roles. [19]

Figure 4. Number of peace operations, 2002–2011

Figure 5. Personnel deployed, by organization type, 2011 [1]
2.6 CONCLUSION

Most of the contemporary armed conflicts have occurred in countries in which the state has been especially weak.

Another important characteristic of contemporary conflicts not only in Africa has been their escalation as a consequence of national rivalries within regions.

Religious opposition to secular states is a comparatively new source of serious militarized insurgency. This is not because Islamic or Christian fundamentalism in itself is especially novel, but rather because powerful governments have proved willing to support such movements since the 1980s. [20]

Demographic shifts in favor of young people, struggles over resources (especially land), and warfare itself have seriously eroded patriarchal authority in Africa.

Finally, it is sobering to note that, together with sacred rebellions against the bureaucracies inherited from colonial empires. [20]

As it was mentioned above, the contemporary armed conflicts solution is not only in hands of the affected states, but it is definitely an international issue, and we, as an international community, are more or less responsible to resolve it. If we do not do so, any small regional or local contemporary armed conflict could finally negatively influence all society. The impact of it could have expectable effects not only on effected countries, but also on neighboring countries and even other countries, speaking about migration, humanitarian disasters act. We cannot stand aside and hope that it is going to be solved by itself. We have to act in an appropriate way in order to prevent spread of the conflicts.

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CHAPTER 3

CONTEMPORARY PEACEKEEPING OPERATIONS

Mindaugas STACKEVIČIUS*

INTRODUCTION

In many situations involving a severe human rights and humanitarian crisis, the international community increasingly seeks to ameliorate the situation through the deployment of peacekeeping forces. Peacekeeping operations – now the main tool to operate armed conflict and to construct world peace. Completely reconsidered, expanded and updated second release of Understanding of Peacekeeping provides all-round and actual introduction in the theory, practice and policy of modern peacekeeping operations.

UN Peacekeeping was born at a time when Cold War rivalries frequently paralyzed the Security Council. There is no mention of peacekeeping in the Charter of the United Nations. The equipment occurred and developed simply in reply to appearing crises. In the past peacekeeping was generally limited “to situation in the middle” between conflicting groups; today its value changed, its role extended, and its responsibility extended. Peacekeeping – technique used by the United Nations to insert the military and civil personnel between the conflicting countries or communities to stop fight. Presence of forces on peacekeeping helps to create the atmosphere in which can be carried on fruitful negotiations for a lasting peace. As forces on peacekeeping maintain the peace on the earth, intermediaries from the United Nations meet leaders from the arguing parties or the countries and try to reach the peace decision to problems.

3.1 THE HISTORY OF PEACEKEEPING

United Nations Peacekeeping began in 1948 when the Security Council authorized the deployment of UN military observers to the Middle East. The mission's role was to monitor the Armistice Agreement between Israel and its Arab neighbors – an operation which became known as the United Nations Truce Supervision Organization (UNTSO). Since then, 67 peacekeeping operations have been deployed by the UN, 54 of them since 1988. Over the years, hundreds of thousands of military personnel, as well as tens of thousands of UN police and other civilians from more than 120 countries have participated in UN peacekeeping operations.[1]

3.1.1 Tracing the history

The maintenance of “international peace and security” by ‘effective collective measures’ is one of the UN’s founding purposes. (For reference, the UN Charter is at Appendix A1 - light blue pages.) However, throughout the Cold War, the UN was generally limited to moderating

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tension and aggression by mounting “Traditional” or “Nordic Peacekeeping”1 operations. The fundamental principles of the Traditional approach were: that all parties must consent, force would only be used in self-defence, and peacekeeping forces would be impartial in the context of the dispute. In addition to the “Trinity” of Peacekeeping Principles (consent, limited use of force and impartiality), the UN Secretary General (UNSG) exercised day-to-day control of the peacekeeping operations.[2]

Notable successes were recorded for this approach largely because consent of belligerent parties was secured before a peacekeeping force deployed. Few foresaw the abrupt end to the Cold War era, with its inherent stability, and the serious implications for the roles, capacity, flexibility and reach of the UN and those seeking to contribute forces.

Peacekeeping was primarily limited to maintaining ceasefires and stabilizing situations on the ground, providing crucial support for political efforts to resolve conflict by peaceful means. Those missions consisted of unarmed military observers and lightly armed troops with primarily monitoring, reporting and confidence-building roles.

The first two peacekeeping operations deployed by the UN were the UN Truce Supervision Organization (UNTSO) and the UN Military Observer Group in India and Pakistan (UNMOGIP). Both of these missions, which continue operating to this day, exemplified the observation and monitoring type of operation and had authorized strengths in the low hundreds. The UN military observers were unarmed. The earliest armed peacekeeping operation was the First UN Emergency Force (UNEF I) deployed successfully in 1956 to address the Suez Crisis.

The UN Operation in the Congo (ONUC), launched in 1960, was the first large-scale mission having nearly 20,000 military personnel at its peak. ONUC demonstrated the risks involved in trying to bring stability to war-torn regions – 250 UN personnel died while serving on that mission, including the Secretary-General Dag Hammarskjold.

In the 1960s and 1970s, the UN established short-term missions in the Dominican Republic – Mission of the Representative of the Secretary-General in the Dominican Republic (DOMREP), West New Guinea (West Irian) – UN Security Force in West New Guinea (UNSF), and Yemen - UN Yemen Observation Mission (UNYOM), and started longer term deployments in Cyprus – UN Peacekeeping Force in Cyprus (UNFICYP) and the Middle East – UN Emergency Force II (UNEF II), UN Disengagement Observer Force (UNDOF) and UN Interim Force in Lebanon (UNIFIL).

In 1988, UN peacekeepers were awarded the Nobel Peace Prize. At that time, the Nobel Committee cited “the Peacekeeping Forces through their efforts have made important contributions towards the realization of one of the fundamental tenets of the United Nations. Thus, the world organization has come to play a more central part in world affairs and has been invested with increasing trust”.[3]

By the 1990s, it became abundantly clear that the Traditional concept of peacekeeping was inadequate in the face of contemporary conflicts, and that UN capacity to assemble, deploy and control forces in PSOs was poorly matched to the tasks it then faced. In parallel with attempts to reform the UN, military doctrine responded to the more demanding remits now being placed upon PSF Commanders. Unfortunately, the diplomatic convenience of considering mandates in terms of the chapter divisions of the UN Charter had become a restrictive norm for those deployed in support of peace.

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1 The term ‘peacekeeping’ does not appear in the United Nations Charter and was first adopted following the deployment of a UN force to the Sinai in 1956 (UNEF) to secure a ceasefire between Egyptian and Israeli forces.
3.1.2 What is Peacekeeping?

Peacekeeping has proven to be one of the most effective tools available to the UN to assist host countries navigate the difficult path from conflict to peace. Peacekeeping has unique strengths, including legitimacy, burden sharing, and an ability to deploy and sustain troops and police from around the globe, integrating them with civilian peacekeepers to advance multidimensional mandates. UN Peacekeepers provide security and the political and peacebuilding support to help countries make the difficult, early transition from conflict to peace.[4] UN Peacekeeping is guided by three basic principles:

- Consent of the parties;
- Impartiality;
- Non-use of force except in self-defence and defence of the mandate.

Today’s multidimensional peacekeeping operations are called upon not only to maintain peace and security, but also to facilitate the political process, protect civilians, assist in the disarmament, demobilization and reintegration of former combatants; support the organization of elections, protect and promote human rights and assist in restoring the rule of law. Success is never guaranteed, because UN Peacekeeping almost by definition goes to the most physically and politically difficult environments. However, we have built up a demonstrably record of success over our 60 years of existence. Since 1948 there have been 54 UN peacekeeping operations. 41 of these operations have been created by the United Nations Security Council in the last 12 years. Thus far, 123 nations have contributed personnel at various times; 89 are currently providing peacekeepers. As of May 31, 2002, the top contributors of military and civilian personnel to current missions were: Bangladesh (5,479), Pakistan (4,831), Nigeria (3,489), India (3,019), Ghana (2,489). In 2002, there were 15 peacekeeping operations underway.[5]

3.2 CURRENT PEACEKEEPING OPERATIONS

The UN’s role in peacekeeping is no longer limited to a military holding operation that permits diplomatic negotiations. Today, UN peacekeepers are engaged in a variety of activities. They supervise elections, disarm opposing factions, monitor human rights, and perform a wide range of administrative functions. Most importantly, they are increasingly involved in providing humanitarian assistance, such as bringing food to the needy, repatriating and resettling refugees, building schools and providing medical help.[5] Peacekeeping is flexible and over the past two decades has been deployed in many configurations. There are currently 14 peacekeeping operations and one special political mission – the United Nations Assistance Mission in Afghanistan (UNAMA) – led by the Department of Peacekeeping Operations.

MINUSTAH United Nations Stabilization Mission in Haiti.[6] The United Nations Stabilization Mission in Haiti (MINUSTAH) was established on 1 June 2004 by Security Council resolution 1542. The UN mission succeeded a Multinational Interim Force (MIF) authorized by the Security Council in February 2004 after President Bertrand Aristide departed Haiti for exile in the aftermath of an armed conflict which spread to several cities across the country.

The devastating earthquake of 12 January 2010, which resulted in more than 220,000 deaths (according to Haitian Government figures), including 96 UN peacekeepers, delivered a severe blow to country's already shaky economy and infrastructure. The Security Council, by
resolution 1908 of 19 January 2010, endorsed the Secretary-General’s recommendation to increase the overall force levels of MINUSTAH to support the immediate recovery, reconstruction and stability efforts in the country.

Following the completion of Presidential elections in 2011, MINUSTAH has been working to fulfill its original mandate to restore a secure and stable environment, to promote the political process, to strengthen Haiti’s Government institutions and rule-of-law-structures, as well as to promote and to protect human rights. The Mission has continued to mobilize its logistical resources to assist in the effort to contain and treat the cholera outbreak of October 2010.

**MINURSO United Nations Mission for the Referendum in Western Sahara.**[6] The United Nations Mission for the Referendum in Western Sahara (MINURSO) was established by Security Council resolution 690 of 29 April 1991 in accordance with settlement proposals accepted on 30 August 1988 by Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO). The settlement plan, as approved by the Security Council, provided for a transitional period for the preparation of a referendum in which the people of Western Sahara would choose between independence and integration with Morocco. The Special Representative of the Secretary-General was to have sole and exclusive responsibility over matters relating to the referendum and was to be assisted in his tasks by an integrated group of civilian, military and civilian police personnel, to be known as the United Nations Mission for the Referendum in Western Sahara.

**UNMIL United Nations Mission in Liberia.**[6] The United Nations Mission in Liberia (UNMIL) was established by Security Council resolution 1509 (2003) of 19 September 2003 to support the implementation of the ceasefire agreement and the peace process; protect United Nations staff, facilities and civilians; support humanitarian and human rights activities; as well as assist in national security reform, including national police training and formation of a new, restructured military.

**UNOCI United Nations Operation in Côte d’Ivoire.**[6] Acting under Chapter VII of the UN Charter, the Security Council, by its resolution 1528 (2004) of 27 February 2004, established the United Nations Operation in Côte d'Ivoire (UNOCI) as from 4 April 2004 with a mandate to facilitate the implementation by the Ivorian parties of the peace agreement signed by them in January 2003. Following the 2010 Presidential election and the ensuing political crisis in Côte d'Ivoire, UNOCI has remained on the ground to protect civilians and support the Ivorian Government in disarmament, demobilization and reintegration (DDR) of former combatants, as well as on security sector reform.

**MONUSCO United Nations Organization Stabilization Mission in the Democratic Republic of the Congo.**[6] MONUSCO took over from an earlier UN peacekeeping operation – the United Nations Organization Mission in Democratic Republic of the Congo (MONUC) – on 1 July 2010. It was done in accordance with Security Council resolution 1925 of 28 May to reflect the new phase reached in the country. The new mission has been authorized to use all necessary means to carry out its mandate relating, among other things, to the protection of civilians, humanitarian personnel and human rights defenders under imminent threat of physical violence and to support the Government of the DRC in its stabilization and peace consolidation efforts.

**UNAMID African Union/United Nations Hybrid operation in Darfur.**[6] The African Union/UN Hybrid operation in Darfur, referred to by its acronym UNAMID, was established on 31 July 2007 with the adoption of Security Council resolution 1769. UNAMID has the protection of civilians as its core mandate, but is also tasked with contributing to security for humanitarian assistance, monitoring and verifying implementation of agreements, assisting an inclusive political process, contributing to the promotion of human rights and the rule of law,
and monitoring and reporting on the situation along the borders with Chad and the Central African Republic (CAR).


The operation will monitor the flashpoint border between north and south, and is authorized to use force in protecting civilians and humanitarian workers in Abyei.

UNISFA’s establishment came after the Government of Sudan and the Sudan People’s Liberation Movement (SPLM) reached an agreement in Addis Ababa, Ethiopia, to demilitarize Abyei and let Ethiopian troops to monitor the area.

**UNMISS United Nations Mission in the Republic of South Sudan.**[6] On 9 July 2011 South Sudan became the newest country in the world. The birth of the Republic of South Sudan is the culmination of a six-year peace process which began with the signing of the Comprehensive Peace Agreement (CPA) in 2005. In adopting resolution 1996 (2011) on 8 July 2011, the Security Council determined that the situation faced by South Sudan continued to constitute a threat to international peace and security in the region. The Security Council established the United Nations Mission in the Republic of South Sudan (UNMISS) for an initial period of one year, starting from 9 July 2011. UNMISS is on the ground to consolidate peace and security and to help establish conditions for development.

**UNMIK United Nations Interim Administration Mission in Kosovo.**[6] Originally, the Security Council, by its resolution 1244 of 10 June 1999, authorized the Secretary-General to establish an international civil presence in Kosovo – the United Nations Interim Administration Mission in Kosovo (UNMIK) – in order to provide an interim administration for Kosovo under which the people of Kosovo could enjoy substantial autonomy. Its task was unprecedented in complexity and scope; the Council vested UNMIK with authority over the territory and people of Kosovo, including all legislative and executive powers and administration of the judiciary. Subsequently, following the declaration of independence by the Kosovo authorities and the entry into force of a new constitution on 15 June 2008, the tasks of the Mission have significantly been modified to focus primarily on the promotion of security, stability and respect for human rights in Kosovo.

