



# Politicization of the UNHCR After the Cold War

## Citation

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Politicization of the UNHCR After the Cold War

Gail L.G. Kirtley

A Thesis in the Field of History  
for the Degree of Master of Liberal Arts in Extension Studies

Harvard University

May 2023



## Abstract

The United Nations High Commissioner for Refugees is the United Nations global face for refugee protection. It has guided the world through its moral obligation to protect populations made vulnerable from conflicts for more than 70 years. However, it did not begin as a global participant. Instead, it was established to meet the immediate needs of European refugees after WWI and again after WWII. Its mandate was not expected beyond that. However, the UNHCR has survived, not because it wanted to but because it had to. The global environment that the organization operates in today is very different than the environment that existed just a decade ago. Still, the UNHCR adapts to the ever-changing political and physical environment created for it.

The thesis here unpacks a short period in the UNHCR's history and attempts to explain the challenges faced and the adaptability of the organization. The investigation compares the political influence before and after the Cold War and explains why the UNHCR has always and will remain the target of political pressure. Nation states created it, gave it moral power, and accepted its expertise but as you will see the UNHCR refugee protection and humanitarian aid operations were always carried out while the organization was managing influence and pressure from donor states.

For their part, donor states exerted influence over the UNHCR either directly, by withholding funding or indirectly, by failing to uphold with agreements that bind them to international law and convention. The outcome has been dire for refugees and innocent

populations displaced by conflict. Millions of people after the Cold War who were trying to find safety were placed in and remained in refugee camps for generations, murdered, or forgotten by the global community. The UNHCR leading the global humanitarian aid effort performed admirably at times and failed at times, but failures can and should be laid at the doorsteps of nation states and the international community.

Sadly, the global refugee population is again growing and challenges facing the UNHCR are again shifting, this time due to increasing occurrences of natural disasters. Nation states have a road map that could be referenced as a guide to help set national strategic priorities that include refugee protection. It is unlikely to occur in authoritarian regimes or in liberal democracies as either rarely learn from history when developing humanitarian policies in the context of national security or economic strategies.

Below offers an introduction to the UNHCR that includes a description of its birth and the purpose for which it was intended following WWI; how early UNHCR leadership navigated global politics to save many refugees immediately after WWII; and the global strategic competition it navigated for 70 years during the Cold War. Its introduction is followed by a description of the global chaos in the decade following the end of the Cold War as new conflicts played out in one corner of the world, the former Yugoslavia.

The Yugoslav enclave of Srebrenica was selected as a case study because the horrific events there could have been mitigated by shoring up security using military force and protecting the aid support provided by the UNHCR and humanitarian aid organizations. Although critics of the UNHCR place culpability for failures in Srebrenica and the other Muslim enclaves on the organization's poor operational planning and inadequate policies, you will see that Nation states bear the burden. In an ideal world,

nation states would have moved refugee protection forward using lessons learned from Srebrenica. You will also see that they did not and as the global refugee crisis continues to shift, it is again unlikely that the big nation states will develop national security and economic strategies in consonance with policies that bring adequate resources to bear for refugee protection and humanitarian aid.

## Frontispiece



*The photos in the frontispiece are a compilation of images that highlight the expanse of the UNHCR's global mission. Credit for the images are as follows:*

- <https://nursingclio.org/2018/11/14/searching-for-a-warm-home-women-and-the-italian-refugee-crisis-of-world-war-i/>
- <https://www.cfr.org/background/un-security-council>
- [https://www.thesun.co.uk/news/2327820/plight-of-refugees-past-and-present-documented-in-series-of-powerful-and-incredible-images/..](https://www.thesun.co.uk/news/2327820/plight-of-refugees-past-and-present-documented-in-series-of-powerful-and-incredible-images/)

## Author's Biographical Sketch

Gail Kirtley is a graduate student in Harvard's extension program majoring in the field of History. Ms. Kirtley conducted research on the Post-Cold War politicization of the United Nations High Commissioner for Refugees (UNHCR). She has worked in government for 34 years spanning five government agencies and holds a Bachelor of Arts degree in Political Science and a Master of Arts in National Security Studies. Since 2011, she has authored and guided the production of government documents and reports that have been used to inform United States government senior leaders and policy makers. Ms. Kirtley's extensive career in the public sector has provided her the opportunity to work closely with senior military commanders in combat zones, advise U.S. Ambassadors and engage with senior Defense Department leaders, particularly during critical moments that challenged U.S. national security interests and strategies.

She became interested in studying the influence of nation state strategic interests on international humanitarian organizations and programs in 2004 after visiting the United Nations. There she met with UN personnel that described the challenges they faced when planning and executing humanitarian operations to protect people at the center of conflict. As an undergraduate student at California State University, San Bernardino, she was able to return to the United Nations again, an experience that encouraged her to continue her academic career and attain a master's degree in National Security Studies. Her professional capability has been significantly enriched by



unanticipated opportunities to be a part of the vibrant lives of people all over the world and to view the complex relationships that exist between individuals and the states in which they live. Ms. Kirtley currently lives and works in Europe with her husband.

## Dedication

To my husband and children who patiently waited for the next paragraph to be written and rewritten.

## Acknowledgments

I have wanted to research the UNHCR since I first became interested in refugee protection and the global impact of national policies on refugee protection and humanitarian aid. The UNHCR is unique among the many organizations that focus on international aid because it has a long-standing global mission to ensure fundamental human rights of refugees and displaced persons. It is often constrained by the interest of nation states, but it has stepped beyond its constraints to meet challenges in ways that were unexpected by the United Nations and the international community.

This investigation was new to me, and I am grateful to the faculty at Harvard that supported me throughout this journey. When I looked back at some of the ideas that I presented to my thesis advisor, Dr. Michael Miner and my thesis director, Dr. Danilo Mandic, I gained a greater appreciation for their approach in academic leadership, their patience, and amazing work they did to support my academic development.

I want to express my gratitude for the research support I received from the Hollis team. On more than one occasion, I contacted them and was never disappointed--they can locate and help a researcher find anything.

The opportunity to sit down and have open discussions with former Ambassador Alexander “Sandy” Vershbow and Deputy Ambassador to the United Kingdom, Matthew Palmer was a privilege. Both respected gentlemen were present during moments in Washington when U.S. administrations were grappling with balancing American moral obligations and national strategic priorities. Thank you for your candor.

I would like to add a special thanks to my professional colleagues that supported me along the way, particularly during frequent absences from meetings and hurried departures to get this over the finish line.

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## Terms

For a better understanding of study, the following terms are defined in the context of this research.

ARBiH	Army of the Republic of Bosnia and Herzegovina
Assimilation	The process of adapting or adjusting to the culture of a group or host nation
BSA	Army of Republika Srpska; in English the Bosnian Serb Army
COA	Course of Action
Cross Issue Persuasion	Conditions under which one state convinces another state that refugee protection is linked to broader interests, not only humanitarian interests
GWOT	Global War on Terror
Host Nation	Nations that allow refugee and vulnerable population to enter sovereign territory
Human Security	A combination of security and stability of refugee host nations and the safety and dignity of the refugee individual.
HVO	Croatian Defense Council—The army fighting on behalf of Croatian interests
ICFY	International Conference on the Former Yugoslavia
ICRC	International Committee of the Red Cross
IDP	Internationally Displaced person
IRO	International Refugee Organization

Intergovernmental	An entity created by treaty, involving two or more nations, to work in good faith, on issues of common interest
Integration	The process by which immigrants become accepted into society, both as individuals and as groups
Issue linkage	A method used to combine issues during interstate negotiations to encourage states to cooperate
JNA	Yugoslav People's Army and successor to the BSA
League of Nations	Predecessor organization to the UN
NGO	Nongovernmental organizations
NWO	New World Order-- a political situation in which the countries of the world are no longer divided because of their support for either the U.S. or the Soviet Union and instead work together to solve international problems. Expected to come into existence after the collapse of Communism in eastern Europe and the end of the Cold War
OSCE	Organization for the Security and Cooperation in Europe
Refugee	A person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, or membership of a particular social group or political opinion, is outside of country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country. Someone who has been forced to flee his or her country because of persecution, war, or violence
Security	The United Nations Universal Declaration of Human Rights defines security as the right of the person and is combined with the right to life and liberty.
UNHCR	Office of the United Nations High Commissioner for Refugees
UNPROFOR	United Nations Protection Forces

## Chapter I

### Research Methods

The premise of this paper is straightforward. The United Nations High Commissioner for Refugees is an organization created to support, not dictate, nation state responses to the global refugee crisis. The purpose of this chapter is to introduce the research methodology for this qualitative grounded study regarding the post-Cold War politicization of the United Nations High Commissioner for Refugees (UNHCR). This approach allowed for a deeper understanding of the critical shifts in UNHCR policy and field operations, providing a roadmap to arrive at reasonable conclusions. It addresses the data in an attempt to fully understand the history of political impacts on significant changes in the UNHCR and the outcomes that are borne by refugees and IDPs.

### Methodology Selected

This thesis relied on archival research and secondary sources, particularly for the period before the end of the Cold War. For more recent information the sources are derived from first person interviews, either in person or pre-recorded, primary sources such as government reports and declassified policies and secondary sources that offered unique insights. The purpose of this study was to compare political influence that altered the UNHCR's capacity to carry out field operations and to fulfill its mandate to protect refugee populations after the Cold War, a qualitative approach was the most appropriate choice to compare the organization's political pressures before and after the Cold War.



## Research Limitations

The scope and breadth of the UNHCRs responsibilities presented challenges to narrowing data and case studies. Gathering input from primary and secondary sources that avoided biases about UNHCR and humanitarian aid operations was similarly difficult. Archival research on primary policy was readily available but offered limited visibility into the outcome of policy decisions from practitioners and refugees, as is often the case when studying the outcome of public policy on global human populations. Proximity to individuals who were directly impacted by nation state policy vis-a-vie Srebrenica presented a problem when attempting to accurately describe the urgency required to end human suffering.

## Case Studies

A case study of Srebrenica, Bosnia-Herzegovina was conducted to study in detail a real-world event in order to gain contextual and in-depth knowledge about this subject. This paper analyzes one primary case to establish complexities that repeatedly contribute to or inhibit successful outcomes. The case study also represents ongoing issues at play in the global humanitarian aid regimen and are therefore relevant both to current as well as future outcomes. The case study focuses on a description of the issue followed by an analysis of the narratives of the facts as they occurred from the various stakeholders. This analysis is then explored for potential lessons regarding contributory and or constraining factors for future positive outcomes.

The Srebrenica case is defined as a critical instance case study. It was used to determine the cause of politicization on the capacity for the UNHCR to effectively lead and conduct humanitarian and refugee protection operations. It involved deep examination of the breakup of Yugoslavia in 1991 to the massacre in Srebrenica and the global response in 1995. The study confirmed that the UNHCR is subject to international political pressures brought about by national policies and strategic goals, and that political pressure existed before and after the Cold War.

Employing a case studies methodology satisfied the goal to focus on a unique period in global refugee policy directly after the Cold War that could have yielded a vastly different outcome if powerful countries had utilized political and military pressure to intervene in an interstate conflict. The case study and the analysis in the thesis has the potential to inform government strategic policy in the future.

### Literature Review and Primary Sources

The premise of the thesis is that little has been written that captures the significant impact global politics has on shifting policies and operational outcomes in the UNHCR. There is an abundance of disparate literature buried in larger assessments of the UNHCRs history, but few describe political strategies and the resulting constraints on effectively leading the global refugee and humanitarian aid effort.

Analysis of scholarly material that is already in circulation and archived reports to assess the validity of interviews and primary sources derived from the U.S. officials, the United Nations and the United Nations High Commissioner for Refugees. A significant

portion relies on the writings of Gil Loscher, Samantha Power, and Michael Innes, who are foremost leaders in global security, humanitarian aid, and refugee protection.

The United States declassifies general national defense strategies (NDS), and executive orders (EO), which are available through the National Archives and from the Office of the Director of National Intelligence (ODNI). The documents available allow researchers to track major changes in U.S. policies. The U.S. policies during the time period offer a rich body of policy perspectives and demonstrate the indecisiveness of the presidential administrations involved in making policy.

#### Semi-Structured Interviews

Two interviews were conducted with key practitioners involved in formulating Clinton Administration policy. They were able to deliver key insights that revealed the chaotic environment that fed into the decision to, at first, resist entering the war and then to conclude that the humanitarian cost was too great to ignore and therefore enter the war. No interview participant had a direct relationship with the researcher that would represent a conflict of interest.

## Chapter II

### The United Nations High Commissioner for Refugees

The UNHCR is the global leader in refugee protection and humanitarian aid facilitation. To gain a more complete understanding of the UNHCR and how it operated following the Cold War, one should understand how it began and that the creation of the UNHCR and the global refugee framework that emerged was predicated on a global effort to prevent the mass suffering and human atrocities committed during WWI and WWII. However, the UNHCR and global humanitarian programs are flexible entities. Their continued existence and therefore their capacity to serve the global populations that are most in need, depend on the nation states that lend access to territory, provide resources, and defer to the UNHCR's moral compass. Therefore, the UNHCR's flexibility allows it to adapt to the international environment, particularly the international environment that emerged after the Cold War.

There are many governmental, intergovernmental, and non-governmental organizations involved in humanitarian aid and refugee protection. The United Nations High Commissioner for Refugees (UNHCR) is mandated to lead and coordinate international action to protect refugees and address humanitarian aid requirements worldwide. It partners with refugee protection and aid organizations that, by the nature of their creation typically limits an organization's remit to assisting local or regional populations. UNHCR personnel enlist the support of regional and local organizations, shore up local resolve and provide assurances that humanitarian aid is sustained after the UNHCR departs.

However, humanitarian aid is a secondary mandate for the organization. The UNHCR's primary purpose is to safeguard the rights and well-being of refugees. The organization affirms that its mandate is to ensure that anyone impacted by conflict can exercise the right to seek asylum and find safe refuge. The UNHCR primarily offers three options to refugees and displaced persons: return home voluntarily, integrate locally, or resettle in a third country. However, sometimes none of those are available, leaving refugees in camps for extended periods. It also asserts that the agency is mandated to help those people who are stateless. (United Nations: Office of the Secretary-General's Envoy on Youth--UNHCR n.d.)

The UNHCR is the global leader in refugee protection and humanitarian aid facilitation. To gain a more complete understanding of the UNHCR and how it operated following the Cold War, one should understand how it began and that the creation of the UNHCR and the global refugee framework that was formalized was predicated on a global effort to prevent the mass suffering and human atrocities committed during WWI and WWII. However, from the framework that created the UNHCR appears, it and global humanitarian programs are flexible entities. Their continued existence and therefore their capacity to serve the global populations that are most in need, depend on the nation states that lend access to territory, provide resources, and defer to the UNHCR's moral compass to determine how they engage with a human crisis. Therefore, the UNHCR's flexibility allows it to adapt to the international environment, particularly the international environment that emerged after the Cold War.

The aftermath of WWII and the atrocities that were uncovered, drove global collective resolve. Nation states demanded that the principles of human rights and justice

play a more substantial role in interactions between nation states and in shaping international institutions. (Betts, Loescher and James 2012, 2) The United Nations (UN) was established to strengthen the bold concept that nation states could peacefully cooperate in a global environment. The nations that initially became members agreed that democratic institutions, themselves a part of the UN, were the most effective way to manage international state relations, by maintaining open dialogue and consensual policies. They believed that through the UN and its institutions they would maintain peace to prevent another world war. Fundamentally, the UN, like the League of Nations that preceded it, would support the peaceful coexistence of states operating in a complex global environment, while simultaneously protecting nation states from themselves. Member states belonging to the League of Nations and then the UN believed that through international cooperation and deference to internationally agreed upon law and global democratic institutions, the world required a refugee protection and aid organization, but only for a limited time and such an organization would only be required to address the catastrophe in post-WWI and WWII Europe.

From that concept, the UNHCR was first created in 1920 to help Europe rebuild after World War I. The first High Commissioner, Fridtjof Nansen directed the League of Nations' first major humanitarian operation – the repatriation of 450,000 prisoners of war. Many of the refugees that chose not to repatriate, integrated into the countries where they had found refuge. Although the League of Nations ended in 1946, its legacy and institutions were adopted by its successor, the UN. The UNHCR restoration under the UN General Assembly (UNGA) maintained the same remit to specifically address the European population that had been displaced by wars in Europe. There was no

expectation that it would be required to extend beyond Europe's borders or protect all refugee populations wherever human catastrophes occurred.

The 1951 Refugee Convention and its 1967 Protocol are the crucial legal documents that form the basis of the UNHCR's work.<sup>12</sup> 149 States are signatories to either or both documents and together they define the term 'refugee', the framework that describes refugee rights, and nation states' legal obligations to protect. States who are signatories to the UN Charter are expected to cooperate with the UNHCR in the agency's efforts to protect the rights of refugees. (Caverzasio 2001., 19) At the core of the UNHCR's policies is the legal principle of non-refoulement, which means that a refugee should not be returned to a country where they face serious threat to life or freedom. The principle of non-refoulement has become a rule of customary international law. (UNHCR n.d.) Despite the global pact to avoid returning refugees to areas that presented a clear a present danger, which includes preventing refugees from leaving dangerous territory, it became common practice during the 1990s to force refugees to remain in the states where conflict in areas that were "conflict free". This came about because nation states frequently challenged the universal application of customary international law, particularly when it did not suit their own national security or strategic interests.

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<sup>1</sup> UNHCR, "The 1951 Convention relating to the Status of Refugees and its 1967 Protocol" Initially drafted to meet the needs of refugees in the aftermath of World War II. It applied only to people who had been displaced due to events that occurred before 1 January 1951. Limiting its application to populations in Europe.

