

From Civil Strife to Civil Society:

Post-conflict Reconstruction,
Peace-building and Reconciliation



EUROPEAN
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UNITED NATIONS
UNIVERSITY



A Report

on the conference held at
the United Nations House, Tokyo
5 February 2004

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In the spirit of free and open discussion, the EU-UNU Tokyo Global forum invites the views of academics, NGOs, journalists, politicians, and representatives of international organizations. Participants do not necessarily agree with one another, but we believe that it is important to provide a forum for a frank exchange of views. The opinions and comments expressed at the conference and reproduced in this report do not necessarily reflect the opinions of the United Nations University or the European Union.

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Hans van Ginkel
Rector, United Nations University

In 2001, the Delegation of the European Commission in Japan and the United Nations University started a series of conferences on issues that are relevant to Europe, Japan, and the United Nations. The European Union and the United Nations are close global partners and these annual conferences are an important example of our cooperation together.

The subject that brought us together in February 2004 was the challenge of post-conflict reconstruction, peace-building and reconciliation. It is a subject that raises the most acute issues of human rights, human security, international peace and security, and the prevention of future conflict. Furthermore, it raises questions of ‘human solidarism’ or ‘solidarity’: the belief that we have duties to people in other countries, and that our own integrity as global citizens rests in part upon our acceptance of these duties.

As societies grapple with the aftermath of conflict in countries such as Afghanistan, East Timor, Sierra Leone, the Balkans, and of course Iraq, they confront formidable obstacles. Conflict-torn societies are

characterized by the traumatic rupture of economic, political and social relations between groups and individuals. In the aftermath of large-scale violence, it becomes extremely difficult to re-create a sense of identity and belonging among communities that have experienced political, economic and social breakdown. Previously existing divisions within society are exacerbated, and new divisions are created. While it may be possible to impose a sense of order from outside, the sense of community has to grow from within. Rebuilding physical infrastructure, economic development, education, police and security, are all equally challenging.

We had an outstanding group of speakers, and summaries of all the speeches are included in this report. As a reflection of the intense interest that these issues generate – and particularly in Japan as it embarks upon a historic contribution to reconstruction in Iraq – the conference had a very large public participation. A frank and productive debate amongst experts and members of the public demonstrated once again the importance of free, open discussion of important global issues.



Ambassador Bernhard Zepter

Head of the Delegation of the European Commission in Japan

The timing of the Fourth EU-UNU Global Forum meant that the challenges of the security situation in Iraq featured prominently in speakers' presentations.

However, another key focus of the conference was the recollection that Iraq is not the only area of the world where security is volatile, peace a distant prospect, and basic needs in short supply. Afghanistan, Sri Lanka, the Balkans, and East Timor were also discussed at length.

Returning conflict-stricken societies and failed states to democracy and prosperity is not merely a 'humanitarian' action in the strict sense of the world. Supporting stable democracies – as well as building schools, fighting diseases and encouraging economic recovery – is also about eliminating the causes of international terrorism, which pose a substantial threat to global security as a whole.

In its efforts to meet the challenges of humanitarian emergencies and post-conflict societies, the EU regards working with both Japan and the UN as a priority. Coordination, appropriate timing, and speedy implementation of assistance programmes are essential to overcome strife and instability. In Iraq, the EU has been working closely with the UN and its agencies. The Commission will be funding the reconstruction

of Iraq through the World Bank and the UN's multi-donor trust funds, and has been encouraging other donors to do the same.

The EU and Japan have been working closely together in Asia, particularly in East Timor and Sri Lanka. And in Europe, Japan has been heavily involved in reconstruction efforts in the Balkans. Following the EU's expansion eastwards, with Romania and Bulgaria waiting in the wings, it is ever more important for the EU, along with partners such as the UN and Japan, to put an end to the violence and misery that continue to exist in the Western Balkans.

In a not so distant period of its history, Europe and Japan needed help and humanitarian aid from the outside world, in particular from the USA, to overcome the tremendous destruction from wars. Since then, the European Union has been developed as an unprecedented tool to bring about stability and economic prosperity.

Today, it is our collective responsibility to share our experience for securing peace and tolerance with countries and societies in turmoil. This means more than good advice. It also means timely and costly action. As the former president of the Commission, Jacques Delors, put it: 'Pour être grand, il faut être généreux!'



Masatoshi Abe
Senior Vice-Minister for
Foreign Affairs of Japan

Consolidation of peace

Since the end of the Cold War, numerous conflicts have occurred over religious and ethnic issues. To prevent post-conflict regions from slipping back into turmoil, it is important that peace and stability achieved through the peace process are firmly consolidated. Accordingly, Japan regards the consolidation of peace as one of the pillars of its diplomatic and international cooperation efforts, and is working to strengthen its approach by supporting peace processes, and implementing post-conflict peace-building and reconstruction measures.

In February 2003, for example, Japan held the Tokyo Conference on Consolidation of Peace in Afghanistan. Pledges were made to provide technical and financial support for the disarmament, demobilization and reintegration of ex-combatants, which was experimentally launched in Afghanistan in October 2003.

In Sri Lanka, where the peace process has just begun, Japan selected Yasushi Akashi, former under-secretary general of the UN, to act as the representative of the Japanese government. Japan also held in June 2003 the Tokyo Conference on Reconstruction and Development of Sri Lanka, to ensure that support from the international community was translated into development of the peace process. Since then, Japan has continued to contribute towards the consolidation of peace in Sri Lanka by, for example, organising the second follow-up meeting on 23 January 2004 in Colombo, where Representative Akashi served as chairman.

Japan also plays an important part in East Timor, dispatching over 400 self-defence forces personnel to participate in the UN Mission of Support in East Timor (UNMISSET), the ongoing UN PKO. Japan also provides support for the Recovery, Employment, and Stability Programme for Ex-Combatants and Communities in Timor Leste (RESPECT) as well as for the Commission for Reception, Truth and Reconciliation in East Timor.

The EU's activities

The EU is also actively supporting peace-building and reconstruction, especially in Africa. The Artemis operation in the Democratic Republic of Congo,



for example, contributed greatly to stability in the region, and its activities have since been taken over by UN peace-keeping operations. The EU, through cooperation with regional organizations such as the African Union and the Economic Community of West African States, also supports efforts by the African countries themselves. Support for regional organizations is extremely important in terms of respecting the ownership of the countries involved in conflict prevention and post-conflict reconstruction. Such support is also of great interest to our country, and is an area in which we hope to participate. The peace issue is one for the entire international community, and it is important that in the future the EU and Japan cooperate in their efforts.

Human security

To cope with increasingly diverse and complex conflicts and threats, it is also important to use, in addition to our efforts at the state level, an approach based on the concept of human security that takes into consideration each individual. Human security is one of the pillars of Japan's diplomatic activities. In an effort to ensure respect for, and protection of, individuals and to develop their capacities, Japan strives to promote this concept, and to ensure that it is implemented in the field. So far, our country has supported close to 100 operations through the

Human Security Fund, which we established in 1999 at the UN, and we intend to continue advancing such support.

For example, since 2002 Japan has supported the UNDP operation in Sierra Leone to provide technical and vocational training for 5,000 former combatants in such skills as carpentry, smithery, farming and road mending. The challenge we face now is the realisation of a 'comprehensive project' which would bring together the operations of various international organizations, and thus provide a seamless system of support for former conflict-ridden areas.

Civil society

It is important in post-conflict reconstruction, peace-building and reconciliation to provide support that takes into consideration the individual's standpoint. Civil society has a large part to play, as it is the NGOs and civil society which have the capacity to provide finely-tuned aid in areas that are difficult for governments and international organizations to access. It is expected, therefore, that appropriate use will be made of the knowledge gained by civil society actors, and that further cooperation between such actors and international organizations will result in more efficient aid and support for post-conflict regions.



The Current Situation in Afghanistan and the Lessons of the Past Two Years



Francesc Vendrell
EU Special Representative
in Afghanistan

Afghanistan has been in a state of conflict for the past 25 years. The main concern of the international community in the 1980s was to ensure the end of the Soviet occupation, and once this was achieved through the Geneva Accords in 1988, the international community lost interest. It lost interest despite the continuation of the civil conflict, first between the Najibullah government set up by the Soviet Union and the Mujahadin forces, and then from 1992 to 1996 between the various Mujahadin groups, which ruined the country and made possible the rise of the Taliban, a movement that wanted to cleanse the country of what it perceived was a corrupt and anarchic situation. We all knew in the late 1990s and the start of the 2000s that the regime was largely medieval and led by the Taliban, that Osama bin Laden was living there, and that large numbers of foreigners were training there. Yet international indifference continued.

It was only after the combined events of 9 September 2001, when Commander Ahmed Shah Massoud was assassinated, and two days later when the World Trade Centre was attacked, that the world woke up to what was happening in this faraway country about which it knew very little. The outcome of 9/11 was not only a naturally strong reaction by the USA, but also the UN security council's blessing of US action as the right to self-defence as acknowledged by the UN charter. Thus the US involvement in Afghanistan was fully blessed by the international community and its legitimate organ, the security council.

When international forces intervened, there was, and continues to be, strong Afghan support for intervention. When I was the UN envoy to Afghanistan, Afghans would come and berate us for failing to act and intervene in their country. This has happened time and again throughout my career. In Haiti, at the start of the 1990s, the Haitians demanded international intervention; in East Timor, the Timorese demanded

international intervention; in Burma, the Burmese demanded a bigger UN role to sort out their problems. So there is support for international intervention if it is blessed by the security council, and is carried out to help the people regain control of their destiny.