**UNFICYP United Nations Peacekeeping Force in Cyprus.**[6] UNFICYP was originally set up by the Security Council in 1964 to prevent further fighting between the Greek Cypriot and Turkish Cypriot communities. After the hostilities of 1974, the Council has mandated the Force to perform certain additional functions. In the absence of a political settlement to the Cyprus problem, UNFICYP has remained on the island to supervise ceasefire lines, maintain a buffer zone, undertake humanitarian activities and support the good offices mission of the Secretary-General.

**UNIFIL United Nations Interim Force in Lebanon.**[6] Originally, UNIFIL was created by the Security Council in March 1978 to confirm Israeli withdrawal from Lebanon, restore international peace and security and assist the Lebanese Government in restoring its effective authority in the area. The mandate had to be adjusted twice, due to the developments in 1982 and 2000. Following the July/August 2006 crisis, the Council enhanced the Force and decided that in addition to the original mandate, it would, among other things, monitor the cessation of hostilities; accompany and support the Lebanese armed forces as they deploy throughout the south of Lebanon; and extend its assistance to help ensure humanitarian access to civilian populations and the voluntary and safe return of displaced persons.
**UNTSO United Nations Truce Supervision Organization.**[6] Set up in May 1948, UNTSO was the first ever peacekeeping operation established by the United Nations. Since then, UNTSO military observers have remained in the Middle East to monitor ceasefires, supervise armistice agreements, prevent isolated incidents from escalating and assist other UN peacekeeping operations in the region to fulfill their respective mandates. UNTSO personnel have also been available at short notice to form the nucleus of some other peacekeeping operations worldwide. The availability of UNTSO's military observers for almost immediate deployment after the Security Council had acted to create a new mission has been an enormous contributory factor to the early deployment and the success of those operations.

**UNDOF United Nations Disengagement Observer Force.**[6] From early March 1974, the situation in the Israel-Syria sector became increasingly unstable, and firing intensified. The United Nations Disengagement Observer Force (UNDOF) was established on 31 May 1974 by Security Council resolution 350 (1974), following the agreed disengagement of the Israeli and Syrian forces in the Golan Heights. Since then, UNDOF has remained in the area to maintain the ceasefire between the Israeli and Syrian forces and to supervise the implementation of the disengagement agreement.

**UNAMA United Nations Assistance Mission in Afghanistan.**[6] The United Nations Assistance Mission in Afghanistan (UNAMA) is a political mission established by the Security Council in 2002 at the request of the Government to assist it and the people of Afghanistan in laying the foundations for sustainable peace and development in the country. The United Nations Assistance Mission in Afghanistan (UNAMA) is mandated to support the Afghan Government in its efforts to improve critical areas, including security, governance and economic development, and regional cooperation, as well as to support the full implementation of commitments made at the London Conference in January 2010 and at the Kabul Conference in July 2010.

UNAMA is a political mission of the UN and comes under the remit of the UN’s Department of Peacekeeping Operations. Its headquarter is in Kabul. In addition UNAMA has 23 regional and provincial offices across Afghanistan and liaison offices in Islamabad and Teheran. The regional offices are in Kabul, Herat, Bamyan, Gardez, Kandahar, Jalalabad, Kunduz, and Mazar-i-Sharif. Currently, UNAMA has more than 1,600 civilian staff. Around 80% of UNAMA’s staff are Afghan nationals, who work in various positions and levels within the political mission. Both the widespread presence and inclusive nature of the staff of UNAMA are considered a valuable asset, especially with attempts to coordinate relief and recovery programmes with the various interested parties around the country.

As UNAMA oversees the entire UN response to the needs of the Afghan people a number of UN agencies fall under their auspices. Some of these have been working in the country for a number of years, with UN involvement stemming from Afghanistan’s membership of the United Nations General Assembly in 1946. In addition, in 2011, all the UN agencies and programmes in Afghanistan agreed to work together on five main priorities which include 1) peace, reconciliation and reintegration; 2) human rights protection and promotion; 3) sub-national governance and the rule of law; 4) maternal and newborn health; and 5) sustainable livelihoods. The UN Country Team includes agencies such as the UN Food and Agriculture Organisation, the World Food Programme, and the UNHCR. Other agencies coordinate and provide aid, medical care, education and human rights advice.

**UNMOGIP United Nations Military Observer Group in India and Pakistan.**[6] The first group of United Nations military observers arrived in the mission area on 24 January of 1949 to supervise the ceasefire between India and Pakistan in the State of Jammu and Kashmir. These observers, under the command of the Military Adviser appointed by the UN Secretary-General, formed the nucleus of the United Nations Military Observer Group in India and
Pakistan (UNMOGIP). Following renewed hostilities of 1971, UNMOGIP has remained in the area to observe developments pertaining to the strict observance of the ceasefire of 17 December 1971 and report thereon to the Secretary-General.

3.3 FORMING A NEW OPERATION

The Security Council determines the deployment of a new UN Peacekeeping operation. The United Nations Security Council (UNSC) is one of the six principal organs of the United Nations and is charged with the maintenance of peace and security. Its powers, outlined in the United Nations Charter, include the establishment of peacekeeping operations, the establishment of international sanctions, and the authorization of military action. Its powers are exercised through United Nations Security Council resolutions. There are 15 members of the Security Council. This includes five veto-wielding permanent members – China, France, Russia, the United Kingdom, and the United States – based on the great powers that were the victors of World War II.[7] There are also 10 non-permanent members, with five elected each year to serve two-year terms. This basic structure is set out in Chapter V of the UN Charter. The current non-permanent members are Argentina, Australia, Azerbaijan, Guatemala, Luxembourg, Morocco, Pakistan, Rwanda, South Korea, and Togo.

Initial consultation.[8] As a conflict develops, worsens, or approaches resolution, the UN is frequently involved in a number of consultations to determine the best response by the international community. These consultations would likely involve:

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

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

Technical field assessment.[8] As soon as security conditions permit, the Secretariat usually deploys a technical assessment mission to the country or territory where the deployment of a UN Peacekeeping operation is envisaged. The assessment mission analyzes and assesses the overall security, political, military, humanitarian and human rights situation on the ground, and its implications for a possible operation. Based on the findings and recommendations of the assessment mission, the UN Secretary-General will issue a report to the Security Council. This report will present options for the establishment of a peacekeeping operation as appropriate including its size and resources. The report will also include financial implications and statement of preliminary estimated costs.

Security Council resolution. If the Security Council determines that deploying a UN Peacekeeping operation is the most appropriate step to take, it will formally authorize this by adopting a resolution. The resolution sets out the operation’s mandate and size, and details the tasks it will be responsible for performing. The budget and resources are then subject to General Assembly approval.

Appointment of senior officials. The Secretary-General normally appoints a Head of Mission (usually a Special Representative) to direct the peacekeeping operation. The Head of Mission reports to the Under-Secretary-General for Peacekeeping Operations at the UN Headquarters.

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

a. **Planning and deployment.** In the meantime, the Head of Mission and DPKO-DFS lead the planning for the political, military, operational and support (i.e., logistics and administration) aspects of the peacekeeping operation. The planning phase usually involves the establishment of a Headquarters-based joint working group or integrated mission task force, with participation of all relevant UN departments, funds and programmes.

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

c. **Who provides peacekeepers?** The UN has no standing army or police force of its own, and Member States are asked to contribute military and police personnel required for each operation. Peacekeepers wear their countries’ uniform and are identified as UN Peacekeepers only by a UN blue helmet or beret and a badge. Civilian staff of peacekeeping operations are international civil servants, recruited and deployed by the UN Secretariat.

d. **Reporting to the Security Council.** The Secretary-General will then provide regular reports to the Security Council on the implementation of the mission mandate. The Security Council reviews these reports and briefings, and renews and adjusts the mission mandate, as required, until the missions is completed or closed.[8]

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CHAPTER 4

NATO NON ARTICLE 5 CRISIS RESPONSE OPERATIONS AND PEACE SUPPORT OPERATION CONCEPT

Mindaugas STACKEVIČIUS*

INTRODUCTION

Crises and conflicts except borders of NATO can introduce the direct threat of the security of the territory of the Alliance and the population. NATO that is why will get involved, where possible and when he is necessary to tell crises, run crises, stabilize post-conflict situations and support reconstruction.

Successful performance of operations on support of the world demands clearly understood and widely accepted doctrine, and it is especially important, when operations should be carried out allied, the multinational company or coalition forces. The doctrine – structure of principles, methods and the procedures, which understanding provides a general basis for action. It develops, when it’s political and strategic fund changes, and in the light of the new technology and abilities, lessons of experience and ability of penetration into an essence of the operational analysis.

Doctrine forms the basic principles with which armed forces of the North Atlantic Treaty Organization (NATO) conduct them actions in support of the purposes. It is authoritative, but demands judgment in application. The whole information with the detailed explanation are proposes in AJP-3.4 and AJP-3.4.1. The purpose of AJP-3.4, Non-Article 5 Crisis Response Operations, consists in discussing principles and various types of non-Article 5 Crisis Response Operations (NA5CROs) and main issue those NA5CRO the reasons relating to successful behaviour of operations. Main goal Allied Tactical Publication 3.4.1.1 (ATP-3.4.1.1) should provide methods and procedures performance of Allied Peace Support operations. Though ATP-3.4.1.1 is intended first of all for use by forces of NATO tactics, methods and procedures are equally applicable to operations are carried out by a coalition of NATO and non NATO countries.

4.1 OVERVIEW OF NON-ARTICLE 5 CRISIS RESPONSE OPERATIONS

The need for the North Atlantic Treaty Organisation (NATO) to be capable of responding to a crisis beyond the concept of “Collective Defence” under Article 5 of the North Atlantic Treaty was identified at the 1999 Washington Summit. The Washington Summit recognised that future NATO involvement in non-Article 5 Crisis Response Operations (NA5CROs) needed to be more flexible, committed to collective defence and able to undertake new missions including contributing to effective conflict prevention and engaging actively in crisis management. NA5CROs are a major part of the Alliance’s contribution to effective crisis management. Their purpose is to conduct missions that contribute to international peace and

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security. NA5CROs are intended to respond to such crises, to include the containment of hostilities, in a timely and coordinated manner where these crises could either affect the security of NATO nations, or threaten stability and lead to conflict on the periphery of the Alliance. NA5CROs encompass the Alliance’s conduct of and participation in the full range of operations to include those in support of peace, which could range from the most demanding types of peace enforcement to military preventative activities, and others as directed by the North Atlantic Council (NAC).[1]

4.2 NATO MILITARY OPERATIONS

4.2.1. Article 5 Collective Defence [1]

NATO member nations participate fully within the Alliance and are equally committed to the terms of the Washington Treaty, particularly to the reciprocal undertaking made in Article 5 namely to consider an attack from an external enemy against one or more of them as an attack upon them all. This is known as “Collective Defence.” The Parties will assist the Party or Parties attacked by taking forthwith such action, as they deem necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

The role of the NATO integrated military structure is to provide the organizational framework for defending the territory of member nations against threats to their security and stability, in accordance with Article 5 of the North Atlantic Treaty. However, the development of the Partnership for Peace (PfP) initiative and the Alliance’s role in Peace Support Operations (PSOs) and other fields have meant that the integrated military structure has been called upon to undertake other tasks as well.[1]

4.2.2. Non-Article 5 Crisis Response Operations

NATO activities falling outside the scope of Article 5 are referred to collectively as "NA5CROs.” One principal difference between Article 5 operations and NA5CROs is that there is no formal obligation for NATO nations to take part in a NA5CRO while in case of an Article 5 operation, NATO nations are formally committed to take the actions they deem necessary to restore and maintain the security of the North Atlantic area.[1]

NA5CROs range from support operations primarily associated with civil agencies through operations in support of peace\(^2\), to Alliance combat operations. In the framework of a NATO-led operation, Alliance forces could additionally conduct extraction operations, and tasks in support of disaster relief and humanitarian operations, search and rescue (SAR) or support to non-combatant evacuation operations (NEOs). Operations that involve the use of military force or the threat of force include military action ranging from sanction and embargo enforcement to military combat operations. Military Committee (MC) 327/2, NATO Military Policy for Non-Article 5 Crisis Response Operations, establishes the guidance for conducting NA5CROs within the Alliance. Specific NA5CRO missions are addressed in detail in chapters 3 and 4.

The Alliance principle of collective effort is reflected in practical arrangements that enable the Allies to capitalise on the military advantage of collective defence without depriving the Allies of their sovereignty. These arrangements also enable NATO forces to conduct NA5CROs and constitute a prerequisite for a coherent Alliance response to all possible crises.

\(^2\) In the Political/Strategic documents these operations are described as operations in support of peace. The Doctrinal Community refers to these operations as PSOs.
contingencies including the possibility of stationing and deploying NATO forces outside home territory when required. NA5CROs will generally be limited in objective, means, area, and time depending on the desired end state. Depending on the situation, NA5CROs may be as demanding and intense as Article 5 operations, in particular during enforcement operations.