<sup>2</sup> UNHCR, "The 1951 Convention relating to the Status of Refugees and its 1967 Protocol" The 1967 Protocol removed the Refugee Convention's temporal and geographic restrictions allowing the Convention to apply universally. The U.S. has not ratified the Refugee Convention, but it has ratified the 1967 Protocol. Therefore, the U.S. is bound treating refugees in accordance with internationally recognized legal and humanitarian standards.

The UNHCR was designed to work in countries that were not participants in a conflict, and it regarded protection in terms of non-refoulement and asylum, rather than in terms of physical protection for refugees or for internally displaced persons (IDPs), who were forced to be relocated away from their home region but remained within a state's political borders. (Bradley 2016, 26) Governing an organization that is required to protect people under physical threat requires innovative management and enormous flexibility.

Governance of the UNHCR is a complicated task. The organization acts as an independent agency but is governed by two bodies within the UN structure. The UN itself is an agency of bodies, agencies, councils, and highly specialized entities such as the UNHCR. The UNHCR sits under the UN General Assembly (UNGA) and is co-managed by the Economic and Social Council (ECOSOC), one of UNGA's fifteen principal agencies. The UNHCR Executive Committee approves the agency's annual programs and budget, a budget that is mostly dependent on the generosity of donor states. (UNHCR UK n.d.) The agency is both an individual, represented by the High Commissioner, and a bureaucracy with its own distinct culture and value system. The High Commissioner has little or no political authority but is vested with considerable moral influence and legitimacy dating back to 1921 when Fridtjof Nansen used his considerable influence to shape the global refugee agenda.

Among UN agencies, the UNHCR is unique. No other agency within the UN structure is so heavily guided by principled ideas that are also central to the mandate and *raison d'être* of the organization. The values and ideals that are at the core of the agency's culture are distinct from almost all other UN organizations and is characterized by the dedicated staff members who are willing to place their lives in danger to defend the



concept that persecuted and endangered populations deserve protection—protection that should be supported by the international community of individuals and states. As the UNHCR argues, if the Office did not exist, hundreds of thousands, possibly millions, of people would be left unassisted and unprotected. (Loescher 2001, 1) Nation states do not possess the will, capacity, or expertise to facilitate global responses to human crises.

The 1950 Act that provides the UNHCR with its purpose, also defines the scope and role that the agency was expected to play at the time. It is necessary to gain a sense of the UNHCR as it was intended and then discuss if criticisms of politicization that have been directed at the agency are justified. Think about how an agency survives with little political leverage, while balancing its moral obligations against the pressures from geopolitics, socio-political factors, powerful donor states, and the global rise in political nationalism.<sup>3</sup>

Nationalism in Europe was encouraged by three things: an expanding middle class, the Industrial Revolution, and the Enlightenment. Nationalism generated a new tactic in conflict that justified discarding previously respected laws and conventions governing state behavior during war. The aftermath of the ideological shift was that combatants engaged in violent mayhem against civilians. Different from WWI and WWII because the combatants particularly beginning in the 1990s were fighting interstate conflicts that didn't cross politically drawn territories. Claims to historically ethnic lands and secessionist conflicts are driven by the principles of self-determination. In the twentieth century irredentism and secessionist ideologies claimed the lives of

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<sup>3</sup> Hutchison, "Is Nationalism War-Prone?", 160. Political nationalism is an ideology that emphasizes loyalty, devotion, or allegiance to a nation or nation-state and holds that such obligations outweigh other individual or group interests.

approximately 100 million people. (Hutchinson 2017) The changes in ideological drivers led the UNHCR to reexamine how it conducted the business of refugee protection and humanitarian aid.

The political environment for which organizations like the UNHCR were created differs significantly from the refugee environment that the UNHCR operated in following the Cold War and even more so from the current global environment. (Hyndman 2000, xvii) Despite global politics and the fluidity of the international environment, the UNHCR continued to adapt in order to remain relevant and protect civilian populations threatened by conflict, wherever it could.

The UNHCR began its 1950 mission to serve refugees in a bi-polar world. The great powers of the west, led by the U.S. often engaged with the UNHCR as a mechanism to advance democracy and liberal ideals of universal human rights. The United States and the Soviet Union (USSR) for 70 years competed for global influence, to maximize the prospects of ideological and strategic endorsement and to gain political advantage in underdeveloped regions, such as Africa and Asia, as a longer-term goal. (Loescher 2001, 10)

The two most powerful nations competed for a foothold with little consideration for how competition for regional hegemony would impact innocent local populations. Throughout the developing world, the U.S. and USSR bankrolled client regimes which included legitimate governments but also included liberation movements, often led by warlords and militaries. Client regimes were provided with economic aid, political support, and weapons to ensure an advantage. (Loescher 2001, 10) However, the well-intended support was often turned on the population.

The Cold War political environment included newly liberated colonial states, most of which were in the global south. These newly liberating states were sometimes viewed as barriers to the expansion of liberal democracy. From the lens of the West and the U.S. the more populations fled the global south the more opportunity the Soviets had to entice weak governments to work with the Soviets against U.S. interests. Should leaders in the global south accepted the argument that the U.S. was encouraging southern populations to flee to more democratic states, thereby incapacitating their rule in addition to their developing economies, the USSR could feasibly gain a foothold with an argument that communism would keep populations in place and stable. The U.S. and western nation states viewed the developing world and its refugees as avenues that the Soviet Union could exploit for its own strategic and political expansion. (Loescher 2001, 15) Neither seems to have considered the pursuit for influence and regional hegemony in the context of creating sustainable political environments that would benefit the population. Each side approached problems in the developing world by countering unsustainable strategic, political, and economic policies with their own versions of unsustainable strategic, political, and economic policies. Neither East nor West provided the sort of aid and political assistance that would stabilize the states in the developing world and ensure that they would become viable long-term partners, who are respectful of human rights conventions.

As the Cold War escalated, international humanitarian aid organizations were coopted as mechanisms to frustrate sources of instability in the developing world. The idea was if conflict was mitigated or stopped at its origins fewer refugees and asylum seekers would emerge from the developing world. While the U.S., USSR and the

international community acknowledged that addressing internal conflicts early on and refugee protection was critical to stability, newly independent African and Asian states began to join the UN. (Loescher 2001, 10) Their membership made it possible to pass UN resolutions that authorized the UNHCR to increase assistance to refugees/IDPs inside of developing nations, as opposed to moving refugees to more stable nations. The two High Commissioners during the early decades of the Cold War were Felix Schnyder and Sadruddin Aga Khan.<sup>45</sup> Both were politically astute and anticipated major political transformations in the international system, that was as mentioned earlier partly driven by decolonization and developing nation participation in the UN, particularly by African and Asian states. Schnyder and Aga Khan recognized that traditional humanitarian and refugee concepts and legal definitions that were employed to guide policy and operations in Europe would not be suitable in developing or underdeveloped countries. Their astuteness led to policy changes that ensured the UNHCR was able to adapt to the new global environment. The 1960s and 1970s solidified the UNHCR's position as a global humanitarian agency.

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<sup>4</sup> Felix Schnyder was the High Commissioner from 1960-1965 and oversaw the repatriation of Algerian refugees from Tunisia and Morocco following the Algerian War for Independence, an operation which marked the first of many involvements in large-scale repatriation and reintegration operations. He also secured UNGA support to mediate between governments during global refugee crises, most notably in assisting Rwandan refugees in the Great Lakes region and played an important role in initiating the process which led to the adoption of the 1967 Protocol. (UNHCR UK n.d.)

<sup>5</sup> Prince Sadruddin Aga Khan served as Deputy High Commissioner from 1962 to 1965 He worked for UNHCR before becoming High Commissioner and led missions to the Middle East and Asia. At the time of his appointment as High Commissioner, UNHCR's budget in Africa and Asia exceeded that of Europe, marking a definitive shift outside of Europe. Aga Khan strengthened relations with African governments and helped to improve inter-agency cooperation within the United Nations, while addressing problems of mass displacement in sub-Saharan Africa and Asia. He also played a key role during the Bangladesh refugee crisis in 1971 and in assisting Asians expelled from Uganda in 1972, under the dictator, Idi Amin. (UNHCR n.d.)

After expansion into Africa in the 1960's, the UNHCR rapidly evolved into a global actor. Refugee emergencies occurred on all continents, increased in scope, and took on numerical proportions previously unknown. The UNHCR embarked on new assistance programs around the world. (Loescher 2001, 10) The 1971 Bangladeshi crisis is an example of how the UNHCR was identified as the leading agency to organize aid and protection for 10 million refugees. In March 1971, East Pakistan declared independence from West Pakistan and war broke out. The conflict resulted in some 10 million civilians fleeing into neighboring India, and India requested that the UN provide relief. The UNHCR was called upon to lead the global effort and went on to successfully coordinate funds, obtain and deliver supplies in coordination with numerous international organizations and the Indian government. (UNHCR UK n.d.) The Bangladeshi example would be the first of many refugee crises in which the UNHCR would be identified by the UN Secretary General to act as the UN lead for the coordination of international humanitarian assistance. As a result, the UNHCR formed an enormous agenda and became an essential part of the international community, and simultaneously became a self-sufficient actor in many of the major political changes in Africa, Asia, and Latin America.

The 1960s and 70s marked a period when the UNHCR experienced noted successes. Some of the challenges it would later face were the outcome of modifications to the "refugee" definition, supported in western states in the name of national security. Most nation states in the '60s and '70s, acknowledged the UNHCR Protection Division's unmatched specialized knowledge and expertise concerning refugee and asylum law and as such, deferred to the division's authority on policy. The UNHCR's expertise played an

active role in how refugee status was defined and how aid programs were designed in many western and industrialized states, with the exception of the United States.<sup>6</sup> The UNHCR's authority and independence was expanded because of the expertise provided and as a result, governments in particularly Western Europe, established more liberal policies toward asylum-seekers. (Loescher, Betts and Milner 2012, 29) The UNHCR's effectiveness drew additional support from the west and especially when the agency's agendas supported rescuing populations that revolted against communist regimes. The more effective that the UNHCR became at quickly moving populations out of areas that were threatened by communist regimes, the more funding and materiel support it received. To achieve the new standard of support to refugees, the UNHCR was obligated to work with a broad swath of nation states and human rights organization to ensure that the refugees that were relocated could thrive in their new location, still this took place most often outside of their own national boundaries.

The end of the Cold War brought a shift in the refugee protection framework. The definition of refugee protection has since been defined as "all activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law...". (Caverzasio 2001., 19) "Relevant bodies of law" refers to human rights law, international humanitarian law and refugee law. However, the challenge that the UNHCR faced then and now is that discretion to uphold international law remains with the nation states and sometimes that means that refugees are

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<sup>6</sup> The Department of International Protection's (DIP) main objectives with respect to Protection Policy and Legal Advice (PPLA) is to create consistent, predictable, and credible protection policies and responses. Its authority ensures that UNHCR remains a reliable partner and leading authority on legal matters. DIP provides governments, international organizations and legal communities with guidance on protection issues and policies It develops international law and standards in the area of forced displacement and influences the implementation of protection policies and standards world-wide. (UNHCR.org n.d.)

recategorized from victim to national security, economy, or public safety threats. (Clark and James 2014) Many were and are being denied entry into nations that are participants in a conflict, but their territories were not a part of the combat AOR and therefore shielded from the insecurity of active war. Refugees were treated as enemy combatants. The UNHCR's solution to that problem meant finding a way to keep refugees safe while also keeping them in areas that were in active conflict. This became more of an issue during GWOT.

The UNHCR, during the early decades of the post-Cold War, faced challenges upholding the principles that founded it. The contrast between what it was founded for and what it was required to do in a new global environment meant that it had to reshape its internal culture and transform its external operations to adapt to the evolving perceptions of "refugee". Specifically, the agency had to reconsider what it could reasonably achieve as it responded to the different regional goals and global strategies set by donor states. Refugees were no longer considered as valuable pawns to counter an opposing governing ideology. Instead, refugees were more often viewed as threats. As violent nationalism blossomed on a global scale, innocent populations remained a part of the conflict landscape and remained under threat. The UNHCR was faced with the option to adapt or become irrelevant, leaving millions of people to less qualified organizations.

The UNHCR became agile and adapted its policies and operational practices to ensure that the agency remained relevant and valuable to the global community, while simultaneously meeting its refugee protection obligations. (Clark and James 2014) The UNHCR and other human rights protection agencies began to operate more frequently in

the middle of civil wars rather than in locations that were completely removed from conflict, as was the practice during the Cold War. You see, conflict was no longer the result of the bi-polar struggle between liberal democracy and Soviet-style communism, it was, however, driven to dominate domestic agendas encouraged by but not caused by ethnic, nationalist, and religious goals for dominance. These often-violent domestic struggles continued to challenge the UNHCR's flexibility and resource capacity, requiring it to expand to address the modern refugee crises. However, the UNHCR's changing mission came with a flurry of criticism. Detractors of the UNHCR's changing policies and operational tempo highlighted that the agency was being exploited by nation states in ways that contradicted and undermined the original UN mandate that placed an emphasis on impartial protection for the most vulnerable populations threatened by conflict. (Betts, Loescher and James 2012, 5) The criticism that the UNHCR's shifting policies, in the face of state political pressure failed to explain that these changes were was not a new phenomenon. The UNHCR, since its creation under the League of Nations was always responsive to the fluid global environment caused by the interactions between nation state and the politics that developed out of those interactions.



## Chapter III

### End of the Cold War: Politics Drives Change

The end of the Cold War and the 1990's brought with it considerable changes in the political and economic global environment. The end of the era was precipitated by a torrent of events, most notably marked by the 1989 flood of Germans from East to West, the Brandenburg Gate opening, followed by the destruction of the Berlin Wall. The destruction of the Berlin Wall had a profound psychological effect on people worldwide. It had for decades symbolized the physical, philosophical, economic, and political divisions between East and West. Memories arouse visions of crowds cheering and crying at the same time believing that the world would never have to again fear threat from nuclear exchange and that people would no longer face economic deprivation or political violence. Few experts, if any, warned that there would be a severe upheaval across the globe and more specifically in Eastern Europe.

Very quickly, communism collapsed in East Germany, Czechoslovakia, Romania, Bulgaria, Hungary, and Poland. Less than two years later, President Mikhail Gorbachev resigned, and Boris Yeltsin became the first president of the Russian Federation. By 1991 the Soviet Union had collapsed and its financial support for the Soviet Bloc and its client states abruptly ended.<sup>7</sup> (Betts, Loescher and James 2012, 50) The Cold War ended not because of a few events but because of several events happening simultaneously. The Soviet collapse was also preempted in part, by a failed communist hard-liner coup against

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<sup>7</sup> The Soviet Union is officially the Union of Soviet Socialist Republics (USSR). The terms are used interchangeably in historical documents and in this writing.

President Mikhail Gorbachev, the declaration of independence from the Soviet Union by Ukraine and Belarus, and the call for international recognition by the Baltic States.<sup>8</sup> On December 25, 1991, the Soviet hammer and sickle flag lowered for the last time over the Kremlin. People all over the world watched in amazement at the transition from a Communist monolith into multiple separate nations. (Department of State n.d.)

The end of the Cold War proved to be unpredictable and chaotic, despite predictions to the contrary. The anticipated onset of a New World Order (NWO) was embraced from the heights of political power to average citizens. The reality did not meet expectations and was summed up by former President of the Soviet Union Mikhail Sergeyevich Gorbachev:

The world is not the same as before. International relations have objectively reached a new dimension. Mankind has a new window of opportunity—a new chance for survival. But have we achieved all that we sought? We have not. Indeed, in place of old problems and difficulties we see new, unexpected ones. What we have today can hardly be called a New World Order. So far, it is rather a “world disorder. (Lepor 1997, xiv)

Western governments most notably, envisioned that as the U.S. and her allies were no longer compelled to focus on threats from the USSR and the Soviet Bloc, a new more cooperative global environment would emerge-- a world where state sovereignty, human rights, economic reciprocity, and global peace would prevail. However, what emerged was far more complicated and the reality altered how states cooperated when issues of sovereignty and security surfaced.

The U.S. and the big powers were suddenly given the opportunity to cooperate unobstructed by the East-West competition, but they failed to seize the opportunity and

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<sup>8</sup>The Baltic is a northeastern region of Europe containing Estonia, Latvia, and Lithuania, on the eastern shores of the Baltic Sea.

neglected to recognize that a different sort of political seed was metastasizing. No alarm was raised to draw attention to the ideology that would give rise to international terrorism and the death squad mindset that would again cause levels of conflict that would devastate millions of innocent people for two decades.

States that had been held together by strong men (backed by either side) or guided by policies of non-alignment, began to transform, and emerge from the shadows at an astounding rate. As Gorbachev described,

The instantaneous and large-scale growth of freedom of choice in the post-confrontational period was used, in many cases, not for focusing all efforts on a search for collective solutions but for asserting and demonstrating ethnic and national ambitions, often unrelated to real and legitimate interests. The principle of painstaking search for a balance of interest is, more and more frequently, being forgotten, making fruitful collective efforts impossible. (Lepor 1997, XV)

United Nations agencies recognized that a new global environment was emerging and realigned business to meet new challenges that it would face. What the United Nations, the Security Council and the General Assembly failed to do was prepare for a new global environment that would challenge the UN Charter, and more specifically, would strain the collective resolve to protect refugees and human rights.

Almost immediately, the UNHCR's budget, staffing level, and international presence expanded at an extraordinary rate. The nature of the Office's work also began to transform in the scope of global operations and the scale of administering aid throughout the world. The UNHCR's expertise was relied upon in high level state discussions that focused on understanding the emerging sources of national, regional, and international insecurity and the impact on civilian populations. (Betts, Loescher and James 2012, 50)

The new emphasis on including the organization at the "table" led to an expanding budget.

