FFI RAPPORT

EXPERIENCES FROM KFOR 5 AND IMPLICATIONS FOR DEFENCE PLANNING, NATIONAL CONTRIBUTIONS AND OPERATIONAL ANALYSIS.
Symposium Report. Oslo 16-17 January 2002

OTTERLEI Jonny M (editor)

FFI/RAPPORT-2002/01551

FFISYS/415/204.1 NATO

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Norwegian Defence Research Establishment

P O BOX 25
N0-2027 KJELLER, NORWAY
REPORT DOCUMENTATION PAGE

SECURITY CLASSIFICATION OF THIS PAGE
(when data entered)

1) PUBL/REPORT NUMBER	2) SECURITY CLASSIFICATION	3) NUMBER OF PAGES
FFI/RAPPORT-2002/01551	UNCLASSIFIED	
1a) PROJECT REFERENCE	2a) DECLASSIFICATION/DOWNGRADING SCHEDULE	108
FFISYS/415/204.1 NATO	-	

4) TITLE

EXPERIENCES FROM KFOR 5 AND IMPLICATIONS FOR DEFENCE PLANNING, NATIONAL CONTRIBUTIONS AND OPERATIONAL ANALYSIS.
Symposium Report. Oslo 16-17 January 2002

5) NAMES OF AUTHOR(S) IN FULL (surname first)

OTTERLEI Jonny M (editor)

6) DISTRIBUTION STATEMENT

Approved for public release. Distribution unlimited. (Offentlig tilgjengelig)

7) INDEXING TERMS

IN ENGLISH:		IN NORWEGIAN:
a) KFOR	a)	KFOR
b) Experiences	b)	Erfaringer
c) Defence planning	c)	Forsvarsplanlegging
d) Operational analysis	d)	Operasjonsanalyse
e) CIMIC	e)	Sivil-militært samarbeid

THESAURUS REFERENCE:

8) ABSTRACT

On 16-17 January 02, FFI hosted a high-level symposium in Oslo on experiences from KFOR 5 and their implications for defence planning, national contributions and operational analysis. The aim was to bring together the leadership in KFOR 5 and the Norwegian Defence to summarize and discuss KFOR 5 experiences and to highlight potential consequences for force and defence planning and national contributions. This report contains the presentations given and an executive summary.

There was general consensus that the KFOR 5 deployment met the operational requirements and national expectations. The cooperation between Joint Command North and Joint Command North East also withstood the test, and flag officers as well as other headquarter staff functioned well together.

Further improvements in cooperation among national contingents need to be pursued to increase COMKFOR's freedom of action and to achieve economy of effort. This points to the need to reconcile national interests and to the complex factor of multinationality, a greater willingness to accept risk and also a stronger focus on reducing costs.

9) DATE	AUTHORIZED BY This page only	POSITION
5 April 2002	Ragnvald H Solstrand	Director of Research

UNCLASSIFIED

SECURITY CLASSIFICATION OF THIS PAGE
(when data entered)

PREFACE

The symposium was organised jointly by the Joint Command North and the Norwegian Defence Research Establishment. At the end of the KFOR 5 deployment, Lieutenant General Thorstein Skiaker and his KFOR Flag officers enthusiastically supported the idea of a symposium addressing the KFOR experiences. FFI was glad to host such an event bringing practitioners and researchers together for sharing the insights from KFOR 5 and discussing the relevance for future defence planning.

In particular, we would like to acknowledge the contributions made by Lieutenant General Skiaker, Major General Wilson, Major General Ernst H Lutz, Mr. Boris Ruge, Mr. Ole Lindeman, Mr. Espen Barth Eide and Dr. Ragnvald H Solstrand. We appreciate that also Major General Filiberto Cecchi and Colonel Hans Peter Ueberschaer from the KFOR 5 Flag team, Vice Admiral Eivind Hauger-Johannessen, Deputy Chief Norwegian Defence, and Director General Paul Narum were able to attend.

The audience was limited to an additional 30 senior officers and civilians from Joint Command North, the Ministry of Foreign Affairs, the Ministry of Defence, the Norwegian Defence and research institutes in order to allow for open and free discussions. The symposium theme could have attracted a much larger audience and hopefully, this symposium report will provide others with an understanding of the tactical challenges and experiences obtained during the KFOR 5 deployment.

Some minor editing of presentations has been done to keep the report at the unclassified level without altering the key messages and insights. No references have been made to the discussions since the symposium followed Chatham House Rules. Instead, an executive summary has been written largely drawing on the presentations and discussions.

I would also like to thank my colleagues Lieutenant General Ola Aabakken (retired) for his excellent conference leadership and Mr. Bård Eggereide for his organisational support.

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EXECUTIVE SUMMARY

Introduction

On 16-17 January 02, FFI hosted a high-level symposium in Oslo on experiences from KFOR 5 and their implications for defence planning, national contributions and operational analysis was held in Oslo 16-17 January 02. The aim was to bring together the leadership in KFOR 5 and the Norwegian Defence to summarize and discuss KFOR 5 experiences and to highlight potential consequences for force and defence planning and national contributions. About 40 specially invited senior officers and civilians participated (see figure E1); among them international flag officers from KFOR 5 and Joint Command North, as well as representatives from the Ministry of Foreign Affairs, the Ministry of Defence, the Norwegian Defence and research institutes.

Figure E1   At the table - from right: Major General Ernst H Lutz, Major General David Wilson, Dr. Ragnvald H Solstrand (representing Director General Paul Narum), Lieutenant General Thorstein Skiaker, Major General Filiberto Cecchi, Vice-Admiral Eivind Hauger-Johannessen, Colonel Steinar Hannestad and Colonel Hans Peter Uberschaer

From 6 April to 3 October 01, Lieutenant General Thorstein Skiaker of Norway was in command of KFOR, and the Headquarter Kosovo Forces was manned with core elements from Joint Sub-Regional Command Northeast and Joint Sub-Regional Command North and further strengthened with personnel from 27 nations. Also an Operational Analysis cell was integrated as a scientific element in order to widen the ordinary HQ planning capabilities.

During the symposium, a number of presentations provided a platform for discussions, and some deliberately chose a provocative approach in order to challenge what is currently accepted as military orthodoxy and policy. The different nationalities and backgrounds of the presenters contributed to establishing a picture that accurately conveyed the complex political-military environment that characterised the implementation of a peaceful settlement in Kosovo. Although opinions voiced were shaped by tactical experience in one specific peace operation, the messages indicated a much broader application. National governments and military authorities will clearly have to engage at the higher operational and strategic level to make progress on the issues raised.

There was general consensus that the KFOR 5 deployment met the operational requirements and national expectations. The cooperation between Joint Command North (JCN) and Joint Command North East (JCNE) also withstood the test, and flag officers as well as other headquarter staff functioned well together.

Further improvements in cooperation among national contingents need to be pursued to increase COMKFOR's freedom of action and to achieve economy of effort. This points to the need to reconcile national interests and to the complex factor of multinationality, a greater willingness to accept risk and also a stronger focus on reducing costs.

The observations made emphasize earlier experiences from Bosnia and Kosovo and in that respect also reiterate earlier lessons. For Norway taking on such an extensive leadership at least within a NATO-led operation was a novel experience, which has provided a unique insight into the challenges of commanding a large multinational operation and the potential of multinational co-operation in fulfilling the mission.

Experiences and Implications for Defence Planning

A Shift Towards Lighter and More Mobile Forces
In shaping KFOR 5, the uncertainty about the future development in Yugoslavia was still an important driver for keeping the level of forces at about 42,000 and for maintaining a warfighting capability. Despite substantial improvement in the relations between Belgrade and NATO in the course of the operation (1999-2001), and the fact that the situation in Kosovo may be quiet on the surface, ethnic tension is still present and can rapidly turn into violent actions and confrontations. Organised crime and armed groups are now the largest threat to a peaceful settlement for Kosovo.

The military threat from Yugoslavia has for all practical purposes been dissolved leading to a stronger focus on internal security and especially the activity of more extreme and armed groups in and around Kosovo. As a result, stronger emphasis should be placed on lighter and more mobile forces that can respond more quickly to intelligence-based information.

Civil-Military Cooperation
Civil-military cooperation needs to be further developed. At first sight, the division of work appears fairly simplistic with KFOR responsible for a safe and secure environment and

UNMIK as responsible for the administration in the transition period. In reality, a substantial effort is required on both the military and the civilian side to sustain a constructive working relationship. One important difference between the two is their respective resource and planning approach. The military organisation is structured for quick decision-making and *result-oriented* resource exploitation, while the civil organisation in its approach is directed towards creating and administrating *processes* to fulfil the objectives. As long as a clear separation of tasks exists, these differences are less important. However, as civilian institutions are being established the need for cooperation increases, especially in the transfer of tasks from military into civilian hands.

One important area for co-operation is the involvement of military forces in law and order. Military involvement is triggered when civilian institutions are not yet fully established and functional and judicial capacity needs to be developed further in order to execute law and order. In addition, there is a clear link between armed groups operating in Kosovo and adjacent areas, organised crime, ethnic violence and extremism. This is a strong argument for a direct military contribution to law and order. The question is how?

On the military side, the main capabilities are in place, but intelligence cooperation needs to be improved, some specialist equipment needs to be acquired and a joint police-military training program initiated. Among required additional capabilities, there is a particular need for vehicle search equipment, increased reaction capabilities and interoperable communication system, which includes the police. Military forces need to acquire basic skills in the handling of evidence, the execution of search and a closer cooperation with police and prosecutors.

Exploitation of Technology
The importance of technology in peace operations is illustrated by several examples from the KFOR experience. Technology offers both the opportunity of reducing personnel risk exposure and of increased mission effectiveness. One example is the use of unmanned air vehicles for general surveillance and more specific party monitoring, for example in border control and during the re-entry of FRY[1] forces in the ground safety zone. In the light of strict national restrictions on where forces can patrol, technology contributes to establishing a degree of surveillance in areas where the threat to personnel safety is considered too high for exposure. In that way, areas where it would have been extremely risky to send in personnel due to mines or armed groups could still be monitored.

Increased use of technology can also be an important means for relaxing troops from static tasks. A study carried out by the operational analysis cell showed that about 6,000 troops are fixed to guarding patrimonial sites and churches, escorting, guarding own bases and other critical infrastructure. Increased use of technology in surveillance and increased willingness to take political risks would enable reductions in the permanent personnel presence at different sites. When checking vehicles, screening equipment also enables a quicker search of vehicles and the option of more selective manual control.

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[1] Federal Republic of Yugoslavia

However, attention needs to be given to the low degree of interoperability between national technology solutions. This problem is especially prevalent on the communication side where most nations have their own solutions.

COMKFOR Freedom of Action

COMKFOR's freedom of action is too constrained when it comes to flexible force exploitation in cross-boundary operations. The constraints result from the structural context including available resources and the established military framework for KFOR, the political context and national restrictions. Each of these factors affects the others and makes KFOR a complex system to command. This severely restricts what tasks can be undertaken, how they are solved and produces considerable planning friction. In unforeseen situations, the lack of freedom of action could put personnel at unnecessary risk. It also precludes considerable cost reduction opportunities since limited freedom of action hinders implementation of cost effective operational solutions.

Three areas stand out as especially constraining: command relationships, intelligence and national restrictions.