4.3 PRINCIPLES OF NON-ARTICLE 5 CRISIS RESPONSE OPERATIONS.[1]

The principles for the conduct of joint and multinational campaigns apply to the conduct of NA5CROs. Furthermore, given the wide range of potential tasks within the NA5CRO spectrum, a different emphasis may be required for each campaign. The judgement of those responsible for planning and executing a mission will temper the weight and the application of the normal generic principles. An understanding of the relationships between these principles is essential for the effective management of civil-military interactions and the achievement of the desired end state. The specific application of the commonly accepted doctrinal concepts and principles as they are applied to NA5CROs are described below:

a. Objective
Every campaign must be directed towards a clearly stated and attainable end state. In a joint and multinational campaign, involving many civilian organisations and agencies, military strategic objectives may be milestones along the way to achieving the desired political end state or an element of that end state.

b. Perseverance
Achieving the desired political end state of an NA5CRO will require a patient, resolute and persistent pursuit of objectives. The pursuit of short-term military success should be balanced against the longer-term social, economic, environmental, and political consequences.

c. Unity of Command
Unity of command, based on NATO principles and arrangements for command and control, is a non-negotiable principle within NATO. Unity of command requires clearly defined authorities, roles, and relationships to accomplish assigned tasks.

d. Unity of Effort
Unity of effort recognises the need for a coherent approach to a common objective between the various military contingents and between the military and civilian components of any operation. Co-operation between military and civil elements requires continual military interaction with a large number of International Organisations (IOs) and Non-Governmental Organisations (NGOs). Effective liaison at all levels and regular conferences and meetings involving all agencies and parties is essential in achieving unity of effort.

e. Credibility
A NATO-led force must be credible. A force must respond with professional bearing and swift, effective reactions to incidents. Establishing credibility is essential for building confidence and a co-ordinated Information Operations (INFO OPS) plan will be one of the elements in achieving this. While a force should not appear to pose a direct threat as long as

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[1] In this context, campaigns may include major operations.
compliance exists, there must be no doubt that a force is fully capable of carrying out its responsibilities and has the will to coerce if required to do so.

f. Transparency of Operations[1]
The mission and concept of operations as well as political/military end states must be readily understood and obvious to all parties and agencies. Achieving a common understanding will remove suspicion and mistrust. Information should be gathered and communicated through open sources wherever possible. While transparency of operations, including media access, should be the general rule, it must be balanced against the need to ensure the security of the mission and its members.

g. Protection.
Force protection (FP) is a command responsibility in all-military operations. FP needs to be taken into account when planning the size and composition of the force and when drawing up military plans, orders and Rules of Engagement (ROE). In the NAC Initiating Directive, the Joint Force Commander (JFC) may be given specific responsibilities for the protection of certain civilian agencies involved in the joint operations area (JOA).

f. Flexibility
The successful conduct of an NA5CRO involves the management of change and the eventual transition to a stable environment. Within the Operation Plan (OPLAN) and the constraints of the ROE, the JFC should be given maximum operational flexibility, and the forces should be able to adapt and move from one activity to another at short notice and with the minimum of outside assistance. A NATO-led force needs to be balanced and independent in terms of skills, capabilities, equipment, and logistics.

g. Promotion of Co-operation and Consent
The promotion of co-operation and consent amongst the parties are pre-requisites for many NA5CROs. Before execution, any military force activity, which may result in a loss of consent, should be carefully balanced and assessed against the long-term objectives of the operation. This may be achieved through careful co-ordination of national agendas, and enhanced consultation and co-operation.

h. Impartiality
Where the nature of the mission allows, operations should be conducted impartially without favour or prejudice to any party. Effective communications and transparency of operations are key to maintaining an even-handed approach.

i. Use of Force
The potential use of force affects every aspect of a mission and requires continual review to accomplish the mission. In all cases, the use of force must be in accordance with the provisions of International Law, including international humanitarian law, and the politically approved amplifying guidance attached to the ROE. With respect to mission accomplishment, the degree of force used must be no more than that necessary to carry out duties and accomplish assigned objectives of the mission. Force used must be limited to the degree, intensity, and duration necessary to achieve the objective. ROE do not limit the inherent right of self-defence. Self-defence is the use of such necessary and proportional force, including
deadly force, by NATO/NATO-led forces and personnel to defend themselves against attack or an imminent attack.\textsuperscript{4}

\textit{j. Mutual Respect}[1]
In many NA5CROs, the respect in which an Allied Joint Force (AJF) is held will be a direct consequence of its professional conduct and how it treats the local population and recognised authorities. Through a United Nations (UN) mandate, Status of Forces Agreements or other special agreements, the AJF may enjoy certain immunities related to its duties. Notwithstanding this, its members must respect the laws and customs of the host-nation and must be seen to be doing so. The JFC should also ensure the same principles are recognised and implemented amongst the different national, cultural and ethnic elements within the formations which make up the force. All personnel must consistently demonstrate the highest standards of discipline exercised through controlled and professional behaviour on and off duty.

\textit{k. Freedom of Military Movement}
Freedom of military movement is essential for the successful accomplishment of any NA5CRO. The mandate and the ROE must allow the AJF to remain free at all times to perform its duties throughout the designated mission area without interference from any of the local factions. Experience indicates that various factions will often try to impose local restrictions on freedom of movement. These restrictions must be firmly and swiftly resolved initially through negotiation, but if necessary, through more vigorous and resolute action up to and including the use of force.

\textit{l. Legitimacy}
The legitimacy of the operation will be a crucial factor for drawing support within the international community, contributing nations and the involved parties, including the civil community. The participation of Partners and other non-NATO countries in a NATO-led campaign would broaden the basis of international support. It is therefore necessary that NA5CROs be executed in accordance with all applicable international law, including the principles of the UN Charter. Accusations against the AJF, which could compromise its legal position, can be more easily refuted if the force’s intentions and activities are made clear and are transparent to the international community and involved parties.

\textbf{4.4. POLITICAL CONTROL}[1]

The UN and Organisation for Security and Co-operation in Europe (OSCE) are organisations that have political, economic, cultural, or military relationships with NATO member nations. NATO has offered to support, on a case-by-case basis, in accordance with its own procedures, PSOs and other operations under the authority of the UN or responsibility of the OSCE including making Alliance resources and expertise available. NA5CROs will only be conducted under the political control and strategic direction of the NAC. It demands close co-operation and co-ordination between the highest political and military bodies within the Alliance and close consultation with Partners when they are involved.

\textbf{4.4.1. United Nations}[1]

\textsuperscript{4} See paragraph 0213 and MC 362/1, \textit{NATO Rules of Engagement}, for further information on the use of force.
The first purpose of the UN, as stated in its Charter, is “to maintain international peace and security.” The Charter provides the terms of reference for the various elements of the UN, and for regional arrangements under Chapter VIII of the UN Charter, and agencies in fulfilling this responsibility. The purpose and principles of the Charter as well as three of the four Chapters, which establish the specific power granted to the UN Security Council (UNSC) for the discharge of its duties, refer in their content to military missions like NATO NASCROs. Whilst the UN does not talk about crisis response it does talk about complex political emergencies. These are described as a humanitarian crisis in a country, region, or society where there is total or considerable breakdown of authority resulting from internal or external conflict and which requires an international response that goes beyond the mandate or capacity of any single and/or ongoing UN country programme. Chapters discussing emergencies are Chapter VI, which deals with the pacific settlement of disputes, Chapter VII, which refers to action with respect to threats to the peace, breaches of the peace, and acts of aggression, and Chapter VIII, that deals with regional arrangements. It is important to note that Articles 42, 52, 53, and 54 of Chapter VII are the references for taking action by air, sea, or land forces as may be necessary to maintain or restore international peace and security.

Within the UN, the UNSC is the body responsible for maintaining international peace and security and emergency responses are usually authorised through resolutions of the UNSC. Alliance support of, or involvement in, a UN operation must be within the context of the UN Charter and will be negotiated between the UN Secretariat, the UNSC, the NAC, and national governments.

Since the end of the Cold War, the UN has undergone a number of significant changes in the way it performs peace operations and more broadly, crisis management. Experiences over the past several years have resulted in a review of methods and capabilities. Additionally, the UN has recognised, in line with Chapter VIII of its Charter, that it may need to seek the assistance of regional or other organisations or ad hoc alliances, with specific operational capabilities. At the strategic level, the Secretary General’s Peace and Security Executive Committee, consisting of the Under Secretary Generals for Political Affairs and Peacekeeping (PK), the Emergency Relief Co-ordinator, and the representative of the High Commissioner for Human Rights have met as required to review crisis situations.

4.4.2 Organisation for Security and Co-operation in Europe [1]

The OSCE, as a regional arrangement under Chapter VIII of the UN Charter, is the most inclusive security organisation in Europe. The organisation also includes Canada and the United States and plays an essential role in promoting peace and stability, enhancing cooperative security, and advancing democracy and human rights in Europe. The OSCE is particularly active in the fields of preventive diplomacy, contributing to conflict prevention, crisis management, human rights, and post-conflict rehabilitation. The OSCE has, since the early 1990s, mandated a number of observation and monitoring missions. Since its inception, the OSCE has worked to reduce international tension and for the establishment of arms reduction and arms control measures. The OSCE has also developed some procedures and institutions to promote peaceful settlements under the UN Charter.

Increasingly, there is a general understanding that regional conflicts, in principle, should be addressed by regional organisations. As a regional arrangement, the OSCE has made clear its willingness to participate in, or conduct, operations under Chapter VI of the UN Charter in appropriate situations. The Charter for European Security, adopted at the OSCE Summit in Istanbul, encompasses the development of the OSCE role in PK and other operations.
According to this Charter, the OSCE can offer support to, and request support from other organisations and/or States for conducting PK and other operations on its behalf.

4.4.3 European Union [1]

The Treaty of Amsterdam, which took effect on May 1, 1999, strengthened the CFSP and the EU’s ability to undertake joint foreign policy actions. The Treaty of Nice, signed in February 2001 and implemented in January 2003, created permanent political and military structures for the European Security and Defence Policy. Under the Berlin plus arrangements, NATO will provide for recourse to collectively funded NATO assets and capabilities. For autonomous operations, the European military chain of command is based, on request, on a voluntary contribution from the member states at the strategic, operational, and tactical levels. The military implications of the EU are a subject of ongoing discussions within NATO.

4.4.4 Euro-Atlantic Partnership Council [1]

The Euro-Atlantic Partnership Council (EAPC) brings together the NATO Allies and the Partner Nations in a forum providing for regular consultation and co-operation. It meets periodically at the Ambassador and Foreign and Defence Minister level. EAPC activities are based on a two-year action plan that focuses on consultation and cooperation on a range of political and security-related matters, including regional issues, arms control, international terrorism, PK, defence economic issues, civil emergency planning, and scientific and environmental issues. The EAPC acts as a political “umbrella” for PfP and offers both Allies and Partners a forum in which to exchange views on common security issues. NATO developed the PfP initiative with the goal of increasing stability and security throughout Europe. PfP is a process that brings NATO Allies and Partners together in a programme of joint defence and security-related activities, ranging from the purely military to defence-related cooperation in areas such as crisis management, civil emergency planning, air traffic management, or armaments co-operation. PfP is a permanent feature of the European security architecture.

One significant achievement of the EAPC has been the establishment of the Euro-Atlantic Disaster Response Co-ordination Centre (EADRCC) at NATO Headquarters (HQ). The EADRCC plays a significant role in co-ordinating humanitarian relief in the course of crises such as the flood-hit parts of the western Ukraine in 1999.

4.5 OPERATIONAL CONSIDERATIONS OF NON-ARTICLE 5 CRISIS RESPONSE OPERATIONS

The characteristics of each NA5CRO will determine the force size, structure and components, and its essential capabilities and sustainment requirements. The following operational considerations are focused on NA5CROS within the Alliance.[1]

4.5.1 Participation[1]

A nation’s level of participation in an NA5CRO may vary in relation to its national strategic interest in the operation and resources available; therefore, national commitment to provide forces will vary accordingly and will affect the force generation process. In the case of
NA5CROs, the principle of consensus remains valid; however, once consensus is achieved, it is each member state’s prerogative to decide, on a case-by-case basis, whether it will commit forces and/or capabilities to the operation or not and what level of forces it may commit. When planning NA5CROs, initially only forces under the purview of NATO will be considered as the basis for force generation. However, Partners and other non-NATO Troop Contributing Nations (NNTCNs) will be considered as soon as authorised to make the best use of their individual strengths and unique capabilities. Their participation is likely to be determined, on a case-by-case basis, in accordance with modalities established for NNTCN participation in NA5CROs as approved by the NAC.

The Political Military Framework (PMF) for NATO-led PfP operations was established in light of important Partner contributions and participation to NA5CROs. The PMF ensures that Partners joining future NATO-led operations are afforded appropriate opportunities to contribute to the provision of political guidance for and oversight over such operations. While an initial force estimate may be made from the reconnaissance and mission analysis, it is during the concept development stage that identification of the required military capabilities, numbers, generic grouping and the command structure (joint) support forces and facilities are completed. This information becomes the JFC’s Statement of Requirement (SOR). The SOR is used as the basis of the NATO Force Generation Process through which force contributions will be sought from member nations. In the Force Generation Process the capabilities needed for the operation are selected from the air, land, maritime, space, and special operations forces at NATO’s disposal on the basis of national capabilities and agreements to provide specific forces. Force generation should take into account the full range of force elements required, including supporting arms offering combined/joint capability.

4.5.2 Command and Control$^5$

The NAC provides continuous political control and strategic direction for all NATO-led military operations to include:

- Guidance in an Initiating Directive issued through the MC to the Supreme Allied Commander in Europe (SACEUR).
- Approving the Allied HQ, and notation of a designated commander to conduct the Operation.
- Tasking relevant NATO bodies to develop a range of crisis management measures.

The MC:

- Advises the NAC on military implementation of an Initiating Directive.
- Responds to supplementary NAC directives.
- Develops military planning guidance.
- Participates in liaison activities between the Alliance and other security organisations.
- Recommends to the NAC the Allied HQ, and approves a commander for conducting operations.

SACEUR, when appropriate:

- Develops operational planning documents.
- Recommends a NATO HQ and commander for conducting operations.

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$^5$ Based on MCM-206-01, the Military Co-operation Working Group (MCWG) on Strategic Issues (SI) is currently considering the way ahead on NATO Command Arrangements (NCA). As step one, an MC Report on NCA is being developed taking into account the C2 capabilities available to the Alliance for the entire mission spectrum. The outcome of this report will certainly influence para 0203.
• Identifies resource, finance, and expertise required to implement the NAC Initiating Directive.
• Develops an OPLAN.
• Develops Host Nation Support (HNS) arrangements between NATO and HNs when required.
• When authorised, co-ordinates directly with Nations providing forces for an operation.
• When authorised, establishes liaison with appropriate military, political-military, and civil organisations as necessary.

Command and Control (C2) capabilities are provided through a combination of the NATO Command Structure (NCS), including its Combined Joint Task Force (CJTF) HQ capability, and the NATO Force Structure (NFS) C2 deployable and static assets and capabilities, mission tailored, optimised and best suited to the challenges of a specific mission. C2 arrangements for Allied joint operations, either Article 5 or NA5CRO, must consider the level of command as well as the geographic location of the operation and any required augmentation. At the strategic level, SACEUR assumes the overall command of the operation and exercises his responsibilities from HQ, Supreme Headquarters, Allied Powers Europe. At the operational level, a joint force command would normally be provided by a joint HQ, operating either from its static HQ or as a deployable CJTF HQ.