Before the Cold War ended, the UNHCR's budget and operations were constrained. Refugee programs were concentrated in reasonably safe environments that were made accessible to the agency by nations willing to provide refugee asylum. In the 1990's however, a large proportion of the UNHCR's operations were carried out within states where conflict originated. Refugees were sheltered in so-called "protected" or "safe zones", meaning the agency provided humanitarian assistance and aid in proximity to armed conflict. Safeguarding aid worker's physical safety, while administering aid to refugees, called for a close cooperation with peacekeeping forces, who themselves were frequently under threat. (Power 2002, 394)

At the same time, the UNHCR began to provide aid to broader categories of forcibly displaced people including those that fell outside the UN definition of refugee or IDP. In contrast to the customary refugee definition, populations were, at times, vaguely designated as war-affected populations, the victims of mass expulsions, and returnees. Nevertheless, the UNHCR continued programs to protect the more broadly defined populations under threat. Including in its remit populations outside of the customary definition of refugee meant that the UNHCR was beginning to rebrand itself and transforming from a refugee agency into a globally focused humanitarian agency. (Loescher 2001, 287) UNHCR leadership was a key during this time of transition.

Sadako Ogata took over the UNHCR as the High Commissioner in 1991, just as Yugoslavia was breaking apart. Under High Commissioner Ogata, the UNHCR made a intensive effort to institute policies that aligned with the interests of nation states.<sup>9</sup>

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<sup>9</sup> Ogata, born in Tokyo in 1927, was the daughter of a Japanese diplomat. She received a master's degree from Georgetown University in Washington DC and a doctorate from the University of California at Berkeley. Before joining the UN, she was an academic, serving as dean of the faculty of foreign studies at Sophia University in Tokyo from 1980-1989. In 1991, she became the first woman, the first Japanese

Ogata's vision of the agency's responsibilities shifted from refugee protection and resettlement to humanitarian operations, in alignment with the way nation states began to deal with the new chaos in the international political environment. The high priority states were giving humanitarian operations was evidenced by the increased funding for humanitarian aid in contrast with identifying alternative locations and transportation suited to supporting refugee relocation.

Increased nation state support to humanitarian aid was combined with increased rhetoric linking refugees to national security threats. The timing of UNHCRs humanitarian policy, increased funding and nation state rhetoric suggests that the UNHCR played an influential role in political decisions about how nation states would categorize populations under threat—refugee vs. IDP— and how nation states would support them. It also suggests that the agency wielded some influence over material donations from states, as that also increased.

However, there were key events that taught Ogata and the UNHCR the value of improved preparation and that challenges to efficiency on the ground would be a part of the organization's future. The Iraq Kurdish and Somalia crises in 1991 demonstrated for Ogata that being prepared for an emergency and establishing a public image that solicited sympathy from the public were key instruments that she needed to advance.

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person, and the first academic to be appointed as the United Nations High Commissioner for Refugees (UNHCR). (BBC News 2019) One of the biggest crises of the 1990s began shortly after she was appointed—millions of Kurdish refugees fled Iraq after the Gulf War, seeking safety. Although she and the UNHCR were unprepared, she would learn critical lesson and go on to oversee large-scale operations in areas including Bosnia and Herzegovina, Kosovo and the Great Lakes region of Africa. In her book, “The Turbulent Decade - Confronting the Refugee Crises of the 1990s”, she described her stint at the UN as “a period of constant humanitarian crises. UNHCR worked like fire brigades through all the continents of the world”. (Ogata 2005, 73)

The Kurdish refugee crisis expanded in the aftermath of the Gulf War. Iraqi forces attacked the Iraqi Kurdish population after widespread revolt in the northern areas that were heavily populated by Kurds, forcing approximately two million civilians to flee to the mountains in Turkey and Iran. (Loescher 2001, 288) Turkey's concern that Kurds in its territory would follow the call to revolt drew the Turkish government's ire and they closed the borders. Turkey drew up a solution to keeping Kurds out of its territory, while protecting them from Iraq's forces. The UN was asked to set up a safe have inside the Kurdish region of Iraq.

Press coverage on the early 1990s and media broadcasts of starving Kurds being forcibly kept in Iraq, provoked broad responses at public and political levels and redirected the attention of the Western governments to the tragedy. Ogata interpreted that the responses of outrage from the public and nation states' willingness to appear useful by providing humanitarian aid would ensure the UNHCR's profile would be elevated and, if she harnessed the public outcries correctly, it would also expand the organization's resources and influence. (Loescher 2001, 290)

"Safe zones" a term developed in the 1990's, and first set up under High Commissioner Ogata is indicative of the security changes that were implemented for UNHCR field operations. Nation states and the UN appeared to be unaware or maybe ignored the fact that conflicts are often driven by ethnic, religious, or ideological divides and that the groups that comprise these divides are the very people that become the targets of internal conflict. Corraling targeted groups into camps that are in proximity to a conflict, indeed encourages combatants to gain access to camps and use refugees as targets of coercion or for elimination. The era of whisking refugees away from danger

was clearly over. The global north had experienced notable increases in refugee migration from the global south and were also the primary donors of the UNHCR. They were satisfied with providing humanitarian aid and material as a way to demonstrate value for human rights and refugee protection, without increasing refugee populations on their own territories.

In the post-Cold War period, the UNHCR attempted to address refugee-producing situations at or near their source, which was a change to the Cold War refugee regime. (Lewis 2012) The UNHCR focused on reducing the occurrence of enormous refugee flows across international borders, therefore, refugee management was carried out in countries of origin, even if the country of origin was at war. In addition, the UNHCR was also often put in the position to participate in peacekeeping operations or integrate with UN peacekeepers.

The UNHCR extended humanitarian aid and services to a significantly broader range of populations that needed assistance including returnees, internally displaced people, war-affected populations, victims of mass expulsions, and unsuccessful asylum-seekers, in addition to supporting populations designated as customary refugees.<sup>10</sup> (Loescher 2001, 14-15) The expanding UNHCR remit could have resulted in an inability to accomplish the goals set out for it after the Cold War. However, High Commissioner Ogata showed a clever awareness of the political opportunities the new environment. (Betts, Loescher and James 2012, 49)

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<sup>10</sup> “War-affected populations” are defined as –people who have not been uprooted but need humanitarian assistance and protection—Those populations comprised a substantial proportion of the UNHCR’s beneficiary population during the height of the 1990s Bosnian conflict. (Loescher 2001, 141)

Ogata utilized the new 24-hour news cycle to raise the visibility and importance of the global refugee problem, and at the same time she elevated the organization's international credibility and increased the budget. She skillfully used her influence to alter public opinion and mobilize government support for material aid. She declared that the 1990s would be the decade of refugee voluntary repatriation. As of 1996, just half way through the decade, 9 million refugees were repatriated (Betts, Loescher and James 2012, 51) The nation states from the global north were pleased with Ogata's ability to alleviate them from the financial burden of caring for refugees in addition to the socio-political backlash of accepting non-European refugees.

Since its beginning, scholars, researchers, and governments have examined the effect that the UNHCR has had on global refugee populations. For much of its existence, it has admirably performed as the leader in the global human rights and refugee protection environment and has demonstrated an acute ability to adapt for the benefit of refugees. However, the organization is not without its challenges. Significant administrative failures revealed an inability for the organization to reuse existing policies and replicate activities that had proven successful. (Loescher 2021, 4)

The failure to repeat successes was caused, in part, by bureaucratic inertia. Much of the UNHCR's past experiences were not well documented or otherwise memorialized because the agency was and is today continually preoccupied with the refugee crises of the day. The lack of institutional knowledge, due to attrition and dogged institutional culture, contributed to inefficiencies that led to a succession of botched operational objectives.



## Big Power Politics and Yugoslavia

During the 1990's fundamental changes occurred in the international refugee regime. Almost all policy and operational changes in the UNHCR at this time were associated with shifts in relations between nation states and challenges to resolve conflicts as shifts occurred. Questions about the concept of absolute state sovereignty were becoming more frequent as developing nations found their footing in the international community.

During the Cold War, state sovereignty was fiercely guarded, as the bi-polar competition drew distinct lines. Protective of sustaining global peace, the UN supported the boundaries drawn by the big nations. Uninvited assistance by the UNHCR or any UN agency was considered a violation of state sovereignty, regardless of intent.<sup>11</sup> Refugees and civilian populations in need of protection or assistance were subsequently moved out of conflict territory, which assuaged sovereignty concerns. Keep in mind that the numbers of refugees before the Cold War ended hovered around 16 million but by the end of 1999 the numbers had ballooned to more than 22 million. (UNHCR 2000) (Garcia 2017)

The world was undergoing widespread denudation of rural land, massive migration into poor city neighborhoods, increased ethnic disputes, and an urgency to deal with alarming environmental and societal problems. When combined, they created renewed economic and political rifts between East and West, but more intensely felt, were unprecedented challenges between the global North and South. (Lepor 1997, xxxi)

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<sup>11</sup> Betts, Loescher, Milner "UNHCR: The Politics and Practice of Refugee Protection" 59

UNHCR's donor governments were more interested in bringing to life the concept of a New World Order, employing methods of conflict resolution to reduce and even replace military force, and to provide the UNHCR humanitarian assistance in place of direct political engagement. Ignoring implications of global shifts between north and south and overly focusing on operationalizing a new global concept when the world was emerging from the Cold War, proved more complicated than anticipated.

At the urging of the big nation states, humanitarian assistance was more frequently offered to refugee protection organizations in place of actual refugee protection. However, this approach proved to be only a temporary bandage for mitigating human suffering. Nation states were able to declare that they had done "something" to address human rights violations, while simultaneously keeping their militaries out of direct combat, particularly in locations that few cared about. As Matthew Palmer, the U.S. Deputy Chief of Mission to the UK shared during his interview, U.S. military leadership did not consider direct involvement as a useful tool to end human suffering. In the case of Bosnia, U.S. military leadership did not give consent after receiving calls to put boots on the ground.

(Colin) Powell was Chairman of the Joint Chief of Staff and Madeleine Albright was at the UN. She challenged Powell's hesitance to use military force. Albright said, "What's the point of having an exquisite military if we don't use it. Powell almost had a coronary. (Palmer 2023)

The international community was happy to provide funding and materiel support to the UNHCR and non-governmental organizations if it meant it could avoid entering a conflict. Humanitarian assistance rapidly became an accepted alternative to direct political and military engagement and a way to respond to conflict that did not cross territorial bounds. (Loescher 2001, 287) In almost all cases where this approach was

used, armed conflict was worsened and often prolonged because combatants inevitably gained access to resources provided by the UNHCR and other humanitarian aid agencies. In place of a more direct approach to end conflict and to address the underlying causes of refugee movements, the international community focused on providing humanitarian relief rather than operationalizing effective protection.

Why would governments choose to provide funding for humanitarian aid if aid became a resource for the combatants? It seems that doing so primarily served two purposes. First, providing humanitarian aid and material was a way of containing the flight of refugees. Keeping refugees in camps and then encouraging or forcing them to return to the towns/cities/provinces that they originated from prevented mass migrations into wealthy states where they were not wanted and prevented further destabilization of regions that were struggling economically or political. Areas already teetering on the brink of political or social collapse would, after being drained of their populations, be further decimated. Second, keeping militaries out of conflict prevented deaths and subsequent broadcasts of images detailing the arrival home of flag-draped caskets where voters in liberal democracies have a say in who leads.

It is worth mentioning that forced displacements, internal to a state in conflict, was not confined to the European continent as the Cold War ended. Forced displacements in the 1990s were also at the center of crises in the African Great Lakes region--Liberia, Sierra Leone, and East Timor—among others. In most of these cases, UN protection forces were called to directly intervene in conflicts, which often had the unintended effect of mass population displacements anyway. (Loescher 2001, 13) However, because refugees were not moved out of states that were parties to conflict and into peaceful

nations, the mass displacements were ignored. By preventing populations from fleeing, big nation states also avoided violating international agreements that barred nonrefoulement.

The big powers, including the United States, chose containment as a solution to the worsening global refugee crisis. In the post-Cold War era a clear political and ideological divide was murky. Support for a political ideology was an acceptable argument for political and military intervention or for policies that resulted in accepting refugees. When the communist ideology was no longer perceived as a threat, the UNHCR's list of arguments when soliciting donor support to move refugees to safety, was diminished.

The increase in humanitarian aid and the limited use of political and military intervention was particularly acute in Africa where western strategic interests had deprioritized the continent or were non-existent. Refugee protection was no longer regarded as a symbol of liberal democratic ideals and therefore of little value to the United States and big western powers. After all, we had won the Cold War. Refugees were instead perceived as burdens, particularly if there were claims of asylum that if accepted, would allow entry by populations that the industrialized north did not want.

In response, western policies regarding asylum seekers became more restrictive, and governments pushed for a reinterpretation of international refugee definitions and protection policies. Support for broadening refugee policies to include setting up safe zones within conflict areas to keep refugees/IDPs in countries of origin. The west concluded that keeping refugees "local" was an effective way to restrict refugee flows,

despite the level of threat to life if they provided humanitarian aid. (Betts, Loescher and James 2012)

However, unlike authoritarian regimes, western liberal democracies had to consider how the public responded to atrocities carried out against civilian populations. The same media broadcasts that they wanted to avoid in the context of military personnel killed in action would be sure to play clips of human catastrophe. The expansion of media coverage in the 1990s included a 24-hour news cycle. Public outrage pushed wealthy donor states to task the UNHCR and other international agencies to provide humanitarian relief. For the big power states, the obligation to provide humanitarian assistance was a relatively low risk option and it responded to the demands from the public to alleviate human suffering. One must consider if the outcome was worth it. Matthew Palmer highlighted how public opinion impacts policy makers in liberal democracies.

They (policy makers) have to respond to public opinion. The great powers are primarily democracies and citizens determine the level of involvement. Money resources are (also) considered during the decision-making process. For example, combat service members killed in action, (referring to the events in Mogadishu, Somalia) means that we cut our losses and leave, if the public says so. We pulled out of Afghanistan. As President Biden said, Afghanistan was not worth the price (of U.S. lives) to send women and girls to School.<sup>12</sup>(Palmer 2023)

National militaries were not ordered into conflicts and not placed at risk in regions of the world that political constituencies cared little about but doing so led to pointless suffering and horrific massacres. (Loescher 2001, 13-14)

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<sup>12</sup> The Battle of Mogadishu was the firefight between U.S. forces and Somali militia members in Mogadishu, Somalia, on October 3–4, 1993. It marked the end of a U.S.-led military intervention. The U.S. lost 18 military personnel and 84 were wounded. The battle was considered a fiasco for U.S. forces, and it was the end of the U.S. mission in Somalia. U.S. President Bill Clinton pull U.S. troops out soon after. (Swift n.d.)

Yugoslavia was one crisis among several crises unfolding globally, including in northern Iraq, Somalia, and Haiti. In the later three cases, refugees were viewed as posing threats to nation state security. The UNHCR was faced with racking and stacking its own priorities to identify ways that it could effectively engage with these populations. The civilian population impacted by the breakup of Yugoslavia was actually at an advantage in terms of UNHCR priority. Refugees from Yugoslavia were not seen as threats to European national security making it more likely that they would be accepted into host nation populations.

The Yugoslav civil war demonstrated early on that the European governments, who were fresh from signing the Maastricht treaty, were unable to find common ground when dealing with the catastrophe that was unfolding on its doorstep.<sup>13</sup> As defined in Chapter 7 of the UN Charter, threats to international security established a basis for collective action.<sup>14</sup> However, despite lip service in support of the UN Charter and the universal agreement to act in defense of international security, nation states offered a less invasive form of military intervention.

In places like Somalia (1993), Rwanda (1994) and Kosovo (1999), peacekeeping became the strategy. By 1994, the United Nations was involved in no less than 20

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<sup>13</sup> The Maastricht Treaty established the European Union and opened the pathway for the EURO currency and EU citizenship. It was signed on 7 February 1992 in the Dutch city of Maastricht. 12 member states initially signed on to the treaty, which critics believed could never happen in Europe. The signing launched economic integration with the creation of the single currency and solidified a functional European Union. (Consilium n.d.)

<sup>14</sup> Chapter VII of the United Nations Charter sets out the UN Security Council's powers to maintain peace. It allows the Council to "determine the existence of any threat to the peace, breach of the peace, or act of aggression"; and to take military and nonmilitary action to "restore international peace and security". (United Nations n.d.)

separate peacekeeping operations, 15 of which had started by 1989.<sup>15</sup> (Girard 2004, 20)

Peacekeeping became the most common form of warfare. Despite the trend the disintegration of Yugoslavia was the first time that international intervention in the domestic affairs of a state was authorized by the UNSC. It was authorized primarily to respond to the refugee flows that were repeatedly viewed as disruptions to the international order, not as security threats. (Loescher 2001, 13)

The most important point to convey is that the frenzied efforts to find peace from the Yugoslav crisis was enormously complicated. The UNHCR and the global humanitarian aid community were bound by nation state policies of non-engagement. Initial strategy, particularly by the U.S. was focused on maintaining Yugoslavia as an intact state. DCM Matt Palmer recalled that,

Slovenia was the first to break, then Croatia was recognized by Germany. The U.S. was trying to keep Yugoslavia together, but Germany moved to push its political partners to recognize Croatia. That was the end of Yugoslavia. Then Bosnia held a referendum that was boycotted by the Serbs.

As it became clear that Yugoslavia could not be saved, efforts were refocused toward finding peace between the breakaway Yugoslav republics. There was no shortage of groups and combatants clamoring to secure their place on the fringes of the breakup, but the three that raised the most concern were the Serbian, Croatian, and Bosnian (Bosniak) governments. The U.S., Europeans, and the United Nations were not willing to set aside

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<sup>15</sup> In 1994, the UN had peacekeeping missions in the following places: Angola (UNAVEM), Chad/Libya (UNASOG), Liberia (UNOMIL), Mozambique (UNOMOZ), Rwanda (UNAMIR), Uganda (UNOMUR), Somalia (UNOSOM), El Salvador (ONUSAL), Haiti (UNMIH), former Yugoslavia (UNPROFOR), Western Sahara (MINURSO), India-Pakistan (UNMOGIP), Cyprus (UNFICYP), Georgia (UNOMIG), Tadjikistan (UNMOT), Golan Heights (UNDOF), Iraq-Kuwait (UNIKOM), Lebanon (UNIFIL), and Gaza (UNTSO). (Girard 2004)

political divergence to coordinate effectively and bring an end to the conflicts as Yugoslavia broke apart, causing them to expand and protract pointlessly.