Command Relationships

Figure E2 below illustrates the command relationships within which COMKFOR and the SRSG[2] operate. The formal structure appears clear on both the military and civilian side. However, strong national influence exists at all levels. From a structural point of view, national influences wipe out the formal command lines and open for national military initiatives outside COMKFOR influence and control, and also for direct national influence on all command levels within KFOR.
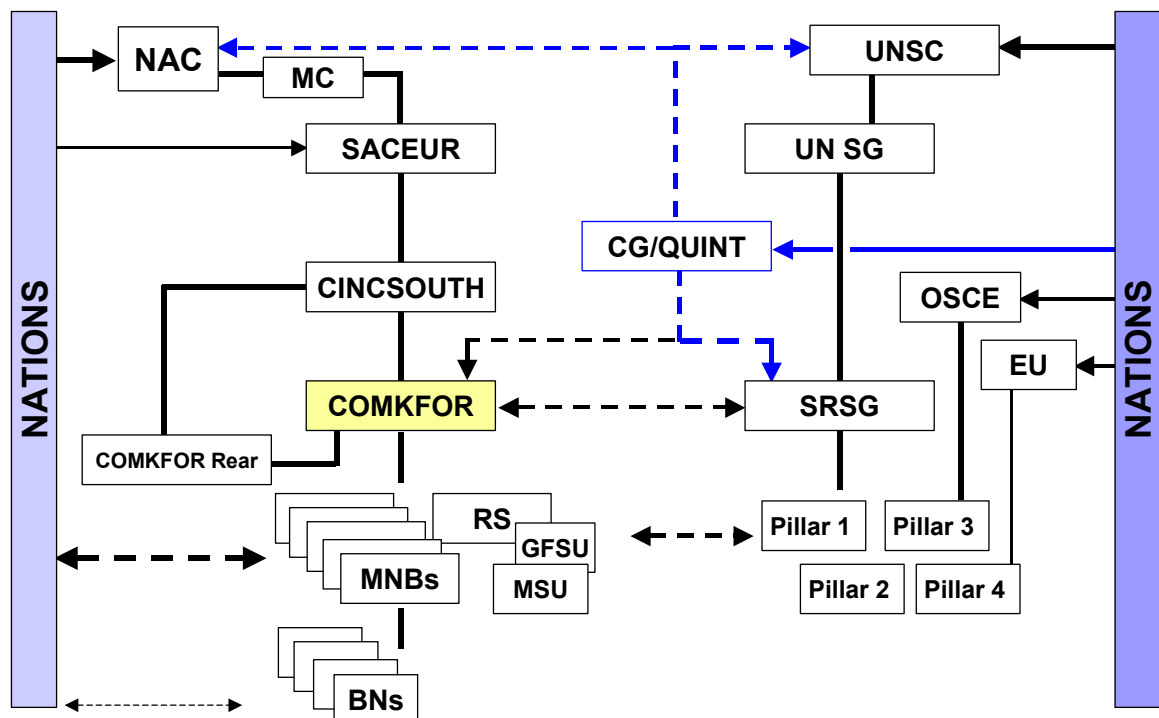

Figure E2   Command relationships within which COMKFOR and SRSG operate

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[2] Senior Representative Secretary General.

In addition, the coordination within each nation can be weak and leads to different perspectives being communicated into the chain of command. For COMKFOR and SRSG, a substantial challenge exists in capturing and synthesising (often contradictory) national perspectives and translating them into action. This process is to some degree simplified by the coordination within the Quint-nations (France, Germany, Great Britain, Italy and the United States). These nations contribute about 60% of the military forces in KFOR and have substantial influence in NATO and the United Nations. Still, other and simpler mechanisms for ensuring national influence and increasing freedom of action should be considered.

Intelligence
The organisation of intelligence in KFOR is inherently weak. COMKFOR has no own intelligence resources and fully depends on intelligence from national contingents. This also makes him critically dependent on their willingness and ability to contribute timely and relevant information.

The multinational context strongly restricts information accessibility and especially when it comes to making this information available for headquarter planning elements. The exchange of information is constrained by the lack of formal agreements between contributing governments – also within NATO. National ownership of intelligence resources means that national priorities determine the focus of collection. Therefore, COMKFOR has limited ability to make information collection consistent with operational needs. In addition, scarce intelligence resources are often allocated towards the same targets and this duplication prevents them from being exploited more effectively.

The headquarters' ability to handle intelligence information is severely constrained by the fact that a large share of personnel does not fulfil position requirements when it comes to language skills or intelligence experience. The shortfall in skills is exacerbated in that intelligence in peace operations demands broader experience than traditional military intelligence which focuses on an opponent' military forces. This creates a significant demand for additional in-theatre training, which is impossible to meet within six-month rotation periods. Further, the KFOR HQ has little flexibility in re-allocating personnel to other positions where they could have been better used.

National Constraints
National governments have imposed a large number of constraints on their force contributions. Relaxing these constraints would substantially increase COMKFOR freedom of action and facilitate a more effective and efficient force exploitation. Constraints that are stated explicitly fall into the categories of command relationship, exchange of intelligence information, fixation to brigade area of operations, limitation of the range of potential tasks to be undertaken, rules of engagement and force protection. The constraints require national authorisation to be relaxed and are closely tied to national willingness to incur risk or constitutional constraints.

Constraints on command relationship are closely linked to the brigade fixation. In some cases units can be placed under the command of other brigades, but only if a large set of requirements are met or they are an integral part of a task force of specified size. This significantly reduces the opportunity of flexible force exploitation for cross-boundary

operations. Some nations have shown greater flexibility by contributing to COMKFOR Response Forces.

Rules of engagement and force protection regimes vary between national contingents. Some require continuously use of helmet and protective gear while others allow for adjusting the level of protection to the overall situation. Some contingents limit force mobility to a large degree to roads in order to reduce mine threats. This severely reduces the ability to carry out effective patrols and border control. A large number of troops cannot be used in riot and crowd control and are also constrained from using non-lethal weapons including tear gas.

Multinational Solutions
Multinational solutions should be further developed. This would allow smaller countries to increase their share of contributions in multinational operations and hence relieve larger nations that struggle with sustaining their contributions. For smaller nations, some specialisation and agreed plug-in capabilities/modules for multinational operations would be a way of which to be involved and ensure influence. Influence at a higher level often requires costly additional contributions like support helicopters, transport units, headquarter elements, surveillance resources like UAVs[3], military police and support elements. Such contributions inflict costs that on a longer term would exceed the resources available to smaller countries. Multinational solutions among the contingents that share the same political objectives stand out as a possible option.

The large force presence in Kosovo generates substantial costs for NATO and contributing governments. Substantial cost reductions could have been achieved by reducing duplication of effort – for example within logistics and support helicopters. Good examples of coordination exist: France is responsible for fuel supply to KFOR, and a joint hospital arrangement between the US and UK has been established. The potential for further exploitation clearly exists.

KFOR has been reduced by about 20% since KFOR 1 and the potential for further reductions is clearly present by focussing on economy of effort and accept greater risk taking. However, further force reductions would make it more difficult to sustain specialist functions that are critical and scarce, such as air surveillance, military police and electronic warfare capabilities. Exploiting multinational solutions further could contribute to sustaining critical capabilities in KFOR and at the same time allow national governments greater flexibility in allocating these capabilities to other missions.

Interoperability
Enhancing multinational solutions would also increase interoperability requirements both at individual and unit levels. At the individual level, language skills appear most important, while at unit level, the challenge is to bring units to the same operational level so as to enable them to take on tasks together. At the time of writing, no common standard or requirements of joint action has been established.

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[3] Unmanned Aerial Vehicles

There should be stronger follow-up, when national contingents fail to meet requirements, and an opportunity for the commander to re-allocate units and personnel that do not meet the requirements. Although not all units would have to be brought to the same level of quality level, more pressure should be exercised so that units and personnel actually meet the stated requirements. Stronger cooperation on training and exercises within the multinational context would be an important means to ensure larger compatibility between national contingents.

Future Contributions from NATO JSRC Headquarters
Experiences from KFOR 5 showed that NATO third level headquarters (Joint Subregional Commands – JSRCs) could offer an effective option for establishing a core staff for a multinational operation. The KFOR 5 Headquarter was the last core headquarter where a core was drawn from staff elements within the NATO command structure – then Joint Command Northeast and Joint Command North – and contributing governments were invited to fill the remaining 600 positions outside the core. The composite model selected for KFOR 6 onwards draws all staff directly from contributing nations.

The core model offered an opportunity to exploit JSRCs in manning the KFOR HQ and in that respect reduced the manpower burden on governments to fill positions outside the core. Also, the competencies acquired by the core through the six-month deployment were preserved in the permanent NATO command structure after tour completion.

Scientific Contributions to Tactical HQ Planning
Experience gained in SFOR and KFOR leads us to conclude that scientific support in the planning and execution of international crises response operations is valuable provided that the right kind of scientists are allocated and properly linked to the staff processes. A scientific presence reinforces the existing planning capabilities, enables information relevant to future research to be collected and a unique opportunity to expose analysts to the real life problems of peace support operations.

In the KFOR 5 HQ, a substantial operational analysis capability was provided by Norway, Denmark and JCN and located under the Deputy Commander Operations. The team enjoyed strong support and excellent working relations with the Command Group and the staff.

During the six-month deployment, the operational analysis cell focussed on analysis for advice and insight – not on tool and method development, and got involved in a wide range of issues emerging from the Command Group and the branches. Some examples are decision analysis on the Ground Safety Zone – Sector Bravo, analysis of troops committed to static tasks, risk assessment of toxic industrial materials, assessment of serious crime statistics, development of framework scenarios for the Western Balkans and a force multinationality study.

Feedback from the Command group and the branches especially values the analytical involvement and contributions to structuring problems, establishing a quantitative basis, establishing auditable trails in reasoning and having a flexibility towards a wide range of planning issues.

Future International Involvement in Kosovo and the Western Balkans

<u>The Longer Term Development</u>
A clearly defined end with a specified timescale for the international security presence is difficult to identify. Some alternative developments have been outlined in the form of framework scenarios that capture the main actors and dimensions.

One development might be that KFOR's role is extended more or less along current operational lines, possibly offering force reductions by greater risk taking and economy of effort. However, Kosovo-Albanian extremist groups may take a more violent position to promote independence with the support of the local population. Driving forces behind such a development would be lack of economic progress, overpopulation and unemployment and political frustration. The international presence could be targeted and hence the security challenge for KFOR would be substantially altered. A third development, even more troublesome, would be a termination of the NATO led military presence due to a failure to prevent banditry, economic breakdown and lawlessness.

Outside Kosovo, conflicts have taken on an endemic character. With respect to Macedonia, conflict scenarios range from a continued low-level insurgency to a wider conflict involving neighbouring states at the high end of the conflict spectrum. Both these developments – low or high intensity conflicts - represent cases in which an international military presence could be called upon. The same goes for Albania, which in 1996 already experienced a "descent into anarchy".

It is easy to point out reasons for a long-term security commitment in the Balkans. In contrast, developments that would enable the international military presence to be substantially downsized or fully withdrawn should be further explored. For instance, a settlement of today's conflict would imply political changes that allow local actors to accept the internationally sanctioned concept of "self-government within FRY" and that marginalize possible conflict entrepreneurs.

At the time of writing, it is not possible to foresee which one of the alternative developments outlined will be closest to the actual course of events. Still, force restructuring should take into account both short-term perspectives based on current situation and the longer-term uncertainty described in part above. A regional perspective, that is a security strategy for the Balkans, is essential since the security challenges in the area are linked in a way that requires the whole region to be stabilised.

<u>Kosovo Shorter-Term Perspective</u>
The implementation of the constitutional framework for self-government and as a part of that the 17 November 2001 elections have been considered a fundamental step towards a peaceful settlement for Kosovo.