- **Internal.** Internal Allied joint operations are operations in which the preponderance of the operational area lies within NATO territory.
- **Adjacent.** Adjacent Allied joint operations are operations in which the preponderance of the operational area lies outside but close to NATO’s boundaries.
- **External.** External Allied joint operations are operations in which the operational area is beyond the periphery of NATO territory and the practical reach of the permanent NCS.[1] The Alliance has three operational level standing joint HQs: two land-based JFC HQs and one sea-based Joint HQ. These HQs are manned, appropriately sized, and able to initiate joint operations during initial and sustainment stages. The three Joint HQs allow for the implementation of the CJTF tailored capability—the ability to conduct concurrent CJTF operations, one commanded by a sea-based CJTF HQ and one commanded by a land-based CJTF HQ for the initial and sustainment stages.[1]

NATO Response Force. The NATO Response Force (NRF) is a part of the NFS6 and is designed to operate in high intensity conflicts. It has secure deployable communications, protection for nuclear, chemical, and biological emergencies, precision-strike capabilities, and sufficient air and sealift mobility. The NRF may be deployed to internal, adjacent, or external operational areas. To be able to sustain high-intensity operations on its own for a period and to be able to act, if necessary, as a bridgehead for a much larger mission, the NRF is tailored according to the situation drawing on pre-identified land, maritime, and air-components that will be deployed depending upon the nature of the mission.[1]

**4.5.3 Use of Force.[1]**

The use of force in an NA5CRO depends upon a complex mixture of rights and obligations that are codified by national legislation, customary international law, and the UN Charter. Commanders and their subordinates must be provided with, and adhere to, an unambiguous set of rules that define their rights and obligations in using military force. Amplifying direction on the use of force is usually given in the mission mandate and the authorised ROE. Only the precise, timely, measured, proportionate, and legal force sufficient to achieve the desired goal should be used. This does not preclude the inherent right of all Alliance armed
forces to use force for self-defence. Self-defence is the use of such necessary and proportional force, including deadly force, to defend personnel and the nation against attack or an imminent attack. The following MC 362/1, NATO Rules of Engagement-based definitions apply in this context:

- "Necessary" means that use of force is indispensable for securing self-defence.
- "Proportional" means a response commensurate with the perception of the level of the threat posed. Any force used must be limited to the degree, intensity, and duration necessary for self-defence and no more.
- "Imminent" means that the need to defend is manifest, instant, and overwhelming.
- "Attack" is the use of force against NATO/NATO-led forces or NATO personnel or a NATO nation.

4.5.4 **Rules of Engagement**.[1]

ROE provide political direction, within legal parameters, and guidance to commanders at all levels governing the use of force. ROE will normally be developed as part of the OPLAN, which should result in a suitable set of ROE being available prior to the beginning of the campaign. However, the JFC needs to continually review the initial ROE upon arrival in the JOA and should submit specific ROE requests through NATO military authorities for approval by the NAC. The nature of NA5CROs can mean that the range of ROE needed may be more complex than those specified for traditional combat operations. The procedures for requesting, authorising, and implementing ROE are contained in MC 362/1, NATO Rules of Engagement. In order to maximise military effectiveness, it is crucial that multinational forces under NATO command operate under the same ROE if possible. However, it must be recognised that nations may have their own, more restrictive instructions in addition to the NATO ROE. Nations should inform the NAC if restrictions are in effect. The JFC must be aware of these additional national restrictions to maximize the employment capabilities of all forces under his command. The ROE should reflect the commander’s intent and be developed in as much detail as possible.[1]

4.6 **MILITARY CHARACTERISTICS OF PEACE SUPPORT OPERATIONS**

Operations in support of peace are recognised in MC 327/2, NATO Military Policy for Non-Article 5 Crisis Response Operations, as an aspect of NA5CROs; however, in NATO, such operations are normally known as PSOs [2]. They are normally conducted in support of an internationally recognized organisation such as the UN or the OSCE and involve military forces and diplomatic and humanitarian agencies. Where the nature of the operation allows, operations should be conducted impartially without favour or prejudice to any party. Effective communications and transparency of operations are a key to maintain an even-handed approach. PSOs are intended to achieve a long-term political settlement or other specified conditions. PSOs include PK and Peace Enforcement (PE) as well as conflict prevention, peacemaking, peacebuilding, and humanitarian operations.
4.6.1 Strategic Context.

The international community responds to complex emergencies within a broad range of activities and according to the dimension of the crisis. These response options, which should be based on some type of legal mandate or authority, could range from humanitarian aid to the application of military force. Initially, more specific responses may be co-ordinated under the auspices of the UN or other organisations such as the OSCE. Should the response requirements escalate and need the deployment of a credible and capable military force, that option may be requested of an existing military alliance such as NATO or a coalition of willing states or a combination of both. Some development and relief agencies may have been operating in the area for several years before the crisis, and they will often play an important role as operations develop in an incremental and ad hoc fashion. The success of a PSO is largely dependent upon the support of the local population, local authorities where they exist, and the co-operation of the belligerent parties with the international community. The military task, in this context, will be to create the necessary secure conditions, and to provide support, within means and capabilities, to enable civilian agencies to address the underlying causes of the conflict and thus lead to a self-sustaining peace.

4.6.2 Principles of Peace Support Operations.[1]

All military operations are conducted with a degree of restraint, which in some cases may only be an adherence to the Law of Armed Conflict. Where possible, PSOs are conducted in an impartial and even-handed manner. PSOs are designed so that the military forces create a secure environment in which civilian agencies can rebuild the infrastructure necessary to create a self-sustaining peace. In those cases where there is an agreement between the parties involved, Peace Support Force (PSF) actions are based upon judgments of the degree of compliance and/or non-compliance of the parties with that agreement and not against any bias or pre-determined designation. Both the mandate from the appropriate international authority, and the NAC decision should distinguish a PSO from any other enforcement action or war with a designated enemy, by specifying a desired political end state rather than the achievement of military victory.

4.6.3 Peace Support Operations [1]

- Peacekeeping.
PK operations are generally undertaken in accordance with the principles of Chapter VI of the UN Charter to monitor and facilitate the implementation of a peace agreement. A loss of consent and a non-compliant party may limit the freedom of action of the PK force and even threaten the continuation of the mission. Thus the requirement to remain impartial, limit the use of force to self-defence, and maintain and promote consent, should guide the conduct of PK.

- Peace Enforcement.
PE operations normally take place under the principles of Chapter VII of the UN Charter. They are coercive in nature and are conducted when the consent of all Parties to the conflict has not been achieved or might be uncertain. They are designed to maintain or re-establish peace or enforce the terms specified in the mandate.
The goal of PE missions is to enforce the provisions of a mandate designed to maintain or restore peace and order to allow the operations of a separately mandated PK force. It is emphasized, however, that transitioning a PK force to a PE force or vice versa should be
avoided unless the unit is withdrawn from the operational area and undergoes proficiency training in the skills essential to satisfy the new mandate.

- **Conflict Prevention.**[1]
Conflict prevention activities are normally conducted in accordance with the principles of Chapter VI of the UN Charter. However, military deployments designed to deter and coerce parties will need to be credible, and this may require a combat posture and an enforcement mandate under the principles of Chapter VII. Conflict prevention activities may range from diplomatic initiatives, through efforts designed to reform a country’s security sector and make it more accountable to democratic control, to preventative deployments of forces in support of diplomatic initiatives that are designed to prevent or contain disputes from escalating to armed conflict.

- **Peacemaking.**
Peacemaking covers the diplomatic activities conducted after the commencement of a conflict, aimed at establishing a cease-fire or a rapid peaceful settlement. They can include the provision of good offices, mediation, conciliation, such actions as diplomatic pressure, isolation, sanctions, or other operations as directed by the NAC. Peacemaking is accomplished primarily by diplomatic means; however, military support is possible either directly or indirectly (e.g., staff support or planning).

- **Peacebuilding.**
Peacebuilding covers actions that support political, economic, social and military measures aimed at strengthening political settlements of a conflict. This includes mechanisms to identify and support structures that tend to consolidate peace, foster a sense of confidence and well-being and support economic reconstruction. Peacebuilding therefore requires the commitment of humanitarian and development resources to a long-term political process.

- **Humanitarian Operations**
A humanitarian operation, within the context of or in support of a PSO, aims to alleviate human suffering where responsible authorities in an area are unable, or unwilling, to fully support a population. It may be conducted in the broader context of a PSO, or as an independent task, which may precede or accompany the humanitarian activities of specialised civilian organisations. Forces are assigned for a specific task in support of the coordinating humanitarian agency, and adopt a benign posture, except for FP measures.

### 4.7 CONCEPT OF PEACE SUPPORT OPERATIONS

#### 4.7.1 Political Control and Guidance [2]

Normally NATO will be invited to act in support of an internationally recognised organization such as the United Nations (UN) or Organisation for Security and Co-operation in Europe (OSCE). In exceptional circumstances, the North Atlantic Council (NAC) may decide to take unilateral action. That authority will issue a mandate, for example a UN Security Council resolution, which provides direction and authority to the participants. If NATO agrees to support a mission under the auspices of another organisation, the NAC retains the direction and authority for the deployment of NATO forces.

**Mandate Development**
The mandate from other authorities should, wherever possible, have been developed in consultation with the NAC if NATO forces are to be involved. It should give a clear political end state. The authority and parameters for the NATO operation will be issued in the form of an Initiating Directive. This will establish:

- Legitimacy of the operation.
Nature of the operation.
Strategic objectives and political / military end-state.
Strategic Mission and Tasks.
 Freedoms, constraints and restraints.
 Rules of Engagement (ROE) guidance.
 Expected Duration (if possible).
 Logistics and key supporting aspects.
 Civil-military co-ordinating mechanisms.

4.7.2 NATO [2]

Alliance Strengths. Over the years, NATO has established and maintained impressive and unique political and military structures designed to deter potential enemies and to defend members’ territory from attack. These structures have proved adaptable and valuable assets in PSO. NATO would normally consider supporting only those missions where its capabilities are essential to their success. The most important NATO capabilities and strengths for PSO are detailed below.

Multinational Command and Control Structure. [2]
NATO’s military command structure is a particular strength. Since its inception, NATO has integrated diverse military forces to achieve common objectives using common doctrine. Alliance headquarters have established procedures for most types of operations and crises, and have gained the collective expertise to overcome the obstacles posed by differences in language, culture, and national military procedures. This experience is especially applicable to the initial stages of a PSO, when military units of different nations arrive in a new geographic area to form a multinational force.
The January 1994 Brussels Summit directed the NAC to develop the Combine Joint Task Force (CJTF) concept to facilitate a more effective and flexible conduct of all Alliance missions, including PSO, in co-operation with Partners as envisaged under the Partnership for Peace (PfP) programme. In November 1996, the MC endorsed MC 389, the ‘Directive for Military Implementation of the Alliance’s CJTF Concept’. This directed the Strategic Commanders (SC) to establish an initial CJTF HQ capability as soon as possible. The CJTF capability will be available for the full range of Alliance military missions, as one of the potential options from the range of both political and military measures available to the Alliance. Although the CJTF capability, in principle, is available for Article 5 as well as non-Article 5 operations, it will primarily be employed for non-Article 5 CROs. The provisions for Partner participation in NATO-led CJTF operations are an integral part of the Alliance’s CJTF capability. No specific provisions have been developed for the inclusion of non-NATO/non-Partner nations. However, to the extent possible, the provisions developed for Partners will be applied on a case-by-case basis. When NATO’s CJTF Capability has reached its Full Operational Capability, NATO can effectively and quickly establish a CJTF HQ by augmenting the nucleus provided from one of the three designated CJTF Parent HQs. Such a headquarters could be activated for a PSO mission, as well as for other crisis response operations.

Reaction Forces [2]
Alliance forces, especially designated reaction forces, maintain a high state of readiness. They are especially responsive to short-notice operational requirements for PSO.

PfP and Other Non-NATO Troop Contributing Nations Involvement. [2]
Decisions to invite Partners to contribute to NATO-led PSO will be taken by the NAC on a case-by-case basis, taking into consideration NMA advice, thereby balancing political considerations and military effectiveness.
In accordance with its international mandate the NAC retains the ultimate authority to direct NATO operations. Partner Nations and other possible Non-NATO Troop Contributing Nations (NNTCN) should be involved in the process of developing political and strategic military guidance in accordance with the principles and phases of involvement outlined in the Political–Military Framework for NATO-led PfP operations (PMF), PO (99)28, 20 Apr 99. This will be achieved through two forms of involvement: through National representatives and through Partner officers in international positions.

4.7.3 Key Aspects of Alliance Involvement in Peace Support Operations [2]

General Considerations. Individual member States as well as the Alliance as a whole will take a variety of considerations into account in any decision to undertake PSO. These may include the objectives of the operation, essentiality of NATO participation, the probability of success given NATO participation and possible risks. Prior to approving Alliance support, the NAC may take into consideration the factors outlined below to provide an acceptable framework for accomplishment of the PSO.

Legal Component. All military operations must take into account both the letter and spirit of national and international law. The appropriate legal considerations will provide the framework for the conduct of military operations. The planning and mounting of PSO raises some legal issues that are different from those raised by conventional military operations. These include:

- The legal basis or authority for any given PSO.
- The legal status of personnel and equipment engaged in PSO, which is generally enshrined in a Status of Forces Agreement (SOFA).
- The Rules of Engagement (ROE), governing the conduct of personnel and the employment of equipment, engaged in a PSO.
- The requirements of the Law of Armed Conflict (LOAC) which is often referred to as the law of war or International Humanitarian Law (IHL).
- Legal obligations stemming from Arms Control Treaties.

4.7.4 Land Component [2]

Armour. The use of Armour may have a role across the spectrum of PSO. Armoured reconnaissance units are particularly useful in both PK and PE type operations, especially when a unit’s geographical area of operations is large. The surveillance capabilities, firepower, mobility, protection and communications of armoured reconnaissance vehicles and the training of reconnaissance troops, makes them suitable for such tasks as liaison, control points, convoy security, quick reaction and clearing routes. The deployment of MBTs in the conduct of PSO will depend on the scale of opposition and equipment available to local forces.