The U.S. viewed the breakup of Yugoslavia and the subsequent conflicts as a European regional problem that the Europeans should have addressed and resolved on their own. Furthermore, the war in the Balkans erupted at an inconvenient time for the U.S. and the UN. The U.S. focus was on building a coalition of states within the UN that were willing to engage in the Middle East and to align against the dictators and strong men that had been ostensibly supported throughout the Cold War. The 1991 Gulf War was the beginning of a decades-long military investment to alter the political fabric of the Middle East. As such, The U.S. was more than willing to defer to European demands for the U.S. to focus its business outside of Europe. The Europeans held that the U.S. should stay out of a conflict that was not in their strategic or economic sphere anymore and mistakenly anticipated that peace could be achieved through good will and negotiation, not to mention that they wanted to demonstrate that Europe could execute a plan without the U.S. dictating the road to peace.

It was a stormy period in trans-Atlantic relations. The Europeans initially insisting that this was a European crisis that they could solve.” “However, by the summer of ‘95 they admitted that they had failed, and it was time for good old-fashioned U.S. leadership to reassert itself. (Vershbow 2022)

The U.S. pressure on the Europeans to enter the conflict by putting boots on the ground either unilaterally or as part of a UN combat force was distasteful to the European public and policy makers. They were interested in finding peace through negotiation to avoid the same scenario that the U.S. wanted to avoid. The Europeans did not want to risk European ground forces.



The Russians, for their part, were concerned that intervention by NATO would exacerbate the conflict. From their perspective, if NATO entered on the side of the Bosnian army, nationalist Russian voices would demand that Russia support the Serbs, pitting east and west against each other, again. (Silber and Allan 1996, 328-329) Russia was also concerned that the West's entry into the war would position western forces in closer proximity to Moscow, at a time just following their own political upheaval and military fragility.

The United Nations expressed concern that if the U.S./NATO or the Europeans launched an offensive against the Serb forces, UN protection forces, who were already on the ground, would be viewed as aiding the opposition (meaning anyone) in the conflict causing UN forces to be targeted as combatants. An additional worry was that the UN was not in the position to prevent targeting of UNHCR personnel and other aid workers. Many lost their lives, forcing them to create a marriage of convenience between UNHCR and United Nations Protection Forces (UNPROFOR) to ensure humanitarian personnel survived, which was a precarious decision, but one the UN was forced to make. Humanitarian aid was itself viewed as support to undesirable populations in the conflict, all of whom the Serbs and Croats wanted to cleanse from their newly acquired territories.

#### The Combatants (Serbs/Croats/Bosniaks)

The Serbs were not a monolith of political unity. The Serbs, driven to succeed by ideas of ethnic purity and nationalistic ethos, were cunningly unyielding in their interactions, particularly with the civilian population and with western envoys. They were able to mask their true agenda, internal political strategy, and battlefield execution resulting in grim outcomes for the civilian populations. The Serbian political leadership

was challenged to calm western accusations that their strategic aims were extending and broadening the conflict.

Although they were united in the vision to create a contiguous Serbian state, the way to achieve it resulted in political division and turmoil. Campaigns devised to eliminate non-Serbian populations, led by former President Radovan Kradic and his military commander, Ratko Mladic lacked human conscience and the outcome of the strategy was the worst Europe had witnessed since WWII. Divisions within Serbian leadership were driven by the variations of nationalistic policy, how to achieve an ethnically pure Serbian state, and how to reach goals, while simultaneously keeping more powerful western militaries out of the conflict. (Power 2002)

As mentioned earlier in this writing, war objectives were aided by Bosnian organized crime. Organized crime did not cause the Bosnian War, but it intensified the chances of the outbreak and subsequent genocide. Bosnia-Herzegovina had three competing armies operating within its borders and three separate police forces. They were all co-mingled with UN peacekeeping forces, the UNHCR, and humanitarian. (Mandic 147) The proximity of these groups aided in the complexity of the political and military landscape, making it impossible to find a peaceful resolution without external military intervention.

Nationalist groups who were allegedly representing the interests of one or another party to the conflict were simply criminal gangs who masked money making and empire building goals behind patriotic rhetoric. (Mandic 2021, 147) The Bosnian war is inexplicable without understand the impact of clandestine political economy. Bosniak, Serbian, and Croatian authorities were incapacitated by levels of crimes and fear

surrounding the criminal groups that they themselves had permitted to operate, uncontrolled. Gang affiliated smugglers diverted international humanitarian aid, arms shipments, and fuel supplies away from intended destinations to the highest bidder regardless of where their professed allegiance fell. (Mandic 151)

An estimated 30 percent of the arms supplied to the Bosniaks was diverted to Croatian forces. The percentage is incredible, but the methodology is not unfamiliar in the context of civil war. The Yugoslav mafia traded with any enemy force for the sole purpose of profit, despite the understanding that trading in weapons and war materiel prolonged the war and cost thousands of lives. The Bosnian Serbs had the overwhelming advantage of not only being backed by the JNA but by being covertly armed by arms trafficking from Belgrade. (Innes 2007, 73) The rationale for trading with enemy forces was justified by the adage “the enemy-of-my-enemy is my friend. (Mandic 2021, 150)

Therefore, if the Serbs required arms and materiel supplies to defeat the Croats, the Bosniaks found a way to clear the route for weapons shipment through their territory, fully aware that the weapons supplied to the Serbs would, at some time, be used against Bosniaks in the future. For example, a munitions factory in a small Serbian town—operated by a Milosevich affiliate—smuggled over ninety-four tons of munition for use by Croatian and Bosniak forces. (Mandic 2021) The Bosniak defense minister conspired with Serbian security to allow shipments through Bosnia to Serbian positions in Croatia, where Serbian forces were fighting the Croats, a common enemy. In a quid pro quo, the Serb secret service siphoned off some of the weapons that were enroute to provide arms to a Bosniak army unit. (Mandic 2021, 150) This means that Serbian forces were arming

their enemy and at the same time Bosniak leadership was supporting Serbian militias who were later held accountable for massacres committed against Bosniak civilians.

Criminals and gangs had a substantial impact on the longevity and outcome of the war. Criminal mafias were successful in places like Bihac that remained a separatist enclave for almost two years, although it was surrounded by more substantial forces. Bihac continued to stand because of the interethnic black market. The importance of smuggling by criminal gangs becomes more interesting when considered in the context of arms embargoes and humanitarian aid during conflict. Embargoes in the context of war means that black market weapons sales become an extremely lucrative trade. (Innes 2007, 71)

The mafia in Bihac, for example, sold Serbian forces food and the Croatian forces bought UN provided fuel, disregarding the residual impact on the civilian population. Bihac's mafia went so far as to set up a plan with French UN peacekeepers to become the sole provider and distributor of food and other aid into the province. (Mandic 2021, 151) War is profitable, the enterprise in Bosnia-Herzegovina was able to transfer over 2300 tons of food supplies per week, which was more than three times the amount of aid that the UNHCR was able to deliver (Mandic 2021, 151) It is difficult to argue against local populations utilizing clandestine networks for food, supplies or weapons when the international bodies and nation states fail the civilian population or engage to mitigate conflicts.

### The United States

America sidestepped entering the Balkan wars as part of a strategic decision to pivot away from Europe and the 70+ years of the Cold War. What the H.W. Bush

administration failed to recognize early in the conflict, was that it was, indeed, in the U.S. strategic interest to enter the war if only to prevent escalation. A countervailing force led by the U.S. would have, without question, forced the combatants to withdraw from areas that were majority populated by ethnic minorities. Certainly, American involvement would have been difficult, but it would have shortened the war, constrained criminal profiteering, and more importantly, it would have limited the human suffering. (Ramet 1992, 97)

Early in the conflict, U.S. Secretary of State Cyrus Vance, severing as the U.N. Special Envoy for the crisis, advised the State Department to withhold recognition from Slovenia, Croatia, Bosnia, and Macedonia arguing that Washington should avoid rushing policy decisions that could accelerate the breakup of Yugoslavia, which he believed would encourage an all-out war between the combatants. (Ramet 1992, 89) Vance was keenly aware that the breakup foreshadowed a worse environment.

Under public fire the Bush administration led allies to pass a Security Council resolution authorizing all necessary measures to facilitate the delivery of humanitarian aid. Although from an outsiders view it seemed the coordinated decision to provide humanitarian aid was a precursor to military intervention, the Bush administration argued that the U.S. was not the world's police force.<sup>16</sup> Former Secretary of Defense Dick Cheney pushed back on calls for military intervention further arguing that the situation in Bosnia didn't merit building a coalition that would require substantial U.S. ground troops, unlike the situation that encouraged the U.S. to send ground force for Desert

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<sup>16</sup> Power, "A Problem From Hell" 281

Storm. The final days of the Bush administration were marred with indecision and reluctance to challenge the European's ineffective approach.<sup>17</sup>

William Jefferson Clinton took the U.S. presidency in 1992, and for more than two years the administration refused to engage in the growing conflict, much like the previous U.S. administration. The Europeans and the UN continued to attempt strategies that were ineffective and frankly a threat to peace on the European continent. For their part, the Europeans were resolved to find a way to end the conflict on their own terms and without U.S. involvement. At this point, the Bush and Clinton administrations had avoided substantive engagement to end the conflict despite U.S. rhetoric that it valued human rights and that it would not tolerate aggression against unarmed civilians or actions were crimes against humanity. The Clinton administration had the opportunity to prevent human right atrocities several times before 1995. It had rejected the European approach in 1993 and 1994 but was not willing to force the Europeans to accept terms for U.S. intervention. (Daalder 2000, 163)

The U.S. Senate Foreign Relations Committee had received staff reports that detailed accounts of gross human rights abuses, but did not force the President's hand. The reports were made available to western governments and the United Nations well before international press had publicized the treatment of Bosnian Muslims by Serbian forces. The primary conclusions from the reports were that the Serbian ethnic cleansing campaign had nearly achieved its goals. The Serbian forces had been successful in creating an entirely Serb-inhabited region that was contiguous to Serbian territory and that covered almost seventy percent of Bosnia-Herzegovina. The staff report concluded

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<sup>17</sup> Ramet, "War in the Balkans."22

that the U.S. State Department also had received early reports of killing associated with forcible transfer of populations. (Daalder 2000, 164)

Despite clear evidence that the European strategy to negotiate a peaceful end had failed, the U.S. remained deferential to the Europeans. The U.S. Congress went so far as to override a Clinton veto to end the embargo to sell arms to the Bosniaks. The Clinton administration was concerned that a unilateral decision by the U.S. to lift the arms embargo would set a counterproductive precedent in the Security Council and encourage Russia and France to withdraw from the UN backed sanctions against Iraq. The U.S. was also concerned that unilaterally lifting the arms embargo in the Balkans would be followed by an allied withdraw from the Balkans and force the U.S. to deploy troops to protect allied and NATO forces as they withdrew.

By the Fall of 1995 pressure from the public, the U.S. congress and challengers for the next presidential election forced Clinton to make a significant policy shift. The administration had almost unanimously agreed that the U.S. had no reasonable alternative to entering the conflict. Clinton told his foreign policy advisors that, “If we let this moment slip away, we are history.” (Daalder 2000, 166)

While there were geopolitical motivations for the intervention to end the Bosnian war in '95 and a similar intervention four years later in Kosovo, the values of human rights and the normative motivations were as important as the geopolitical ones. President Clinton obviously was offended by the ethnic cleansing and all that was going on, he was also worried that the inability to end the war in Bosnia was going to become like a cancer on his entire foreign policy, so he had many different considerations. He also had to think about getting reelected. But I think the values basis was the strongest driver for the decision to intervene. (Vershbow 2022)

At the same time that the Clinton administration was willing to engage in the Balkans, Rwanda's civil war had taken a turn for the worse.

On April 6, 1994, Rwandan president Juvenal Habyarimana's plane was shot down over Kigali, Rwanda. America's policy with respect to Rwanda was marginal and the only expert available in the U.S. was a civilian name Alison Des Forges, a historian and board member for Human Rights Watch.<sup>18</sup> (Power 2002, 330-331) No one in the Pentagon or State Department was able to provide ample guidance or define the historical origins of the civil war. Those outside of government, like Des Forges and moderate Rwandans (Hutu and Tutsi) knew that Hutu hard-liners and extremists would carry out the worst of atrocities against the Tutsi minority if the opportunity presented itself. Rwandan watchers and experts like Des Forges were aware that the Hutu had publicly announce a plan to rid Rwanda of the Tutsi minority long before President Habyarimana was killed. The U.S. was no more willing to stop the escalating violence in Rwanda than it did in Bosnia. However, the hesitancies were caused by different reasons.

The U.S. and Europe paid significant attention to the problem in Bosnia because they were white. At the same time Srebrenica was happening, we had Sierra Leone and Rwanda which were more terrible than what was going on in Bosnia. Still today we do nothing in the Congo, Ukraine, Somalia. Racism underlies our global decisions then and now. (Palmer 2023)

Following the assassination of nearly all moderate Hutu and Tutsi politicians, it was the UN protection forces, commanded by Major General Romeo Dallaire, that took an enormous blow. On April 7, 1994, Hutu militiamen killed ten Belgian soldiers that were serving under the UN flag. The goal of killing the Belgian contingent was to force the Belgians to abandon Rwanda, leaving the Hutu to carry out their extermination plans

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<sup>18</sup> Alison Des Forge was the world's foremost authoritative voice on Rwanda. In 1992 a full 2 years before the genocide she published a report warning of the early signs of genocide. In February 2009 Ms. Des Forges was tragically killed in an airplane crash on her way home after testifying before the British Parliament. (Life and Legacy n.d.)



unimpeded. <sup>19</sup>Shortly after the Belgian soldiers were killed the remaining UN protection forces were pulled out of Rwanda except for a small unit of 200 under Dallaire's command.

The Rwandan genocide was the most efficient extermination in the twentieth century. In 100 days, 800,000 Rwandan's were murdered. The UN forces and UNHCR implored the U.S. and western powers to intervene, but they did nothing and even refused to publicly admit that genocide was happening. The steps that the U.S. did take in Rwanda emboldened the Hutu and encouraged the slaughter. Following the death of the Belgian soldiers, the U.S. demanded the withdrawal of UN peacekeepers and refused to authorize additional UN reinforcements, in part because the memory of the events in Mogadishu, Somalia remained at the forefront of the administration's collective memory. (Clinton 2012) Despite its capacity to do so, the U.S. did not use its substantial technical capabilities to jam radio frequencies in order to prevent the broadcasts urging the Hutu to carry out the frenzied genocide.<sup>20</sup>

Bosnia and Rwanda are two events that draw parallels between U.S. and global inaction and the consequences for humanitarian safety and security. Regardless of the administration in the White House, when the U.S. fails to engage or lead engagement during intrastate conflict, the innocent population with no active role in a conflict are put at extraordinary risk. The U.S. government must act in unison to prevent humanitarian catastrophes. Instead, administration after administration become echo chambers of U.S. politics and the American public. I was fortunate to conduct two interviews. The first was with former Ambassador Alexander Vershbow and the second was with Deputy Chief of

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<sup>19</sup> Power, "A Problem from Hell", 332

<sup>20</sup> Power, "A Problem from Hell", 334

Mission at Embassy London Matthew Palmer. Both have served for decades under notable circumstances, and both highlight the challenges U.S. advisors and policy makers face when the U.S. is called to action.

### The Europeans

Shortly after Yugoslav army tanks crossed into Slovenian territory, Europe began to experience the pressure of another very intense conflict. The Europeans, like the U.S. believed that after the Soviet Union collapsed and the Cold war ended, Europe would experience a surge of interconnectedness and prosperity.

European leaders claimed that they had the authority and strength to manage the crisis as it unfolded but by the end of the first year, the impact was being felt throughout Europe. Refugees and asylum seekers flooded out of Eastern Europe and the Yugoslav conflict hit at a pace that European states were challenged to address. Europeans were optimistic for the era of the Maastricht Treaty and the creation of a borderless continent that would eventually challenge the strength of the U.S. economy. The euphoria translated into an optimism that the war unfolding in the former Yugoslavia could be handled just as deftly.<sup>21</sup>

Aided by the UNHCR's network or refugee aid organizations, refugees from the crisis began to take shelter across Europe. Austria and Hungary, accepted about 50,000 refugees each. Germany accepted 200,000, Sweden, accepted 40,000, Switzerland accepted 13,000, Netherlands accepted 4,000, Italy accepted 7,000, and well over 50,000 were spread across other European countries. (Ramet 1992, 97).