The elections were held without any significant problems and practically no political violence was observed. The elections resulted in a more pluralistic political picture. Until 1998, the

LDK[4] had been the only significant Kosovo-Albanian force, but the elections of 17 November 2001 showed increased support for other parties. This has made it more problematic to distribute the positions among the parties.[5] Kosovo-Albanian participation was down from the municipal elections of October 2000. In contrast, the Kosovo-Serbs did take part in the elections and had a very good showing, considering that the decision to participate was made only 12 days before the elections.

The SRSG negotiated a common document with Belgrade that addresses specific issues related to Kosovo-Serbs. The document was considered vital to ensure Kosovo-Serb participation in the elections. The flip side might be that this document could provide a vehicle for Belgrade to insert itself in other issue areas. Such an influence might be somewhat weakened by Serb Assembly members taking more independent positions to Belgrade. Mitrovica stands out as a prime example of Serb policy in Kosovo, and though the situation overall is calm, attention is still needed to ensure progress along the lines laid out in the Mitrovica strategy.

Pillar I dealing with law and order shows some progress as a result of the initiatives generated during KFOR 5. Transferring tasks from KFOR to UNMIK-Police and the KPS[6], increasing the number of international judges and prosecutors from 21 to 34 and combating organised crime, have all been assigned high priority.

At a political level, the international community has to consider whether the time has come to initiate a process that will determine the final status for Kosovo. As yet, the international community still dominates the administration of Kosovo leaving the Kosovo-Albanians very much dependent on the international presence. In order to change this situation and take on greater responsibilities, Kosovo-Albanians also have to make substantial efforts on the areas outlined in the constitutional framework.

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[4]   The Democratic League of Kosovo (LDK)
[5]   On 4 March 02, the Kosovo Assembly voted in the province's first President and government. Mr Ibrahim Rugova (LDK) was elected president, and Dr. Bajram Rexhepi (PDK-the Democratic Party of Kosovo) was chosen as Prime Minister
[6]   Kosovo Police Service

1 INTRODUCTION

On 16-17 January, FFI hosted a high-level symposium in Oslo on experiences from KFOR 5 and their implications for defence planning, national contributions and operational analysis. The aim was to bring together the leadership in KFOR 5 and the Norwegian Defence to summarize and discuss KFOR 5 experiences and to highlight potential consequences to force and defence planning and national contributions. Also, the scientific contribution and potential implications for future support to operations were addressed.

About 40 specially invited senior officers and civilians participated (see figure 1.1) among them
- KFOR 5 flag officers
- Representatives for the Ministry of Foreign Affairs, the Ministry of Defence and the Norwegian Permanent Delegation to NATO
- Senior officers from Joint Command North
- Senior officers from Defence Command Norway, Defence Command South Norway, Norwegian Defence International Centre and the Army
- The Secretary General of the Norwegian Atlantic Committee
- Researchers from the Norwegian Institute of International Affairs and the Norwegian Defence Research Establishment.

Figure 1.1   Symposium audience

During the symposium, a number of presentations provided a platform for discussions. The different nationalities and backgrounds of the presenters contributed to establishing a picture conveying the complex political-military environment characterising the implementation of a peaceful settlement in Kosovo. Although opinions voiced were shaped by tactical experience in one specific peace operation, the messages indicated a much broader application. National governments and military authorities will clearly have to engage at the higher operational and strategic level to make progress on the issues raised.

This report includes the presentations and an executive summary. The executive summary highlights the most important issues extracted from the presentations and the discussions. The report is structured in accordance with the symposium program. The following chapter consists of Mr. Espen Barth Eide's speech given at the symposium dinner. Chapter 3 contains

the opening statements by Lieutenant General Thorstein Skiaker (COMKFOR 5 and COMJCN) and Dr. Paul Narum (Director, FFI).

Chapter 4 summarizes the experiences from KFOR 5 and highlights critical issues relevant to future defence planning. The following presentations were given:
- A Perspective on Peace Support Operations (Major General David Wilson)
- Scientific and Analytical Support to the KFOR 5 HQ (Dr. Ragnvald H Solstrand)
- KFOR 5 Operational Experiences – Conclusions for Force and Defence Planning (Major General Ernst Lutz)
- Civil-Military Co-Operation and Military Support to Public Security in Peace Operations (Mr Ole Lindeman)
- A Perspective on KFOR 5 Multinationality (Mr Jonny M Otterlei)

Chapter 5 addresses future international military involvement in Kosovo and the Western Balkans:
- Scenarios for Kosovo and the Western Balkans (Mr Iver Johansen)
- Political Update on the Development after the 17 November (Mr Boris Ruge)

The opinions expressed are those of the individuals concerned.

A list of abbreviations is given in appendix A followed by a description of the presenters in appendix B. A more in-depth article on civil-military cooperation written by Mr Ole Lindeman can be found in appendix C.

1.1   Background

The NATO led Kosovo Forces (KFOR) was deployed into Kosovo in June 1999 to provide a safe and secure environment for the implementation of United Nations Security Council Resolution 1244. Today, a total of 42,000 troops from 39 troop contributing nations carry out joint security and humanitarian related tasks in close cooperation with the United Nations Mission in Kosovo (UNMIK). The multinational context enables NATO to sustain a significant military presence in Kosovo and also an opportunity for governments to expose their troops to a multinational operational environment.

Lieutenant General Thorstein Skiaker was in command of KFOR from 6 April to 3 October 01, and the Headquarter Kosovo Forces was manned with core elements from Joint Sub-Regional Command Northeast and Joint Sub-Regional Command North and further strengthened with personnel from 27 nations. Figure 1.2 gives an overview over key positions and staff[7]. Also a scientific element (an Operational Analysis cell) was integrated to widen the ordinary HQ planning capabilities. The OA-cell was located under DCOM OPS.
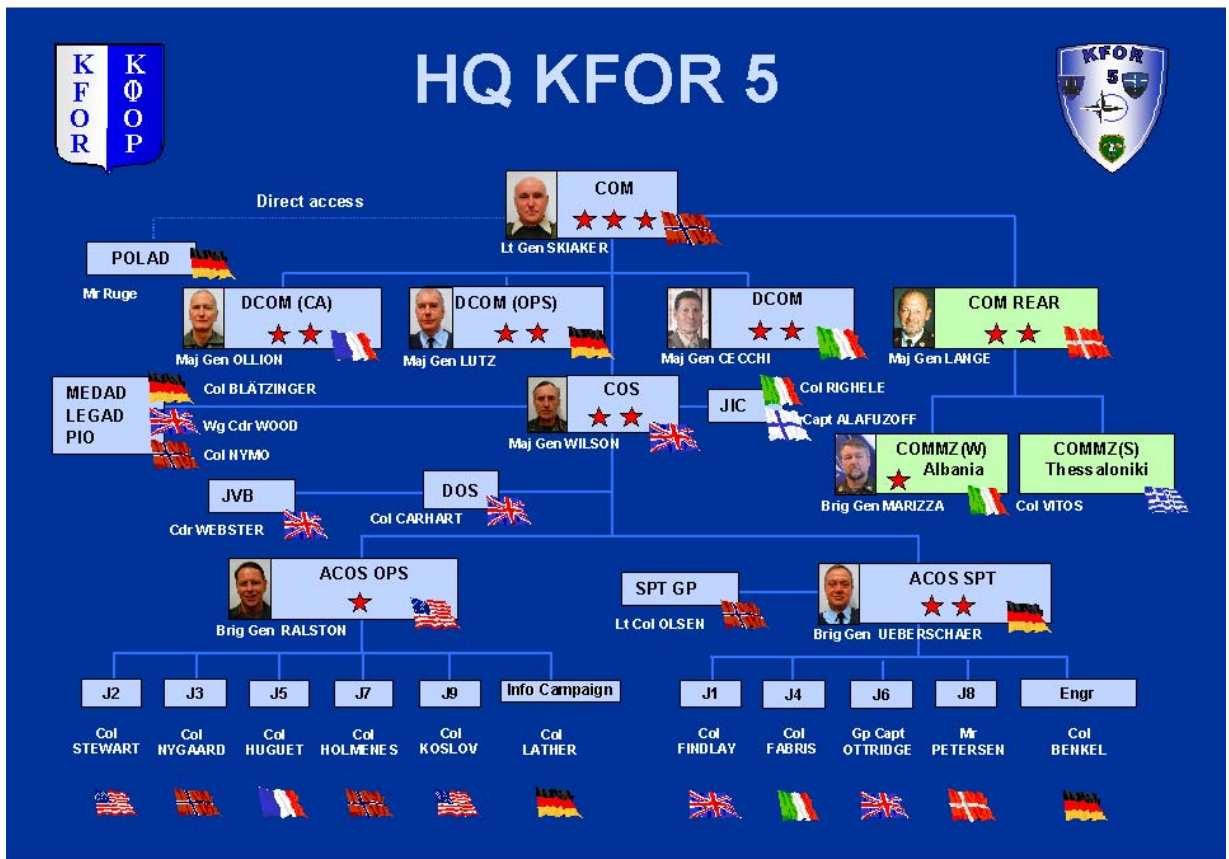
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[7] As of August 01

Figure 1.2   KFOR 5 headquarters organisation chart

2 THE KFOR EXPERIENCE – AND THE FUTURE OF THE BALKANS

By Espen Barth Eide.

Generals, ladies and gentlemen: It is a great pleasure to be here at this very important and timely symposium dedicated to summing up the KFOR 5 experience and learning key lessons from it.

I have a 'special relationship' to the theme to be discussed today. First, as a researcher, I have focused on both peace operations as such and on the Balkans in particular. I have followed from close quarters both war and peace in the Balkans for a long time, in Croatia, Bosnia, Macedonia, Kosovo etc. I followed with great concern the collapse of the negotiations phase in 1998-1999 over Kosovo, the ups and downs of NATO's air campaign in the spring of 1999, and then the peace implementation phase that followed it. Since 1999, I have had the chance to visit all KFOR commands and several of its dispatchments throughout Kosovo.

Later, as Deputy Foreign Minister in the Labour Government (2000-2001) I was involved in, the political management of Norway's Balkans policies for most of the last two years. This period includes the time when the idea of having a shared Danish-Norwegian command came up; the friendly discussions with our Danish friends about respective roles in it, the planning period, and the actual deployment of the Jåtta and Karup teams into theatre. Throughout, we in the Ministry maintained very good relations to General Skiaker and his team. This was a very good experience on our side; I hope it was helpful for the General, too. Indeed, such a link is very important: COMKFOR is not 'only' the top military commander, but also one of the two top diplomats and decision-makers in the province. The other main figure is, of course, the head of the UN Mission, UNMIK.

Hence, such a job requires skills that are substantially broader than what is traditionally perceived as the reign of the military. Fortunately, General Skiaker had all the qualities we could hope for and a few more which proved very helpful as his 6-month mission unfolded.

KFOR 5 covered an important phase in the long struggle to stabilize Kosovo and the Western Balkans. Indeed, its period coincided with a rather 'hot summer' in the region. The KFOR 5 team was responsible for overseeing the further stabilisation of Kosovo itself, not the least relating to preparations for elections; for the continued work to fight organised crime and ethnic harassment in Kosovo proper, while simultaneously witnessing serious challenges to regional security both in the southern part of Serbia (the Presevo valley) and what appeared to be the countdown to a civil war in neighbouring Macedonia.