Artillery. Mortar locating radars and other artillery locating assets may help the force document and apportion responsibility for attacks and other violations. The deployment of Unmanned Aerial Vehicles (UAVs), although not always a land force asset, may have particular utility in all PSO, not just to monitor hostile acts but to track forces and monitor refugee movement. Artillery may provide a deterrent function as well as a contingency capability to respond directly to escalations of violence. Mortar and artillery illumination, and
when appropriate, HE ammunition, can be used as a demonstration of resolve to deter further hostile acts and enforce compliance. The increased availability of precision guided munitions may significantly reduce the risk of collateral damage, a factor that has previously constrained the use of artillery.

**Infantry.** [2] Infantry will normally represent the predominant component of the PSF and will generally provide the basic military framework around which the PSO will be conducted. Military bases can be sited around infantry elements, who have the capability to provide base security, reaction forces and local patrols within the Area of Operations (AOO). Other typical infantry tasks include: domination of the ground through a network of vehicle and foot patrols, check points, observation posts; cordon and search operations; imposition of curfews; convoy protection; dispersing crowds and riots; gathering information and intelligence and assisting in Civil-Military Co-operation (CIMIC) projects. Armoured personnel vehicles will enhance their protection and employability for high-risk tasks such as interposition. The combat skills of the infantry will be essential in the conduct of PE.

**REFERENCES**

[3] NATO Rules of Engagement, MC 362/1
CHAPTER 5

INTERNATIONAL HUMANITARIAN LAW AND INTERNATIONAL LAW OF ARMED CONFLICT

Alena BUDVESELOVÁ*

INTRODUCTION

Military operations involve complex questions related to international law. International law provides the framework for operational decisions, it also establishes certain limitations on the scope and nature of command options, and imposes affirmative obligations related to the conduct of armed forces.

Armed conflicts accompanied mankind since the dawn of history, and were until the 19th century considered as a natural form of relations between nations. During this period, there are also attempts of their legal regulation. Law became a factor early in the historical development of warfare. The law of war, in the broader sense and due to traditional international law, is defined as a special sector of international law, containing all the rules of war. There were two principal prongs of legal regulation of warfare, Jus ad Bellum and Jus in Bello. Jus ad Bellum is the law dealing with conflict management, and how States initiate armed conflict (under what circumstances the use of military power is legally and morally justified). Jus ad Bellum serves to regulate the conduct of going to war. While Jus in Bello serves to regulate conduct within war. Jus in Bello is the law governing the actions of States once conflict has started (what legal and moral restraints apply to the conduct of waging war). There is also third part Jus post Bellum, largely historically neglected prong of the Just War Tradition, that focuses on the issues regulating the end of warfare and the return from war to peace (what a just peace should look like).[1]

From the mid-19th century it had begun increasingly resonate requirement of reaching agreements between countries, which should lead to reducing human suffering in armed conflict. The conclusion of the first agreements between states led to the birth of the traditional law of war, which by the end of the WWII is commonly referred as the law of armed conflict (LOAC) or international humanitarian law (IHL). The purposes of the LOAC/IHL include: integrate humanity into war; preserve the fundamental human rights of persons who fall into the hands of the enemy; and assist in restoring the peace.

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6 The law of armed conflict is also referred to as the law of war (LOW) or international humanitarian law (IHL). The moniker describing this body of law has changed over time. Before the 1949 Geneva Conventions, it was known universally as the Law of War. The 1949 Geneva Conventions advanced a change to the term “Law of Armed Conflict” to emphasize that the application of the law and prescriptions did not depend on either a formal declaration of war or recognition by the parties of a state of war. Of late, many scholars and nongovernmental organizations refer to this body of law as International Humanitarian Law.
ORIGINS OF INTERNATIONAL HUMANITARIAN LAW

Law became a factor early in the historical development of warfare. The earliest references to rules regarding war referred to the conditions that justified resort to war both legally and morally. The ancient Egyptians and Sumerians (25th century B.C.) generated rules defining the circumstances under which war might be initiated. The ancient Hittites (16th century BC) required a formal exchange of letters and demands before initiating war. In addition, no war could begin during the planting season. A Greek city-state was justified in resorting to the use of force if a number of conditions existed. If those conditions existed, the conflict was blessed by the gods and was just, otherwise, armed conflict was forbidden. The Romans formalized laws and procedures that made the use of force an act of last resort. Rome dispatched envoys to the States against whom they had grievances, and attempted to resolve differences diplomatically. The Romans also are credited with developing the requirement for declaring war. Cicero wrote that war must be declared to be just.[1]

5.1.1 Just war period (335 B.C. – 1800 A.D.)

This period ranged from about 335 B.C.-1800 A.D. The law during this period was principally concerned with Jus ad Bellum considerations and developed initially as a means to refute Christian pacifists and provide for certain, defined grounds under which a resort to warfare was both morally and religiously permissible. The concept of Just War was being passed from the hands of the theologians to the lawyers. Several great European jurists emerged to document customary laws related to warfare. Hugo Grotius (1583-1645) produced the most systematic and comprehensive work, On the Law of War and Peace (published in 1625). His work is regarded as the starting point for the development of the modern LOAC.

5.1.2 War as fact period (1800-1918)

This period saw the rise of the State as the principal actor in foreign relations. States transformed war from a tool to achieve justice, into a tool for the legitimate pursuit of national policy objectives. Rights and privileges of the modern State, replaced natural or moral law principles. Since each State is sovereign, and therefore entitled to wage war, there is no international legal mandate, based on morality or nature, to regulate resort to war (realpolitik replaces justice as the reason to go to war). War is based upon whatever reason, a legal and recognized right of statehood. In short, if use of military force would help a State achieve its policy objectives, force may be used. This period was dominated by the realpolitik of Clausewitz. He characterized war as a continuation of a national policy that is directed at some desired end. During the War as Fact period, the focus began to change from Jus ad Bellum to Jus in Bello. National leaders began to join academics in the push to control the impact of war (e.g., Czar Nicholas and Theodore Roosevelt pushed for the two Hague Conferences that produced the Hague Conventions and Regulations). A graphic depiction of one of the bloodiest battles of the Austro-Sardinian War, it served as the impetus for the creation of the International Committee of the Red Cross and the negotiation of the 1864 Geneva Convention. Near the end of this period, the major States held the Hague Conferences (1899-1907) that produced the Hague Conventions.
5.1.3 Jus contra bellum period (1918-1949)
Despite the moral outrage directed toward the aggressors of World War I, legal scholars unanimously rejected any assertion that initiation of the war constituted a breach of international law. First time in history that States agreed upon an obligation under the law not to resort to war to resolve disputes or to secure national policy goals. The Covenant of the League of Nations was designed to impose upon States certain procedural mechanisms prior to initiating war. President Wilson, the primary architect, believed during these periods of delay, peaceful means of conflict management could be brought to bear. The League ultimately proved to be ineffective at preventing war. Kellogg-Briand Pact (1928) officially referred to as the General Treaty for the Renunciation of War, it banned aggressive war. For the first time in history, aggressive war is clearly and categorically banned. In contradistinction to the post-World War I period, this treaty established an international legal basis for the post-World War II prosecution of those responsible for waging aggressive war. The Kellogg-Briand Pact remains in force today. Virtually all commentators agree that the provisions of the treaty banning aggressive war have ripened into customary international law. Use of force in self-defence remained unregulated.[1]

5.1.4 Post-world war II period (1949-)
The procedural requirements of the Hague Conventions did not prevent World War I, just as the procedural requirements of the League of Nations and the Kellogg-Briand Pact did not prevent World War II. World powers recognized the need for a world body with greater power to prevent war, and international law that provided more specific protections for the victims of war. The trials of those who violated international law during World War II demonstrated that another quantum leap had occurred since World War I. Reinforced tenets of Jus ad Bellum and Jus in Bello ushered in the era of universality, establishing the principle that all States are bound by the LOAC, based on the theory that LOAC conventions largely reflect customary international law. International law focused on problem during prosecution of war crimes. The universal nature of LOAC prohibitions and the recognition that they were at the core of international legal values, resulted in the legitimate application of those laws to those tried for violations. United Nations Charter Continues the shift to outright ban on war. Required Members, through Article 2(4), to refrain “from the threat or use of force” against other States. Since that, states are entitled to choose military force against another State only in special cases.

5.2 LEGAL BASIS FOR THE USE OF FORCE
Historically, the applicability of the LOAC often depended upon a State subjectively classifying a conflict as a war. Until WWI in international law, there was evident that each state could reach for arm to resolve disputes with other states, or in carrying out its foreign policy. This subjective right of the state was after WWII progressively restricted and finally abolished by the prohibition of aggressive war contained in Briand - Kellogg Pact of 1928 and Article 2. 4 of the UN Charter. In both customary and treaty law, there are a variety of internationally-recognized legal bases for the use of force in relations between States. Generally speaking, however, modern jus ad bellum is reflected in the United Nations (UN) Charter. The UN Charter provides two bases for a State’s choice to the use of force: Chapter VII enforcement actions under the auspices of the UN Security Council, and self-defence pursuant to Article 51 (which governs acts of both individual and collective self-defence). The UN Charter mandates that all member States resolve their international disputes peacefully. It also requires that States refrain in their international relations from the threat or use of force
against the territorial integrity or political independence of any State. This ban on aggression, taken from Article 2(4) of the UN Charter, is regarded as the heart of the UN Charter and the basic rule of contemporary public international law.[2]

5.2.1 The lawful use of force

Despite the UN Charter’s broad legal prohibitions against the use of force and other forms of intervention, specific exceptions exist to justify a State’s recourse to the use of force or armed intervention. It is generally agreed that there are only two exceptions to the Article 2(4) ban on the threat or use of force: (1) actions authorized by the UN Security Council under Chapter VII of the UN Charter, and (2) actions that constitute a legitimate act of individual or collective self-defence pursuant to Article 51 of the UN Charter and/or customary international law (CIL). The UN Charter gives the UN Security Council both a powerful role in determining the existence of an illegal threat or use of force and wide discretion in mandating or authorizing a response to such a threat or use of force (enforcement). The unique role is grounded primarily in Chapter VII of the UN Charter, which demonstrates the Charter’s strong preference for collective responses to the illegal use of force over unilateral actions in self-defence. Chapter V of the UN Charter establishes the composition and powers of the Security Council. The Security Council includes five permanent members (China, France, Russia, the United Kingdom, and the United States) and ten non-permanent, elected members. Decisions within the Security Council require nine votes, and in those cases involving a nonprocedural (substantive) matter, they also require the concurring votes of all five permanent members. In practice, anything other than a veto by one of the permanent five members is considered a concurring vote. Chapter VII of the UN Charter, entitled “Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression,” gives the UN Security Council authority to label as illegal threats and uses of force, and then to determine what measures should be employed to address the illegal behaviour. Before acting, the Security Council must first, in accordance with Article 39, determine the existence of a threat to the peace, a breach of the peace, or an act of aggression. Provided the Security Council makes such a determination, the UN Charter gives three courses of action to the Security Council: 1) make recommendations pursuant to Article 39; 2) mandate non-military measures (diplomatic and economic sanctions) pursuant to Article 41; or 3) mandate military enforcement measures (action by air, land, or sea forces) pursuant to Article 42.[1]

In the absence of special agreements between member States and the Security Council, UN peacekeeping operations enable the Security Council to carry out limited enforcement actions through member States on an ad hoc, voluntary basis. While these operations were traditionally grounded in Chapter VI of the UN Charter, which deals with peaceful means of settling disputes, today more peace operations are considered peace enforcement operations and carry with them a Chapter VII authorization from the Security Council. The authorization that accompanies these operations is usually narrowly worded to accomplish the specific objective of the peace operation.

Regional Organization Enforcement Actions. Chapter VIII of the UN Charter recognizes the existence of regional arrangements among States that deal with such matters relating to the maintenance of international peace and security, as are appropriate for regional actions (Article 52). Regional organizations, such as the OAS, the African Union, and the Arab League, attempt to resolve regional disputes peacefully, before referral to the UN Security Council. Regional organizations do not, however, have the ability to unilaterally authorize the use of force (Article 53). Rather, the Security Council may utilize the regional organization to carry out Security Council enforcement actions. In other words, regional organizations are
subject to the same limitation on the use of force as are individual States, with the same two exceptions to the general prohibition against the use of force (enforcement actions under Chapter VII, and actions in individual or collective self-defence under Article 51 of the UN Charter or CIL).

5.2.2 Self-Defense

**Individual Self-Defense**

Within the bounds of both the UN Charter and customary practice, the inherent right of self-defence has primarily found expression in three recurring areas: 1) protection of a nation’s territorial integrity; 2) protection of a nation’s political independence; and 3) protection of nationals and their property located abroad.

Protection of Territorial Integrity - States possess an inherent right to protect their national borders, airspace, and territorial seas. No nation has the right to violate another nation’s territorial integrity, and force may be used to preserve that integrity consistent with the Article 51 (and customary) right of self-defence.

Protection of Political Independence - A State’s political independence is a direct attribute of sovereignty, and includes the right to select a particular form of government and its officers, the right to enter into treaties, and the right to maintain diplomatic relations with the world community. The rights of sovereignty or political independence also include the freedom to engage in trade and other economic activity. Consistent with the principles of the UN Charter and customary international law, each State has the duty to respect the political independence of every other State. Accordingly, force may be used to protect a State’s political independence when it is threatened and all other avenues of peaceful redress have been exhausted.

Protection of Nationals - Customarily, a State has been afforded the right to protect its citizens abroad if their lives are placed in jeopardy and the host State is either unable or unwilling to protect them. This right is cited as the justification for non-combatant evacuation operations.

**Collective Self-Defense**

Also referred to in Article 51, the inherent right of collective self-defence allows victim States to receive assistance from other States in responding to and repelling an armed attack. To constitute a legitimate act of collective self-defence, all conditions for the exercise of an individual State’s right of self-defence must be met, along with the additional requirement that assistance must be requested by the victim State. There is no recognized right of a third-party State to unilaterally intervene in internal conflicts where the issue in question is one of a group’s right to self-determination and there is no request by the de jure government for assistance. Collective defence treaties are such as that of the North Atlantic Treaty Organization (NATO), the Inter-American Treaty of Reciprocal Assistance (the Rio Treaty), the Security Treaty Between Australia, New Zealand, and the United States (ANZUS), and other similar agreements.