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<sup>21</sup> Power, "A Problem from Hell" 258

Several European countries recognized early in the conflict that a negotiated political resolution would not be an effective way to end the war. The crisis in Bosnia catalyzed European defenses and it is there that the Europeans recognized that they needed to improve upon defense agreements, not necessarily to replace NATO but to supplement it.<sup>22</sup> Early into the conflict, Germany demanded the creation of an international military force to push back the Serbs, although they refused to commit German troops. They argued against ground troops because of Germany's military history in the area and that their presence would only worsen the conflict. The Italians, Bulgarians, Austrians, and other European states subsequently urged the U.S., NATO and UN to authorize military intervention. However, the European Commission, the U.S., Britain, and France refused to support any proposals that would commit them to putting forces on the ground or enter the war at all.<sup>23</sup>

When the U.S. tried to push the Europeans, who had personnel within UNPROFOR--we (the U.S.) didn't-- to show more resolve or use a little more muscle, it led to a trans-Atlantic rift and the U.S. had to back off. Because basically the institutions were established for peacetime conditions. Huffing and puffing by the United States wasn't going to convince our allies that these existing authorities should be changed particularly in the middle of a war, especially when we didn't have any personnel with skin in the game, at that stage of the crisis. (Vershbow 2022)

U.S. policy maker saw the Yugoslavia crisis as an opportunity to make the Europeans show that they could act as a unifying power. However, it did not take long for cracks in European unity to show.<sup>24</sup>

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<sup>22</sup> Innes, "Bosnian Security After Dayton" 19

<sup>23</sup> Ramet, "War in the Balkans."96

<sup>24</sup> Power, "A Problem from Hell" 259

## UN/UNHCR

The UNHCR's first major involvement with IDPs was in the former Yugoslavia, apart from its attempt with the Kurdish IDPs in northern Iraq. Humanitarian intervention in the Balkans meant that the UNHCR would be involved on the ground without a clear end to the conflict. The systematic campaigns of ethnic cleansing committed by all of the combatants caused over half the population of Bosnia to become displaced. (Cutts 1999, 2) Hundreds of thousands of people became dependent on humanitarian assistance, primarily in the Srebrenica, Zepa, Gorazde and Bihac, enclaves of Sarajevo.

Unable to agree politically on ways to end the conflict, the international community focused resources on the humanitarian relief operation and the UN called upon the UNHCR to lead the aid community. Although they operated under extremely difficult conditions the UNHCR managed to deliver some 950,000 metric tons of humanitarian assistance to some 2.7 million people in Bosnia between 1992 and 1995. Subsequently, it became the UNHCR's largest humanitarian operation on record. (Cutts 1999, 2)

The UNHCR's efforts proved to be incredibly difficult in Bosnia but it also presented an opportunity to reengage with the Europeans, the Americans, and other major global players who had been at odds with the UNHCR after the UNHCR had heavily criticized donors' humanitarian and strategic policy decisions. High Commissioner Ogata began her appointment at a time when the organization was recovering from a financial crisis. It was also on poor terms with European governments regarding treatment of asylum-seekers and it was trying to restore its image as a leader in global humanitarian relief after it failed to aid the Kurds following the Gulf War. (Loescher 2001, 295)

The breakup of the former Yugoslavia was a high profile, strategic crisis on the eastern edge of Europe. Ogata understood the risks if the organization failed again, but also recognized that regaining the lead role in administering and delivering aid would regenerate confidence in the organization and enable it to expand its influence with UNSC member states and, as important, it would restore European certainty that the organization was a vital component to European national security interests. (Loescher 2001, 295)

Obtaining authorization for humanitarian convoys to transit through Serb territory was overwhelmed by the security challenges it faced. UNPROFOR was tasked with ensuring that access to the enclaves remained open but was unable to guarantee any regularity for the aid convoys. Threats to UNHCR and other aid workers included direct attacks from shelling, sniping and landmines, intentionally placed on routes that were well known as routes for humanitarian aid deliveries. Despite UNPROFOR's best efforts, by the end of the war fifty aid personnel and eighty UNPROFOR soldiers had been killed. That number may not seem egregious when compared to the number of civilian deaths, but targeting aid workers has a particular level of evil associated with it. By December 1995, there were approximately 900,000 refugees in Europe and a stunning total of 1.3 million people from across the region had become internally displaced. (Cutts 1999, 2)

The extraordinary capability to deliver aid in Bosnia demonstrates the commitment by the UNHCR personnel on the ground. However, by the mid-1990s it was evident that the strategy to administer aid to populations in place was ineffective. States

lacked the will to initiate effective enforcement to maintain sufficient security to empower human rights mechanisms to have a real impact on civilian populations.<sup>25</sup>

The UN Security Council had become focused on ending the Bosnian conflict. By November 1995 there were forty-six Security Council resolutions and all of them either explicitly or implicitly called for alleviating civilian suffering. Sixteen of the resolutions specifically demand that the combatants allow access to besieged areas and twelve specifically mention the UNHCR.<sup>26</sup> Resolutions (SCRs) 824 and 836 established the so-called “safe areas”: Tuzla, Zepa, Gorazde, Bihac and Srebrenica. The UNHCR was tapped to lead the global humanitarian support effort in the former Yugoslavia and remained an effective leader among the hundreds of IGOs and NGOs that were providing humanitarian assistance, despite constraints and dangers from combatants.

Despite the agreement laid out in the Statement of Principles signed at the International Conference on the Former Yugoslavia (ICFY), agreements that would allow humanitarian aid to reach necessary areas was never respected by the combatants.<sup>27</sup> Humanitarian access was repeatedly renegotiated at all levels during the conflict, carving out agreements between international nation state partners down to humanitarian aid workers on the ground, all trying to secure and distribute aid but agreements to allow aid

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<sup>25</sup> Betts, Loescher, Milner, UNHCR: “The Politics and Practice of Refugee Protection” 59

<sup>26</sup> Cutts, “The Humanitarian Operation in Bosnia, 1992-1995: Dilemmas of Negotiating Humanitarian Access. 7

<sup>27</sup> This forum was established in 1992 and remained throughout the war. The Statement of Principles was agreed at the Conference’s first session in London on 27 August 1992. Among the various undertakings given by the parties in the Statement of Principles, they agreed to comply with all their obligations under international humanitarian law and “that the provision of humanitarian assistance should be carried out impartially and on a non-political basis for the benefit of all those affected by the conflict”. The Statement of Principles was endorsed by SCR 776 of 14 September 1992 and is referred to in various other Security Council resolutions. (Cutts 1999)

convoys through contested or recently acquired territory were repeatedly broken. (Cutts 1999, 17)

As the lead UN humanitarian agency, UNHCR often had a voice in high level political negotiations. The organization's presence was welcomed as a critical connection between the political/military actors and the humanitarian community. High Commissioner Ogata's role in the International Conference on the Former Yugoslavia (ICFY) was vital during negotiations. With Ogata's influence, the ICFY emphasized three key points: humanitarian aid should be delivered, international humanitarian law must be respected, and individuals would be held responsible for war crimes committed by personnel under their charge. Ogata met regularly with peace negotiators, representatives of the Bosnian government, leaders from the warring parties and many of the major actors involved in the conflict to identify a solution that would allow aid to get through. (Cutts 1999, 3)

As part of the negotiations to continue delivering aid supplies, the UNHCR worked closely with UNPROFOR who support the UNHCR's role by communicating details of battles near UNHCR locations and reliably informing the UNHCR about scheduled air-strikes before they happened, which was critical to keeping humanitarian personnel away from strike zones.<sup>28</sup> In general, collaboration between UNPROFOR and the UNHCR was good, but conflicting agendas between the big nation states and the UN prevented policy coordination that would have shortened the length of the war and mitigated the humanitarian crisis.

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<sup>28</sup> Cutts, "The Humanitarian Operation in Bosnia, 1992-1995: Dilemmas of Negotiating Humanitarian Access. 4

The UNHCR was bound by direct and indirect limitations placed on it by the combatants, European governments, the U.S., UN, and NATO. Two notable competing arguments surfaced regarding ongoing humanitarian operations. On one hand, some governments reasoned that humanitarian operations should continue, although that meant yielding to unreasonable demands from the warring parties. This approach, referred to at the time, as humanitarian containment, meant that continuing humanitarian operations was enough to contain the spread of the humanitarian crisis and buy time for peace negotiations to play out.<sup>29</sup>

A competing argument was that humanitarian operations should be suspended because of unreasonable demands from the warring parties, but it also meant that the people who were dependent on aid for basic survival would lose a vital lifeline, as some aid was reaching civilian populations. However, withdrawing humanitarian aid would also deprive the warring parties of resources that they were siphoning off for personal and group profit, a kind of small-scale embargo. (Cutts 1999, 11) Groups profiting from the war will be further discussed in the section on Srebrenica. The one place that should have shown a united front was in the UN, but the UN demonstrated a disfunction similar to that of the Europeans.

UN leadership began to question the importance of the UN and the UNHCR in the global agenda to end the conflict and found that its reticence was at odds with the UNHCR. High Commissioner Ogata, in February 1993, decided to suspend UNHCR operations in Bosnia in an attempt to force the warring parties to honor assurances to allow humanitarian supplies through their territories. However, Ogata's decision was

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<sup>29</sup> Cutts, "The Humanitarian Operation in Bosnia, 1992-1995: Dilemmas of Negotiating Humanitarian Access. 11



quickly overturned by UN Secretary-General, Boutros Boutros Ghali and humanitarian operations resumed a few days later. The decision by Boutros Ghali to resume humanitarian operations reeked of political pressure but was veiled behind the argument that humanitarian aid was vital to civilian populations. Political actors involved directly with peace negotiations did not hesitate to pressure UN and the UNHCR to continue operations regardless of the danger to personnel and supplies. (Cutts 1999, 5) Once again, the UNHCR found itself bending to the will of global political actors.

Despite challenges that the UNHCR faced at the end of the Cold War and in the former Yugoslavia, it pressed forward, knowing that the organization was fully capable of navigating nation state political pressures to bring live saving aid and support to refugee populations. The next section describes notable successes.

#### UNHCR Successes

UNHCR successes during the Cold War were not more easily attained than in the post-Cold War period. However, political pressure during the Cold War was slightly more predictable, as a bi-polar world left less ambiguity than a multi-polar world. UNHCR successes were supported and were attained, especially if they succeeded in serving the east/west competition. Political pressure was primarily drawn from the U.S. or the USSR, but as decolonization and client states struggled for independence, changes in the UN were emerging as developing nations were permitted to join the UN and had a voice in determining what global events were most important. For the most part, during the Cold War, operations that protected refugees were supported by one side or the other, particularly if in doing so advantages opened for the U.S. to extend its sphere and closed opportunities for the USSR and vice versa.

The UNHCR met its mandate to protect refugees over nation state interests during two notable events in its early years. These two events were not necessarily unique but demonstrated that with skilled leadership and political will, the UNHCR can overcome nation state reticence to act in support of refugee protection. Next, we will look at Hungary in 1956 and Algeria in 1957.

The UNHCR's capacity to ensure it was financially and operationally capable of providing global aid and protection materialized incrementally, driven by the forward-leaning vision of the organization's leadership. Early on, leaders sought to gain partial independence from the political machinations of its donor states. The first High Commissioner, Gerrit van Heuven Goedhart, achieved independent operating space by raising funds and assuming an unintended leadership role in providing materiel assistance during the post WWII refugee crisis in Europe. (Loescher 2001, 8) Under his management, the UNHCR obtained a 2.9 million dollar private grant from the Ford Foundation, a U.S. company, that enable it to assume the lead role in responding to refugee crises in Germany, Austria, Italy and other European states.<sup>30</sup> (Loescher 2001, 8)

The combined refugee/IDP population in Europe after WWII totaled approximately 65 million people. Attaining private funding and successfully providing material aid, despite concerns that the organization had moved beyond its mandate to assist refugees in consonance with nation states, legitimized the need for the UNHCR materiel assistance program and subsequently paved the way for the UN to guarantee that the UNHCR became the lead in emergency operations over the next several decades. (UNHCR UK n.d.)

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<sup>30</sup> 2,900,000 USD in 1956 is approximately worth 31,896,801.47 USD today. (CPI Inflation Calculator n.d.)

Although Goedhart was a successful and savvy businessman and much of his energy was spent securing funds to support millions of refugees that remained displaced after 1945, he expanded UNHCR's focus from simply resettlement to integration within local European communities. The outcomes achieved on behalf of the European refugees were acknowledged in 1954, when UNHCR was awarded the Nobel Peace Prize. (United Nations n.d.)

Operational successes continued for the UNHCR, as the second High Commissioner, Auguste R. Lindt of Switzerland stepped in to assume the reigns from Goedhart. Lindt continued to advance Goedhart's visions for the organization. Less than a decade later, in 1956 he mobilized international support for 200,000 displaced people during the Hungarian refugee crisis, despite push back from the United States.

In November 1956, Hungarian dissidents revolted against Communism in Hungary. The outcome spurred the greatest refugee crisis in Europe since the end of World War II. The crisis began on October 23, 1956, when students in Budapest demonstrated against Soviet control. On November 4, approximately 1,000 Soviet tanks rolled into Budapest to put down the rebellion and an estimated 3,000 Hungarians and 700 Soviet soldiers died in the fighting.

President Eisenhower and his administration, including the Immigration and Naturalization Service (INS), moved swiftly to mobilize the INS, the State Department, the military, and civilian volunteers to resettle over 30,000 refugees into the United States over an eight-month period. The success of "Operation Safe Haven" set a precedent for the U.S. to respond to humanitarian crises through expanded presidential power. (U.S. Citizenship and Immigration Service n.d.)

Operations in Europe positioned Lindt and the UNHCR at odds with western donors, who did not want refugees repatriated in the Soviet sphere of influence.

(Loescher 2001, 8) Nevertheless, the UNHCR's operation after the Hungarian uprising, saw it repatriate almost 10 percent of Hungarian refugees, despite controversy surrounding the operation and staunch opposition by Western governments.<sup>31</sup>

Lindt, despite political pressure was determined that the Hungarians not remain in refugee camps. He interpreted keeping refugees in camps as a repeat of the tens of thousands of hard-to-settle refugees that were left behind directly after World War II and remained in camps across Europe, a situation that weighed heavily on him throughout his life. (UNHCR UK n.d.)

In an unpublished UNHCR interview in 1998, Lindt recalled that he was most frustrated by the conditions in camps that were still housing WWII refugees. (Szobolits, et al. 2006, 10) His position as High Commissioner had allowed him to witness the generations of refugees living in European camps and was unsettled that there were adults and children that had been born in the camps and had never lived normal lives. He insisted that the Hungarian refugee camps be cleared with support from donor states and by the early 1960s none of the Hungarian refugees remained. (Loescher 2001, 89) They

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<sup>31</sup> The U.S. opposed repatriation of Hungarian refugees because repatriation into a Soviet Bloc nation ran counter to U.S. policy to undermine popular support of Soviet communism. The U.S. supported non-revolutionary measures to prevent Sovietization of any population in eastern Europe. National Security Council Report No. 174 (December 1953) concluded that an armed conflict could end Soviet control of Eastern Europe, but that was an unacceptable option. 1955 NSC Directive 5505/1 defined the shift in U.S. policy toward promoting reform in the Soviet/East European space, concluding that the best way to prevent total Sovietization of Eastern Europe and maintain popular resistance would be through incremental steps. Some NSC principals including Vice President Nixon encouraged violent protests in Eastern Europe even if they were unsuccessful. (Marchio 2002)

had either been resettled and integrated in Austria, Yugoslavia, or had voluntarily been repatriated back to Hungary.

Although distasteful to western governments, voluntary repatriation remained in line with the principles of non-refoulment. In support of the UNHCR's goals to clear the refugee camps and a challenge the West's goal to bleed the population out of Hungary, the communist Hungarian government offered official amnesty that permitted refugees to return to Hungary and visit relatives they had not seen for many years. Additionally, Lindt, worked closely with Yugoslavia's dictator, Josip "Tito" Broz, who had himself demonstrated his willingness to defy the will of the Soviet Union. Lindt convinced Tito to accept Hungarian refugees into Yugoslavian territory, purely in the interest of alleviating human suffering. (Szobolits, et al. 2006, 10-11) Lindt's deftness in maneuvering through the politics of the day defied the will of the West, secured agreements with communist leaders and befriending a dictator proved that the dexterity and willingness of the High Commissioner could serve to save hundreds of thousands of refugees from desperation.

The Hungarian operation again highlighted that politically dexterous High Commissioners such as Goedhart and Lindt could and should play a pivotal role at the center of world politics. Goedhart successfully led the agency through the first major Cold War crisis by mediating between Eastern and Western interests involving refugees displaced from WWII. Lindt, himself a vociferous advocate for refugee protection, focused the UNHCR's resources where they were most needed and, in the process, was able to expand operations outside of Europe to include refugees located in north Africa. The UNHCR, and the international refugee protection system that it directs, was

influenced by the success of the Hungarian crisis and further set the stage for another success involving refugees from Algeria. (Szobolits, et al. 2006)

The second early success opened the road to refugee protection and Humanitarian aid in the developing world. The 1950s was a decisive period for the organization, the UN granted the UNHCR formal authority to raise funds and initiate assistance programs beyond the customary requirement to seek funding from donor states. The resulting infusion of money and resources translated into increased autonomy and paved the way for it to pivot toward, not only communist regimes in Europe, but refugees in Asia, Africa and the Americas who were faced with desperate situations.

The UNHCR operation in Algeria was the first expansion outside of Europe. The 1957 Algerian War of Independence from France caused a surge in people fleeing the violence. Hundreds of thousands flowed into recently independent bordering states, Tunisia and Morocco.<sup>32</sup> Lindt, assessed that assistance to Algerian refugees was an opportunity to leverage the new infusion of international support and goodwill it had earned, in part from the United States, and as the result of success aiding refugees in Hungary.<sup>33</sup> (Loescher 2001, 9) Lindt believed that if the UNHCR did nothing in response to appeals from the Algerians, the organization would be perceived by non-European

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<sup>32</sup> The Algerian War for Independence was fought against the French from 1954-1962. It was the first African struggle against European colonial rule during the Cold War and produced substantial numbers of refugees. France exacerbated the internal conflict after it took an inflexible position against all demands for social and political change. As a result, many Algerians were radicalized into nationalist movements. The war was one of the most violent in the history of decolonization. The number of Algerians that died in the fighting is estimated to be around 1 million. (Seferdjeli 2016)

<sup>33</sup> Soon after High Commissioner Auguste Lindt mobilised support for some 200,000 Hungarians who fled due to the Soviet reaction against the civilian population after the 1956 Hungarian uprising, he initiated an assistance program for thousands displaced during the Algerian war of independence. Lindt's diplomatic handling of the two situations served to ensure nation states accepted the transition of UNHCR from a European focused aid organization to a global leader with worldwide responsibilities.

donor states as a human rights protector, but only for Europeans. He must have envisioned that the nature of conflict and the traditional locations where the UNHCR would be called to assist would continually change as the environment of international state relations had changed dramatically, right before his eyes. (Loescher 2001, 98)

The Algerian war for independence was inspired, in-part by the universal principle of national self-determination, a fundamental tenet of the United Nations Charter.<sup>34</sup> Lindt and the UNHCR staff were undeterred by opposing arguments from France and other colonial powers who viewed Algeria's fight for independence as a slippery slope, one that threatened hundreds of years of political, economic and military investments, not only in Algeria but in other colonies that would likely interpret the Algerian struggle for independence and its inevitable success as a model for their own eye toward independence. (Loescher 2001, 99)

As a counterbalance to Western government concerns, the Soviet Union supported struggles for independence against the Europeans, not because they were the torch bearers of human rights, but because they viewed the calls for independence as an opportunity to weaken western political, economic, and military dominance in the far reaches of the world, where if the west failed, they themselves could seize on the opportunity to expanded their own political and strategic aims.