At several times, there was ample reason to fear yet another regional conflict. It should be remembered that many of the tasks KFOR had to deal with in practice were *not* the challenges for which KFOR was set up. KFOR was sent to oversee the withdrawal of Serbian troops after the 1999 bombing campaign, and to provide the basis for a civilian reconstruction of the country. In its initial phase, it did contingency planning for evacuating *to* Macedonia rather

than *from* it. KFOR-controlled Kosovo was not expected to *receive* refugees, not to divert supply lines northwards to the old 'enemy', Serbia, nor to help Serbian security forces in regaining control of the Ground Safety Zone. But all of this became the reality following major changes in the region.

What was needed in 2001, therefore, was *not* what KFOR had been set up to do at the outset.

Yet, it was obvious that KFOR *had* to relate to these tasks, one way or another. Following the massive investment in peacekeeping and peace enforcement in Bosnia and Kosovo, NATO *had* become the main security actor in the Balkans by 2001, and KFOR was its relevant presence in-theatre. There are no 'return tickets' to the Balkans – once you are in, you are in for the long haul. Although discussed as a very theoretical option, the prospect of swift NATO withdrawal from the region has never had any political credibility.

KFOR 5 *did* stand up to the challenge. It is important here to remember that these additional tasks could not become a *substitute* for other tasks; it had to take place in parallel, with the resources that were at hand.

To the extent that *success* is a word that can be used to describe anything taking place in the Balkans, it is my firm conviction that KFOR 5 should be described as a success. Skiaker and his team were able to strike the right balance between proactive engagement and restraint. They aimed at helping the different parties to solve their problems, rather than turning *their* problems into *our* problems. We were all proud of the way KFOR 5 handled these very difficult challenges.

KFOR 5 was the first KFOR contingent to be led by a general from a small NATO member, and no Norwegian officer has ever had a task of comparable magnitude in peacetime. It should be noted that General Skiaker's predecessors were British, German, Spanish and Italian, and his successor is French. These are all countries that have between 10 and 20 times the population of Norway. Of course, COMKFOR is a *NATO* officer, and not predominantly a national representative. We were very much aware of that on the Norwegian government's side. Lines of command should be, and were, from NAC and Shape and Naples, not from Oslo.

Still – it is hardly a secret that larger countries, at least to a certain extent, take note of the colour of the flag when they place their officers in key positions. National agendas do exist, and the bigger the nation, the bigger the agenda. Sometimes we smaller nations become *too* nice, too much bent on playing by the book. I felt that the close contact we had with Skiaker – which could not at all be confused with national command – provided helpful. We derived a lot of benefits, and I believe that some diplomatic support from our side was also helpful for the General at critical junctures.

The fact that KFOR 5 was built on the Jåtta and Karup commands is politically significant. Both Norway and Denmark have been eager to have a NATO command in our own countries, and have, together with many allies, tried to fight the tendency in both Brussels and Mons to regard the third command level as obsolete.

Applying these third level commands for the job in Pristina is therefore also a part of the wider quest for defending their place in NATOs command structure. It is also a way of showing their relevance with respect to the 'new' tasks and not only in light of the 'traditional' roles of the Alliance.

KFOR plays an important part in the evolving role of NATO in European security. Indeed, NATO itself is undergoing profound changes these days.

In the early 1990s, the Alliance successfully refocused towards OOTW / non-article 5 (OOTW ISUF). Gradually, we have come to realise that robust peacekeeping is one of NATO's primary tasks in the post-Cold War setting. Peacekeeping has moved from being the exemption to being the rule. It has become routine for countries like Norway to export security to other parts of Europe – whereas we used to see ourselves as a deserving recipient of that security.

Paradoxically, the events following 11 September have *reinforced* this trend: Despite its historic activation of Article 5, NATO has not been asked to play a dominant role in Afghanistan or in the war against terrorism. It appears that the United States prefers to fight *such* wars with a few key allies – possibly a consequence of the 'war by committee' syndrome that the US experienced in 1999.

Hence, NATO is again presenting itself as more of a *European* security organisation than some may have predicted three years ago, when it was expected that NATO would 'go global'. Today's NATO appears to have four main tasks:

1) Continued stabilisation of South-East Europe through multifunctional peace operations. Robust peacekeeping (BiH, Kosovo), conflict prevention (Macedonia), regional integration, and may be even enforcement (as in 1999).

2) NATO enlargement towards Central and Eastern Europe (with all the important consequences that has for military transformation, democratisation, and the resolution of old tensions among neighbouring states).

3) To remain a key player in the gradual Europeanisation of Europe's own security. The ESDP/ESDI issue suggests a stronger European clout within a continued transatlantic political community.

4) And fourthly, NATO is becoming a multilateral forum for the handling of Russia – yet another trend stimulated by the events of 11 September.

Still, the global fight against terrorism is obviously an important *backdrop* for all these events, even if NATO is not playing the leading role on that front.

All these diverse tasks quickly bring us back to Kosovo and KFOR.

Firstly, chaos in the Balkans is not only a problem for the people of the region, but also for us as an indirect security challenge to Europe: not in the form of a military invasion, but because of the undermining effect that political and economic instability, organised crime, smuggling of drugs, people, and weapons, etc have. Kosovo and the surrounding region can either become an integrated part of modern Europe, or it will become the Colombia of Europe. Either way, its presence will be felt.

Secondly, because it has provided an excellent arena for real-life military cooperation between old allies, the newcomers to the Alliance, and our partners. The formal and informal socialisation effect of mingling military forces from so diverse countries is alliance building in its own right.

And thirdly, because the Balkans have become the main security laboratory of Europe, all the big questions of the last decade have a Balkan dimension.

The Kosovo operation is rather unique in the history of peacekeeping. The only roughly resembling operation is the one in East Timor.

Hence, the lessons learned are extremely important. It is crucial to identify the new challenges, ways they were dealt with, and suggest improvements, rather than get caught up in nitty-gritty operational detail.

Let me just briefly mention a few of the questions that I expect to be raised tomorrow:

1) How does the fact that the task in Kosovo is to assist in creating a *new* order rather than *'maintaining order'* affects the military?
   We have moved from a static to a dynamic view on operations like these. Have we adapted correspondingly? Running transitional administrations is substantially different from both fighting wars and patrolling a 'blue line' between former belligerents.

2) Questions on civil-military relationships:
   Here, NATO has already learned quite a bit. In Bosnia and Herzegovina, the two were initially kept fully separate. The implementation of the Dayton peace accords became overly fragmented. This has slowly been mended in Bosnia during SFOR – but still, in my view, the model chosen for Kosovo *did* take many of the failures of Bosnia into account. Now, the challenge is to develop these insights further.

   Generals are often accused of fighting the last wars. Likewise, peacekeepers sometimes keep the last peace. But not always.

   Systematic learning and lessons-learned exercises are important because the *next* NATO operation, although it surely will be different from Kosovo, almost certainly will look much more like KFOR than like anything we planned for during the first 40 years of the Alliance's history.

3) The role of public security:
When the Serbian forces left and KFOR entered Kosovo in 1999, the province was a security vacuum. The near-absence of any 'law and order' in the initial phase still cast long shadows over the province. There was no police, no judiciary, no working prisons, and no agreed law.

This lead to a two-fold task within this sector: First, to create the institutions of law and order, and secondly, to create the culture of law and order. The second part is often overlooked – but without it, the institutions of law and order are of little help. Law and order requires the cooperation of the majority of the population to succeed.

Many commentators have called for an increase in the numbers of civilian police? While relevant, this is not necessarily the main option.

Rather, I think Western armies are destined to take on more 'gendarmerie' type functions. This may indeed even become the *main* task of the army of a typical European NATO member in a few years time. This trend is very understandably being resisted by large parts of the military, as it signifies a stark deviation from their Cold War identity – but it is still happening.

Occupational forces can, legally, take on much more public security tasks than they otherwise do.

Civilian police expertise is acutely relevant, too, but should concentrate on (a) assisting military forces with special competence, and even do some on the job training of our forces, and (b) focus on building local police forces.

There is an interesting, historic parallel to this: in 1945 the US army were in charge of policing large parts of West Germany. For this they used a special constabulary force, in army uniform and with a military chain of command. At the same time a German police force was trained, which gradually began patrolling alongside the US forces and eventually became the police of Germany.

This may prove controversial, yes – and it should be. But it is time to ask which functions should be performed today and tomorrow, rather than to keep repeating what we used to do in the good old days.

4) State building:
I think the Kosovo and East Timor experiences illustrate that we need expertise that we do not have, or that can be found in places we haven't been looking. Just as much as traditional peacekeepers, we need experienced civilian administrators at state and municipal levels.

5) Intelligence:
In order to do the right thing, we need to know what is actually going on, and we need the capacity to forecast developments. Military commanders and political decision-

makers have to react to issues on short notice where information and our ability to predict are limited. Here, we have come a long way, but there is much that can be developed further.

First and foremost, we need to think of ways to make the intelligence gathering and dissemination more unitary. Some of this should take place at NATO level, not only at national levels. The Nordic intelligence cooperation that has evolved in the Balkans since the Bosnia period is in the forefront here. This seminar, therefore, should evaluate the importance of the joint intelligence cell and its direct access to COMKFOR.

Towards the end, allow me to return to the regional level. We must not forget that Kosovo is but a part of a much larger problem, and that no isolated solution can be found.

What happened to the former Yugoslav republics – 10 years later?
- *Slovenia* has left the Balkans, and successfully refashioned itself as a central European country. In a year or two from now it will most likely be a NATO ally in its own right.

- *Croatia:* A successful democratisation has followed the authoritarian rule of late president Tudjman. Economic difficulties, continued problems in reintegrating Serbian refugees and political skirmishes notwithstanding: There is little doubt that Croatia is on its way to Europe.

- *Serbia* has been ostracised for a decade, and is still very far behind economically, but a remarkable political process has taken place during the scope of no more than 15 months. Serbia will follow Croatia, but is somewhat further back in the queue.

- *Bosnia and Herzegovina* remains a sad story. The good news is that there is no war. The bad news is that there is no final, lasting peace either. Stagnation, the continuation of ethno-politics and unhealthy dependence on international donations makes for a grim picture. I have increasingly come to the conclusion that international donors have used too much money in Bosnia in too uncoordinated a fashion.

- *Macedonia* was on the brink of civil war only months ago. Actually, this was the war that never came but that had been anticipated long before the other wars in the region. In metaphorical terms, Macedonia resembles a place 'drenched in gasoline', where everyone has a match, but where people have been careful not to light.

  Over the last year, we have seen quite successful crisis prevention efforts by NATO and the EU. This contrasts with previous, less successful mediation efforts by the international community elsewhere in the region. The main reason was that for once, the international community (through NATO and the EU) was able to formulate a clear and consistent message that was agreed by all international partners from the US to Russia.

- *Albania:* Again, there is good news and bad news. The good news is that it has a reasonably decent government. The bad news is that the Government doesn't run the

country. Albania needs assistance fast, if it is not to collapse yet again, with detrimental effects on Europe.

- And then again, *Kosovo*: It is till a protectorate. It is a victim of deliberate non-settlement. There have been good reasons for this status until now – but how long can it last? What will the consequences of regional changes be for Kosovo? What will an autonomous government do, once it has been formed in a few weeks time?

3 OPENING REMARKS

3.1 Commander Joint Command North/Defence Command South Norway

By Lieutenant General Thorstein Skiaker

Good morning, I want to begin by saying how grateful I am to our hosts in the Defence Research Establishment for their timely initiative in convening this symposium. Much credit falls to Mr Jonny Otterlei - who with his colleagues in the Operational Analysis Team did such marvellous work in support of KFOR5. It is he who turned an idea originating in Pristina into the reality of this gathering.