5.3 INTERNATIONAL HUMANITARIAN LAW / LAW OF ARMED CONFLICTS

International humanitarian law or Law of armed conflicts is a part of public international law. Public international law is a broad set of treaties, customary law, principles and norms. The framework traditionally regulated relationships only between states. It has evolved, however, to cover a broad range of actors. International humanitarian law or Law of armed conflicts is a
set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are not or are no longer participating in the hostilities and restricts the means and methods of warfare. International humanitarian law applies only to armed conflict; it does not cover internal tensions or disturbances such as isolated acts of violence. It does not regulate whether a State may actually use force. The law applies only once a conflict has begun, and then equally to all sides regardless of who started the fighting.[3]

International humanitarian law distinguishes between international and non-international armed conflict. International armed conflicts (IAC) are those in which at least two States are involved. They are subject to a wide range of rules, including those set out in the four Geneva Conventions and Additional Protocol I. 7 Non-international armed conflicts (NIAC) are those restricted to the territory of a single State, involving either regular armed forces fighting groups of armed dissidents, or armed groups fighting each other. Thus, if a non-state armed group is a party to the armed conflict, it will be categorized as a NIAC. This could be if a state is fighting an armed group, or if two armed groups are fighting each other. Common Article three and customary international law would regulate both scenarios. For Additional Protocol II to apply certain requirements must be satisfied. In the armed conflict a state must be on one side, fighting against an armed group. That state must have signed Additional Protocol II for it to apply. Additionally, the non-state armed group must be organized, under a responsible command, and exercise control over part of the territory in such a manner that the group is able to carry out military operations.[2]

Whether or not an armed conflict is an IAC or NIAC has significant implications. For instance, prisoners of war (POW) status, as well as combatant status, is found only in the rules applicable to IAC. The rules regulating the conduct of hostilities, as well as humanitarian access and assistance, are more detailed in IAC. All together the treaty rules applicable to IAC total close to 600; those applicable to NIAC number less than 30. This dearth of guidance can pose a challenge because the majority of contemporary conflicts are NIAC. The definition of an IAC is found in Article Two common to the four Geneva Conventions. It states that the rules of IAC apply to “all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties . . . . “ Thus, an IAC can only be between two or more states.8

7 According to the customs, war should be officially announced before the enemy war actions. In practice, the state has developed various forms of declaring war. Hague Conference on Peaceful handling disputes of 1907 recognizes a direct denunciation and ultimatum. Direct denunciation of the war was declaration secured by some reasons. The ultimatum was conditional statement and declaration of war. Declaration of war must be given in writing, by diplomatic note. At the same time the beginning of warefare have to be notified by neutral state. However the rule of the previous declaration of war, was partially violated.Germany during the WWII started the war against Poland, Norway, Denmark, Belgium and the Soviet Union without denunciation. Hostilities without declaring war are a serious violation of the laws of war, and war crimes in the strict sense. The requirement of a formal denunciation of war was codified before the ban on offensive war became part of international law. At the beginning of the warfare, the warring parties interrupt all peaceful relations. During the warfare, the warring states terminate diplomatic and consular relations. Protection of the interests of a hostile state may only take a neutral protective power. After a conflict has ended, persons who have committed or ordered any breach of the laws of war, especially atrocities, may be held individually accountable for war crimes through process of law. Also, nations which signed the Geneva Conventions are required to search for, then try and punish, anyone who has committed or ordered certain “grave breaches” of the laws of war.

8 The use of the phrase “global war on terror” resulted in some misunderstanding regarding the application of IHL to certain situations. The “global war on terror” is a political phrase, not a legal term of art. Thus, the “global war on terror” is not an armed conflict. The appropriate analysis is to look at the conflict locations – Iraq, Afghanistan, Somalia, Yemen, etc. – and assess each one in terms of whether or not it is an IAC or NIAC, regulated by the relevant framework.
International humanitarian law protects those who do not take part in the fighting, such as civilians and medical and religious military personnel. It also protects those who have ceased to take part, such as wounded, shipwrecked and sick combatants, and prisoners of war. These categories of person are entitled to respect for their lives and for their physical and mental integrity. They also enjoy legal guarantees. They must be protected and treated humanely in all circumstances, with no adverse distinction. More specifically: it is forbidden to kill or wound an enemy who surrenders or is unable to fight; the sick and wounded must be collected and cared for by the party in whose power they find themselves. Medical personnel, supplies, hospitals and ambulances must all be protected. There are also detailed rules governing the conditions of detention for prisoners of war and the way in which civilians are to be treated when under the authority of an enemy power. This includes the provision of food, shelter and medical care, and the right to exchange messages with their families. The law sets out a number of clearly recognizable symbols which can be used to identify protected people, places and objects. The main emblems are the red cross, the red crescent and the symbols identifying cultural property and civil defence facilities.

5.3.1 Fundamental principles of international humanitarian law

The basis of international humanitarian law is the principle of distinction, which applies in all armed conflicts. This principle obliges Parties to a conflict (i.e. the warring parties, whether states or non-state armed groups) to target only military objectives and not the civilian population or individual civilians or civilian objects (e.g. homes, schools, and hospitals). Failing to make this distinction in military operations represents an indiscriminate attack and is a war crime. Similarly, although it is understood that it is not possible for parties to a conflict always to avoid civilian casualties when engaged in military operations, international humanitarian law also requires that parties to a conflict take precautions in any attack to minimise civilian deaths and injuries. Attacks likely to cause deaths or injuries among the civilian population or damage to civilian objects which would be excessive compared to the expected military advantage must be cancelled or suspended. The balancing of humanity and military necessity is seen in the foundational IHL norms of distinction and proportionality. Parties to an armed conflict are required to distinguish, at all times, between civilians and combatants and between civilian objects and military objectives. Additionally, an attack may not be launched if it is anticipated to cause incidental loss of civilian life, injury to civilians, or damage to civilian objects that would be excessive in relation to the direct military advantage anticipated.[4]

Additional IHL principles include the duty to take precautions to spare the civilian population before and during an attack, the prohibition against infliction of unnecessary suffering or superfluous injury, and the prohibition of indiscriminate attacks.

International humanitarian law aims to limit the suffering caused by war by forcing parties engaged in a conflict to:
- engage in limited methods and means of warfare;
- differentiate between civilian population and combatants, and work to spare civilian population and property;
- abstain from harming or killing an adversary who surrenders or who can no longer take part in the fighting;
- abstain from physically or mentally torturing or performing cruel punishments on adversaries.

International humanitarian law prohibits all means and methods of warfare which:
- fail to discriminate between those taking part in the fighting and those, such as civilians, who are not, the purpose being to protect the civilian population, individual civilians and civilian property;
- cause superfluous injury or unnecessary suffering;
- cause severe or long-term damage to the environment. Humanitarian law has therefore banned the use of many weapons, including exploding bullets, chemical and biological weapons, blinding laser weapons and anti-personnel mines.[5]

International humanitarian law intended to mitigate the hardships of war by:
- Protecting both combatants and non-combatants from unnecessary suffering.
- Safeguarding certain fundamental human rights of persons who fall into the hands of the enemy, particularly prisoners of war, the wounded and sick, and civilians.
- Facilitating the restoration of peace.

The term humanitarian is often used in everyday language in a very broad sense, and can be confused with the term human rights. Although both are concerned with the protection of the individual, the two bodies of law apply to different circumstances and possess slightly different objectives. The main distinction between the two bodies of law is that humanitarian law applies to situations of armed conflict, while human rights protect the individual in times of both war and peace. Humanitarian law aims to limit the suffering caused by war by regulating the way in which military operations are conducted.[6]

5.3.2 Sources of the international humanitarian law

Universal codification of international humanitarian law began in the nineteenth century. Since then, States have agreed to a series of practical rules, based on the bitter experience of modern warfare. These rules strike a careful balance between humanitarian concerns and the military requirements of States. As the international community has grown, an increasing number of States have contributed to the development of those rules. In the mid-1850s, Henri Dunant - founder of the International Red Cross - helped champion the first universally applicable codification of international humanitarian law - the Geneva Convention of 1864. From these roots, international humanitarian law evolved over the course of a century and a half. Many of the international treaties on armed conflict were made in response to the many new methods of warfare. World War I (1914-1918) witnessed the first large-scale use of poison, aerial bombardments and capture of prisoners of war. World War II (1939-1945) saw civilians and military personnel killed in equal numbers.

While there are numerous LOAC/IHL treaties in force today, most fall within two broad categories, commonly referred to as the “Hague Law” or “Hague Tradition” of regulating means and methods of warfare, and the “Geneva Law” or “Geneva Tradition” of respecting and protecting victims of warfare and their Additional Protocols.9

9 •1907 Hague Regulations (Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. The Hague, 18 October 1907)
•Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, Geneva, 12 August 1949
•Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, Geneva, 12 August 1949
•Convention (III) relative to the Treatment of Prisoners of War. Geneva, 12 August 1949
•Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949
•Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977
•Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977
5.3.2.1 The Hague Tradition

This prong of the LOAC/IHL focuses on regulating the means and methods of warfare (e.g., tactics, weapons, and targeting decisions). This method is exemplified by the Hague law, consisting of the various Hague Conventions of 1899, as revised in 1907, plus the 1954 Hague Cultural Property Convention and the 1980 Certain Conventional Weapons Convention. The rules relating to the means and methods of warfare are primarily derived from Articles 22 through 41 of the Regulations Respecting the Laws and Customs of War on Land annexed to Hague Convention IV. Article 22 states that the means of injuring the enemy are not unlimited. The following treaties, limiting specific aspects of warfare, are also sources of targeting guidance. These treaties are discussed more fully in the means and methods of warfare section on weapons.

Gas - The 1925 Geneva Protocol prohibits use in war of asphyxiating, poisonous, or other gases.

Cultural Property - The 1954 Hague Cultural Property Convention seeks to protect cultural property.

Biological Weapons - The 1925 Geneva Protocol prohibits biological weapons. The 1972 Biological Weapons Convention prohibits their use in retaliation, as well as production, manufacture, and stockpiling.


5.3.2.2 The Geneva Tradition

This prong of the LOAC is focused on establishing non-derogable protections for the victims of war. In contrast to the Hague model of regulating specific weapons and their application, the Geneva Tradition confers the protections of the LOAC primarily by assigning certain persons and places a legal status. A major part of international humanitarian law is contained in the four Geneva Conventions of 1949. Nearly every State in the world has agreed to be bound by them. While there were earlier Geneva Conventions (1864, 1906, and 1929), the current four treaties of 1949 are each devoted to protecting a specific category of war victims:

GC I: Wounded and Sick in the Field
GC II: Wounded, Sick, and Shipwrecked at Sea
GC III: Prisoners of War
GC IV: Civilians.

Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III), 8 December 2005

10 The Hague Conventions of 1899 and 1907 limited the means by which belligerent states could conduct warfare.

11 The Convention of 1864 had 10 articles, and provided implicit protections for the wounded and sick soldiers in the field who were out of combat, and the prohibition against attacking neutral personnel—medical and chaplains—who were assisting them. The 1906 Geneva Convention had 33 articles and gave explicit protections to the wounded and sick in the field and added what became GC II by addressing the care and protection of wounded and sick at sea. The 1929 Convention added the Prisoner of War protections that were updated in GC III.
The four Geneva Conventions that evolved from the earlier conventions of 1864, 1906, and 1929 were a comprehensive effort to protect the victims of war. In 1977, two treaties were drafted to supplement the 1949 Geneva Conventions: Additional Protocols I and II (AP I and AP II). The Protocols were motivated by the International Committee of the Red Cross’s belief that the 1949 Geneva Conventions and the Hague Regulations insufficiently covered certain areas of warfare in the conflicts following World War II, specifically aerial bombardments, protection of civilians, and wars of national liberation. Protocol I supplements rules governing international armed conflicts, and Protocol II extends the protections of the Conventions as they relate to internal armed conflicts. The Geneva Conventions of 1949, as well as its two Additional Protocols of 1977, further limited the means of warfare and provided protections to non-combatants civilians, and prisoners of war. In the aftermath of the atrocities of the Holocaust, the Genocide Convention of 1948 outlawed acts that were carried out with the intention of destroying a particular group. In addition to these conventions, international humanitarian law has been developed and refined through several statutes and precedents laid down by international tribunals set up to try war criminals, as well as advisory opinions the International Court of Justice.

Other sources for analysing the LOAC are written works (also referred to as travaux préparatoires (Treaty Commentaries) by official recorders of the drafting conventions for the major LOAC treaties (Jean Pictet for the 1949 Geneva Conventions and Yves Sandoz for the Additional Protocols). The commentaries provide critical explanations to many treaty provisions, and are therefore similar to legislative history in the domestic context. Military Publications. Military manuals are not sources of law in the context of creating law. Rather, such manuals are useful references in developing an understanding of the application of LOAC concepts within the military generally and specific services in particular.

Treaties like the Hague Convention of 1907 and the four Geneva Conventions are considered customary international law. They having been widely accepted by all civilised nations for about half a century, were by then part of the customary laws of war and binding on all parties whether the party was a signatory to the specific treaty or not. This means that even if a particular State has not ratified the treaties that State is still bound by the principles within each of the four treaties because they are merely a reflection of customary law that binds all States. As a practical matter, the customary international law status matters little because every State is currently a party to the Conventions.