Following the end of WWII and throughout the Cold War, the international environment was steadily shifting. The bi-polar environment promoted and led by the

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<sup>34</sup> Article 1 of the United Nations Charter includes an assertion that the one purpose of the United Nations is to the develop friendly relations among nations based on respect for the principle of equal rights and self-determination and to take other appropriate measures to strengthen universal peace. Self-determination was hotly debated in UNGA after WWII. In 1957 a draft resolution was presented at UNGA calling for the UN member states to recognize Algeria's right to self-determination. However, Algeria was not recognized by the UN and permitted to become a member until 1962.

U.S. and USSR caused, for the most part, a global polarization in alignment with one or the other. Challenges to peaceful coexistence between states during the Cold War presented themselves through proxy wars and violent struggles for decolonization. Those events were only hints of what was to emerge in the post-Cold War era.

The Cold War and decolonization were two global trends happening in parallel but were not independent of each other. (Getz n.d.) Between 1945 and 1960, three dozen states in Asia and Africa became independent from their colonial rulers. (Betts, Loescher and James 2012) Although the UNHCR successfully aided refugees in Europe and Algeria, the organization's successes were not sustainable.

After the fall of the Soviet Union the world reordered itself again and conflict became more often fought internally instead of transnationally. Unlike conflict during the Cold War, when armed conflicts between East and West were primarily fought to determine what political ideology would prevail on a global scale, after the Soviet Union collapsed, the mode of conflict changed but remained a part of the global landscape. Defining the causes of conflicts became murky and harder to define, therefore finding peace while implementing strategies that would ensure refugees and displaced persons were protected under the UNHCR mandate became riskier.

Conflict resolution required a deeper understanding of the parties involved. At the nation state level, these new conflicts were being described as struggles between religious groups, ethnic groups, or to advance the aims of extreme nationalist movements. Leadership internal to the conflict was blamed for whipping up ethnic or nationalist hysteria. However, there is another causal factor to consider. In the case of Yugoslavia and in Srebrenica, multi-ethnic crime organizations became instigators in the broader



conflict. They operated for profit and influence, displaying loyalty to no one. They functioned at the ground level, outside of the framework that the big nation state and international media focused on but were very intimate to the lives of the civilian populations. In the case of Yugoslavia, organized criminals contributed to and often drove the pace and complexity of conflicts. (Mandic 147)

Many post-Cold War conflicts were being fought in the same cities, regions, and territories where groups had existed at apparent peace for generations. The shifting nature of conflict did not preclude the need for the UNHCR's attention, as was the case when Yugoslavia broke apart. However, locations like Srebrenica became a new challenge for the world but more so a challenge for the organizations mandated to protect refugees and provide humanitarian aid.

#### Srebrenica (Сребреница)

"Many and sharp the num'rous ills  
Inwoven with our frame!  
More pointed still we make ourselves,  
Regret, remorse, and shame!  
And man, whose heav'n-erected face  
The smiles of love adorn, -  
Man's inhumanity to man  
Makes countless thousands mourn! (Robert Burns)<sup>35</sup>

The Srebrenica case is an excellent but chilling example that illustrates the complexity surrounding UNHCR operations throughout the former Yugoslavia and in most conflicts that followed the Cold War. This is not a comprehensive description of the

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<sup>35</sup> Robert Burns wrote "Man was made to Mourn: A Dirge" in 1784. Burns was a Scottish poet who wrote several poems that criticized class inequality. This poem is best known for highlighting the devastating impact of man's inhumanity toward his fellow man. (Burns Country n.d.)

events that led up to the massacre in Srebrenica, that would take an entire book or possibly two. Nor does it indicate an unawareness of the range of perpetrators that violated human rights across the former Yugoslavia.

Active participants in the conflict, the UN, NATO, the Europeans, and the U.S. failed to protect innocent lives throughout the former Yugoslavia. They failed to cooperate with each other at critical junctures that would have changed the course of the war and could have avoided the massacre in Srebrenica. Despite critics of the UNHCR, evidence clearly indicates that the UNHCR was blocked by combatants, coopted by gangs, and unprotected by governments.

The war in Bosnia began on 6 April 1992 and within sixty days from the start, approximately one million people had been displaced from their homes and tens of thousands of people, a majority Bosnian Muslims, had been killed. It is necessary to bring attention to the more than two hundred and fifty thousand Serbs that were killed in targeted assassinations and as war collateral by the Croatian Ustaše and to a lesser extent, by the Bosnian Muslim Forces.<sup>36</sup> And an estimated twenty thousand Croats were killed at the hands of opposing forces. Although considered an international crisis, the internal wars represented a conflict between ethnic groups located in the former Yugoslavian republics and for the purposes of this product, specifically in Bosnia and Herzegovina. The ethnic makeup of combatants is described only to demonstrate that the

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<sup>36</sup> The Ustaše was founded in 1930 and operated throughout the interwar period into the 1990's as a violent extremist organization. Its constitution was released in 1932 and pronounces that the Ustaše organization has the task to liberate Croatia from foreign control, using all means so that it can be a free and independent state located on the entirety of its historic ethnic territory. (timeGhost History: <https://www.youtube.com/watch?v=sbkeQmXMwCU>)

group that sustained the most damage in the conflict was not the overall minority.

Territorial losses and loss of life were incurred because of international policy decisions.

The Bosniaks (Muslims) constituted 44 percent of the population and dominated the Army of the Republic of Bosnia and Herzegovina (ARBiH). Despite its numbers it was poorly equipped and mostly untrained in combat. Croats constituted 17 percent of the population and were dominant in the Croatian Defense Council (HVO), which had the backing of the Republic of Croatia. The last group fighting in the war was the JNA or the Bosnian Serb Army (BSA) dominated by ethnic Serbs who constituted 31 percent of the population.<sup>37</sup> Although the JNA withdrew from Bosnia-Herzegovina to Yugoslavia in May 1992, it left behind units whose members were led by commander Ratko Mladić, who's moniker became the "Butcher of Bosnia" a moniker earned because of the brutal tactics undertaken against opposing forces.

The conflict that followed was unlike a conventional war, in that much of the fighting was locally based and involved a combination of regular and irregular fighters. Additionally, the central tactic was to terrorize civilian populations and force flight away from contested territory; and finally, the conflict was conducted more in the style of attrition, terror, and gang-style crime. The foundation of the war was triggered by the Soviet collapse and the end of the Cold War.

The Bosnian war was predicated on the break-up of the Socialist Federal Republic of Yugoslavia that followed the formal declarations of independence by the Republics of Croatia and Slovenia. According to a United Nations report, following Slovenia's,

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<sup>37</sup> Innes, "Bosnian Security after Dayton" 12

declaration, fighting broke out between Slovenian forces and Serb JNA forces.<sup>38</sup> The initial fighting ended after only ten days with the signing of the Brioni agreement, in July of 1991. The Brioni agreement was prepared at the invitation of the Yugoslav government.

The European Commission (EC) Ministerial Troika met to create conditions for a peaceful settlement to the conflict.<sup>39</sup> The EC proposal closely aligned with the European Union view that the conflicts could be settled through negotiation and mutual respect for human rights, including minority rights of self-determination. A key provision of the proposal highlighted the optimistic but flawed view. The EC believed that the parties to the conflict would, following EU led negotiation, refrain from unilateral action and violence and that the warring parties would respect human rights and international law. What happened was the opposite of the conditions agreed upon in Brioni.

Despite the agreement to refrain from unilateral actions that would inflame the situation, conflict steadily increased between Croatian forces, on one side and the JNA and Serb militias on the other. Several months of intense fighting ended with a ceasefire signing in Sarajevo. The parties to the ceasefire agreed to a United Nations peacekeeping

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<sup>38</sup> The Army of the Republika Srpska (VRS), referred to in English as the Bosnian Serb Army (BSA), was founded on 12 May 1992 from the remnants of the Yugoslav People's Army or JNA. The JNA was the official army of Yugoslavia and was designed to repel invasion using the geographically central republic of Bosnia and Herzegovina. The geographic advantage was also an advantageous location to store armaments and was the location for most military production. When the Bosnian War erupted, the JNA formally discharged 80,000 Bosnian Serb troops. These troops were allowed to keep their weapons (heavy and light), and they eventually formed the backbone of the new army, the VRS. The VRS forces were primarily ethnic Serbs from Bosnia and Herzegovina, but also included approximately 4,000 foreign Orthodox Christian volunteers; 700 from Russia, 300–800 from Bulgaria, and an estimated 100 from Greece, known as the Greek Volunteer Guard. The BSA remained active during the Bosnian War from 1992 to 1995, and continued to operate as the recognized armed forces until 2005 when it was integrated into the Armed Forces of Bosnia and Herzegovina. (Innes 2007)

<sup>39</sup> The Troika was, at the time of the Bosnian war, the designation of a triarchy that represented the EU in foreign relations and common security issues.

operation, known as the Vance Plan.<sup>40</sup> The plan was signed as part of Security Council resolution 713 and laid out terms that included a weapons embargo that suspended deliveries of materiel to the conflict.

What now seems like incredible foresight, UN Secretary-General Boutros Boutros-Ghali warned that the agreed-upon plan lacked necessary assurances and commitments to actually find common ground, which was required to fully implement the Vance peace agreement. Boutros-Ghali decided that a United Nations Protection Force (UNPROFOR) would be needed to avoid any violation of the ceasefire and to act as a stabilizing factor. (Honig and Both 1997, 150-151)

By April 1992, fighting in Bosnia intensified when the Serbian JNA withdrew from Croatian territory but remained in Bosnia. The JNA withdrawal was followed by the relocation of a substantial supply of weapons and conflict materiel into Bosnia. That materiel was later transferred directly into the hands of the Bosnian Serb forces or BSA and was used to attack the Bosnian Muslim enclaves.

The United Nations Security Council directed protection forces to deter attacks on designated safe areas, that included Srebrenica and five other locations: Sarajevo, Bihac, Tuzla, Zepa and Gorazde to ensure the safety of populations under imminent threat from the warring parties. However, when Srebrenica was overrun, approximately 20,000 people were killed in and around the location. (United Nations General Assembly,

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<sup>40</sup> The Vance Plan was devised by Cyrus R. Vance, Personal Envoy of the United Nations Secretary-General and Marrack Goulding, Under-Secretary-General for Special Political Affairs, as discussed with Yugoslav leaders. It was the United Nations' plan for dealing with the United Nations Protected and Related Areas (UNPA). The plan presumed that all combatants in the conflict would abide by the arrangements and the ceasefire agreed to in Geneva in November 1991. All members of the peace-keeping operation would be under the operational command of the Secretary-General. UNPAs would be demilitarized; all armed forces in them would be either withdrawn or disbanded. The role of the United Nations troops would be to ensure that the areas remained demilitarized and that all persons residing in them were protected from fear of armed attack. (Peace Agreements.org n.d.)

UNGA 1999) Over 850,000 people were driven out of Srebrenica to clear the territory. Those that remained or were captured on the run were subject to violence and murder. The European continent had not experienced this level of violence and ethnic cleansing since World War II.<sup>41</sup>

A “safe zone” was established in Srebrenica on 16 April 1993 under Security Council resolution 819. The safe zone concept was not an idea original to the war in Bosnia-Herzegovina, it was an expansion of several different fields of scholarship and research. A safe zone is defined as an area of land within a conflict that is free from military operations and attacks. The goal is to offer a reasonably secure area for civilians to seek refuge during conflict.(Rapp, 2)

As a result of the declared safe zones in Srebrenica and the other five locations, the UNHCR established a significant presence in Bosnia-Herzegovina and was the leading agency for humanitarian relief activities. (Under-Secretary-General for Peacekeeping Operations 1999) Food, clothing, seeds, and shelter materials were provided to protect refugees from the winter weather. The aid was distributed to local authorities for onward distribution to impacted populations.

As mentioned above, involving local actors is supposed to help sustain support for humanitarian efforts after the UNHCR ceases operations. However, because the UNHCR relied on intermediaries and was not directly transporting aid, the aid that reached vulnerable populations declined, likely because of two main factors; siphoning into the black market by organized criminal gangs and to placate nefarious actors who supported BSA operations against the Muslim population.

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<sup>41</sup> Loescher, “The UNHCR and World Politics” 296-297

From the beginning of UNHCR's humanitarian operations the Serbs blocked as much aid as possible from reaching Srebrenica and other secluded Bosniak communities. BSA troops and militias subjected aid convoys to clearance procedures and harassment to frustrate aid transport and create insurmountable hardship to gain control over the Bosniak enclaves and maximize profit. The aid that the UNHCR was able to successfully deliver went to areas that were not under Serb control, which rarely included the Bosniak areas. (Under-Secretary-General for Peacekeeping Operations 1999)

International cooperation was able to push back the BSA's effort to block aid from reaching the Bosniak enclaves. In February 1993 French, German and U.S. transport aircraft dropped humanitarian aid to Bihać, Goražde, Srebrenica, Žepa and other isolated areas, but threats from the BSA to down delivery aircraft led to termination of the program by August 1994. However, by then, the UNHCR had delivered almost 18,000 tons of aid to the most vulnerable populations.

Serbia's determination to unite the separatist Bosniak enclaves with the territory they had already secured remained their primary focus. After they were able to take Srebrenica, horror on the ground deteriorated for the Bosniaks. All previous efforts to negotiate with the Serbs failed and it became clear to the U.S., NATO, and the Europeans that something more had to be done to stop the slaughter.

“The summer of 1995. was around the time when Srebrenica was overrun by the Serbs and when the fecklessness of western policy was fully exposed. Srebrenica was what allowed us (United States) to turn the page and put air power and the service of diplomacy into play and allow us to bring about the Dayton Peace Agreement.” “... in the summer of '95, you could see the inadequacy of a lot of policies and the (inadequacies of) institutions that had been set up to try to manage the humanitarian dimension of the conflict. (Vershbow 2022)

The situation in Bosnia and Herzegovina was tragic. The UN peace keeping mission and the UNHCR aid program were fated to fail because parties to the conflict were not willing to accept the terms of peace. Successful peacekeeping would have opened routes for vital humanitarian aid to reach the most vulnerable refugee populations, but that would have required combatants to respect the United Nations and international law. The Bosnian conflict demonstrated the worst that the world had to offer and again confirmed man's capacity for inhumanity toward his fellow man.



## Chapter IV

### Interviews

#### Alexander “Sandy” Vershbow

An interview with former Ambassador Alexander Vershbow, brought clarity to the U.S. position on the Bosnian war.<sup>42</sup> The relationships between nation states that were closely aligned during the Cold War was becoming tense, as they found their post-Cold War footing that often failed to match along previous political and economic lines. The U.S. had come out on top of the Cold War and in a unipolar environment, the U.S. also had to reshape our role in the international system and then determine what the New World Order would comprise and how it would function. Critics of Cold War treaties argued that NATO had become irrelevant because there was no threat to Europe. The USSR and Soviet Bloc were gone. However, the Bosnian war was a reminder that the collective security agreements needed during the Cold War remained necessary. NATO and U.S. indecision to enter the Bosnian war was complicated by several factors.

Ambassador Vershbow shared that,

Initially, NATO did very little beyond offering to enforce the arms embargo that was imposed on all the parties, but particularly that (decision) constrained the Bosnian government.

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<sup>42</sup> Alexander Vershbow served as the Deputy Ambassador to NATO in 1991 when the breakup of Yugoslavia was unfolding, the U.S. Deputy Assistant Secretary of State (1993), under the Clinton Administration and the National Security Council Senior Director for Europe during Anthony “Tony” Lake’s tenure as the National Security Advisor.

The new U.S. administration was focusing on domestic policies and creating a legacy of peace and prosperity for the American people following the Gulf War.

However, the Clinton administration was blind to the world that was unraveling before them. By the middle of 1993,

The Clinton administration was just six months in office and (they) were still struggling to figure out what to do.” The shock that the war was being conducted by combatants in a manner that was as cruel and inhumane as the German’s during WWII caused experienced State Department personnel to challenge policy maker decisions to hold back from direct intervention. “There was a lot of discontent within the ranks.” A lot of my new staff were either threatening to, or actually did resign in protest over the impotence of the U.S. to end this horrific crisis of concentration camps and ethnic cleansing.” “Right before our eyes, things (were happening that) we weren’t expecting to ever see again in the 20th Century. (Vershbow 2022)

For more than four years the U.S. refused to take the lead to end the violence in Bosnia. The causes leading to U.S. involvement was almost as complex as the war itself. At the policy level, the attempts to manage the crisis failed miserably and cost the administration significant credibility on the international stage. The president called on his national security advisor Anthony Lake and his team that included Alexander Vershbow to be innovative in creating a strategy that did not rely on a policy of crisis management. (Daalder 1998). 1995 would prove to be the decisive year for the war. Serb leadership in early March, decided that 1995 would be the last year of war and their objectives were clear: The Serbs intended to conclude the war before the onset of the next winter. First, they would launch a large-scale attack on the three internationally designated “safe areas”. The eastern Muslim enclaves of Srebrenica, Zepa, and Gorazde—Then they would shift, with the assistance of Croatian forces to Bihac—the same Bihac that had supplied them with food oil and gas, among other materials they needed. Finally, Sarajevo was captured by the fall and the war would be finished along

with hundreds of thousands of innocent people. (Daalder 1998) The question for the Clinton administration was deciding if committing ground troops to end the atrocities would be sufficient. After substantial hand-wringing Clinton, at the insistence of his staff agreed to strike the Serbs by air.