Figure 3.1   Lieutenant General Thorstein Skiaker

I am delighted that so many of you have found the time to be here and I extend a particularly warm welcome to former members of my Command Group in Kosovo: Major Generals Filliberto Cecchi and Ernst Lutz, Brigadier General Hans Ueberschaer, also two of my political advisors – Boris Ruge and Ole Lindeman. They have all travelled a long way to be with us and we shall be hearing from a number of them during the course of the day.

The purpose of this Symposium is to look to the future rather than dwell on the past, specifically from a Norwegian national perspective in the context of our continuing, but more importantly, future contributions to crisis response operations. Given the exploits of KFOR 5, and the many lessons that were learned and I have to say relearned, it is entirely appropriate that a group such as we have today takes the time to analyse, assess and discuss those particular points which have relevance for future defence planning.

As the programme suggests, the structure for the Symposium will be to kick off with a series of presentations with the intention of providing a platform for discussion. Whilst recognising that many people here have good background knowledge of crisis response operations – not least in the Balkans Theatre of Operations – our speakers will all offer a different perspective on Peace Support Operations. Importantly, we will receive the benefit of different nationalities.

Between them they will progressively seek to build a picture that conveys very accurately the realities of what is, by any measure, a complex political/military environment.

When raising difficult issues, of which there are many in Kosovo, our speakers will also suggest ways ahead and, knowing them as I do, I have little doubt they will be provocative and, in some areas, deliberately seek to challenge what is currently accepted as military orthodoxy and policy.

Several key themes will emerge. First, as I have intimated, the very complex nature of the operational environment itself, something - predicated as it is on 'partnerships' – civil and military – and an inevitably highly charged politically and militarily setting. At the heart of this, the pursuit of 'interests' which in turn introduces competing agendas, conflicting priorities and, in the Clauswitzian word, 'friction'. Second, constraints to commander's freedom of action and reconciling the complex factor of 'multi-nationality'.
Third, obstacles to optimising economy of effort – that is to say being able to make better use of what we have. Fourth, the fundamental business of risk-taking.

What you are going to hear is opinion shaped by experience of one specific PSO at the tactical level. However, I have no doubt whatsoever that the messages have much broader application and it becomes incumbent upon nations to engage at the higher operational and strategic level if solutions are to be found.

I believe very strongly that, as we shall seek to make clear, the signposts to the future all point towards individual nations suborning national interests -to a much greater extent - in support of mission accomplishment. The key words are 'collaboration' and 'cooperation'.

Finally, in order to encourage meaningful debate I would ask you to respect the protocol of a privileged platform. The opinions expressed are those of the individual concerned.

3.2 Director General Norwegian Defence Research Establishment

By Director General Paul Narum

It is a great pleasure to welcome you all to this joint symposium where we bring together the KFOR 5 leadership and Norwegian representatives from the Ministry of Foreign Affairs, the Ministry of Defence, the Chief of Defence, other military institutions and the research community. Also, I would like to express my special thanks to our foreign guests who took time to participate and contribute to this symposium, and General Skiaker who has been a strong supporter of such a follow up event after KFOR 5.

Figure 3.2   Director General Paul Narum

I find it extremely important that practitioners and research can find a time and place to freely exchange experiences, ideas and opinions about peace support operations. Through such gatherings, new issues could be identified for follow-up initiatives and also new solutions discussed without the constraints that tend to limit us in developing the national contributions to multinational operations. The audience present today and the presentations to be held provide an excellent setting for constructive discussions.

KFOR 5 represented a substantial challenge to Norwegian Defence, but also a great opportunity for obtaining a unique experience. Facing the new security environment and the extensive restructuring of The Norwegian Armed Forces, such an experience needs to be collected and analysed and transformed into insight that could be used in our defence planning. However, this process should not be carried out in national isolation, but also include other NATO perspectives and insight in order to get a best possible understanding of the character of peace support operations and the implications for our contributions.

The Norwegian Defence Research Establishment has over the years advised and provided substantial insight to the Ministry of Defence and the Chief of Defence on restructuring of The Armed Forces. As a new director, I note that our contributions are still very much welcomed. A see our contribution to the KFOR 5 HQ with three experienced scientists as an important initiative to expand our own insight about primarily the military component in peace support operations. Such insight is important to both our technology projects as well as the defence analyses.

Today we find ourselves occupied with military forces more or less continuously deployed in different international operations. I also believe that the new security environment and Norway's decision to take active part in the international initiative to deal with the corresponding challenges calls for a broader approach on the military side. The challenges facing KFOR demonstrate some of the complexity of international military operations; a complexity driven by the numbers of actors involved and their means, as well as the large degree of multi-nationality on both the political, civil and military side in dealing with these challenges.

In such a context, I see that research can play a role both in support to ongoing operations and in the longer term obtaining a better understanding of such operations and the potential for improvements. The fundamental challenge to the research community is obtaining the situational understanding, the right methods for quick support and also an understanding of the value and need for timely decision-making. The last factor represents a huge challenge for researchers that are used to the timescale of years.

It is appropriate to ask whether some fraction of research resources should be shifted from the longer-term focus towards supporting these operations. This question raises a number of follow up questions about the consequences for present research efforts, the concrete implementation and our ability to sustain a critical capability in this arena. These questions are going to be even more constraining in a situation with tight defence budgets. However, before we put this question on the agenda, let us first address whether research could actually be useful in supporting operational commanders and the type of contributions needed.

Dr Solstrand will address this in his presentation, but I would like to say from our point of view, that we strongly believe that research has a significant role to play also in this arena facing the extremely complex operational environment the commander and the HQ have to address. We also believe that the operational analysis team being integrated in the HQ showed some good examples of what type of work could be contributed. However, I think this team only showed a part of the potential that exist within our research community in supporting operational commanders. I would like to express my gratitude to General Thorstein Skiaker, and his Flag officers for being so open minded in including such an element to a headquarters already manned with a comprehensive planning staff. In this I also include the willingness for including the team in the decision-making processes and integrating their contributions into the HQ planning. I believe that the presentations today and the discussions would confirm the value of complementary teams in peace support operations where also research plays a constructive role.

4   EXPERIENCES FROM KFOR 5

4.1   A Perspective on Peace Support Operations

By Major General David Wilson

4.1.1   Introduction

In the next 30 minutes I intend to focus on the nature of Peace Support Operations, drawing upon experience we gained both before and during our tour in Kosovo. The perspective will understandably be at the tactical level, but I will make reference to the higher policy-making levels since, as the Commander has mentioned, that is where the keys reside to unlock many of the issues which are of very real significant to the troop contributing nations – the principal stakeholders.

Figure 4.1   Major General David Wilson presenting

When talking about the operational environment I will make reference to the word 'interests': a word which the Oxford English Dictionary defines as shown here: [" advantage or profit ...the selfish pursuit....not impartial or disinterested, something advantageous to ..."].   I do so because I feel that if one had to characterise the essence of military business in Peace Support Operations it actually comes down to two words: reconciling interests.

(Quote from Lord Palmerston in 1848 - " We have no eternal allies and we have no perpetual enemies. Our interests are eternal and perpetual, and those interests it is our duty to follow ")

4.1.2   Pre-deployment Mission Analysis

Following formal confirmation that JCN and JCNE would serve as the nucleus of HQ KFOR5, under the command of General Skiaker – with Norway as lead nation – we put our minds to the business of really trying to get to grips with the operational environment we would encounter in Kosovo. Our analysis started with first principles.

We could easily agree that a wide range of different situations exist between war and peace, often given labels such as 'tension', 'crisis', 'hostilities' and 'conflict'. Some national doctrines place these various conditions in a 'continuum' of conflict, others a 'spectrum'. The latter is arguably easier to reconcile (and is the one I will be making reference to) – with peace at one end and war at the other.

Figure 4.2   Conflict spectrum

Figure 4.2 illustrates the spectrum, with high intensity warfare at the top left and peace at the bottom right.   Self evidently, movement can take place in either direction and can be rapid or gradual. There may be volatility, with movement first one way and then the other. In contrast, a set of relationships may remain in place for extended periods in which case there is a measure of stability. The crisis comes when stability is lost. Within the Crisis response context, peace support operations, post conflict in our case, probably sit somewhere in the lower third of the spectrum.

In the circumstances of Kosovo the role of the military is to constrain residual conflict between protagonists, countering those who seek to destabilize through violent means and thereby threaten democracy (figure 4.3), while other political, diplomatic and economic components work towards establishing conditions for a lasting normality.

Figure 4.3   Crowd control

We thus reminded ourselves of the inescapable conclusion that the over-riding consideration in conducting peace support operations within an alliance or coalition framework in circumstances requiring military containment is that the military instrument is but one component of the total effort required to achieve lasting peace. Amongst the other major components are included: the host peoples and their governmental institutions, civil administrators at Provincial, Regional and Municipal level, international organisations – principally the UN, EU and OSCE in our operation, non-governmental organisations and commercial companies. Figure 4.4 shows COMKFOR meeting local representatives.

Figure 4.4   COMKFOR meets local representatives

Whilst all components and organisations are vital, it is the military forces deployed that provide the ultimate power base; it is their ability to escalate and to employ force that secures and ensures a stable security environment within which the others can operate. Examples of KFOR capabilities are shown in figure 4.5 and 4.6.

Figure 4.5   KFOR capabilities

The KFOR mission suitably encapsulates and validates this basic premise.

> *KFOR conducts operations in the assigned AO to maintain a safe and secure environment for the ongoing implementation plans under UNSCR 1244, to monitor, and if necessary, enforce compliance with the MTA, the Undertaking, UNMIK Regulation No. 1999/8 and the KPC Statement of Principles, in order to create the conditions that will allow the development and implementation of a Final Settlement.*

Moreover, not only is the essence of the KFOR mission to foster a return to normality, but to do so sooner rather than later.

This implicitly suggests that, in order to deter aggression by any faction, irrespective of motive – furthering political or ethnic interests or the pursuit of power or profit through organised crime - the military capability must be both capable and credible. Moreover, the intent to employ such capability if so required must be effectively communicated: reaffirming the key message that COMKFOR has the will to use such powers - and has fully political and military authority to do so.

Having accepted the significance of the civil and political dimensions within the context of the operational environment – two factors which for the military probably constitute the major challenges in peace support operations (with multi-nationality being the third) – it could be taken as a given that they would undoubtedly influence, to greater or lesser extent, the nature, conduct and tempo of operations at the tactical level.

Figure 4.6   Other KFOR capabilities

Summary of Deductions

Other major deductions drawn from our studies were that:

- Since our mission would be just one part of a much broader political strategy under civilian leadership – working closely with the key partner must be given clear priority.
- The relationship between the military and civil components had and would continue to change over time. The challenge would come in trying to determine where precisely KFOR is on the overall timeline to eventual exit.
- Status quo in regard to military force levels was unacceptable. The approach therefore had to embrace greater risk-taking, collaboration between the stakeholders and innovation: looking to other means than soldiers to meet some aspects of the security commitment: technology and out-sourcing being two obvious contenders.
- Others of different culture, history, ethos and habit might well not share our perspective or indeed acknowledge our imperatives: priorities would almost certainly differ – not least in terms of risk, use of resources and in general terms progressing overall security policy in regard to advancing security policy, it is of crucial importance to establish mutual a strong relationship with principal partners founded upon mutual respect, trust and confidence. And to do so early.
- Our principal partner would almost certainly have a different view of time: many of our future civilian colleagues were in for the long not short haul. They had seen previous KFORs and others would follow us: difficult issues might see us being played 'long'.
- Creating dependencies within the local population and, for that matter, the civil components had to be avoided. We could not afford to become entrenched: part of the problem – rather than the solution.