After this intervention, various factions signed the Bonn Agreement, which had the main objectives of:

- (1) the establishment, in stages, of a legitimate, representative government that by the end of the process would have popular support, would be multi-ethnic and would put to rest the various claims to power by other contenders, and therefore lessen the chance of foreign interference;
- (2) institution building, mainly through the rebuilding of the national army, the police and the judiciary; and
- (3) reconstruction, which was tackled at the Tokyo conference in January 2002.

There were also some assumptions made at Bonn:

- (1) there would be a multinational force covering the whole country;
- (2) this force would have a robust mandate, and
- (3) Disarmament, Demobilisation and Reintegration (DDR) would take place in the two years prior to holding elections.

These three assumptions have proved to be slightly wrong. First, the security council authorised the deployment of the International Security Assistance Force (ISAF) in December 2001, but limited its scope of action to Kabul. This shortcoming has now been remedied – the security council has authorised ISAF to expand outside Kabul – but it is somewhat too late. The international community is less willing today to provide forces than it was two years ago, and we face the problem of how to ensure that NATO, which has become involved as the lead organization in ISAF, can fulfil the mandate it has received.

The second assumption, that the multinational force would be robust, has also proved to be wrong. There are two international military forces in Afghanistan, the US-led coalition, which is certainly a robust force, but has the narrow objective of mainly fighting Taliban, Al Qaeda and Hekmatyar forces, does not involve itself in the country's internal problems. The other force is ISAF, which is limited to Kabul and has had a tendency, despite being mandated by chapter VII,

to consider itself neutral, as opposed to an impartial force willing to assist the government of the legitimate president, Hamid Karzai, to impose its authority, both in Kabul and outside.

Another issue is a debate that already began in Bonn: should the international, and the UN presence in particular, be light or strong? Nobody questions the need for Afghan ownership of the process towards its peace-building efforts. The question remains, which Afghans are the owners of the process? If they are the legitimate representatives of the people, then it should be an Afghan-owned process. If they are self-appointed leaders as a result of the absence of DDR, warlordism will continue.

A constitutional Loya Jirga approved the constitution, and we now face the issue of elections which under the Bonn Agreement ought to be held in June 2004. Under the new constitution, before the end of June 2004 the president and the transitional administration have to set a date for elections for both the parliament and the presidency. The transitional administration is being encouraged to hold both elections simultaneously. But elections are not an end in themselves – they are a necessary instrument to achieve legitimate and representative government, and should be held only when they will be free, fair and credible to the Afghan population.

The balance sheet of the last two years is mixed. On the positive side, there has been much reconstruction in Kabul, but also an absence of visible reconstruction elsewhere. There has been no outbreak of generalised fighting, but insecurity for Afghans is prevalent across the country. Warlords who have not yet been brought to heel continue to wield power, and the Taliban is increasing its activity. We are seeing the beginnings of a new national army and police force, and Kabul is in the process of demilitarization, which was foreseen in the Bonn agreement. But DDR in the rest of the country has not really begun despite the efforts of the Japanese government, which has been extremely and positively involved in the DDR process. The Bonn calendar has been adhered to, but sometimes the spirit of the agreement has not been implemented. Surprisingly, at least for those of us who were in Bonn in December 2001, there is a commitment by the international community to remain engaged in Afghanistan.

It has been made very clear that ISAF will remain for as long as necessary. At the same time, there is an

unwillingness to provide ISAF with a larger number of forces and the right amount of equipment. It is incredible that in a country the size and population of Afghanistan, the total number of international forces, counting both ISAF and the coalition troops, is no more than 16,000. That compares with 40,000 for Kosovo and almost 10,000 for East Timor, countries that are far smaller.

Revenue collection is starting and women's rights have certainly improved, from zero under the Taliban, in terms of both educational and employment opportunities. At the same time, the continued power of the warlords has meant continued human rights abuses. The media in Kabul is relatively open and alive, but this is not the case in other parts of the country, and the judicial system remains in shambles. Without a judicial system controlled and led by Afghans who are experts in the law, it will be impossible to build the rule of law, and the implementation of the constitution will be very hard to achieve. At the end of the day, what we find is a mixed picture.

Are governments able to learn lessons from the past? There has been some learning, but there is still a tendency on the part of governments to forget what made Afghanistan so pivotal in 2001. Are governments willing to lead public opinion, or simply willing to follow what they perceive to be public opinion? It is slightly disturbing to find that when a government is interested in putting forces in Afghanistan, the first question they ask is where is the safest place to put them. There is little point in having military forces deployed in safe areas. What we need is forces deployed in those areas where civilians have difficulty working. We find ourselves in the extraordinary situation that often military forces follow civilians, and not the other way round, with the attitude that if a place is too dangerous for civilians, then it is too dangerous for military forces. We also need to approach the issue of elections in a serious manner. They are essential in Afghanistan, but if held in an insecure atmosphere, they will simply reproduce the power of the warlords. Or if elections are geared so that a given candidate remains in power, they will not have the credibility necessary to achieve a stable Afghanistan.



Yasushi Akashi
Chairman, Japan Centre
for Conflict Prevention

For many years Japan has been a recipient rather than an active agent of peace. It was shielded largely by the United States, whose presence in the Far East made it unnecessary for Japan to think very hard about when it should take some responsibility for maintaining peace. This atmosphere of passivity has drastically changed in the past several years. In May 2002, Prime Minister Koizumi made a speech in Sydney in which he said that, henceforth, Japan would strive to be a responsible actor in the consolidation of peace in various parts of the world, particularly in Asia. He was followed by Foreign Minister Kawaguchi, who elaborated on this notion of the consolidation of peace. The ODA Charter was revised for the first time last summer. It defines the objectives of the official development assistance of Japan, namely, not only the improvement of living conditions in developing countries as such, but also active efforts in peace-building and a more focused approach towards security, or what is called human security.

As far as UN peacekeeping is concerned, there has been a shift from classical peacekeeping to a more robust type of peacekeeping in order to cope with violent civil conflicts that have taken place so often in the post-Cold War period. Many multinational peacekeeping forces, with or without the blessing of the UN, have been established alongside UN peacekeepers, and the time has come for the Japanese not to just stand aside from these multinational efforts. But one has to think about whether everything that states do internationally has to be with the approval and blessing of the UN. For instance, a six-power framework for the resolution of the North Korean crisis has been made outside the UN, but nevertheless this is a very useful, almost indispensable instrument if the crisis on the Korean peninsula is to be resolved.

Post-conflict peace-building is almost synonymous with conflict prevention. Conflict prevention is much

talked about at the UN, as well as in the context of the G8. But it is easy to talk about and very difficult to put into practice. Politicians pay homage to conflict prevention, but hardly do anything about it. We live in an uncertain, troubled world, in which several states can be defined as failed or failing states. If new sources of conflict, such as terrorism and weapons of mass destruction, are to be eradicated, we cannot avoid coping with this phenomenon. Afghanistan serves as an example of a state for which the international community is paying a high price for its neglect after the withdrawal of Soviet troops.

Sri Lanka offers a case-study in peace-building. In Sri Lanka, a cease-fire agreement was concluded between the government and the so-called Tamil Tigers (LTTE). This cease-fire holds more or less today, but the situation is far from a durable, real peace. In other words, this is the delicate and fragile transitional period between conflict and real peace. In June 2003, the Japanese government hosted the Tokyo conference on the reconstruction and development of Sri Lanka at which \$4.5 billion of very generous pledges were made. This is the same amount as the international community pledged to Afghanistan, but the mass media has not paid much attention to it. At the moment they focus on Iraq and North Korea. But it is necessary to be aware that in many parts of the world equally important conflicts demand our attention.

Despite the precarious peace with the LTTE, trouble occurred last November between the Sri Lankan president and the prime minister. The prime minister had been pursuing the peace negotiations, but the president, who has the highest executive authority under the constitution and is the commander-in-chief of the armed forces, deprived the prime minister of three portfolios: defence, internal affairs and mass media. So peace negotiations are at an impasse, but the peace process as such still continues in that reconstruction and rehabilitation efforts are continued by the international community. As the co-chair of the Tokyo conference, Japan tries to coordinate the efforts of the international donor community so that there is a unified sense of priority, and the assistance process contributes to the ultimate aim of durable peace. A roadmap and milestones have been established to reach the objectives and the efforts among donor countries, and international organizations are coordinated. There is a multiplicity of opinions as to

what is the best type of assistance, but it is important to coordinate actions.

A few points are important to keep in mind in thinking about peace-building, based on the experiences of Sri Lanka. First, the efforts of the parties in conflict are most important. Of course, the international community can encourage and stimulate the process, but in the end it is the parties in conflict that have to make up their minds.

Second, there may seem to be two or three parties in conflict, but there may be more communities which are interested. For instance in Sri Lanka, although the conflict is between the Sinhalese Buddhist majority and Tamil Hindu minority, you will find in the east a significant Muslim community, a number of Christians, mostly Catholic, but some Protestants as well, and a Burgher community who have inherited colonial traditions. So the efforts to eradicate deep-seated antagonism between the communities have to tackle very complex issues. The focus should not be only the north, where LTTE has its headquarters, as the east has a much more complex composition.

Third, the international community can make a positive and concrete contribution to the promotion of peace. The responsibilities of the major powers, such as India, the USA and Japan are vital, and they should not be shirked. However, it is important to also be aware that the primary responsibility lies with the parties in conflict.

Fourth, peace-building is a very time-consuming process. In Sri Lanka, as well as elsewhere, these efforts will take time. It will probably take three to five more years before durable peace can be found, by way of constitutional amendment in which the majority and the minority will achieve some system of internal self-determination within a federal Sri Lanka. So we should not lose heart, we should not become disheartened by the obstacles and the difficulties on the way. Peace-building will not always succeed, but this does not invalidate its value.