The summer of 1995 was around the time when Srebrenica was overrun by the Serbs and when the fecklessness of western policy was fully exposed. Srebrenica was what allowed us to turn the page and put air power and the service of diplomacy into play and allow us to bring about the Dayton Peace Agreement. So, the lead up to that period, in the summer of '95, you could see the inadequacy of a lot of policies and the institutions that had been set up to try to manage the humanitarian dimension of the conflict. (Vershbow 2022)

The U.S. viewed refugee and IDP protection and the UNHCR as one tool in the international system. But as Ambassador Vershbow explained, the UN was unprepared for the events on the ground in Bosnia, especially the callousness of the combatants.

The U.S. wanted to make use of international organizations, in particular the UN and the UNHCR then back them up by the UN Protection Force (UNPROFOR). But I think the problem from the start was that none of these institutions really had sufficient authority to enforce their mandate. In the case of the Bosnian Serbs, in particular, the UN was unable to prevent them from basically trampling upon these institutions, literally humiliating some of the international troops and personnel that were trying to carry out the humanitarian mission in the midst of a war. That dynamic was not what was envisioned when the UNHCR was created. These institutions now operate in the middle of live war situations. I think the answer is that we must be prepared for that in the future, but in the case of Bosnia, the UN and its institutions were not prepared for that and didn't have sufficient authority. (Vershbow 2022)

Looking back at the events leading up to the break up of Yugoslavia and the analogous conflicts in Rwanda, Haiti, Libya and others. It is reasonable to argue that the UN and the international community should mandate that the concept of "sovereignty with parameters" be applied as a justification to intervene in intrastate conflicts for the

security of innocent populations caught between combatants, particularly if nation states continue to deny access to territory that is safe for refugees or IDPs.

I'm not sure (if the sovereignty with parameters concept would ever be agreed upon in the UN). Moving in that direction is clearly, in light of events, something we should have considered and debated at a time when we had a reasonably productive relationship with the Soviet Union and then with Russia, right after 1991. But those kinds of changes would have probably required amending the UN Charter or getting binding UN Security Council resolutions which would have been difficult to do. Even if the Russians might have gone along (with it), the Chinese may have been more reluctant. Generally, states are very protective of their sovereignty, so getting an international consensus either globally or in the confines of the UN Security Council might have been too difficult to accomplish. Regarding the responsibility to protect and how it's supposed to work. Really, it sounds better in theory than it works in practice, because we're dealing with sovereign states. What we did see in the Bosnia case, because we were adapting European institutions, which maybe had more flexibility and a little more built-in consensus, was the foundation of shared values and interests that still, even with the end of the Cold War, maybe more-so after the end of the Cold War, created a consensus on which to build." (Vershbow 2022)

Nation States' leaders and policy advisors take account of the environment that they are facing at the time a crisis requires attention. For the U.S. as well as the Europeans and almost any other liberal democracy, domestic politics and international relations play a role in decision making and motivations to intervene. Ambassador Vershbow explains:

While there were geopolitical motivations for the intervention to end the Bosnian war in '95 and a similar intervention four years later in Kosovo, the values of human rights and the normative motivations were as important as the geopolitical ones. President Clinton obviously was offended by the ethnic cleansing and all that was going on, he was also worried that the inability to end the war in Bosnia was going to become like a cancer on his entire foreign policy, so he had many different considerations. He also had to think about getting reelected. But I think the values basis was the strongest driver for the decision to intervene. (Vershbow 2022)

Using airstrikes to end the ethnic cleansing in Bosnia showed that the U.S and NATO were serious about stopping the brutality but also insulated President Clinton by keeping military risk at the lowest level possible. The breakup of Yugoslavia, the subsequent wars, followed by UN and European attempts to negotiate peace and finally the U.S. led military intervention were carried out around the UNHCR led humanitarian aid operations. The UNHCR and aid organizations provided humanitarian aid, almost uninterrupted, despite the risks from the combatants and the inability of the international system to adapt itself to the challenge in front of it.

In the case of Bosnia, there was an intent to use UN authorities as much as possible. The Bosnia military intervention in the summer of '95, with NATO air strikes serving as the hammer was undertaken to convince the Serbs, as the most recalcitrant party, to accept an internationally imposed settlement, followed by an international peacekeeping force to police the peace afterwards. This was based on adapting existing institutions, rather than inventing new ones, which made it a one-off in some respects, but it was a success. Had something similar been tried in Rwanda before things got out of control, maybe we could have avoided the worst. (Vershbow 2022)

Most unfortunate for the Bosnians, Rwandans, and other populations trapped in the middle of internal conflicts after the Cold War ended, was that the new face of conflict came at a time when the international community was ill equipped to minimize harm to innocent populations.

Policy advisors and elected officials with decades of experience as well as those new to the political machinations of war were taken off guard by the brutality in Europe and may have been reminded that Europe's population is no less insulated from the vile brutality that comes with conflict than those on the African or Asian continents. The long peace in Europe after WWII served to desensitize the international community to the indications that a conflict demands early intervention.

When I started out in Washington in '93, I was surprised by the brazenness of the warring parties, particularly the Serbs but the Croatians were no slouches at trying to bully the international community, even some of the Bosnian political leaders surprised me. They were the primary victims, but they weren't angels either. It was surprising for me to see how prepared they were to be defiant in the face of powerful military forces from the UK, France the Netherlands, and other countries.

It was a sign that the balance of power in the world was in flux, that these kind-of tin-pot dictators or would-be dictators were prepared to take on the international community. They got away with it for several years until things reached a low point in the spring of '95 when UN peacekeepers were being chained to the lamp posts and the Bosnian Serbs overran Gorazde, Bihac, and some of these other safe areas. Those actions laid the groundwork for more outrageous actions in Srebrenica and Zeppa in the summer of '95. (Vershbow 2022)

Foreign policy, specifically the foreign policies in liberal democracies, failed to quickly adapt to the evolving situation in Bosnia. Despite calls for direct intervention, consensus could not be reached to set aside negotiations in favor of using military intervention that would have forced the combatants to accept an external peace agreement and subsequently save lives.

Maybe because I was brought up as a liberal, believing in negotiations and multilateral diplomacy, it made me realize that you need a sharp edge to your foreign policy. I became a big fan of this buzz word, "diplomacy backed by force", which I learned from Tony Lake (Clinton's National Security Advisor) and that was basically the template that we tried to apply, starting in '93, but only successfully applied in '95 and did it again in Kosovo. We tried to do it again in Libya, but then forgot that the post-war (period) is just as important as the war itself. (Vershbow 2022)

Decades after the wars in the Balkans, the global community of nation states continued to struggle with refugee and IDP protection. Lessons learned in one conflict are ignored or possibly forgotten when the next one arises. A playbook to end war quickly is an impossibility, but when conflicts spiral out of control and powerful liberal democracies are called upon to protect innocent populations, surely an enduring consent can be reached that puts in place a collective plan that shields innocent populations from

the horrors of war. Unfortunately, the world's governments continue to struggle with refugee and IDP protection and a global rally around protection is elusive. Although Ambassador Vershbow humbly points out that he is not the authority for universal refugee protection policy but his insights offer explanation. As he describes, several factors limit a global effort to intervene early in a conflict.

There are always insufficient resources of qualified troops (personnel), either military troops to serve in the peacekeeping world and international civilian specialists to work with militaries to create the kind of secure environment that you need to insulate refugees and (carry out) humanitarian operations, more general, from the ravages of an ongoing conflict or even the vestiges (of a conflict). Even if the war is over but there is still (exists) militias and other ungoverned actors, still operating in a supposedly post conflict situations. So, there's (an absence of) resources, lack of training, uneven quality of the forces that are provided by nations to UN peacekeeping operations. And then there is increasingly polarized nature of the great power relations, where, particularly in recent years you see the Russians, sort of just out of spitefulness, opposing anything that the U.S. favors at the UN Security Council, not just on Ukraine issues, but western Balkans, some of the ongoing conflicts in Africa. (Vershbow 2022)

The end of the Cold War did not undo decades of competition between east and west, liberal democracies and illiberal regimes remain in a power struggle. Despite the appearance of cooperation with each other for the greater good, preventing ideologic, economic or political gain remains at the top of national strategies at the expense of global populations. Governments avoid putting the best resources toward the global refugee problem, likely because they are not assured that the best resources will not be needed to defend more important strategic goals.

Russia doesn't want to allow the U.S. and other democratic nations to be able to make effective use of the UN agencies. (For example,) the Russians may say that they're not opposed in principle (to a humanitarian effort) but then they refuse to fund the institutions (that will carry out a humanitarian effort), adequately. This happens also, even more so in the OSCE (Organization for the Security and Cooperation in Europe) who try to do it on a regional level. (We) Saw this with (the) monitoring forces

who were in eastern Ukraine before the war. Russians kept them on a tight leash financially and did nothing to prevent the separatists from shooting down the drones being operated by the supposedly internationally approved monitors. So, there's politics, there's resources, and there's the general mediocre personnel that often end up serving in international operations. There's corruption, there's cases of sexual abuse by peacekeepers, even from supposedly western civilized countries. So, UN doesn't have the best tools with which to work. That's ultimately the responsibility that lands at the door of the great powers. If they could get their act together, they should be able to make it better. (Vershbow 2022)

Future strategies by liberal democracies to create a more cooperative and effective refugee regime would be a significant hurdle, but not an insurmountable challenge.

International bodies like the UN and agencies like the UNHCR were created where none previously existed. They grew out of the shared conclusion that disputes leading to devastating wars could be collectively addressed and impacted refugee population could be protected.

There should be (a better global effort to address refugee flows). Unfortunately, crisis with humanitarian suffering and with massive refugee flows will occur from time to time. We should be doing a better job of prevention and conflict mediation, but (we should) be realistic about how quickly we can change things. Therefore, to mitigate the consequences of future conflicts we need to strengthen these institutions and strengthen international cooperation and try to separate potential geopolitical rivalries whether its among great powers or parties to regional conflicts and somehow create institutions that can operate with sufficient authority and with the resources to be much more successful. I look at Kosovo, as it was significant, not only because of the use of air power to end a conflict, but it was a case where hundreds of thousands of refugees who had been forcibly expelled by Milosevic just at the very start of the NATO air campaign, I think close to a half of a million were in Macedonia. All of them were back home by June. The war ended at the beginning of June, and it only took a month to get them all back and I think that's because NATO was able to put peace keeping force with real teeth on the ground, quickly within days of Milosevic signing the agreement, almost miraculously. Because everyone was afraid that if they (the refugees) stayed in Macedonia through one winter they would be resettled and you would never get them all back (to Macedonia), virtually all were returned. Even in Bosnia, a much messier situation, resettling refugees went pretty swiftly once a strong NATO led peace-keeping force was deployed after the Dayton Agreements (were signed). I think that



shows the advantage of using a strong military instrument like NATO. The UN was never going to be able to have that sort of robust peace-keeping force, but it could do a lot better than it does right now-- certainly than it did during the UNPROFOR phase of the Bosnian conflict.” (Vershbow 2022)

Matthew A. Palmer

Good fortune presented the opportunity to have a candid discussion with Matthew Palmer Deputy Chief of Mission to the United Kingdom, London. Mr. Palmer’s affable manner gave me the space to ask difficult questions about how the U.S. engaged as Yugoslavia broke apart and why the United States, NATO, and Europe were slow to respond to the humanitarian crisis that was at the forefront of the UNHCR’s efforts in the 1990s. Mr. Palmer described his professional role during the crisis as having arrived in 1993 to the Embassy in Belgrade as a junior foreign service officer, followed by an assignment to the U.S. mission to the United Nations as the Dayton agreement was being formulated under the Honorable Madeleine Albright who at the time, was the U.S. Representative to the United Nations.

In the case of Bosnia, understanding the level of concern that the State Department and White House had about Serbian leadership goals to create an ethnically pure state is critical to unpacking the decisions made by senior U.S. policymakers. The U.S. had to contend with several simultaneous global crises and as the only superpower left, attention was repeatedly diverted away from the spiraling situation in Yugoslavia.

We had just completed the Gulf War and Bush was involved in the Oslo stuff. The EU wanted to take responsibility for this “European” problem, and we were happy to let them. The European Commission head said, “now is the hour of Europe” so the U.S. took a back seat.” In the U.S., the situation in Bosnia was met with a reluctance to get involved. From 1992-93 we proposed a “lift & strike” plan. (The goal was to) strike Serbian positions, but the Europeans opposed it because they were concerned that

the forces that they had on the ground would be vulnerable to Serb retaliation. The U.S. didn't have boots on the ground.

(However,) Albright was driven by anti-aggression and state on state aggression. She didn't want to repeat the dealings in Munich when Chamberlain pursued a policy of appeasement (with Adolf Hitler). (Chamberlain's appeasement served to whet his appetite for additional aggression) Albright believed that the U.S. and the world should stand up to bullies and punch them in the nose. She was an advocate that the U.S. should avoid the temptation to appease the Serbs. (Palmer 2023)

Throughout this paper, the consistent theme is that the wars that followed the Yugoslav breakup was a complex mix of causes. However, combatant goals were the same, they were fighting for independent territory, ethnic dominance, and power.

There was essentially a war on two fronts. The JNA (on one side) was dominated by Serbs, so they already had the weapons. The arms embargo that followed hurt everyone that was not fighting for the Serbs. We (U.S. and Europe) meant well, but it (the embargo) advantaged the Serbs. (Palmer 2023)

Humanitarian aid provided by the UNHCR and other aid organizations was intended to help the populations that were displaced, but aid was often diverted from intended destinations to support selected ethnic groups and criminal gang profit.

Feeding (providing aid to) refugees often helps the fighting because it gives the dominant combatant resources (that they have limited or sporadic access to) (Palmer 2023)

At the end of the Cold War a New World Order was predicated on the global community led by the U.S. enforcing a rule-based international order. The 1991 Persian Gulf War was the execution of the concept that there was a better way for the international community to settle disputes and collectively cooperate to push back aggression. But the most recent version of Woodrow Wilson's fourteen points and Franklin Roosevelt's four freedoms was never fully realized. It sparked excitement after the Cold War but only for a moment. After the Gulf War ended, a collective awareness

surfaced that the world had changed more in two years than at any time since 1945 and it was not prepared. (Nye 1992) “We successfully carried out that vision in Iraq, Haiti, and Somalia.” (Palmer 2023)

U.S. involvement in the conflict was not delayed solely because of competing strategic interests. Part of the delay was caused by the European partners. When the U.S. was included in finding a solution to the European problem, the Europeans were not prepared to lead the global effort toward a resolution, they opted to step back and let the U.S. drive the peace train.

Warren Christopher sat down with the Europeans and said, “What are we going to do?” The Europeans were shocked because they thought that the Americans would come in and tell them what to do. (Palmer 2023)

Determining which combatant in the conflict deserved the most attention was multifaceted because all the major combatants to the war in Bosnia had committed acts that violated international humanitarian law, the Geneva Conventions, and a host of other laws that govern conduct during war. Ensuring aid deliveries to populations under threat was complicated by the fact that governments had to cut deals on behalf of the UNHCR with the very combatants that they were going to then strike. Although reports after the war ended suggested that western governments refused to enter the war to end the massacres in the Muslim enclaves was caused by anti-Muslim racism, there is no concrete evidence to support that assertion.

There were many IDPs. The Muslims were not the only group that was cleansed from an area. The Serb community in Croatia is gone because they were expelled by the Croatians. Franjo Tudjman, former President of Croatia and Slobodan Milosevic, former Yugoslav president divided up Bosnia on the back of a napkin and left a small enclave for the Muslims. The HVO was brutal. The historic bridge that was blown and blamed on

the Serbs was blown by the Croatians.<sup>43</sup> It was Croatian artillery. On the contrary, The U.S. and Europe paid significant attention to the problem was because they were white. Things were different then. In Yugoslavia, “Muslim” was considered an ethnic term not a religious term. Srebrenica was the turning point for great power involvement. At the same time Srebrenica was happening, we had Sierra Leone and Rwanda which were more terrible than what was going on in Bosnia. Still today we, the U.S. do nothing in the Congo or Somalia. The U.S. and great powers will accept violence in Africa but not in Europe. Racism underlies our global decisions then and now. (Palmer 2023)

The breakup of Yugoslavia and the war in Bosnia was, by many accounts, long overdue. The internal cohesion only lasted as long as it was coerced by authoritarian objectives to maintain territory and garner international political recognition and clout. When Yugoslavia broke apart and war ensued policy makers and advisors reflected on the events in different ways.