4.1.3   Attitude, Principles and Partners

More generally, we understood the critical points that the peace support operational environment demands a different attitude of mind; that one departs from the tried and tested military principles at ones peril and that the success of relationships with partners, civil and military, would ultimately determine successful progression of the mission. In all this the key words had to be *cooperation, communication and compromise.*

The Staff recognised that optimising our commander's freedom of action to impose his will was key line of operation and that it could only be delivered by harmonising - to the maximum extent possible - the capabilities of the forces provided to him by Alliance members and partners. Members and Partners who, naturally, would be pursuing national as well as Alliance interests, with associated intense political and higher military level oversight of the tactical Commander. Nations represented in KFOR 5 HQ are shown in figure 4.7.

Figure 4.7   KFOR 5 HQ national flags

As General Lutz will explore in some detail when he focuses on improvements, which can and must be made by better collaboration between troop contributing nations, with the dividends to be reaped by doing so, I will merely set down the marker that Alliance and partners must actively strive to reduce constraints placed on the employment of their forces. This directly impacts upon both the commanders' freedom of action and economy of effort.

On the subject of efficiencies, we needed no reminding that, from the perspective of troop contributing nations, the shareholders in this corporate venture, current practice left enormous room for improvement: not just in employment constraints – which usually related to perceptions of risk or constitutional obstacles, but also in the area of operational support Especially, the areas of use and configuration of reserves, sharing of intelligence, use and employment of support helicopters, Explosive Ordnance Disposal Teams, High Risk Search

and multi-national logistics stand out as candidates for strengthened multinational cooperation. More on this later from my colleagues.

As we dove deeper in our pre-deployment analysis of the nature of the operational environment and the Commander's assigned mission, the more compelling became the case for having the support of an operational analysis capability embedded within the Staff: interestingly, something that had been allowed to lapse after KFOR 3. Sparing their blushes, I will merely say here that the contribution by our OA Team was exemplary.

4.1.4 Preparation and Training

I can assure you that as seen from Stavanger and Karup at this time last year the immediate challenges in prospect to get us to the Line of Departure in Pristina were intriguing:
- In coordination with JCNE, to jointly agree individual staff nominations.
- In coordination with AFNORTH, AFSOUTH and KFOR4 to train the nucleus headquarters staff: some 300 of the 900 staff drawn from 27 nations.
- There was the Commander's main recce to undertake.
- Work was needed to structure and establish residual staff elements in the two home stations in Norway and Denmark.
- The Commander's Initial Guidance to his flag team had to be staffed and also confirming delineated 2 star responsibilities within the Command Group.
- In coordination with KFOR 4, plan the Relief in Place operation, brokering individual tour extensions as necessary with the parent nations to optimise efficiency.
- We needed to ensure completion of all individual training provided to deploying personnel by their parent nations and that it was suitably de-conflicted with centralised training modules.
- Of significant importance was the provision of all lead nation support, including the LOC from Scandinavia. This had to be absolutely right given the Commander's status and profile in theatre: the point man in every respect of KFOR and what has been referred to as the primary weapons system!

Training End State:
- A cadre of competent and capable individuals who are mentally and physically prepared for deployment into a volatile and austere environment
- A cohesive and motivated HQ team with the expertise and "esprit de corps" necessary to cope with the operational challenge of the KFOR-mission

In the event, we could not have wished for better support in the pre-deployment phase. CINCNORTH accorded the Commander the freedom of action to create his training plan in order to deliver, which it did, his specified end state.

The sequenced training modules, the detail of which I show here for interest (figure 4.8), delivered what we wanted.
- Individual National Training
- Collective Training
- Basic Mission Training
- Functional Skills Training

- Advanced Mission Training
- Key Leader Training/ Battle Staff Training

KFOR 5 Training and Preparation

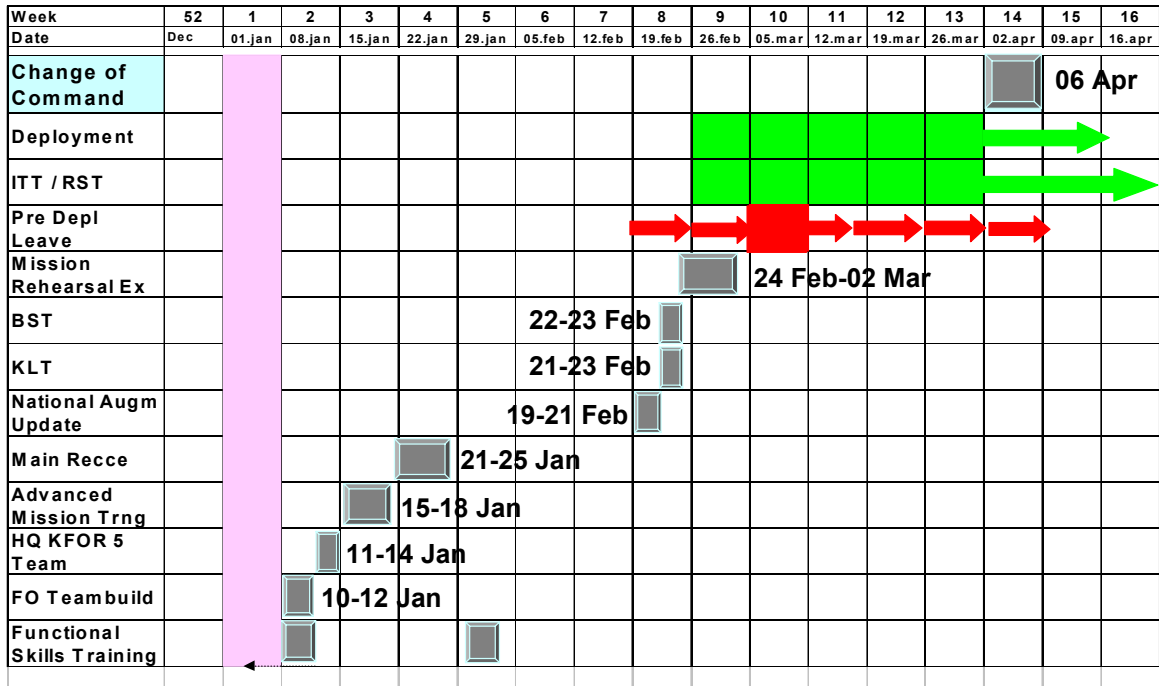| Week	52	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Date	Dec	01.jan	08.jan	15.jan	22.jan	29.jan	05.feb	12.feb	19.feb	26.feb	05.mar	12.mar	19.mar	26.mar	02.apr	09.apr	16.apr
Change of Command															■ 06 Apr		
Deployment																	
ITT / RST																	
Pre Depl Leave																	
Mission Rehearsal Ex										■ 24 Feb-02 Mar							
BST								22-23 Feb ■									
KLT								21-23 Feb ■									
National Augm Update							19-21 Feb ■										
Main Recce				■ 21-25 Jan													
Advanced Mission Trng			■ 15-18 Jan														
HQ KFOR 5 Team		■ 11-14 Jan															
FO Teambuild		■ 10-12 Jan															
Functional Skills Training		■			■												

Figure 4.8   KFOR 5 training and preparation phase

- Mission Rehearsal Exercise
- In Theatre Training / Right Seat Training

and the programme ran to schedule.

With superb cooperation by our lead nation, and partners in JCNE, we successfully crossed the Line of Departure when Gen Skiaker relieved Gen Cabigiosu in early April. Figure 4.9 shows the new command group and the branch staff.

Figure 4.9   KFOR 5 command group and branch staff

4.1.5   Individual Preparatory Training by Nations

As we know, it is the responsibility of individual nations to deliver their soldiers adequately prepared for the theatre of operations. Nations approach the task differently since there is no agreed minimum standard. Some invest as little as 3 days, others two to three weeks. Some deliver the trained individual, others the sub unit. This lack of a standardised approach not only inhibits interoperability at the tactical level, it is also manifestly inefficient and unnecessarily expensive.

In similar vein, there is no NATO agreed equipment scaling. Moreover, some nations retain equipment in theatre but do not replicate it at home for use during preparatory training. There is a compelling case for a fundamental rethink.

To illustrate the point I will offer two specific examples where nations were remiss in their obligations and, in some instances, irresponsible. Within the Headquarters staff of 900 we estimated that between 10 and 12% were incapable of working in English. As another example, of the 86 men and women in our intelligence staff 34% had never previously worked in a J2 related appointment, or had been given any form of specialist intelligence training before stepping into theatre.

Within the Multi-national brigades, far too many of our troops had no training in the critical disciplines associated with military support to the civilian police. I am referring to evidence handling, scenes of crime preservation, the giving and recording of statements for subsequent use in court.

4.1.6   Core and Composite Headquarter Models

As the last of the so-called 'core' model headquarters in KFOR, we enjoyed several major advantages over our successors who, as many of you will know, are structured on the 'composite' model already established in SFOR.

For those unaware of the differences, the core model drew upon staff elements from within the NATO Command Structure itself for the nucleus – recently through a partnering arrangement at the third level. Nations would then be invited to fill the remaining 600 or so non nucleus appointments.

The composite model draws virtually the whole staff, including the nucleus, from nation contributions. Accordingly, the Northern Region share from existing NATO headquarters is now a mere 39 posts.

The advantages of the core model were that:
- We had adequate time to think, train and plan ahead
- We had the major benefit of bonding the flag team well in advance of deployment.
- The Commander and his Chief of Staff were from the same home team
- We knew our people who would constitute the nucleus staff and could thus assign them to posts, which capitalised on their individual knowledge, experience and skill sets.
- Largely drawn from Joint Sub-Regional Headquarters, they were already conversant and comfortable with NATO operational planning procedures and a multinational headquarters.
- Unlike our successors, the staff would not be turning over at the rate of 18% each month.
- Our tour length was set at six months and tempo could be matched accordingly. Our view was, and remains, that given a sustained rate of high staff output the efficiency curve starts to fall away sharply after the 6-7 month point.

There are several observations to be made on the composite model, without merely stating the obvious that Gen Marcel Valentin and KFOR 6 did not have the same start position as we did. First, its introduction to KFOR could rule out any future options for JSRCs, and we will remember that all three in the Northern Region have experience of the mission. Second, it imposes an additional manpower burden on Member States above that already needed to man the NATO Command Structure. Third, it constrains employment options for the six High Readiness Force HQs after they achieve Full Operational Capability.

It was our experience that the operational situation in Kosovo is still far from benign – KFOR 5 lost 16 soldiers with 41 seriously wounded (figure 4.10). There was no honeymoon period and we had to be on our game from day one. The introduction of the composite model was, in our view, premature, and we have said so.

Figure 4.10   British soldier killed

4.1.7   Subsequent Observations on the Operational Environment

As a backdrop, it is worth reflecting that the operational environment is multi-nationality writ large. Within KFOR, 39 nations, 22 of which provide 5% of the 40000 plus manpower with, as I have mentioned, a headquarters with 900 men and women from 27 nations. A headquarter which is unquestionably too big and, as an aside, which is under remit to downsize by 180 posts, with candidates nominated by the middle of next month. Overall, the European military share in KFOR oscillates around 80%. To this cosmopolitan military cocktail we must blend the principal civil component partner UNMIK – itself drawn from 60 nations and, for the record, also KFOR's main security partner on the ground, the UNMIK Police – a force assembled from 57 different nations.