Fifth, one must be aware that a peace process is very gradual. Disarmament, demobilization and reintegration (DDR) of soldiers in the community presumes that mutual distrust has already been reduced to a significant extent, and that some semblance of

internal order has already been achieved. This precondition is very hard to meet until, or unless, peace efforts are well under way. In the roadmap for Sri Lanka, DDR is the last milestone, and while there are no illusions that it will come soon, it has to come at some point in time.

Sixth, processes are needed, from immediate humanitarian assistance to refugees and the internally displaced, to short-term rehabilitation efforts, which have some visible immediate effect on people's lives. Then a longer-term process of reconstruction can be implemented, leading to an autonomous process of development. The process has to be made as seamless as possible, and it is vital that the donor community works hand-in-hand, in full consultation with the parties in conflict.

Seventh, the responsibilities of political leaders and leaders of media need to be stressed. It is important for civil society leaders to be rational and to always keep building bridges to other communities, people who hold other religious beliefs and have different culture and customs. The ultimate objective is the distribution of the so-called dividend of peace so that people believe that they have a share in peace, and that peace is better than conflict. Here the international donor community has a very unique opportunity and, as the Brahimi Report points out, quick impact projects that are small, inexpensive and delivered skilfully and in a timely fashion can make a difference to people's lives. In Sri Lanka, Japanese NGOs in the conflict areas are now becoming active, but there is still too much preoccupation among the Japanese NGOs, and more so within the Japanese government, with the question of safety. Nowhere in the world is absolutely safe today, but somehow losing a life abroad is considered something to be avoided at any cost. The notion of security is indivisible nowadays. Security or peace in Japan cannot be ensured unless Japan makes a positive contribution to peace and security in Asia and the world. And without waging a war, we can do a lot for the alleviation of suffering and for building peace by involving ourselves more in the processes of peace-building and peace consolidation.



General Philippe Morillon (Rtd.)
Member of the
European Parliament

Introduction

In the early 1990s, I was confronted in the former Yugoslavia by the disease that continues to cause most conflicts: the fear of the other, of the stranger, the fear of domination, and the fear of losing one's identity and of being wiped out. Sarajevo and Bosnia-Herzegovina were the victims of this disease when the UN forces under my command were given the very delicate mission of supporting a humanitarian assistance operation, and paving the way for a political solution. I will discuss the lessons learned from that experience.

As a member of the foreign affairs committee of the European parliament, I have taken part in meetings concerned with the need to develop instruments for conflicts prevention, peace process and post-conflict management, notably as chairman of the European parliament delegation to the NATO parliamentary assembly and as a member of the African, Caribbean and Pacific-European Union (ACP-EU) parliamentary assembly. I will sum up the main conclusions of these forums on building European peacekeeping capacity.

I will also discuss ways to break the vicious circle into which the international community is locked, not only in Afghanistan, but also in Iraq and many parts of the African continent even after the end of hostilities: no security, no reconstruction; no reconstruction, no employment; no employment, no way to demobilize the remaining militias, which will continue to undermine security.

Lessons learned in Bosnia-Herzegovina

The first important lesson learned in Bosnia-Herzegovina is that in order to be useful, peacekeepers have to be respected. In order to be respected, they have to be strong enough and given the right and duty to use

their force not only when their own life is endangered, but also when their mission is questioned.

In the four years from April 1992 to December 1995, the Blue Helmets in Bosnia-Herzegovina were confronted with difficulties found in all interventions, but were in addition deployed in the absence of any prior agreement. This initiated a series of other 'halfway' interventions, such as in Somalia and Rwanda, where it would no longer be possible to speak of peacekeeping as such, nor of direct 'peacemaking' or 'peace-enforcement' interventions such as those in Korea and Kuwait.

As a result, the Blue Helmets have had to build a new doctrine and the corresponding wherewithal. It was not until the fall in July 1995 of Srebrenica, which roused world public opinion, that military leaders' repeated requests to change the rules of engagement in that specific context were taken into account. The 30 August 1995 intervention by the land forces of the rapid reaction force, with air support from NATO warplanes, represented a watershed not only in Bosnian history, but also for all future interventions.

Abandoning the 'angelism' that had condemned its troops to impotence, the UN understood that throughout the operation local warlords were only as strong as the UN's own weakness. By finally giving its soldiers the authority and means to retaliate when their own lives were in danger and whenever their freedom of movement in exercising their mandate was obstructed, the UN realised that to limit violence, its military forces must be able to implement their mandate whilst throwing down the challenge, 'Shoot at us, if you dare'. The time has passed when soldiers of peace could or had to act like British policemen with whistles but no truncheons. They must be respected through deterrents and protected from deliberate aggression whenever deterrents fail.

The distinction between peacekeeping operations set up under UN Charter chapter VI, and peace-making operations authorized to resort to real war action under chapter VII, is not as clear as it used to be. Since questions have been raised on the right or duty to intervene, UN interventions falling between these two categories have multiplied, inevitably leading to incompatibilities. If this right to intervene is finally recognized, we must learn from recent experience and

realize that, in this framework, armed forces must continue to be limited to exercising the right to self-defence. However, the necessity of remaining impartial does not mean that soldiers of peace are condemned to remain impassive.

Building European military capacity for intervention

Where foreign and security policy is concerned, the citizens of the EU wish to see an active Europe promoting peace, stability and security in a responsible way on the international stage. Opinion polls confirm this assertion: 71% of Europe's citizens are in favour of a common security and defence policy, while only 16% are against. But we have to be clear. As long as there is no European government to give orders, there can be no European army.

That is why European ambitions are – in the short and perhaps long term – limited to implementing the so-called Petersberg tasks, which include humanitarian assistance, evacuation and logistical support operations, and peacekeeping by combat forces for crisis management purposes, including missions to restore peace. For that purpose 'headline goals' were defined in Helsinki in 1999, namely the goal of a 60,000-strong force capable of being deployed in crisis-management operations.

With the same objectives, the North Atlantic Alliance (NATO) has decided to build a rapid deployment force. In my opinion, these decisions must not lead to the creation of two competing systems of forces. It remains preferable to prevent the outbreak of any conflict rather than intervene once it has broken out. There is therefore an urgent necessity to reduce the currently prohibitive time required to gather the forces for any operation, and Europe must possess within, or beside, NATO, a reserve stock of forces that the member states would agree to provide at short notice. For the time being these contributing states clearly will never give up sovereignty over their armed forces without prior consultation, which means planning capacity must be developed. The building of this European capacity outside NATO currently is one of the major concerns of the USA, who claim there is a risk of duplicating our already limited capabilities.

While this issue is far from resolved, nevertheless maintaining in the EU an up-to-date list of specialised

units kept on alert in their own countries pending their government's green light to intervene, inside or outside NATO, will be the basis of all planning, and will allow the EU to avoid deciding to create missions without having the means to get them off the ground.

The new strategic environment is characterized on the one hand by the various faces of international terrorism, proliferating conflicts in the Middle East and Central Asia, the erosion of existing arms-control regimes and the risks of the proliferation of weapons of mass destruction and, on the other hand, by change in the USA, whose strategic interests now lie more in Asia than in Europe, and which is to limit its forces at NATO's disposal to 8%.

All this requires increased military efforts by the Europeans if the EU wants to become a credible actor on the international stage, a free partner of the USA, within a NATO whose leadership Europeans will one day have to assume, agreeing to share with the Americans the burden of defending their common values: in a nutshell, allied and non-aligned. If we fall short of this, if the governments of the Member States were to continue leaving it to the Americans to conduct any potential wars, contenting themselves with shouldering affairs of peace, the EU would have to resign itself to playing the part of the Athenians in ancient Rome: acceptance of being subject ultimately to the will of a new empire. We know that the vast majority of our fellow citizens reject this.

Post-conflict management: lessons learned in Afghanistan

Afghanistan provides a very interesting model for post-conflict reconstruction, peace-building and reconciliation. Now that the Loya Jirga has been concluded and a new constitution adopted, the international community has many reasons to be hopeful about the country's future, as long as it maintains current international aid for reconstruction of not only infrastructure, but also of the spirit of the Afghan people. I see reasons for hope in the fact that the population is fed up with the violence generated by civil and foreign wars that lasted for more than three decades, and is 'vaccinated' against the barbarian stupidity of the Islamic fundamentalists.

Having said that, we still have to solve the problems caused by the continuing lack of security in some parts

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of the country and to break the vicious circle that continues to delay stability. In this regard, I consider the concept of Provincial Reconstruction Teams (PRT), which NATO is currently putting to the test, very interesting. The idea is to send international military units to unsafe areas where NGOs cannot work for

security reasons, and to ask these units to take part in reconstruction. In Roman times, legions were made up of 'building soldiers'. It is the only way to prevent foreign troops from being seen as occupying forces, and I base this on the testimonies of my Afghan friends and my personal experience as a former legionnaire.





Yoshiyuki Yamamoto
Associate Professor,
Graduate School of Law,
Nagoya University
Former Chief of Mission of the
UNHCR sub-office, Kabul

Ten years of living and working in and around Afghanistan not only trained me as a professional humanitarian aid worker, but also forced me to face up to the over-selective, inconsistent and intermittent commitment of the international community to mitigating massive human misery.

The common questions that humanitarian aid workers agonize over can be summarized as the following:

1. Are we serving as logisticians or medics for some warlord's war effort?

Humanitarian aid workers do their best to help victims of armed conflicts by bringing in relief consignments to the conflict area and by providing medical care to those wounded by war. It is not possible in practical terms to restrict such assistance only to non-combatants. How to make sure that the relief items are not distributed to the warlords? How can we stop the soldiers who have recovered from war-wounds through humanitarian medical care from going back to the battlefield? It would be naïve to believe that warlords would never gain from humanitarian assistance. Some suspect that the best fruits of humanitarian assistance are taken by combatants and warlords, and that it is merely fuel to prolong the conflict. But how can we turn away people who are wounded, mourning and crying for help? If we could, we would not be there as humanitarian workers in the first place.