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CHAPTER 6

THE MILITARY DECISION-MAKING PROCESS IN PEACE SUPPORT OPERATIONS

Stasys VILKINAS*

INTRODUCTION

Today, in the era of conflicts and crises, countries are developing their Military power [1] to strengthen National power: to defend the homeland, its sovereignty and interests outside the country. In April 1999 during a summit of the Heads of State and Government of the North Atlantic Treaty Organisation (NATO) in Washington D.C. committed their forces to defend the peace and stability in their regions and periphery. As all officers and enlisted personnel in the NATO’ Nations army we must be ready to join two types of NATO military operations – Article 5 Collective Defence Operations and non-Article 5 Crisis Response Operations (CRO). Peace Support Operations (PSOs) are continually developing within the context of Crises Response Operations.[2]

PSO is conducted impartially, normally in support of an internationally recognised organisation, such as the United Nations (UN), Organisation for Security and Co-operation in Europe (OSCE). During PSO nations and / or international organizations use the Peace Support Forces (PSF), diplomatic and humanitarian agencies to achieve a long-term political settlement or other specified condition. They involve a spectrum of activities, which may include Peace Enforcement and Peacekeeping as well as Conflict Prevention, Peacemaking, Peace Building and Humanitarian Relief.[2]

The commander of the Peace Support Troops (PST) will have to consider different aspects during his military planning process within all time dimensions (see Figure 1) of the PSO. Those aspects will address legal status of his troops, the environment where the PSO runs, parties of the conflict, influence of the media and other agencies operating in the Area of Operations (AO), transfer of responsibilities, allocation of the multinational contingents and local resources.[3]

The commander to develop the estimates and plans uses varieties of analytical approaches. One of those approaches is The Military Decision-Making Process (MDMP). “The Military Decision-Making Process is an interactive planning methodology that integrates the activities of the commander, staff, subordinate headquarters, and other partners to understand the situation and mission; develop and compare courses of action; decide on a course of action that best accomplishes the mission; and produce an operation plan or order for execution”[4] This deliberate planning process was used for Operation Iraqi Freedom (2002) [5].

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The MDMP can facilitate both collaborative and parallel planning with the higher headquarters, subordinate and adjacent units, supporting and supported units, military and civilian partners while using the planning meetings, warning orders. Before completing the plan commander might initiate necessary activities to his troops:

a. movements,

b. conduct task organization changes,

c. begin intelligence, surveillance, and reconnaissance (ISR) operations,

d. execute other preparation activities.

This manuscript is for the commanders, staffs and cadets in the military studying institutions to understand the military planning process while preparing for the PSO. It is based on the United States (US) Army manuals as this country has the most experience and the MDMP is used worldwide in different armies for kinetic and non-kinetic operations. „The MDMP is the genesis of operations“ [6] for the US Army tactical units. The MDMP process described in this manuscript focuses on planning for PSO.

6.1 THE STEPS OF THE MDMP PROCESS

The MDMP process consists of seven steps: Receipt of mission, Mission analysis, Corse of action (COA) development, COA analysis (War Game), COA comparison, COA approval and Order production (see Figure 2). Each of those steps has various inputs, a method to conduct them, and outputs. Those outputs lead to a better understanding of the situation and facilitate the next step. The staff performs all seven steps sequentially. However, commander can decide to revisit several steps with his staff and revise some products as they learn more about the situation before producing the plan or order.
The MDMP will be conducted as detailed as the time, resources, experience and the situation permits. All seven steps and sub steps of the MDMP is detailed, deliberate, and time-consuming, which is the biggest shortfall of using this methodology. Commander use the full MDMP when he have enough planning time and staff support to thoroughly examine two or more COAs and develop a fully synchronized plan or order. This typically occurs when planning for an entirely new mission.[4]

Commander might decide to alter the steps of the MDMP in order to meet the timeline and produce satisfactory plan. Within the given time, commander assesses the situation, update visualisation and direct the staff to omit some products and even the key outputs to fit time-constrained circumstances.

### 6.1.1 Receipt of mission

The purpose of this MDMP step is „to alert all participants of the pending planning requirements, determine the amount of time available for planning and preparation, and decide on a planning approach, including guidance on design and how to abbreviate the MDMP, if required”.[4] It consists of several tasks or activities, has key inputs and outputs (see Figure 3):

- **To alert** all needed staff members and informs about the pending PSO planning requirements.
- **To gathers the tools** needed to perform the planning.
- To prepare for the analysis staff members update their *running estimate*\(^{12}\).
- The commander and staff conduct an initial assessment of time and resources available to plan, prepare, and begin execution of the given operation.
- The commander determines whether to gather his staff and conduct design of the MDMP steps, or proceed directly into the MDMP. „In time-sensitive situations where commanders decide to proceed directly into the MDMP, they may also issue guidance on how to abbreviate the process. Having determined the time available together with the scope and scale of the planning effort, commanders issue initial planning guidance”. [4]

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\(^{12}\) *Running estimate* – the continuous assessment of the current situation used to determine if the current operation is proceeding according to the commander’s intent and if planned future operations are supportable.
The last task is to issue a Warning Order (WARNO) for the subordinate, adjacent and supported units. „This order includes at a minimum the type of operation, the general location of the operation, the initial timeline, and any movement or reconnaissance to initiate”.[4]

<table>
<thead>
<tr>
<th>KEY INPUTS</th>
<th>STEPS</th>
<th>KEY OUTCOMES</th>
</tr>
</thead>
<tbody>
<tr>
<td>– Higher headquarters’ plan or order or a new mission anticipated by the commander</td>
<td>Step 1 Receipt of Mission</td>
<td>– Commander’s initial guidance</td>
</tr>
<tr>
<td>– Status of the subordinate units</td>
<td></td>
<td>– Initial allocation of time</td>
</tr>
</tbody>
</table>

Warning Order

Figure 3. The MDMP 1st Step (Receipt of Mission) Key inputs and outputs

a. MISSION ANALYSIS

The MDMP second step „continues with an assessment of the situation called mission analysis”[4], which is the most important step in the MDMP. The purpose of this step is gather, analyze, and synthesize available information to understand the current conditions and of the operational environment. The main questions to answer are: what the command must accomplish, when and where it must be done, and most importantly why (the purpose of the operation).

As the receipt of mission this step has key inputs and outputs (see Figure 4), the second step of the MDMP has several tasks and activities, too:

6.1.1.1 The staff Analyze the Plan or Order received from the higher headquarters to completely understand:

i. the higher Commander’s intent,
ii. mission, concept of the received PSO,
iii. available assets,
iv. timeline,
v. the missions of adjacent, supporting, and supported units and their relationships to the higher, headquarters’ plan,
vi. the missions of interagency, intergovernmental, and nongovernmental organizations that work in the operational areas, their assigned area of operations.

6.1.1.2 They must perform Initial Intelligence Preparation of the Battlefield (IPB).[4] This process begins in during the mission analysis and continues throughout the operations process. The staff creates several products to develop and maintain an understanding of the adversary, former fighting fractions, neutrals, government and non-government organizations, terrain and weather, legal situation, rules of engagement and key civil considerations.

6.1.1.3 As the next task, the staff analyse order or plan to Determine Specified, Implied and Essential tasks. The task in the mission statement will always answer question

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13 Warning Order – a preliminary notice of an order or action that is to follow.
14 Intelligence Preparation of the Battlefield (IPB) is a systematic, continuous process of analyzing the threat and operational environment in a specific geographic area (for more detailed information see FM 2-0.13).
15 A specified task is a task specifically assigned to a unit by its higher headquarters (for more detailed information see FM 5-0).
16 An implied task is a task that must be performed to accomplish a specified task or mission but is not stated in the higher headquarters’ order (for more detailed information see FM 5-0).
17 An essential task is a specified or implied task that must be executed to accomplish the mission (for more detailed information see FM 5-0).
“what”. The essential tasks are selected from the list of specified and implied tasks, which staff founds in the higher headquarters plan or order.

6.1.1.4 The staff Review Available Assets and Identify Resources Shortfalls to understand if they can accomplish all given tasks. If shortages where found, the staff must identify additional resources for mission success. While analysing the assets and resources staff must consider all civilian and military capabilities in their AO.

6.1.1.5 As the fifth task, „the commander and his staff identify any constraints placed on their command“[18].

6.1.1.6 It is not the secret that all plans and orders are based on facts and assumptions. So the next task for the commander and staff is to gather those facts[19] and develop assumptions[20] to build their own plan. „Facts concerning the operational and mission variables serve as the basis for developing situational understanding, for continued planning, and when assessing progress during preparation and execution. In the absence of facts, the commander and staff consider assumptions from their higher headquarters and develop their own assumptions necessary for continued planning“[4]

6.1.1.7 The chief of force protection or Chief of operations (S-3) integrates the risk provided by all staff members into the MDMP. This activity is named – Composite Risk Management (CRM)[21]. All staff sections integrate CRM for hazards within their functional areas. The first four steps of CRM conduce in the MDMP

6.1.1.8 Mission analysis identifies gaps in Information Required (IR)[22] for further planning and decision-making during preparation and execution. As the next task, the staff develops Commander’s Critical Information Requirements and Essential Elements of Friendly Information (CCIR). The CCIRs combine information that must be collected about subordinate and adjacent units capabilities and resources (it is called the Friendly Force Information Requirements (FFIRs)) and information required about adversary and neutrals (it is called Priority Intelligence Requirements (PIRs)). The staff also identifies and nominates an element of information to protect (it is called the Essential Elements of Friendly Information (EEFIs)). „Although EEFIs are not CCIRs, they have the same priority as CCIRs and require approval by the commander“. [4]

6.1.1.9 The next two tasks for the commanders and staffs are to develop Initial Intelligence, Surveillance and Reconnaissance (ISR) plan and ISR synchronization plan. Developed CCIRs guides staffs in planning of ISR activities. As suggested in FM 5-0, ISR synchronization accomplishes the following:

- identifies requirements and intelligence gaps,
- evaluates available assets (internal and external) to collect information,
- determines gaps in the use of those assets,
- recommends those ISR assets controlled by the organization to collect on the Information requirements (IRs),
- submits Requests for Information (RFIs) for adjacent and higher collection support,

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18 A constraint is a restriction placed on the command by a higher command. A constraint dictates an action or inaction, thus restricting the freedom of action of a subordinate commander (for more detailed information see FM 5-0).

19 A fact is a statement of truth or a statement thought to be true at the time.

20 An assumption is a supposition on the current situation or a presupposition on the future course of events, either or both assumed to be true in the absence of positive proof, necessary to enable the commander in the process of planning to complete an estimate of the situation and make a decision on the course of action

21 Composite Risk Management is the process of identifying, assessing, and controlling risks arising from operational factors and of making decisions that balance risk costs with mission benefits (See FM 5-19).

22 Information requirements are all information elements the commander and staff require to successfully conduct operations.
v. the chief of intelligence submits information gathered during ISR synchronization to the operation staff for integration and development of the ISR plan.

The initial ISR plan is crucial to begin and adjust the collection efforts in order to develop best plan possible for PSO. It is common to despatch ISR assets to start information gathering after finishing the Mission Analysis step of the MDMP.

6.1.1.10 The commanders and chief of staffs refine the PSO planning timeline. It includes:

i. the subject, time, and location of briefings the commander requires,

ii. times of collaborative planning sessions and the medium over which they will take place,

iii. times, locations, and forms of rehearsals.

6.1.1.11 The chief of staff or operations officer prepares a proposed mission statement for the unit based on the mission analysis. The mission statement contains the elements of who, what, when, where, and why, but seldom specifies how.

6.1.1.12 The mission analysis briefing informs the commanders of the results of the analysis of the situation and helps to understand, visualize and describe the mission. The briefing outlines:

i. Mission and commanders intent of the headquarters two levels up.

ii. Mission, commander’s intent, and concept of operations of the headquarters one level up.

iii. A proposed problem statement.

iv. A proposed mission statement.

v. Review of the commander’s initial guidance.

vi. Initial IPB products, including legal status in AOR, Rules of engagement and civil considerations that impact the conduct of operations.

vii. Specified, implied, and essential tasks.

viii. Pertinent facts and assumptions.

ix. Constraints.

x. Forces available and resource shortfalls.

xi. Initial risk assessment.

xii. Proposed information themes and messages.

xiii. Proposed CCIRs and EEFIs.

xiv. Initial ISR plan.

xv. Recommended timeline.

xvi. Recommended collaborative planning sessions.

6.1.1.13 After the briefing the commander develop and issue Initial Commanders Intent, Initial Planning Guidance and Course of Action Evaluation Criteria to guide the staff for the following MDMP steps. „The initial commander’s intent links the operation’s purpose with conditions that define the desired end state“.\[4\] „The initial planning guidance outlines an operational approach – the broad general actions that will produce the conditions that define the desired end state. The guidance should outline specific Course of Actions (COAs) the commander desires the staff to look at as well as rule out any COAs the commander will not accept“\[4\]

6.1.1.14 Immediately after the commander gives the planning guidance, the staff sends subordinate and supporting units a second WARNO that contains: the approved mission

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23 A mission statement is a short sentence or paragraph that describes the organization’s essential task (or tasks) and purpose – a clear statement of the action to be taken and the reason for doing so.

24 Evaluation criteria are factors the commander and staff will later use to measure the relative effectiveness and efficiency of one COA relative to other COAs.
statement, the commander’s intent, changes to task organization, the unit AO (sketch, overlay, or some other description), CCIRs and EEFIs, risk guidance, priorities by warfighting functions, essential stability tasks, Specific priorities.

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<tr>
<th>KEY INPUTS</th>
<th>STEPS</th>
<th>KEY OUTPUTS</th>
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<tbody>
<tr>
<td>– Higher headquarters’ plan or order&lt;br&gt;– Higher headquarters’ knowledge and intelligence products&lt;br&gt;– Knowledge products from other organizations&lt;br&gt;– Update running estimate&lt;br&gt;– Initial commander’s guidance&lt;br&gt;– Design concept (if developed)</td>
<td>Step 2&lt;br&gt;Mission Analysis</td>
<td>– Approved mission statement&lt;br&gt;– Initial commander’s intent&lt;br&gt;– Initial planning guidance&lt;br&gt;– Initial CCIRs and EEFIs&lt;br&gt;– Updated IPB products and running estimate&lt;br&gt;– Assumption&lt;br&gt;– Resource shortfalls&lt;br&gt;– Update operational timeline&lt;br&gt;– COA evaluation criteria</td>
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Figure 4. The MDMP 2nd Step (the Mission Analysis) Key inputs and outputs

b. COURSE OF ACTION DEVELOPMENT

The purpose of COA development step is to generate options for follow-on analysis and comparison that satisfy the commander’s intent and planning guidance. “During COA development, planners use the problem statement, mission statement, commander’s intent, planning guidance, and the various knowledge products developed during mission analysis to develop COAs”. [4] When commander approves the COA it is converted into the concept of operations. When producing a COA staff must make sure that, it is valid according the following screening criteria: feasible, acceptable, suitable, distinguishable and complete.25. Good COA helps to meet threats in time and with the best capabilities, commanders have in their possession.