4.1.8   Interests, Partners, Priorities and Perspectives

Returning to the Conflict Spectrum model (figure 4.11), I believe we can highlight several relevant observations:
- Since risk and cost both reduce as we come down the spectrum, it is unsurprising that progressively more nations seek involvement in the PSO mission. In political terms this is welcome, largely because it spreads both risk and cost. I am reminded of a speech by former president Clinton recently in which he put the cost of a war at medium scale to be in the order of 12 billion dollars a month.
- However, there is an argument to suggest that increased participation by states does not of itself necessarily play to the military interest unless, that is; it improves tactical effectiveness, allows greater freedom of action by complementing available capabilities, improves sustainability or enhances economy of effort.
- We could postulate that most of the major force providers who will have contributed earlier in the operation, at a higher level and scale of conflict - at greater political/military risk and cost, will invariably wish to retain a strong influence in the

theatre in the short term- at least until stability is reasonably assured. So it is with KFOR.
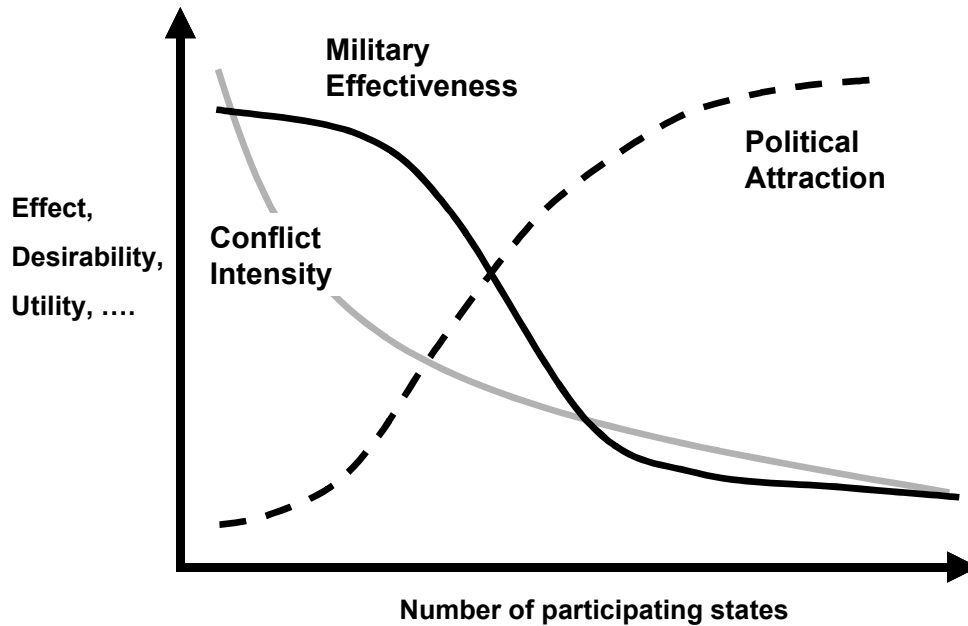

Figure 4.11   Illustration of multinationality impact on political attraction and military effectiveness

Increased military contributions bring them additional interests. Which have to be reconciled. And, since many nations place constraints on employment – which we shall develop further shortly – the planning of operations becomes more complicated, cumbersome, timely and uncertain

From a purely military perspective, it is a fact that operational activity and arrangements hang upon successful negotiation, inducement and persuasion. Further that as a consequence of multi-nationality tempo is slow, with the simplest tasks often becoming the most difficult (the opposite of the sentiment expressed by Nansen in those immortal words, " the difficult is what takes a little time; the impossible is what takes a little longer").

Suspicion of conflicting agendas can lead to questioning unity of purpose. Patience, perseverance, stamina and inordinate adaptability are the cardinal command and staff virtues. A resilient sense of humour also helps hugely.

On the factor of multi-nationality (which other speakers will address in more detail), history tells us that nations are inclined to take greater risk on force mixing between different nations as we progress down the scale: indeed in KFOR we saw it introduced below company level of manoeuvre. Whilst politically and presentationally attractive, the difficulty and risk with this arises when circumstances of threat become volatile, stability is lost and operations of a higher order on the spectrum have to be undertaken – in haste.

Last, we were reminded that you can't learn soon enough that the most useful thing about a principle in this particular environment is that it can always be sacrificed to expediency.

4.1.9   Information

It has been said, accurately, that information rather than bullets is the 'currency of deterrence' within the PSO operational environment. The reason being in operational terms, it translates into evidence, which in turn leads to indictment and hopefully successful prosecution.

From an alliance or coalition perspective, information is of no lesser importance within and between principal players; nor for that matter between components within the theatre of operations. From alliance or coalition viewpoint information in some ways acts as the lubricant for the COGs surrounding the strategic Centre of Gravity. It therefore comes as no surprise that amongst troop contributing nations, all of whom understandably wish to safeguard their 'interests', the essential requirement is a rich diet of timely, accurate and in an ideal situation 'privileged' information.

This unavoidable fact of life induces a number of challenges for those operating at the tactical level. First, the demand for information - often from outside the chain of command against tight deadlines - puts additional pressure on commanders and their staffs. Second, it invites short-circuiting the chain of command. Third, it encourages over-command.

Figure 4.12   Examples of media diversity in PSO

Interestingly, as with POLADS, LEGADS and Information Campaign Chiefs, PIOs become absolutely critical to their commanders in this highly complex political/military environment. Whilst recognising that the passage of bad news obeys its own laws of physics, the importance of efficient information management cannot be stated too strongly: especially in order to ensure consistency of information provided to the media. The media diversity is illustrated in figure 4.12.

Information exchange with the civil component and principal partner – in our case UNMIK - is when it comes to progressing a joint security policy. This is an area to be further developed.

KFOR has much to contribute to the fight against those who wish to challenge democracy.
- Political interest from 39 TCNs
- Partnership and burden sharing
- Force elements: troops and equipment
- Mandated powers and specialist skills
- Mobility
- Speed
- Local knowledge
- Self sustainability
- C3 (command, control and communications)
- Security

But there are obviously limitations, which actually set down the areas for further collaboration between nations.
- No dedicated information collection
- National reservations over use of information
- Requirements of operational security
- Insufficient technical expertise
- National control of Special Operations Forces (SOF)
- Fragility of will to use scarce, high value assets
- Lack of legal awareness
- Lack of knowledge of police work
- Lack of pre-deployment training in law/police work
- Different MOs

The generic problems are summarised here:
- Criminal extremists are better funded
- Their intelligence is highly effective
- They have more freedom of movement and fewer constraints
- Admissibility of evidence
- Detention capacity
- Financial
- Ethnicity of successor police force

4.1.10   To conclude

- We were fortunate to have had adequate time to think, analyse, assess and prepare for the operational environment before we stepped into it.
- KFOR 5 was well supported, most especially by Norway as the lead nation.
- The partnership with JCNE withstood every test and the Flag team remained an exceptionally close unit.
- The deployment yet again validated the utility of third level headquarters and strengthens the claim for further operational command and control opportunities in similar undertakings – including Combined Joint Task Forces in the sustainment role.

- Our experience leads us to question the attraction and relevance of the composite model headquarters.
- There is significant scope for better collaboration between troop contributing nations – before and during deployment – in order to enhance commanders freedom of action, and achieve major reductions in costs.
- This will call for greater preparedness to accept risk and a subordination of national interests to better support the mission and at a more sustainable and affordable cost. This is about finding better ways to optimise the means and thereby secure the required ends.
- The civil and political dimensions become increasingly more challenging at the tactical level as we descend the conflict spectrum.
- The CIMIC area needs to be further developed.
- The essence of peace support operations is, and will remain, one of reconciling interests.

4.2 Scientific and Analytical Support to the KFOR HQ

By Dr. Ragnvald H Solstrand

In this section, we would like to address the scientific and analytical support provided to the COMKFOR and the KFOR 5 HQ. I would also like to highlight some aspects related to possible future analytical support from NATO and national research communities.

From the experience gained in both SFOR and KFOR we can conclude that support from scientists both is planning and carrying out international crisis response operations is valuable, provided the right kind of scientists are allocated and linked to the staff processes in the right way. Larger nations, such as the UK, have organised that kind of support as an integral part of their total research portfolio. A pool of scientist is allocated to work in this area, most of them at any one time in home projects. The field positions are manned on a rotational basis with scientists who have the right expertise and experience.

Small nations like Norway cannot operate exactly the same way. So we need to define over own modus operandi. We can do a decent job once or twice based on improvisation, but "ad-hocing" is not a survivable long-term strategy. Considering the lasting importance of international crisis management operations, the military scientific community in small countries must find good ways to solve this problem. We are about to take the next step in this process here in Norway, and I will come back to this at the end of may brief.

Operational analysis in direct support of the Balkans operations is not new, and especially the ARRC (KFOR 1), the UK, the US and the NC3A have given solid contributions. However, the presence of OA at SFOR and KFOR has been significantly reduced compared to the early stages of these operations.

For KFOR 5, several initiatives were made to get a substantial OA presence in place. First, the Chief of Staff, Major General David Wilson, at Joint Headquarter North took action to get NC3A to provide on-site analysts, and also to bring along one of his experienced SO to be integrated into an OA-cell. Second, Norway and Denmark offered four civilian analysts with extensive previous experience in the Biological/Chemical research area and operational analysis. Third, AFSOUTH has pursued a Balkan wide initiative to get a sustainable theatre OA capability. The implementation of NC3A presence in KFOR/SFOR and at AFSOUTH was delayed due to slow progress within NATO on the funding issue. The requested on-site NC3A support was approved in June 01 enabling a analytical presence for KFOR 6.

The terms of reference for the OA-cell was twofold. The primary objective was of course to support COMKFOR and the core planning staff in their decision-making processes. The secondary objective was to collect information and obtain insight from the peace support operations in Kosovo relevant to future research at FFI and FOFT, and also other nations and NATO. From our point of view the Kosovo operation provides a unique opportunity to expose analysts to the real life of peace support operations; an insight that would be very useful in our support for national defence planning.

The on site team comprised three senior scientist from FFI, one analyst from the Danish Defence Research Establishment and one staff officer from JCN. In addition, the US Army Europe sent one senior military analyst for 45 days. Together the team represented a wide area of expertise, including chemical warfare, defence structuring, security policy analysis, and statistics. In composing the team, we emphasized experience, ability to take initiative, and to finish off complex work within short timeframes. As far as I understand, this was crucial to the success of the team, which confirmed our belief that the basic scientific training should be done properly at home and the right people should be selected for each mission.

In order to familiarise with the HQ core and CG, the scientific team participated in the pre-deployment training. This enabled a calibration of the team's situational understanding to the same level as the rest of the staff.

The OA-cell was located at the Command Group level under Deputy Commander Operations, Major General Ernst Lutz. He was a strong supporter of the OA contributions and spent very valuable time to appraise the analytical contributions and facilitate the integration of results into the HQ decision-making processes.

The OA-cell addressed issues emerging directly from the command group and also interacted directly with the several branches like J2 – intelligence, J3 – operations, J4 – logistics, J5 – planning, JENGR – engineers and J7 – training and exercises.

As the overview shows, the cell was closely involved in a number of issues addressed by the HQ.

- Closely timed and linked to staff processes
  - <u>Decision analysis on GSZ Sector B</u>
  - Support to developing a Lines of Communications Strategy
  - Review and assessment of Measures of Progress
  - Support to development of Mitrovica Strategy

  Products intended for higher HQ

  - Analysis of troops committed to static tasks
  - Development of vehicle tracking database

- "Independent" tasking
  - Development of Framework Scenarios
  - <u>Risk Assessment of Toxic Industrial Materials</u>
  - <u>Assessment of serious crime (statistics)</u>
  - Force multi-nationality study

The contributions were basically of two different categories: Issues that were closely timed and linked to staff processes, and more "independent" tasking where the OA-cell had a larger degree of freedom regarding progress. The issues emerged from separate issue capturing sessions with the CG, from direct COS taskers, and from go-ahead on own initiatives. The contributions by DCOMOPS were crucial in ensuring analytical priorities consistent with the overall COMKFOR priorities.