2. Are we creating a culture of dependency among the beneficiaries?

All textbooks mention the importance of preventing the emergence of dependency among the beneficiaries of assistance in the field of international cooperation. But the people whom we encounter in the field have

often already lost everything. Life simply might have lost its meaning for them. They have lost control of their lives and, even worse, they might have lost the energy or will to rebuild them. Humanitarian aid workers try to sustain their lives first, hoping that they will find a reason for living. In order to save their lives first, we may have to close our eyes to the possibility of creating dependency at a later stage.

3. Are we being used politically by virtue of the way governments donate funds and direct them toward certain places?

Humanitarian aid workers in NGOs or UN agencies in the field try to formulate assistance programmes that best serve the beneficiaries. But when relying on funds from donor governments, most of us have had to make difficult choices between what we believe is the best for the beneficiaries, and what donors want us to do. We have to ask whom we are serving, the victims of conflict or the governments of rich countries. In every major humanitarian situation, it has now become routine for humanitarian workers in the field to watch donor governments competing to show their benevolence. The worst part of this tendency is that such competition, irrelevant to the misery of the very people that it is claimed to help, tends to be transferred to the humanitarian assistance community. As a consequence, the independence, neutrality and impartiality of humanitarian work are jeopardized. One can see a connection between such weakened principles of humanitarianism and the accusations of bias and impartiality on the part of humanitarian organizations, and thus the increased casualty rates of humanitarian workers targeted by combatants.

4. Are we a substitute for more decisive political action by the international community?

Before 11 September 2001, Afghanistan was a forgotten country, though it was producing the largest number of refugees in the world. In Rwanda, in spite of all the warnings, requests and evidence, it was not until genocide took place that the security council finally began to consider taking more decisive measures for peace in the country. In Bosnia, the international community needed the genocide of Srebrenica to consolidate its political will. In many

The Humanitarian Dilemma

crises, humanitarian agencies have been struggling to save human lives without any decisive political commitment from the international community.

According to the latest available information, there are 27 major armed conflicts taking place in the world; 1.2 billion people are living on less than one dollar a day; 2.4 billion people have no access to basic sanitation; and 854 million adults, 543 million of them women, are illiterate. I have no doubt that in those 27 major armed conflict areas, a handful of professional humanitarian aid workers are struggling hard to mitigate the humanitarian catastrophe with a laughably tiny amount of funds, and are agonising over the above-mentioned dilemmas. The problem is that such areas of conflict may provide fertile ground for threats to the security of the international community as a whole. Humanitarian assistance itself is not the solution to humanitarian crises. However, in many crises today, it seems that humanitarian assistance is being used as the excuse for the international community's inaction and neglect of problems.

In short, are humanitarian aid workers part of the solution or part of the problem? If something is part of the problem, it should be removed. But can we remove humanitarian assistance from the portfolio of international cooperation?

Major post-conflict assistance is currently underway in Afghanistan. One should remember that this is the second test of post-conflict assistance in that country.

After the Soviet withdrawal from Afghanistan in 1989 and the collapse of the communist regime in 1992, euphoria prevailed in the international community, as well as among the Afghan people. The international community prepared a gigantic reconstruction programme called 'Operation Salaam' for Afghanistan. The year 1992 was supposed to be one when a post-conflict reconstruction programme commenced, as was 2002, except that 1992 never saw any reconstruction activities. Instead, anarchy emerged in Afghanistan. Although there are many detailed accounts on why internal conflict broke out again, a key factor was the power vacuum after the withdrawal of the Soviet Union.

In the 1980s, after the Soviet invasion, a balance between two powers emerged in the course of fighting: one was a Soviet-backed communist regime, and the other was comprised of US-backed Mujahadin groups. The withdrawal of the Soviet Union from Afghanistan broke this balance. The communist regime collapsed, and the US stopped backing the once-unified Mujahadin groups, which splintered to fill the power vacuum. The lack of overwhelming power by any one group led to anarchy. In those days



massacres, rape and looting were not the exception, but the norm.

The Taliban movement emerged in 1994. They essentially filled the power vacuum by consolidating various warlords into one big group. The bigger the Taliban grew, the more it moved away from its originally proclaimed ideals and increasingly became an amalgam of warlords. By 1998, the Taliban controlled 85% to 90% of Afghanistan. By 2001, both the Taliban and the Northern Alliance, another amalgam of warlords in the northern region, were at a standstill with their powers balanced. This balance was tilted by the attack of the US-led coalition forces on 7 October 2001.

Humanitarian workers on the ground feared losing access to the Afghan people during the attack of the US-led coalition forces, which meant that the lives of an estimated seven million of the country's most vulnerable citizens would be at risk. But another more serious worry was the possibility of an ethnic cleansing type of massacre. Since many humanitarian workers in Afghanistan knew what had happened after the power vacuum caused by the Soviet withdrawal, they were alerted by the similar vacuum that emerged after the sudden disappearance of the Taliban. It was not impossible that other tribal warlords would target ordinary Pashtuns, as the Taliban was considered a

Pashtun-led group, even though other tribes were part of it.

The only way to prevent such a massacre from happening was to establish an international presence everywhere, and as quickly as possible. But we were not quick enough. The worst scenario became a reality. Pashtuns in the north and northwest were massacred, raped, looted and displaced by the other tribal warlords.

We experienced a power vacuum in Afghanistan twice, and twice we failed to prevent the massive human tragedy caused by it. Removing power from a country is one thing; making peace in a country is another. If the international community collectively decides to remove the power from a country, it should be prepared to prevent a prolonged power vacuum. It is the lesson that the international community should learn, since so many innocent people have already sacrificed their lives.

There are enormous tasks ahead of us in Afghanistan. But even in this fragile situation, Afghans are trying to rebuild their lives and country and fear the worst – that the world may forget Afghanistan again. If we are really serious about peace and security in the world, this time we have to show the Afghans that we are and will remain on their side.





**Major General
Michael G.
Smith (Rtd.)**
CEO AUSTCARE

Introduction

At a time when the war against terrorism has captured the attention (and much of the funding) of the developed world, it is important not to neglect the longer-term issues of building stable civil societies. Recent regime changes in Iraq and Afghanistan have re-taught us several lessons: first, that the toppling of corrupt or 'evil' administrations is certainly much easier than replacing them with democratic alternatives; second, that although sustainable peace requires assistance from the international community, it can not be imposed from without; and third, that the boundaries between conflict and post-conflict reconstruction are murky, as are the distinctions between peacemaking, peacekeeping, and peace-building.

Scope

Three key areas of the peace-building process in East Timor are 'security', 'governance' and 'sustainable development'. Using the analogy of a three-legged stool, each of these areas represent one of the legs of the stool, and if any of these legs is non-existent or underdeveloped, then the stool will collapse. This analogy helps us to understand the fragility of peace-building in emerging states, and the important relationship between these three areas. It also shows the dangers in examining one issue without consideration of the three. Of course, the stool can be made stronger and more stable if the three legs are bound by the application of 'human rights' and the provision of adequate 'financial resources'. More important, and underpinning successful post-conflict reconstruction, is the will of the people and their unity of purpose, guided with leadership that is tough, compassionate, visionary, and benevolent.

East Timor – a successful case study

East Timor provides an unusual and largely successful

case study in terms of regime change and modern peace operations. Sadly, however, the success of East Timor is likely to be more the exception rather than the rule. This is because several factors co-existed in East Timor, which rarely coalesce in international politics. First, the initiative for potential regime change (by way of a ballot) was initiated and approved by the governing power, Indonesia, and the United Nations (rather than another sovereign power or coalition) provided the vehicle for this to occur. Secondly, there was incredible international support for East Timor, demonstrated by significant bilateral assistance, by multilateral assistance through the Bretton Woods institutions, and by security council and general assembly support for successive UN missions. UN mandates were clear and achievable, even if implementation was sometimes less than desired. Perhaps this international support was due to the justness of the cause, as well as to the strategic insignificance of East Timor – in a sense, East Timor returned the United Nations to its core beliefs. Thirdly, the host population was fully supportive of the United Nations and other international organizations. And fourthly, apart from a brief and horrific episode of violence in the lead-up to and immediately following the ballot in August 1999, the security situation in East Timor has remained relatively benign – in terms of both internal and external security – thereby providing a relatively conducive environment for post-conflict reconstruction.

East Timor today

East Timor gained its independence on 20 May 2002 and became the 191st member of the United Nations on 27 September of the same year. As the newest nation of the new millennium, East Timor is also one of the poorest in the world, with three of every five Timorese earning below \$2 per day. More than 40% of the population is below the poverty line, and more than half are illiterate. Of a population estimated to be around 830,000, 46% have never attended school, and every second person is below the age of 15. Three-quarters of the population is rural, and apart from coffee (the prices for which are currently suppressed), subsistence farming predominates. In a small territory of some 32,000km², comprising 13 districts, much of the terrain is mountainous and infertile. Unemployment is rife, particularly amongst the young, and there is a significant urban drift by

young people in search of work, partly caused by the systematic destruction of agricultural infrastructure by the militias following the ballot in 1999. Life expectancy is 50-58 years, with high infant mortality. The major prevalent health problems are malaria, dengue and TB, and the system of health care is rudimentary. The Indonesians significantly improved the education and health services left over from the former Portuguese rulers, but East Timor remained Indonesia's poorest province.

The United Nations in East Timor

Security:

Looking at the first of the legs of the stool – security – it is instructive to track the level of violence against the progress of each of the UN missions. By all measures East Timor is a relatively safe place to live – certainly much safer than in many other developing countries emerging from conflict, and safer, too, than in many developed states.