The COA Development step has several key inputs and outputs (see Figure 5) of the MDMP and addresses of eight tasks:

i. The first task for the staff is to Assess relative combat power.26 For PSO, staff often determines relative combat power by comparing available capabilities and resources to selected specified or implied stability or civil support tasks. “This is known as troop-to-task analysis. This analysis provides insight as to what options are available and whether more resources are required. In such operations, the elements of sustainment, movement and manoeuvre, nonlethal effects, and information may dominate”. [4]

ii. After assessing the relative combat power and based on the commander’s guidance staff Generates options. This task requires the creativity, good imagination and open mind from all staff members. The well-developed COA will defeat all assessed threats and accomplish all developed essential tasks, which might occur during the PSO. While developing COA staff must start planning with the decisive operation and then consider the shaping operation. Decisive operation must enable the success of the higher headquarters’ concept of operations. Where the shaping operations must preserve and create the conditions for the decisive operation to be a success (depending on the commander’s intent, the staff might develop the plan in phases). The COA planning will be finished with development of the sustaining

26 Combat power is the total means of destructive, constructive, and information capabilities that a military unit/formation can apply at a given time (for more detailed information see US ADP 3-0, Unified Land Operations, 2011).
operations. This part is necessary in order to develop and maintain needed combat powers though all PSO.

iii. Planners must Array forces and capabilities to accomplish task and purposes for the PSO decisive, shaping and sustaining operations. While conducting a troop-to-task analysis the staff determines the type of units and capabilities commander will need to accomplish all determined tasks and purposes. Planners normally array available assets and capabilities available at two levels down.

iv. The next task for staff is to describe how arrayed forces will accomplish the mission within the commander’s intent in the Broad concept for all developed COAs. The broad concept includes the following[4]:
1. The purpose of the operation.
2. A statement of where the commander will accept risk.
3. Identification of critical friendly events and transitions between operations.
4. Designation of the decisive operation, along with its task and purpose, linked to how it supports the higher headquarters’ concept.
5. Designation of shaping operations, along with their tasks and purposes, linked to how they support the decisive operation.
6. Designation of sustaining operations, along with their tasks and purposes, linked to how they support the decisive and shaping operations.
7. Designation of the reserve, including its location and composition.
8. ISR operations.
11. Identification of manoeuvre options that may develop during an operation.
12. Assignment of subordinate AOs.
13. Scheme of fires.
15. Military deception operations.
16. Key control measures.

v. During this task the staff creates a task organization by assigning headquarters to groupings of forces. „They consider the types of units to be assigned to a headquarters and the ability of that headquarters to control those units“. [4] The number and type of units assigned to a headquarters for PSO will vary based on factors of METT-TC.

vi. To summarise and visualise analyses and the work done during the COA development step the operation officer prepare statement and supporting sketch for each COA. „The COA statement clearly portrays how the unit will accomplish the mission. The COA statement should be a brief expression of how the concept will be conducted. The sketch provides a picture of the movement and manoeuvre aspects of the concept, including the positioning of forces. Together, the statement and sketch cover the who (generic task organization), what (tasks), when, where, and why (purpose) for each subordinate unit“. [4]

vii. As a final task and activity the staff briefs commander about the COAs. While Conducting a COA Briefing staff will present:
1. An updated IPB.
2. Possible adversary COAs.
3. The approved problem statement and mission statement.
4. The commander’s and higher commander’s intent.

27 METT-TC – (In the context of information management) the major subject categories into which relevant information is grouped for military operations: mission, enemy, terrain and weather, troops and support available, time available, civil considerations (for more details see FM 6-0).
5. COA statements and sketches.
6. The rationale for each COA, including:
   – considerations that might affect enemy COAs,
   – critical events for each COA,
   – deductions resulting from the relative combat power analysis,
   – the reason units are arrayed,
   – the reason the staff used the selected control measures,
   – the impact on civilians, NGOs, media, other former fighting factions,
   – how it accounts for minimum essential stability tasks,
   – updated facts and assumptions,
   – refined COA evaluation criteria.

viii. „After the COA briefing, the commander selects or modifies those COAs for continued analysis. The commander also issues planning guidance. If all COAs are rejected, the staff begins again. If one or more of the COAs are accepted, staff members begin COA analysis. The commander may create a new COA by incorporating elements of one or more COAs developed by the staff. The staff then prepares to war-game this new COA. The staff must incorporate those modifications and ensure all staff members understand the changed COA“. [4]

<table>
<thead>
<tr>
<th>KEY INPUTS</th>
<th>STEPS</th>
<th>KEY OUTPUTS</th>
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<tbody>
<tr>
<td>– Approved mission statement</td>
<td>– Step 3 Course of Action (COA) Development</td>
<td>– Commander’s selected COAs for War-gaming COA statements and sketches</td>
</tr>
<tr>
<td>– Initial commanders intent, planning guidance, CCRs and EEFIs</td>
<td></td>
<td>– Tentative task organisation</td>
</tr>
<tr>
<td>– Design concept (if developed)</td>
<td></td>
<td>– Broad concept of operations</td>
</tr>
<tr>
<td>– Specified and implied tasks</td>
<td></td>
<td>– Revised planning guidance</td>
</tr>
<tr>
<td>– Updated IPB and running estimate</td>
<td></td>
<td>– War-gaming guidance</td>
</tr>
<tr>
<td>– Assumptions</td>
<td></td>
<td>– Evaluation criteria</td>
</tr>
<tr>
<td>– COA evaluation criteria</td>
<td></td>
<td>– Updated running estimates and IPB products</td>
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<td>– Updated assumptions</td>
<td></td>
<td>– Updated assumptions</td>
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Figure 5. The MDMP 3rd Step (the COA development) Key inputs and outputs

c. COURSE OF ACTION ANALYSIS AND WAR-GAMING

The purpose of this step is to enables commander and staff to „identify difficulties or coordination problems as well as probable consequences of planned actions for each COA being considered“. [4] The commander and staff during the analysis of the COAs might uncover potential execution problems, decisions and contingencies. Several key inputs are used, and several key inputs are developed (see Figure 9). After the analysis step completed the commander and staff might decide to restart the planning process. War-gaming process has specific „rules and steps that attempt to visualize the flow of the operation, given the force’s strengths and dispositions, adversary’s capabilities and possible COAs, impact and requirements of civilians in the AO, and other aspects of the situation“. [4] During the war-game each nominated critical event of a COA should address the action, reaction and counteraction method of friendly, adversary, civilians and other players interaction.

During the step commander and staff execute those tasks and activities:
i. To begin this MDMP step staff must gather the tools needed for the analysis and wargaming: running estimate; event template; a recording method; completed COAs (with graphics); a means to post or display adversary, friendly units and other players; the map of the AO. Staff can add other tools if they are feasible for the analysis.
ii. To choose, the most suitable plan for the staff must list all friendly forces, which will be considered during the war-gaming. For continued validity and necessity, the staff review developed assumptions. To facilitate war-gaming in time and space the staff list known critical events and decision points. Critical events in PSO must include all actions and / or reactions of adversaries, former fighting fractions, civilians, local officials and other key players. To make timely decision for listed critical events commander with his staff chooses points and lines in space and time.

iii. Before the execution of the analysis, the commander has to select the war-gaming method. Most common war-gaming methods are called: belt, avenue-in depth and bow.

In PSO, „the belt method can divide the COA by events, objectives (goals not geographic location), or events and objectives in a selected slice across all lines of effort. It consists of war-gaming relationships among events or objectives on all lines of effort in the belt”.[4] (see Figure 6.)

![Figure 6. Sample modified belt method using lines of effort.[4]](image)

The avenue-in-depth method focuses on one line of effort at a time, beginning with the decisive line (see Figure 7). „It includes not only war-gaming events, objectives, or events and objectives in the selected line, but also war-gaming relationships among events or objectives on all lines of effort with respect to events in the selected line.

![Figure 7. Sample modified avenue-in-depth method using lines of effort. [4]](image)
The box method most likely will “focus analysis on a specific objective along a line of effort such as development of local security forces as part of improving civil security”[4] (See Figure 8.).

The next task to staff is to provide a record from which they will build task organization, synchronize activities, develop decision support template, confirm and refine event template, prepare plans and orders and compare COAs. For this, they will Select a technique to record and display results. Two techniques [4] facilitate this task: synchronization matrix and sketch note.

The most complex task in this MDMP step is to War-game the Operation and assess the Results. It helps to visualize the operation while using friendly capabilities, their strength and disposition, adversary’s capabilities and assumed COAs and other players during the PSO. When analyzing each selected event, staff is trying „to foresee the actions, reactions, and counteractions of all participants to include civilians“. [4] This helps to identify strengths and weaknesses of each COA and get ready to adjust it as necessary. „An effective war game results in the commander and staff refining, identifying, analyzing, developing, and determining several effects”.

The last optional task and activity for the staff during step 4 is to Conduct a war-game briefing. The briefing format includes: higher headquarter’ mission, commander’s intent; update of IPB products; adversary and friendly COAs war-gamed; assumptions and war-gaming technique used.

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<thead>
<tr>
<th>KEY INPUTS</th>
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<th>KEY OUTPUTS</th>
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| – Update IPB products  
– Updated running estimates  
– COA statements and sketches  
– Revised planning guidance  
– Updated assumptions | Step 4  
COA Analysis  
(War Game) | – Refined COAs  
– Synchronization matrices  
– Decision points and decision time  
– War-game results  
– Initial assessment measures  
– Updated assumptions  
– Updated running estimates |

Figure 9. The MDMP 4th Step (the COA analysis) Key inputs and outputs

28 For details on the War-game the operation and assess the results task see US FM 5-0, The Operations Process, 2010.
d. COURSE OF ACTION COMPARISON

COA comparison is an objective process to evaluate COAs independently of each other and against set evaluation criteria approved by the commander and staff. The purpose is to identify the strengths and weaknesses of friendly COAs, enable their selecting with the highest probability of mission success. There are several key inputs and key outputs for this step listed in Figure 10.

i. This MDMP step starts with the staff analysis and evaluation of the advantages and disadvantages for each COA from the perspective of all staff members. Each staff member will present findings during the analysis of COAs to others for their considerations while using evaluation criteria, which were selected by the commander. The outcome is the collection of advantages and disadvantages for each COA to each criteria.

ii. To generalize key outputs and recommendations for commander in order for him to make the best decisions, staff Compare COAs. There are different techniques to facilitate comparison of COAs. They are in detail described in FM 5-0.

iii. The final task in this step for the staff is to Conduct a COA decision briefing. This briefing will include: commanders intent for two levels up; the status of own forces; the current IPB; the COAs considered (assumptions, results for running estimates, a summary of each COA, advantages and disadvantages for each COA, the recommended COA).

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<tr>
<th>KEY INPUTS</th>
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<th>KEY OUTPUTS</th>
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<tr>
<td>– Updated running estimates</td>
<td>Step 5</td>
<td>– Evaluated COAs</td>
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<tr>
<td>– Refined COAs</td>
<td>COA Comparison</td>
<td>– Recommended COAs</td>
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<tr>
<td>– Evaluation criteria</td>
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<td>– Rational to select COA</td>
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<tr>
<td>– War-game results</td>
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<td>– Updated running estimates</td>
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<td>– Updated assumptions</td>
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<td>– Updated assumptions</td>
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Figure 10. the MDMP 5th Step (the COA comparison) Key inputs and outputs

e. COURSE OF ACTION APPROVAL

The MDMP Course of action approval step is for commander to make a decision which COA will be used to accomplish the mission. During this step commander might decide to modify or give to the staff the entire different COA. If this happened, the staff war-games the new COA and present results to commander with recommendations. If commander selects the COA he will issue final planning guidance, CCIRs and commanders intent (if needed). Together with the planning guidance commander issue the risk he accepts. „However, a commander must obtain the higher commander’s approval to accept any risk that might imperil accomplishing the higher commander’s mission”.

When decision for COA is made, staff issues a WARNO to subordinate elements. The WARNO normally contains: mission, commander’s intent, updated CCIRs and EEFIs, concept of operations, the AO, principal tasks assigned to subordinate units, preparation and rehearsal instructions not included in the SOPs, a final timeline for the operations.

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<tr>
<th>KEY INPUTS</th>
<th>STEPS</th>
<th>KEY OUTPUTS</th>
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<tbody>
<tr>
<td>– Evaluated COAs</td>
<td>Step 6</td>
<td>– Commander select COA and modifications</td>
</tr>
<tr>
<td>– Recommended COAs</td>
<td>COA Approval</td>
<td>– Refined commander’s intent, CCIRs and EEFIs</td>
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<tr>
<td>– Updated running estimates</td>
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<td>– Updated assumptions</td>
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<td>– Updated assumptions</td>
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Figure 11. The MDMP 6th Step (the COA approval) Key inputs and outputs
f. ORDER PRODUCTION

The last step of the MDMP is the time for the staff to prepare the plan or order by turning the selected COA into a clear, concise concept of operation and required supporting information. „Orders and plans provide all the information subordinates need for execution“. Before the staff delivers order the commander will review and approve it unless he have delegated that authority. „If possible, the order is briefed to subordinate commanders face-to-face by the higher commander and staff. The commander and staff conduct confirmation briefings with subordinates immediately afterwards. Confirmation briefings can be done collaboratively with several commanders at the same time or with single commanders“.[4]

2. SUMMING-UP

The MDMP is intended as a planning tool for the primary staff of battalion size units and larger. The process consists of seven steps: Receipt of mission, Mission analysis, Corse of action (COA) development, COA analysis (War Game), COA comparison, COA approval and Order production, which were described above. The Mission analysis plays the main role in the MDMP. It is common to provide thirty percent of the planning time for this step. Same amount of time is given to the staff to analyse, compare and approve COA. Various MDMP inputs, a method to conduct those inputs, and outputs lead a staff to a better understanding of the situation and facilitate the next step. All steps are performed sequentially. The finalised plan or order is issued to subordinate units. This time consuming method (the MDMP) is practiced in several nations. After the undergone minor changes, the MDMP remains a valuable tool for the planning of kinetic and non-kinetic operations.

REFERENCES