Nothing surprised me about the conflict. It was pathetic. I was surprised that Yugoslavia lasted as long as it did. It lasted only because of Tito. Tito tried to push the pause button on historic grievances, but never fixed them. Tito’s death removed the constraints. His successors tried to create a government with all the ethnic groups governing together. But the basis for society became the groups not the individual. They tried to criminalize the national and cultural elements, ie. Holidays. (Palmer 2023)

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<sup>43</sup> The Stari Most bridge was shelled by the HVO beginning in June 1993, and on 8 November an HVO tank started firing on the bridge until it crumbled. Stari Most was the last bridge connecting the two banks of the Neretva River. The ARBiH (Army of the Republic of Bosnia and Herzegovina) held positions in the immediate vicinity of the bridge and it was used by the ARBiH between May and November 1993 for combat activities on the front line and also by the inhabitants of the right and left banks of the Neretva as a means of communication and supply. (Forde 2016)

## Conclusion

Creation of the UNHCR did not mark the beginning of the global refugee crisis. Refugees and populations displaced by conflict is as old as recorded time. The UNHCR was created by the global community to actualize the collective understanding that innocent populations must be protected when caught between nation states or combatants at war. The UNHCR has been, since its creation, a political entity. It was created by the international community to respond to the needs of innocent populations in environments that are created by nation states. It can only survive if it remains flexible to the shifts in the international political environment and nation states that call upon the organization to engage for the benefit of populations under threat. Political impartiality was never a part of the equation because the very nature of the UNHCR is responding to outcomes caused by interactions between governments that specifically, cause threat to populations.

The organization continues to have limitations placed on it by nation states that gave it life and allow it to continue. The concept that the UNHCR can institutionalize new policies to overcome pressure from state politics must be coupled with the ability to specifically identify individuals, groups or events that have been responsible for its successes and failures. The problem remains that developing a framework that is flexible and will predictably lead to successful refugee protection remains elusive.

The changing nature of conflict that produced millions of refugees across the globe after the Cold War caused an internal crisis for the UNHCR. It was again called upon to address the needs of refugees, IDPs and stateless people but found itself in an

entirely new political environment. Gone was the clear divide between east and west and instead it was required to adjust to a myriad of combatants and political structures that were unrestrained to express political malaises in whatever fashion was desired, very often resulting in the worst expressions of inhumane behavior. The crises were not limited to one continent or one hemisphere. The global refugee crisis that emerged in the 1990s was truly a global phenomenon that crossed ethnic, religious, territorial, and political boundaries.

Yugoslavia emerged as one of the most complex and challenging environments that the UNHCR faced. Yugoslavia and the massacre in Srebrenica is only one example drawn from many that the UNHCR navigated in the early years after the Cold War and was a test of sorts, to determine if the UNHCR and the international community was prepared to meet the demands of a new generation of war. It was challenged to operate in new strategic parameters set by donor states and to meet its moral obligations to protect refugees under threat. The lessons drawn from the events surrounding the massacre in Srebrenica came at a high cost to the men, women and children caught between combatants, but it also cost the big nation states moral credibility. The unwillingness of the big states to prioritize saving innocent lives over political brinksmanship prevented the UNHCR and international aid organizations from carrying out the lifesaving operations that were so desperately needed, not only in the Bosnia case but also in Rwanda, Chechnya, Burundi, Columbia Algeria, Angola, Mozambique, Libya, etc. (Firket 2001)

The beginning of the new millennium and the attacks on September 11, 2001, brought about another shift in the global order of states and national priorities. The

UNHCR was again compelled to meet the needs of big nation states who were now focused on GWOT. The numbers of refugees and displaced persons continued to rise as nation states joined strategies and resources to locate and, in most cases, eliminate terrorist groups and individual affiliates. New tactics and strategies emerged that further increased the numbers of refugees requiring protection under the UNHCR umbrella.

By the end of 2019 the world witnessed the highest levels of forced displacement on record at approximately 79.5 million, most were refugees, asylum seekers and IDPs who were escaping from governments that for the most part were and continue to be signatories to the UN Charter and the international conventions that were set to ensure individuals are given a right to life free from persecution, violence, and religious and ethnic oppression. (Loescher 2021, 1)

Unfortunately, estimates predict that by 2050 the number of refugees, IDPs, and asylum seekers will reach 200 million, partially because of climate change and natural disasters.<sup>44</sup> The decline in refugee admission into safe areas and the reinforcement of political policies against refugee claims of asylum is an indication that the original mandate of the UNHCR will remain in flux, positioning it to meet the needs of powerful nation states that again, authorize it to remain part of the UN structure.

The UNHCR continues to evolve as the political environment changes but also as the natural environment changes. Under consideration is how the UNHCR will or will not address the needs of populations that have been displaced due to climate change or economic crisis. As of this writing, UNHCR does not recognize victims of natural disasters, failed states, or endangered migrants as refugees protected under the 1951

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<sup>44</sup> Loescher, "A Very Short Introduction" 4

Convention. (Loescher 2021, 7) Identifying and employing new concepts of appropriate and necessary humanitarian protection in a changing world is a critical component of creating a mechanism by which the UNHCR can effectively protect refugees and vulnerable populations regardless of the causes. (Hyndman 2000, xxiv) The organization's expertise has been called upon to help stateless people, a further expansion of its remit. On the upside, the UNHCR's moral influence, in parts of the world, such as Africa and Latin America, led to strengthening the 1951 Refugee Convention by the creation of additional legal instruments, specific to those regions. (Loescher 2001, 10)

The lessons learned from the wars in the 1990s with respect to refugee protection resonated with policy makers at the beginning of the 21<sup>st</sup> century. Although the roadmap to successful refugee protection was written from failures in Bosnia, Rwanda, Burundi and other locations, strategies to attain positive outcomes is often lost to history when new leadership, specifically in liberal democracies, changes hands.

“It (Bosnian operations) certainly influenced how we dealt with the next series of crisis in the first decade of the 21st century. Libya, in particular was seen as a way of applying the template from Bosnia/Kosovo to a similar conflict where there was a potential massacre of civilians in eastern Libya and then getting the UN the mandate in order to use airpower to protect people at risk from the Ghaddafi regime. It (Libya) morphed a little bit out of control, a bit of mission creep, and it became a regime change operation. Then when the regime was changed, we did nothing to help shore it up and assist the post-war regime. We just handed it off to the UN and said, take care of this, please. It was beyond their capacity. The intervention was successful but the post-war was shambolic, which is what happened in Iraq because the Bush administration unlearned the lessons in Bosnia and Kosovo all too quickly. They believed that real men don't do peace keeping and troops don't escort kids to school, but in fact, that kind of post conflict stabilization was needed, and we did apply it in Bosnia and Kosovo. But Chaney and the (Bush) administration experienced a case of temporary amnesia.” (Vershbow)

The UNHCR, since Gerhard Lindt led the organization, continues to expand its access to the far reaches of the globe and now has more than 18,879 personnel working in



137 countries. The organization's growth is both positive and disconcerting. Donor funding, private and public, implies that the world realizes the urgency of the global refugee problem. Its budget has grown to \$8.6 billion US as of 2019, from \$300,000 US in its first year, an expression of the shared global value of the UNHCR's expertise and mission.

The future for refugee protection remains uncertain and uncomfortably grim. The reality of the global refugee situations is grim, not because the UNHCR is incapable of shepherding global support, but because the catalysts behind forced mass migrations are changing as they did at the end of World War I, World War II, and the Cold War. Climate change is presenting new challenges for the UNHCR. The number of refugees displaced by natural events is growing and will again challenge nation states to redefine the refugee definition. As the natural environment changes it will present a new urgency for the UNHCR and global humanitarian aid organizations. Positions regarding the human or natural causes are less important than recognizing that the onset of environmental change will have human costs. Hopefully, lessons from the past will be looked to for guidance as the UN and nation states are likely to grapple with appropriate policies to address the changing refugee and humanitarian landscape.

## References

- BBC News. *Sadako Ogata: First Female UN Refugee Chief Dies at 92*. 29 October. Accessed January 15, 2023. <https://www.bbc.co.uk/news/world-asia-50217124>. 2019.
- Betts, Alexander, Gil Loescher, and Milner James. *UNHCR: The Politics and Practice of Refugee Protection*. Vol. 62. New York: Routledge. 2012.
- Bradley, Miriam. *Protecting Civilians in War: The ICRC, UNHCR, and their Limitations in International Armed Conflicts*. 1. New York, New York : Oxford University Press. Accessed April 15, 2022. 2016.
- Caverzasio, Sylvie Giossi, ed. *Strengthening protection in war: A search for professional standards: Summary of discussions among human rights and humanitarian organizations*. . International Committee of the Red Cross. 2001.
- Clark, Tom, and Simeon James. “UNHCR International Protection Policies 200-2013; From Corridor to Gaps and Responses.” *Refugee Survey Quarterly* 33 (3): 1-33. 2014.
- Clinton, Former President William J., interview by Erin Burnett. *Clinton on Rwandan Genocide* (20 July ). 2012.
- Consilium. n.d. *How the Maastricht Changed Europe* . Accessed 03 23, 2023. <https://www.consilium.europa.eu/en/maastricht-treaty/>.
- n.d. *CPI Inflation Calculator* . Accessed February 17, 2023. <https://www.in2013dollars.com/us/inflation/1956?amount=2900000>.
- Cutts, Mark. *The Humanitarian Operation in Bosnia, 1992-1995: Dilemmas of Negotiating Humanitarian Access*. Working Paper No. 8, Centre for Documentation and Research. Accessed February 1, 2023. 1999.
- Daalder. *Brookings*. 1 December. Accessed January 14, 2023. <https://www.brookings.edu/articles/decision-to-intervene-how-the-war-in-bosnia-ended/>. 1998.
- Daalder, Ivo H. *Getting to Dayton: The Making of America's Bosnia Policy*. Washington, DC: Brookings Institution Press. 2000.
- . 2000. *Getting to Dayton: The Making of America's Bosnia Policy*. Washington, DC: Brookings Institution Press.

- Department of State, Office of the Historian. n.d. *Milestones in the History of U.S. Foreign Relations: Collapse of the Soviet Union*. Washington DC .
- Firket, Henri. "Wars of the 1990." *Medicine, Conflict and Survival* 17 (4). Accessed November 15, 2022. <https://www.tandfonline.com/loi/fmcs20>. 2001.
- Forde, Susan. "The Briedge on the Neretva." *Cooperation and Conflict* 467-483. 2016.
- Garcia, Maria Cristina. *Now That the Cold War is Over, Who Is a Refugee?* . New York: Oxford University Press. 2017.
- Getz, Trevor. n.d. *OER World History Project* . file:///C:/Users/User/Downloads/WHP-1200%208-1-9%20Read%20-%20Connecting%20Decolonization%20and%20the%20Cold%20War%20-%20820L-1.pdf.
- Girard, Philippe R. "Peacekeeping, Politics, and the 1994 Intervention in Haiti." *Journal of Conflict Studies* 24 (1). Accessed 2022. [https://www-erudit-org.ezp-prod1.hul.harvard.edu/en/journals/jcs/2004-v24-n1-jcs\\_24\\_1/jcs24\\_1art02.pdf](https://www-erudit-org.ezp-prod1.hul.harvard.edu/en/journals/jcs/2004-v24-n1-jcs_24_1/jcs24_1art02.pdf). 2004.
- Honig, Jan W., and Norbert Both. *Srebrenica: Record Of A War Crime*. New York, New York : Penguin Books. 1997.
- Hutchinson, John. *Nationalism and War*. Oxford: Oxford University Press. 2017.
- Hyndman, Jennifer. *Managing Displacement: Refugees and the Politics of Humanitarianism*. Minneapolis: University of Minnesota Press. 2000.
- Innes, Michael, ed. *Bosnian Security after Dayton*. New York, New York : Routledge. 2007.
- Lepor, Keith Philip. *After the Cold War : Essays on the Emerging World Order*. Austin : University of Texas Press. 1997.
- Lewis, Corinne. *UNHCR and International Refugee Law: from Treaties to Innovation*. Abingdon Oxon, UK: Routledge. 2012.
- n.d. *Life and Legacy*. <https://www.alisondesforges.org/life-legacy>.
- Loescher, Gil. *Refugees: A Very Short Introduction*. Edited by James Milner. New York, New York : Oxford University Press. 2021.
- . *The UNHCR and World Politics*. New York, New York : Oxford University Press. 2001.
- . *The UNHCR and World Politics: A Perilous Path*. Oxford: Oxford University Press. Accessed June-December 2022. 2001.

- Mandic, Danilo and Project Muse. *Gangsters and Other Statesmen: Mafias, Separatists, and Torn States in a Globalized World*. Princeton, New Jersey: Princeton University Press. 2021. Accessed 2023.
- Marchio, James. "The Planning Coordination Group: Bureaucratic Casualty in the Cold War Campaign to Exploit Soviet-Bloc Vulnerabilities." *Journal of Cold War Studies* (MIT Press) 4 (4): 3-28. 2002.
- Nye, Joseph S. "What New World Order?" *Foreign Affairs* 83-96. Accessed March 2, 2023. <https://www.jstor.org/stable/2045126>.
- Ogata, Sakdako N. *The Turbulent Decade: Confronting the Refugee Crisis of the 1990s*. New York : WW. Norton. 1992. 2005.
- Palmer, Matthew, interview by Gail Kirtley. 2023. *Conflict in Bosnia in 1992* (11 January).
- n.d. *Peace Agreements.org*. Accessed November 10, 2022. [https://www.peaceagreements.org/wview/1173/The%20Vance%20Plan%20\(UN%20Plan\)](https://www.peaceagreements.org/wview/1173/The%20Vance%20Plan%20(UN%20Plan)).
- Power, Samantha. *A Problem from Hell: America and the Age of Genocide*. New York, New York : Basic Books. 2002.
- Ramet, Sabrina Petra. "War in the Balkans." *Foreign Affairs* 71 (4): 79-98. 1992.
- Rapp, Kyle. "Protection from Tragedy: Developing Effective and Legitimate Safe Zones after the Tragedy of Srebrenica." *International Social Science Review* 91 (2). 2016. Accessed March 1, 2022.
- Seferdjeli, Ryme. "A War of the People: The Algerian War of Independence, 1954-1962." Chap. 13 in *The Oxford Handbook of Contemporary Middle Eastern and North African History*, edited by Amal Ghazal and Jens Hanssen, 248-268. 2016. doi:<https://doi.org/10.1093/oxfordhb/9780199672530.013.22>.
- Silber, Laura, and Little Allan. *The Death of Yugoslavia*. London: Penguin Group and BBC Worldwide Ltd. 1996.
- Swift, John. n.d. *Battle of Mogadishu*. Accessed January 21, 2023. <https://www.britannica.com/topic/Battle-of-Mogadishu>.
- Szabolits, Andrea, Ariane Rummery, Bryan Deschamp, Catherine-Lune Grayson, Ivor Jackson, Klara Szentirmay, Martine Pochone, et al. "Refugees." *Refugees: Where Are They Now?* <https://www.unhcr.org/4523cb392.pdf>. 2006.
- Tuckness, Alex. *Stanfor Encyclopedia of Philosophy*. 2020. Accessed February 28, 2023. <https://plato.stanford.edu/archives/win2020/entries/locke-political/>.

- Under-Secretary-General for Peacekeeping Operations. *The Fall of Srebrenica: Report of the Secretary-General Pursuant to General Assembly Resolution 53/35*. Report of the Secretary-General Pursuant to General Assembly Resolution 53/35, General Assembly, United Nations, New York: United Nations. 1999. Accessed March 1, 2022.
- UNHCR. *Refugees and Others of Concern to UNHCR-1999 Statistical Overview*. Government Report, Geneva: UNHCR. 2000.
- . n.d. *Sadrudin Aga Khan (Iran): 1966-1977*. Accessed 03 28, 2023. <https://www.unhcr.org/uk/sadrudin-aga-khan-iran-19661977.html?query=Sadrudin%20Aga%20Khan>.
- UNHCR UK . n.d. *Statement by Dr. Gerrit Jan van Heuven Goedhart, UNHCR to the Thjirs Committee of the UNGA: 4 October 1955*. Accessed 03 28, 2023. <https://www.unhcr.org/uk/admin/hcspeeches/3ae68fc418/statement-dr-gerrit-jan-van-heuven-goedhart-united-nations-high-commissioner.html>.
- n.d. *UNHCR UK*. <https://www.unhcr.org/uk/governance.html>.
- UNHCR UK. n.d. *Felix Schnyder (Switzerland): 1960-1965*. Accessed 03 03, 2023. <https://www.unhcr.org/uk/felix-schnyder-switzerland-19601965.html>.
- . n.d. *Statement by Dr. Auguste R. Lindt, United Nations High Commissioner for Refugees, to the Third Committee of the United Nations General Assembly, 2 November 1959*. Accessed December 4, 2023. <https://www.unhcr.org/uk/admin/hcspeeches/3ae68fb914/statement-dr-auguste-r-lindt-united-nations-high-commissioner-refugees.html>.
2011. *UNHCR UK: The 1951 Convention relating to the Status of Refugees and its 1967 Protocol*. September. Accessed 03 03, 2023. <https://www.unhcr.org/uk/about-us/background/4ec262df9/1951-convention-relating-status-refugees-its-1967-protocol.html>.
- UNHCR. n.d. *UNHCR, 1951 Refugee Convention*. Accessed April 1, 2022. <https://www.unhcr.org/en-us/1951-refugee-convention.html>.
- n.d. *UNHCR.org*. Accessed March 1, 2023. <https://www.unhcr.org/40c6d76a0.pdf>.
- United Nations . n.d. *1954 - Office of the United Nations High Commissioner for Refugees (UNHCR)*. Accessed 01 22, 2023. <https://www.un.org/en/about-us/nobel-peace-prize/unhcr-1954>.
- . n.d. *United Nations Charter*. <https://www.un.org/en/about-us/un-charter/full-text>.
- United Nations General Assembly, UNGA. *The Situation in Bosnia and Herzegovina . Fity-fourth Session Ageanda Item 42*, New York : United Nations. 1999.

n.d. *United Nations: Office of the Secretary-General's Envoy on Youth--UNHCR.*  
<https://www.un.org/youthenvoy/2013/09/office-of-the-united-nations-high-commissioner-for-refugees/>.

Vershow, Alexander Ambassador (Ret), interview by Gail Kirtley. 2022. *Refugee Protection During the Bosnian Conflict* (11 December).