Despite this rosy assessment, security concerns remain along the border with Indonesia, where about 25,000 refugees remain encamped in West Timor, including some hardcore militia leaders who continue to be tolerated by the Indonesian government. The fledgling border police unit and defence force would be unable to counter a resurgence in militia activity – their combined capabilities being significantly less than the peacekeeping force which has been progressively reduced in strength and is due to be withdrawn by mid-2004. Since 2000, I have advocated that with the withdrawal of the peacekeeping force, an unarmed military observer group should remain deployed astride the border as a confidence-building measure for East Timor and Indonesia. I am not confident that this will be agreed upon. A less desirable option would be for military observers to remain on the East Timor side of the border.

Another major concern with external security is the inability of East Timor to effectively patrol and police its coastal waters, thereby increasing the threats of the spread of communicable diseases, as well as criminal activity – the latter including people-trafficking, smuggling, drug- and gun-running, money laundering, and piracy.

The 'rule of law' is not yet firmly established: the local

police force remains underdeveloped, and the judicial system and correctional service still has a long way to go. A continuing and more focused commitment by the United Nations in these sectors is required, but equally there must be a rigorous selection process of international police and judicial officers. The number of countries represented should be minimized and agreed by the East Timorese, and the tenure of selected personnel should be extended.

Governance:

For a new nation emerging from conflict, progress in the sector has been impressive. Free elections and democratic processes have been established, a constitution agreed upon, and several political parties are active. Probably the weakest link in governance, largely inherited from the UNTAET administration, is the centralisation of decision-making in Dili, particularly in the office of the prime minister, and the lack of delegation to ministers and district representatives. A further weakness in the area of governance is that of public administration. UNTAET performed poorly in this area, a problem exacerbated by the dearth of local experience caused by the departure of most Indonesian civil servants following the ballot.

Sustainable Development:

In this area there has been some impressive progress in East Timor, as well as some disappointments. UNTAET's contribution to nation-building was largely hampered by a number of difficulties: first, the total destruction of the country following the ballot had not been foreseen by the United Nations, and added to the mission's difficulties. Second, following the signing of the 5 May agreements authorizing the ballot, very little planning occurred in the secretariat to establish a civil administration. Third, the UN failed to promote integrated planning, either within its own departments and agencies, or with the East Timorese and World Bank – the latter two of which had done considerable work in this area. And fourth, the financial arrangements for the mission reflected those for more traditional peacekeeping operations, rather than for the de jure government of a destroyed country.

A notable achievement with independence was the creation of a realistic national development plan. This 'road map', as it is known, was developed by the East Timorese, in collaboration with the World

Peace-building in East Timor

Bank, the United Nations and key bilateral donors. The plan has been based on sound research. Budget forecasts have been prepared, and immediate and longer-term priorities determined. As with all planning documents, however, implementation is less predictable and will need to be monitored closely. I have some concern regarding the priority given to improving transportation and telecommunications: I believe these provide the means from which other sectors of development will benefit, as well as improving security and governance. I think the importance of these areas has been understated in East Timor's reconstruction to date, with decisions being made more on economic rationalism than on the vision and necessity for the country to survive and prosper. Much more work is required to develop these large infrastructure projects. Despite this reservation, the road map provides an excellent starting point for the new country.

Conclusion

In conclusion, it is worth raising an important question that confronts nations emerging from conflict. To what extent is this process related to 'reconstruction' and to what extent to 'transformation'? The answer lies partly in the authority bestowed on any transitional administration, but more fully on those assuming power thereafter, and the measures they are compelled to take to retain power.

Many mistakes have been made since 1999 in East Timor's transition from a totally destroyed province of Indonesia, and many more mistakes will undoubtedly be made by the new nation in the future. But on balance it is hard not to conclude that East Timor stands as a beacon of success in a troubled world, where examples of failed and failing states are all too common.





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Building the infrastructure for development: the importance of state capacity

Lessons from the past three decades of development assistance have clearly demonstrated that state institutions that are participatory, accountable, transparent, and effective are the key to both sustainable development and lasting peace. They constitute the *real* infrastructure for development. In the immediate aftermath of many violent conflicts, such institutions are clearly at a premium. Existing institutions may no longer possess the technical ability to provide basic services such as education or health. Or, they might be oriented towards serving the needs of a particular community or group, rather than the society or the country as whole, and thus geared towards precipitating even more conflict. More fundamentally, consensus among different stakeholders on the form and role of such institutions and processes might have broken down. The rebuilding of state institutions thus assumes a central importance in any attempts to build lasting peace.

Short-term challenges to reviving state capacity

This challenge presents the international community with a paradox. In the immediate aftermath of a conflict, it is vital that a population be kept secure, adequately nourished, and engaged in economic activity, or there is not even the minimum basis on which to revive a system of governance. However, in the absence of local institutions that can restore basic services or address humanitarian needs, international actors might take on these tasks themselves. The UN and other international actors might even take on the basic functions of the state, such as paying salaries, running schools, rebuilding roads, or providing micro-credit. However, once the international role in these areas is established, it might make it even more difficult to subsequently transfer to local actors the

fulfillment of these functions. The latter may continue to lack consensus on the form and shape of these institutions, and continue to rely on the international community to mediate the equitable delivery of even basic services, as happened over a long period of time in Bosnia-Herzegovina and Kosovo, and might yet happen in Iraq, where the country may remain dependent on the occupation authorities. Alternately, lacking local knowledge, international officials may inadvertently end up empowering some groups or regions over others, or local actors might be engaged in playing roles secondary to international officials. In some situations, conflict may continue in parts of the country, thus leading to an uneven emergence or consolidation of state institutions, as has happened in Afghanistan.

UN initiatives to build local capacity

In both Liberia and Afghanistan, UN and international officials have closely involved transitional government officials in the development of ‘needs assessments’ for both urgent humanitarian assistance, as well as assistance in areas such as health, education, short-term economic recovery, and the re-integration of refugees and former combatants into civic life. This approach has served to build the capacity of state institutions through the provision of short-term assistance, rather than in the aftermath of such assistance. In both instances, however, the UN has been fortunate in that the interim agreements among the parties to armed conflict have yielded transitional governments of a technocratic nature, and that government authorities have been generally considered unbiased by all sides. Otherwise, this approach runs the risk of empowering a particular group or faction that might already have control over the institutions of government.

Donor and inter-agency coordination in the provision of transitional assistance

In addition to building capacity for local institutions, international actors have faced the challenge of streamlining their own instruments for providing such assistance. Donors have traditionally had distinct lines of support for humanitarian and development assistance, with support for rebuilding state capacity often falling within the latter category. Also, development support has usually been provided in the aftermath of humanitarian or emergency support, once there has been a perceived

The Infrastructure of Development in Post-conflict Situations

‘stabilization’ of the situation. Different instruments have therefore been used to raise support for humanitarian and development assistance. However, as already mentioned, support for the revival of state capacity is as vital a part of short-term assistance as humanitarian assistance. Therefore, in addition to viewing the short-term as the period for emergency assistance, donors should also view it as a transitional period, wherein the international community provides both emergency relief, as well as support for rebuilding local capacity. In several recent instances, the UN has therefore issued ‘transitional appeals’ that have taken into account both sets of needs.

Building consensus during the period of transition

Technical support may not be the only type of support needed for reviving state capacity in the short to medium term. While the initial agreement may have been signed on an interim basis among the primary protagonists in the armed conflict, details regarding the specifics of governance may have to be developed on the basis of a wider and more participatory consensus among multiple stakeholders.

Security and justice during the period of transition

The Afghanistan experience provides a strong cautionary note. Basic security is a primary precondition for the impact of short-term assistance, and ‘state-building’ activities undertaken in the short term, to be realized. The writ of Afghanistan’s newly legitimate government and constitution does not extend much further than Kabul, although this new-found legitimacy will strengthen the government’s hand in dealing with this situation. Even more broadly, security is essential for the emergence of a political discourse and a political consensus that is not dominated by the primary protagonists, the warlords, and the most heavily-armed combatants. It is unlikely that Kabul could have served as the venue for the Loya Jirga process without the presence in the city of a strong multi-national force to provide security. Earlier, in Bosnia-Herzegovina, peace did not begin to take root until more concerted efforts were made to root out the war criminals and the pro-conflict factions from the political process, and to bring the former to justice. It is only in recent months, however, that the UN has begun to pay systematic attention to the issue of ‘transitional justice’, or the provision of

basic policing and judicial functions in the immediate aftermath of conflict. While the department of peacekeeping operations has maintained for nearly a decade now the ability to deploy international civilian officials, to fill the policing gap, the issue becomes even more complex where the judiciary is concerned. The collapse of state functions, and of the consensus on the form and role of these functions, also extends to the judiciary, and any international attempts to fill this gap should also take into account the need to eventually have a judicial system rooted in local needs, realities and consensus. Haiti provides an important lesson in this regard. While the UN effectively helped to build a new Haitian national police in the 1990s to take the place of the old army, much of the judicial assistance provided in this period failed to re-vitalize the Haitian judiciary, and was often deemed as being incompatible with local needs. Today, it is not just the Haitian judiciary that is largely dysfunctional, but the overall incapacity of the system of rule of law, and constant pressure exerted on it by political actors who disagree on its roles and functions, has also brought the new police to a state of near-collapse.

Building reconciliation through transitional assistance

In addition to ensuring that transitional assistance is provided in a manner that helps to build local capacity, the actual assistance itself can be provided in a way that promotes greater reconciliation on the ground. Support for the revival of education could include elements of ‘peace education’ in the new syllabi. Short-term recovery projects, and efforts to collect small arms and land mines, could be carried out in a manner that brings together communities, or helps to build bridges across group or ethnic boundaries. Efforts to ensure that former combatants or refugees are reconciled with their own or host communities need not await the arrival of these individuals in these communities, but could be integrated into the assistance provided to refugee camps and demobilization stations. Food aid and other relief provided to camps could be distributed in a manner that involves camp inhabitants across group and ethnic boundaries in its distribution. Adult education classes, as well as temporary schooling for children, could also be supported in a manner that promotes peace and reconciliation, so that when camp inhabitants return to their communities, they do so with a perspective oriented towards a peaceful settlement of differences.

The role of the development community

UNDP's experience of development in conflict situations in recent years has clearly demonstrated that the line between development and humanitarian activities is not as clearly drawn as has been assumed. The international community risks having to provide 'short-term' assistance for an extended period of time unless immediate steps are taken to build the capacity of local actors for organizing such assistance for themselves. Such capacity-building falls squarely within the purview of development assistance. Yet, UN peace operations in post-conflict situations have rarely been organized to provide such assistance. Until recently, UN resident coordinators, who head the UN country team that consists of the representatives of the development agencies, have played a secondary role in designing and

implementing peace operations. However, in a growing recognition of their critical role, Integrated Mission Task Forces (IMTFs) are convened at UN headquarters to plan missions in a manner that brings together the political, humanitarian, and development arms of the UN. DPKO's new *Handbook on Peace Operations* devotes a whole chapter to the work of resident coordinators, especially in ensuring that the initiatives started during the peace operation are sustained beyond the lifetime of that operation. For this purpose, it is also critical that the security council and other UN organs that mandate peace operations become more aware, and supportive, of the critical short-term role in transitions that resident coordinators and the development community play in ensuring the sustainability of international efforts, and that the mandate and the resources provided to peace operations include the strengthening of this role.





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Japan Emergency NGOs' peace-building (co-existence) programme in Bosnia and Herzegovina

The Dayton Peace Accord drew the so-called Inter-Entity Boundary Line (IEBL), which cut through Bosnia to separate the two sides, and was basically the former front line where fierce fighting had occurred for four years. In 1996, relationships between the ethnic groups were very tense and hostile, so that when the international staff of Japan Emergency NGOs (JEN) started planning a peace-building project, national staff thought that they were almost insane. For them, it seemed simply impossible and too dangerous to even talk about a peace-building project in eastern Bosnia.

JEN's peace-building project was implemented in 1997 with the goal of facilitating the return of minorities. Dubbing it a co-existence project, we set the immediate objective of creating an atmosphere where people from different ethnic groups could feel confident enough to live together. The project was implemented in Sarajevo, Gorazde and the surrounding areas, where Muslims and Serbs had been living together before the war. The project was planned in four carefully executed consecutive phases. For each phase, various kinds of activities were set up to tackle two challenges: the materialistic challenge of improving living conditions, and the psychological challenge. The project was designed so that both sides spent more and more time together, and gradually strengthened their ties.

In 1997, when the first phase was implemented, the situation was still quite tense, and it was thus decided that two objectives should be set. The first was to have people from different ethnic groups cross the IEBL to the other side and come back safely. The second was to set up a one-day activity that both sides could be involved in together. For this first phase, schoolchildren were chosen as direct beneficiaries to avoid unnecessary

tension, and the activity comprised of competitions in painting, posters, poetry and chess. Two buses full of children were brought from the Serb side to the Muslim side on the first day, and the other way around on the second day. At the end of the event awards were granted to the winners. There was still a checkpoint at each crossing of IEBL when this project was implemented in December 1997, and the buses were escorted by the International Police Task Force (IPTF).

The objectives of the second phase were to provide opportunities for the minorities to stay on the other side of the IEBL for a longer period of time, and to set up activities in which both sides could participate, so that they could develop friendships. For this phase adolescents and young community leaders who already had an understanding of the concept of co-existence were chosen to be direct beneficiaries, and two-week-computer courses and summer camps were organized. Muslims and Serbs sat alternately throughout the courses to encourage dialogue between the participants. Computer skills were one of the most highly demanded in the job market, which motivated young community leaders to participate. To further motivate them, the contents of the workshops were chosen based on their interests. Before attending, the participants had to sign a memorandum of understanding with JEN to guarantee that they would promote co-existence in their own community during and after the course.

The objectives of the third phase were to provide a field of cooperation for both sides for a series of activities, and to promote the co-existence project by connecting it to income generation. The project in this phase was teaching beekeeping skills, and was geared towards income generation. Participants were highly motivated because this co-existence project was directly connected to their potential income.

The objectives of the last phase were to provide a setting for people from two ethnic groups to work together and to encourage participants to develop a system for the co-existence project to continue by itself. They were trained on how to establish and run an association, which resulted in the formation of a beekeepers' association. Both the Serbs and the Muslims shared a common interest: better management of the association, which meant a higher income for the participants.

Reasons for success

It took about five years, starting from the planning period, to complete the four phases of the peace-building project. One reason for its success was that the goal was clear. It was obvious that Muslims and Serbs had fought each other during the war in eastern Bosnia, so it was equally clear between whom reconciliation would have to be achieved. First, there were many people who still had memories of life before the war, when the two ethnic groups were living together peacefully, who could picture what they were aiming at. Second, the two ethnic groups shared a similar culture and situation, spoke the same language, and could not be distinguished by their physical appearance. Furthermore, people in both ethnic groups were in an equally miserable situation because of the war. Third, although tension was there, the fighting had ceased. Humanitarian workers were not deliberate targets of attacks in Bosnia. Even though it was extremely tense, assistance projects were implemented under a relatively stable security situation. Fourth, it was often observed through our psycho-social project that the psychological status of beneficiaries improved when they generated income, even if it was a small amount. Other humanitarian assistance poured in as this project was implemented. A sense of confidence about the future, and about the living environment in general, was also engendered by such assistance projects. Finally, reconciliation stands a better chance of succeeding when a third party is involved, especially one that does not have negative connotations historically. Japan the country, and Japanese assistance, had positive connotations for both sides.

JEN's experiences

Security had an impact on both the material and psychological aspects of the project in Bosnia and Herzegovina. Experience has taught us that, first of all, security must exist before people can start regaining their confidence. Furthermore, a tangible improvement in living conditions can bring a sense of peace. It does not have to be huge, but a small measure of normality has to be brought back. Common interests also should be found for all the participants, as they are a strong incentive for co-existence. Lastly, the psychological aspect cannot be ignored. While direct beneficiaries shared many activities through the project, not only they, but also some other displaced Serbs, started to visit their own

homes in Muslim areas. Some Serbs and Muslims started to communicate with each other again.

The situation in Iraq

Which part of our experiences in Bosnia could be adapted to the situation in Iraq? The fact that some of the factors for success in Bosnia do not exist in Iraq is an immediate difficulty for the peace-building project there. First, the objective is not clear. We certainly cannot identify between which groups reconciliation must occur to build peace in Iraq, which also makes it difficult to identify for whom a project must provide common interests. Given the difficulty of picturing the goal or the status of a peace-building project, it is also harder to design an effective one. Furthermore, the situation is still not secure, fighting has not ceased, and security for beneficiaries and staff cannot yet be ensured.

A tangible improvement in the living conditions in Iraq might bring a sense of peace. For the project to succeed, the common interests of all parties must be found and satisfied. But that is easier said than done. One reason is that while outside help and involvement is needed, parties that are not part of the 'coalition of the willing' do not have strong access to Iraq in terms of providing assistance. Much also needs to be done to give Iraqi people moral and psychological support, so that they can feel that peace has finally come. A small improvement in living conditions can give a sense of peace and hope, and that is when people in need will be able to finally start rebuilding their own lives.

Assistance, not arms, is the answer. But providing assistance is not easy when the security situation is unstable and no organization will risk its own staff. The need for assistance is huge, and the more, the better. The dilemma, however, is that to reduce security risks, staff members have to keep a low profile. But something small is much better than nothing in the case of peace-building. If people are left without any assistance, security will only deteriorate. For now, small-scale realistic assistance is the solution.



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Introduction

In the wake of conflict, violence, and human rights abuse, one would expect those committed to peace to embrace the idea of reconciliation. After all, who could responsibly oppose a concept defined as ‘the restoration of harmony, the reestablishment of cordial relations, and the renewal of friendship’? However, the notion of reconciliation has become controversial in some quarters – not because of its true meaning, but because it has been exploited by those with cynical agendas and shady pasts. The leaders of abusive military regimes in Central and Latin America, and their accomplices, have often invoked reconciliation as a euphemism for impunity. When they speak of reconciliation, they mean ‘forgive and forget’. They have sought to hijack a term to persuade their countries to move on without examining their crimes or holding them accountable for their conduct. An enforced national amnesia, which masquerades as reconciliation, should obviously be rejected by anyone who seeks to protect human rights, and build a sustainable peace.

On the other hand, a proper understanding and implementation of reconciliation are crucial in coming to terms with a divided and violent past. Real reconciliation requires an honest examination of history to uncover and recognize past crimes. Rather than silencing and marginalizing victims, it demands that their voices be heard and their suffering acknowledged. Argentina’s new president, Nestor Kirchner, expressed this eloquently in his inaugural address, stating that he intended to rule ‘without rancor but with memory’. Justice and accountability are also central elements of genuine reconciliation. While justice should be vigorously pursued, it must always be even-handed and fair. Reparations should also be provided to victims and their families, not only to compensate them for their losses, but also to send the message that human rights should be respected and violations are no longer acceptable.

Reconciliation is costly

Without truth, justice, and reparations, victims and their communities will feel that the new order has denied their dignity and failed to recognize them as full citizens. Condemned to the perpetual status of victim, they can become vulnerable to unscrupulous leaders who seek to exploit their anger and insecurity. Both Rwanda and the former Yugoslavia reveal the deadly consequences of allowing a sense of historical grievance to be manipulated by nationalist and racist politicians. Without genuine reconciliation premised on dealing with the past, yesterday’s victims can all too easily become today’s perpetrators.

Reconciliation also requires a changing of the old guard. In societies where venal leaders have spawned abusive institutions, a secure peace will not emerge until the police, the military, courts, and other organs of government undergo fundamental change. Citizens will not trust a new government if its institutions remind them of the past, and the restoration of trust between citizen and state is indispensable to almost every aspect of modern governance, from crime prevention to tax collection.

It is obvious that massive discrepancies in wealth and power lie at the heart of many intractable conflicts. But those who retain disproportionate privileges in the aftermath of violence often fail to recognize that reconciliation cannot be secured in a context of ongoing inequality.

Truth and reconciliation

The truth commission is concerned first and foremost with the recovery of truth. Through truth telling, the commission attempts to document and analyze the structures and methods used in carrying out illegal repression, taking into account the political, economic and social context in which these violations occurred. In some ways, it is unfortunate that the word ‘truth’ is used. Beyond its Orwellian overtones, many critics rightly feel that it is impossible for all the truth to ever be known. Nevertheless, despite these necessary cautions, truth commissions, in some instances, have uncovered truth that has been quite deliberately suppressed by the state, and have broken the silence by documenting, acknowledging, and publicizing the truth based on the victims’ stories of human rights violations. This focus on victims rather than perpetrators is one of the hallmarks of most truth

commissions. Therefore, it does not substitute for courts or prosecutions, but rather complements the retributive aspect of justice with a greater emphasis on the restorative nature of justice.

A number of commissions have talked not only about truth, but also about reconciliation. If the word ‘truth’ conjures up problems for many people, so does the word ‘reconciliation’. It has religious connotations, especially in the Christian faith, and there are many who would prefer the word and the concept of reconciliation not be used in commissions, which are seeking to recover the truth and focus on victims. At its best, reconciliation involves commitment and sacrifice; at its worst, it is an excuse for passivity, for siding with the powerful against the weak and dispossessed. Religion, in many instances, has given a bad name to reconciliation because it has often joined with those who exploited and impoverished entire populations rather than support the oppressed. When reconciliation calls for mere forgetting or for concealing, then it is spurious. Perhaps one of the ways in which to achieve at least a measure of reconciliation in a deeply divided society, is to create a common memory that can be acknowledged by those who created and implemented the unjust system, those who fought against it, and the many more who were in the middle and claimed not to know what was happening in their country.

Reconciliation and transitional justice

Reconciliation, both as a process and a means of seeking an often elusive peace, must be understood through the lens of transitional justice. Reconciliation stands a better chance and is better understood if victims believe that their grievances are being addressed and that their cry is being heard, that the silence is being broken. When perpetrators are held to account where truth is sought openly and fearlessly, when institutional reform begins and the need for reparation(s) is acknowledged and acted upon, then reconciliation can begin. The response by former victims to these initiatives can increase the potential for greater stability and increase the chances for sustainable peace. The process of reconciliation has often been hindered by the silence or the denial of political leaders concerning their own responsibility and the failure of the state. On the other hand, however, when leaders are prepared to speak honestly and generously about their own involvement or, at least, the involvement of

their government or the previous government, then the door is open for the possibility of some reconciliation amongst citizens to happen.

Reconciliation and institutional reform

For truth and reconciliation to flourish, serious and focused attention must be given, not only to individuals, but also to institutions. Institutional reform should be at the very heart of a transformation. The truth commission is an ideal model for holding together both retrospective truth and prospective needs. Unfortunately, most truth commissions have chosen to focus, almost entirely, on individual hearings. This is important and critical, but if commissions were to hold institutional hearings, it would enable the commission to call to account those institutions directly responsible both for the breakdown of the state, and for the repressive measures imposed on citizens of that state. In at least one commission, an opportunity was created for spokespersons from the military, the police, the security forces, politicians, faith communities, legal representatives, the media, and labor to give an account of their role in the past and how they saw their role in the future, which is extremely important. In other words, it is simply not enough to be concerned merely about the past. We must deal with it, but we mustn’t dwell in it, and we deal with the past for the sake of the future.

Conclusion

The rule of law and the fair administration of justice deserve our greatest respect. No society can claim to be free or democratic without strict adherence to the rule of law. Dictators and authoritarian regimes abandon the rule of law at the first opportunity and resort to naked power politics, leading to all manner of excesses. It is of central importance, therefore, that those who violate the law are punished. But as we have seen, there are limits to law, and we need to embrace a notion of justice that is wider, deeper, and richer than retributive justice. It is not only impossible to prosecute all offenders, but an over-zealous focus on punishment can make securing sustainable peace and stability more difficult. Further, to achieve a just society, more than punishment is required. Documenting the truth about the past, restoring dignity to victims, and embarking on the process of reconciliation are vital elements of a just society. Equally important is the need to begin transforming institutions; institutional structures

Reconciliation: Panacea or Peace-building?

must not impede the commitment to consolidating democracy and establishing a culture of human rights. It follows that approaches to societies in transition will be multi-faceted, and will incorporate the need for consultation to realize the goal of a just society.

In seeking a peaceful transfer of power following conflict and bitter enmity, some countries have opted for a form of amnesty. This varies from country to country. Sometimes it takes the form of a general or blanket amnesty, such as the Evian Agreement ending the war between France and Algeria for war criminals on both sides, and the amnesty by India and Bangladesh for Pakistani soldiers at the close of the Indo-Pakistani War in 1971, which led to the independence of Bangladesh. Others have opted for a limited or conditional form of amnesty, such as in East Timor, where immunity from prosecution can be granted for 'lesser crimes' once the terms of the community reconciliation agreement have been met, and in South Africa, where amnesty was conditional upon full disclosure.

Many human rights groups and international organizations have condemned any form of amnesty as encouraging impunity and contradicting international law. It is important to view amnesties with grave suspicion, particularly when they are granted by the offending state or the armed forces. But, the reality is that almost every state has used amnesties to bring about a ceasefire. It makes more sense, therefore, to consider amnesties on their merit rather than to *prima facie* reject all amnesties.

There are countries facing very difficult transitions at the present time. The Sri Lanka government is locked in negotiation talks with the Tamil tigers. Neither party has clean hands. Is it reasonable to assume that either of the parties will agree to prosecution? In Angola, there is an uneasy peace. Rebel soldiers have returned from the bush, but if large-scale prosecutions are demanded, the likelihood is that they will return to the bush, the fighting will re-commence, and many more people will die.

Some experts would emphasize the wisdom of looking at every country as unique in its history, culture, political circumstances, and the nature of the transition. Hence, external actors seeking to meaningfully contribute to a state's rebirth must partner with local organizations

and leaders. One size fits all approaches simply do not work, and although external actors may question the independence and motives of their partners, any solution that does not reflect their unique situation is likely to fail. This should not minimize the often influential role played by external governments and nongovernmental organizations. Through sharing technical expertise, promoting access to individuals engaged in similar exercises around the globe, and contributing financial resources, external actors can make a real difference – if their assistance is tailored to the actual needs on the ground, as articulated by local actors. Sensitivity to, and appreciation of, the local political, economic, and social context could lead to a more nuanced, practical, and ultimately effective transformation of the state.

Reconciliation seen in this broad context, held together with accountability, truth delivery, institutional reform and reparations, will help to ensure that it is not a panacea, but a genuine contribution to sustainable peace.



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Afghanistan and Iraq are going through very critical phases in their transitions from an authoritarian past to a possible democratic future. Over the last two years Afghanistan has achieved a great deal, but is now balanced on a knife-edge. In comparison, Iraq faces greater upheaval, with more uncertain outcomes. The approach and processes by which stability, security, democracy, justice and national reconciliation are pursued in Afghanistan are not necessarily applicable to Iraq.

Both Afghanistan and Iraq are seriously disrupted states. They are made up of numerous micro-societies which have segregated as a result of this disruption. Neither Afghanistan nor Iraq has ever experienced a tradition of democracy or a fair system of justice and national reconciliation. Afghanistan has, however, since the overthrow of the Taliban's theocratic rule, achieved some objectives as enshrined in the Bonn agreement of December 2001.

Several factors have worked in favour of Afghanistan reaching this stage of reconstruction, yet many serious challenges remain:

- (1) Although under President Hamid Karzai a governing elite has emerged, it is not as consensually unified as it should be. The elite has dangerously polarised, not only along the traditional Pashtun and non-Pashtun lines, but also between the so-called 'democrats' and 'warlords' – terms which are partly fuelled from within by some of the expatriate members of the Karzai cabinet
- (2) The narco-economy in Afghanistan, now so pervasive that it makes up more than half of the country's GDP, finances many illegal practices to the detriment of national unity and processes of democratization and stabilization.
- (3) The lack of trained manpower, and the inability

or unwillingness of the Karzai presidency to entice more qualified Afghans from abroad. Old corrupt practices, such as nepotism and factional connections, have returned in filling governmental positions.

- (4) The absence of an effective system of justice that could ensure a fair trial of criminals, let alone those who have stood accused of massive human rights violations.
- (5) The very slow pace of economic development, aid donor fatigue and absence of a national reconstruction plan.
- (6) It is important that the number of NGO operations be reduced and their activities be consolidated and rationalised to prevent a culture of dependence and complacency taking hold.
- (7) The insecurity of Afghanistan's borders, especially with Pakistan. A failure to make the Afghan-Pakistan border secure and resolve the dispute over the Durand line could imperil Afghanistan's national reconstruction and stability.
- (8) Disunity of purpose and action among the international actors. Not only are the main members of the EU – France, Germany and Britain – divided in their approach and commitment to Afghanistan, but there is also little coordination between them and the USA. EU and US involvement is more an extension of the war on terror than a result of a genuine commitment to help the Afghans to rebuild their lives and country.

From this point, Afghanistan's successful transformation will ultimately depend on the willingness and capacity of the UN and the USA and its allies to maintain a common commitment that goes beyond the prosecution of the war on terror. Otherwise, as the situation stands, Afghanistan is balanced on a knife-edge, with its process of democratization and reconstruction remaining at serious risk.

In the case of Iraq, the road to democracy and national reconciliation is likely to prove to be much more tortuous, bloody and costly than in Afghanistan. The lack of effective balance between its national groups, the absence of UN support for the US-led invasion and occupation, and anti-American anger among Arabs

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and Muslims are all factors militating against the US goal of transforming Iraq into a workable democracy and de-legitimising the Iraqi resistance. The fact that the original justification for the invasion – that Saddam Hussein's regime possessed stocks of weapons of mass destruction – has proven false has left the 'coalition of the willing' with little credibility to sell their ongoing occupation either to the Iraqis or to the international community. This is very reminiscent of the problems faced by the Soviet Union with its invasion of Afghanistan, and its failure there in the 1980s.

The minority Sunnis and Kurds cannot hope to rule Iraq through a free and fair election, and therefore have reason to oppose any democratic transformation of Iraq that could relegate them to a secondary position. In deference to this, the USA originally proposed the formation of a central authority through an indirect caucus-based election, but this was swiftly and firmly rejected by the Shi'ite majority who, backed by Iran, demanded a direct election. Their leader, Ayatollah Al-Sistani, operates in the same tradition as Ayatollah Khomeini, the founder of the Iranian Islamic regime. Washington found itself with little choice but to give in to the Shi'ites' demand for a direction election which, according to the UN, cannot logistically be held until early 2005.

Having agreed to this, Washington must be aware that it will not be in US regional interests to let a Shi'ite-led Islamic government, with sectarian affiliation to Iran, to come into existence. The USA's relations with the Iraqi Kurds, Turkey and the Arab world would also suffer. At present, there are no confidence-building processes in place between the various Iraqi communities to foster national reconciliation and encourage a power-sharing agreement that could satisfy them all. This leaves the American promise of bringing democracy, justice and reconciliation to Iraq in tatters. It also leaves the US little space for an honourable exit from Iraq, unless the UN takes over. So far the UN has remained reluctant to engage fully, not least because of uncertainties about the USA's commitment to provide security in the long run. Even if the UN goes in, there is no certainty that it will have any more success in resolving the political conundrum than the USA and the members of its coalition of the willing have had thus far.

Irrespective of what may transpire, the USA has now opened a battleground in Iraq for all those radical

Islamists and Arab nationalists who have historically shunned the US's strategic partnership with Israel and who reject the US's dominant role in the Middle East and the Muslim world.

More than this, the fight in Iraq also constitutes a battle for the soul of post-11 September world order. The Iraqi resistance has, in many ways, succeeded in defining the limits of American power, and enabled the UN to prove its relevance in the face of the Bush Administration's pre-Iraq War condemnation of it as irrelevant. Further, it has strengthened the position of Iran, not as a member of the 'axis of evil', but as a regional player. It has rendered an American use of force against Syria remote, and left Israel no better off than before the Iraq War.

More important than all this, the Iraqi resistance has badly discredited the agenda of the neo-conservatives in the Bush Administration of reshaping the Middle East in the image of the USA and marginalising the defiant forces of political Islam in world politics. What options does this leave the USA?

No doubt one option is to exit from Iraq as quickly as possible. The Bush Administration appears to be very keen to do this, but will the USA be able to bear the political and strategic costs of such an exit in terms of its overall interests in the region and its war on terror? The consequences of leaving Iraq soon may prove to be as damaging as those of staying in for the long haul. Moreover, whereas the USA stands to gain little from the Iraq occupation, there is a danger that if Afghanistan is not given the priority it deserves by the USA and its allies, the Iraqi and Afghan situation may interact to seriously undermine the war on terror.

Another option is for the USA to review its entire Middle East policy and its war on terror strategy. It needs to rationalise its strategic partnership with Israel to secure a viable resolution of the Palestinian problem, and to identify the other root causes of international terrorism in order to address those causes rather than treating their symptoms. It has to realise that, although the use of military power can work up to a point, beyond that it will have to have a sound political strategy to treat those root causes which defy military solutions. The question is: is the American democratic system, which favours short-cycle policies, capable of supporting long-term solutions?



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If anyone had the pleasure of watching Prime Minister's Question Time on BBC television on 4 February 2004, they will have witnessed the exquisite spectacle of Tony Blair dancing on the head of a pin as he explained that the total absence of weapons of mass destruction (WMD) in Iraq in no way invalidates what he said before or his decision to go to war. After all, Saddam Hussein has been arrested, the people are happy, schools are open and the oil is flowing. Only a churlish person could argue otherwise. But while the certainties of WMD stockpiles metamorphoses into WMD programmes and then George Bush's unbelievable construction of WMD programme activities – the picture is somewhat different inside Iraq.

That nation is undergoing a brutal and disastrous experiment of forced democratization that follows a strategic prescription for democracy hatched by the neo-conservative wing of the Pentagon and its Iraqi exile friends. What is particularly disturbing is that the author of this policy – which has never been debated around the UN security council chamber, not to mention the Japanese Diet or the UK parliament – is an academic named Bernard Lewis, who believes that instilling respect, or at least fear through force, is essential for American security after 9/11.

Mr. Lewis, 87 and British by nationality, is at the heart of the neo-conservative core of the Bush administration, and he is an equally influential adviser to the Turkish generals and various Israeli governments. This all seems perfectly acceptable, but as the investigations into the intelligence arguments for the war get underway, questions are being asked about the way the intelligence was manipulated by the Pentagon's office of special projects to suit the aims of the neo-conservatives. President Bush, who does not read much, even had a copy of a marked-up Lewis article in his briefing papers. The idea behind

the Lewis doctrine – now being tested in Iraq – is attractive. Terrorism is now the global foe and it must be confronted and defeated. Democracy – at the point of a gun – is what is needed now in Iraq as the first stage in a real clash of cultures that will crush Islamic ambitions.

But from the outset it has all gone horribly wrong. The US somehow believed that democracy in Iraq would elect people like Ahmed Chalabi, English-speaking secular whisky-drinking folk, who got on well with US politicians. They did not face the fact until late 2003, and perhaps not even then, that a majority of Iraqis, according to the polls, want an Islamic Republic. The US thought that everything wrong with Iraq was the fault of Saddam. It was not. The ethnic and religious divisions in Iraq between Shi'ite, Sunni and Kurd always meant that ever since the British set up the Iraqi state in 1920 it was difficult to hold it together except by force. Under Saddam, the Iraqi opposition, as well as the US, fooled themselves that these sectarian divisions were not as deep as they turned out to be.

The US received extremely bad and partial advice from Iraqi exiles. Above all, the exiles advised them to (a) disband the army – leaving 50,000 men on the streets – and (b) try to marginalize the former members of the Baa'th party. This hit the Sunni community particularly badly, and helped stoke the civil war that has taken so many lives. The wars inside the US administration meant that the US state department was ignored in reconstruction, and the neo-conservative agenda of Bernard Lewis and co. was adopted. The latter had very little relationship with Iraqi reality. And the neo-conservatives really believed they would be greeted by cheering crowds hurling roses.

Of course, most Iraqis wanted to see the back of Saddam because of the terrible economic misery, with a 70% unemployment rate. The only big job provider was the state under Saddam, but the government was partly dissolved in the war. Iraqis, who had high expectations, found that their economic situation had got worse.

And the rub is that while the USA in 2003 spent a lot of time talking about democracy, it did not really want elections because the Shi'ites and supporters of the clergy would win them. Elections have been the key, with the Shi'ites seeing them as a way of ending

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centuries-old marginalization under the Ottomans and then Saddam. Hence Shi'ite leader Ayatollah Al-Sistani's early fatwa that an elected body would have to write the new Iraqi constitution.

L. Paul Bremer underestimated the power of Al-Sistani, and few Iraqis will see the 30 June handover as the end of the occupation, as coalition troops will keep all the powers they currently have. While troops are acting with impunity – they have killed some 2,000 civilians – the insurgency will go on. The Kurds thought they were safe, but two Palestinian-style suicide bombers got through last week, killing more than 100.

The Kurds are not going to accept anything less than a federal solution. In effect they want the mini-state they have had since 1991, plus areas like Kirkuk that they conquered in 2003. The war in the north has gone on too long and too many people have been killed for them to take anything less. Again, Bremer seems to have been very slow to realize this, with Massoud Barzani and other Kurdish leaders complaining that he offered them less even than Saddam.

None of Iraq's neighbours, aside from Kuwait, want the USA to succeed in Iraq. This gives them an incentive to keep the pot boiling.

Japan has deployed its self-defence forces in the south. But they are not in a safe area, because whoever is behind the suicide bombing campaign is making sure that there are no safe areas for foreigners – or pro-US Iraqis – anywhere in Iraq. Tragically, the UN thought it was safe and got blown up. So did the Italians.

So a few questions: Who is running the Iraq policy? Is imposed democracy the answer? Are Japanese forces going in on the basis of wrong intelligence about WMD to become willing victims of America's war, or part of a UN-led nation-building exercise?

Democracy in Iraq requires the USA to accept that the Shi'ites will win, the Sunnis cannot be marginalized and the Kurds must have something close to de-facto independence. Perhaps all this can be achieved, but the USA has left it very late in the day.