To give you at least an indication of the content of the scientific contributions, I would like to say a few words about the decision analysis support to the preparations for the FRY forces re-

entry into Ground Safety Zone Sector Bravo, the risk assessment of toxic industrial materials, and the assessment of serious crime.

The force multi-nationality study will be addressed in the next section, and the work on framework scenarios in the final section.

Immediately after deployment, the OA-cell became involved in the preparations for the FRY forces re-entry into the Ground Safety Zone Sector Bravo, and tasked to support the J5 planning staff. By utilising analytical techniques, alternatives for re-entry were identified and assessed against the uncertain reaction of the ethnic Albanian armed group that resisted the re-entry and the uncertain spill over effect into Kosovo. Relative quantification techniques were used, involving the J2 and J5, but only for the purpose of understanding the robustness in our assessment of likely outcomes and corresponding implications for preferred decision alternative. The analysis assisted the HQ in turning a complex decision situation into a more transparent one by focusing on the main dimensions, and by using numbers to ensure consistency and logic in the reasoning. This also provided credibility to the more detailed plan that was established.

The toxic industrial materials study is an example of how scientific support can be used to obtain insight about a specific situation, and how to set priorities for dealing with it as shown in figure 4.13. In close cooperation with the J3/NBC officer, our scientist inspected a large number of present and former industrial sites to assess the potential risk from hazardous materials. As a result of this study, KFOR has undertaken several risk reduction operations to move or destroy chemicals that represent an unacceptably high risk to troop safety.
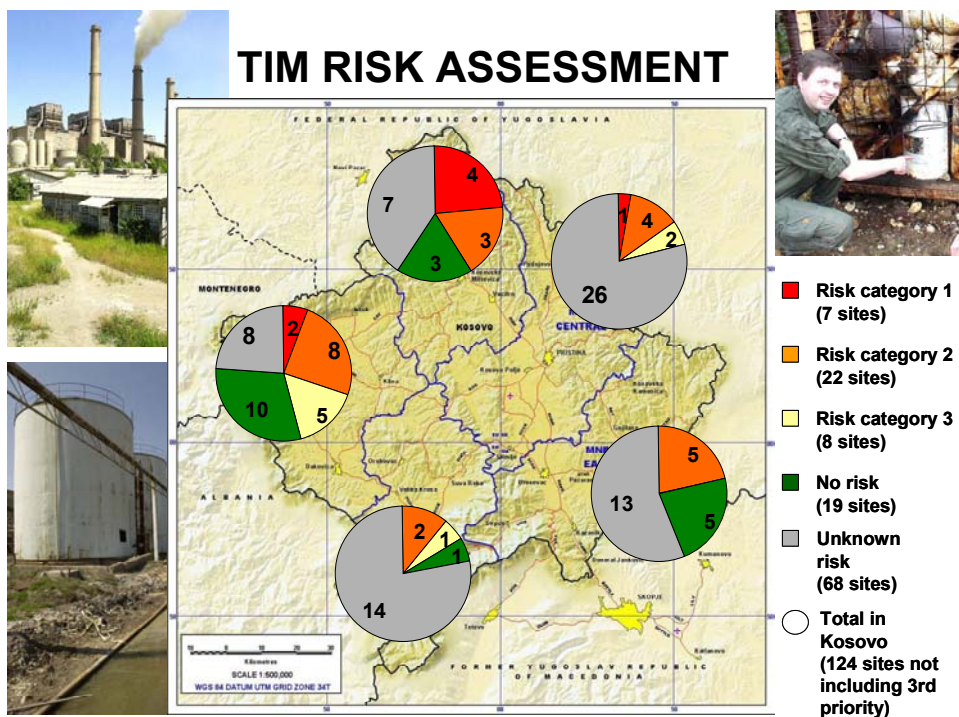

Figure 4.13   Toxic industrial material risk assessment

The development of serious crime is closely related with a safe and secure environment, and hence the serious crime statistics represent one indicator of how the society develops. Data

was collected and presented by KFOR Provost Marshall and UNMIK police, and the OA cell was tasked to evaluate and improve the applied methods, emphasizing on trends. Our observation was that data collected were ambiguous and needed to be carefully scrutinized. However, as figure 4.14 shows, a picture could be established that showed significant reductions in murders committed for 2001 compared to 2000.
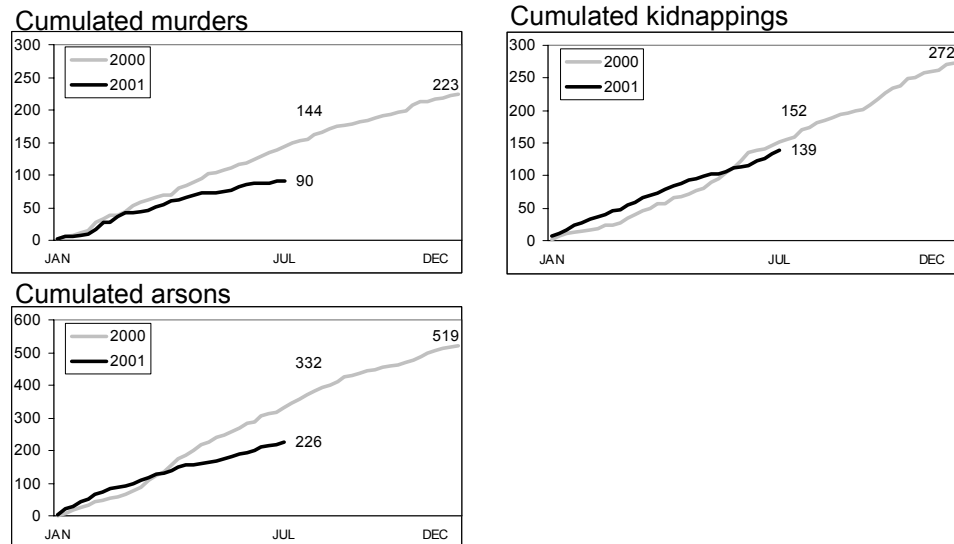
Figure 4.14   Serious crime development for 2001 compared to 2000

The scientific presence was very much welcomed in the KFOR 5 HQ, and the team enjoyed strong support and excellent working relations with the CG and the staff. This is not to say that the deployment was without frustrations and setbacks. But we consider these factors to be similar to what other parts of the staff would encounter while operating in a complex multinational context.

The team was granted the necessary freedom to take a more long term view and working from a generalist perspective, and still being fully active within the HQ's current decision making and information exchange processes. This was extremely important in order to frame and anchor the more independent work into the HQ's overall situational understanding and focus on the highest priority issues. In such a process willingness and ability to respond in a qualified way to short-term taskers in crucial. This was possible, primarily due to the way the group was composed – as I have already mentioned, and because the group as a whole had an acceptable, but hardly more than a minimal capacity. One or two scientist would probably not have been able to achieve this.

I would like particularly to emphasize that we decided to concentrate on analysis for advice and insight – not on developing tools and methods. The feedback especially values the scientists' involvement and contributions to structuring problems, establishing a quantitative basis, establishing auditable trails in reasoning, and having a flexibility towards different issues.

As I mentioned at the outset, small nations face difficult problems in maintaining a sufficient home base of research competences relevant for international operations. The only way to achieve this is to maintain a good portfolio of research projects in support of national military

authorities, supported to the extent possible by participation in NATO R&T activities. We need a good mix of both technical and analytical research work.

The Systems Analysis Division at FFI is now ready to start a dialogue with our CHOD/HQ Joint Staff and HQ South Norway about how to build on our experience from KFOR 5 to establish a national project to analyse selected aspects of international operations. Our capacity will be limited, so we need to prioritise and find the right topics and problems to start with.

Some of the alternatives that we have been thinking about are
- Explore opportunities and limitations within a concept of multi-nationality, addressing forces, intelligence, and logistics
- Analysing major players and their interaction
- Military cooperation with police and judicial system
- Information management/Information flow analysis
- Situation assessment based on statistics
- Methods for quick "troops to task" analysis
- Develop methods for assessing progress towards settlements
- Identification of (quick) tools & techniques for supporting operational decisions

I will not take time to go through the list, but you can read for yourself. We are keen on a sort of "multi nationality" study to continue the work begun in support of KFOR 5. We should address at least one of the other analytical issues, and probably also start working on one of the methodological problems.

We would very much appreciate your views on these priorities, now or later. Let me round of by mentioning that we have decided to also take part in a study now starting up under NATO's Research &Technology Organisation, called "Decision Support for Joint Task Force and Component Commanders". UK has the lead, and 6 nations and 5 NATO agencies/headquarters take part in the work. We have expectations that this sort of collaboration will help us maintain a necessary international framework for our planned national studies.

4.3   Operational Experiences - Conclusions for Force and Defence Planning

By Major General Ernst Lutz

4.3.1   Introduction

Crisis Response (CRO) and Peace Support Operations (PSO) within Europe and out-of-area have increasingly shaped our strategic and operational thinking. They tend to replace rather than complement lessons from previous wars, from the bipolar world order, and the East-West confrontation in Europe. This change in focus resulted in manifold resets and adaptations of national and Allied military structures, force contributions, ambitions, goals and procedures for force and defence planning. They initiated a still flawed NATO Defence Capabilities Initiative (DCI) and stimulated various efforts to regroup European defence industries and the cooperation between them. They also inspired and guided ideas to restructure the Allied and individual national force and defence planning processes in order to meet short-term needs more swiftly and efficiently. Finally, operational realities and increasing reliance on "coalitions of the willing" far beyond NATO member participation pose an irrefutable immediate and long-term challenge for decision makers and planners.

For those decision makers and planners, that challenge implies that they have to ensure under profoundly changed circumstances:
- That national interests will also be secured in a NATO context and in multinational coalitions and areas that matter outside the Alliance in future
- It implies that conflicts can be isolated where they occur and consistent constructive contributions can be made to their settlement across the whole spectrum of security politics
- It implies that military power remains an employable component of Allied and national security policies and is, hence, kept updated and tailored to those interests at affordable costs, and
- It implies that within long-term and ad-hoc coalitions national influence can be brought to bear at the appropriate places and levels within multinational military forces by adequate contributions and representation.

Against this background, the further adaptation of policies for future force structures, equipment sets and contributions to multinational operations is obviously ongoing, in parallel with demands for high visibility representational posts. KFOR is certainly not the only test-bed for this. However, in concert with experiences gained elsewhere, it may well be considered illustrative and indicative in many defence and force planning respects and suggest useful conclusions to support this task in order to achieve the aforementioned political ends.

I shall try to highlight a few examples in order to assist you in this effort. Please note, that this briefing expresses my personal thoughts only and may not be attributed in any respect to my present assignment or my nation. I consider my contribution to this meeting also a welcome opportunity to express my gratitude to my KFOR Commander, General Skiaker, and to Norway as the KFOR 5 lead nation for the invaluable support made both to KFOR as a whole and to the more than 100 soldiers and families from my own headquarters in Karup/DK.

4.3.2   Selected Operational Realities and Experiences

4.3.2.1   The Social Operational Environment

Our KFOR experience taught us that PSOs in Kosovo in 2001 were actual operations. Our presence there was not just a "deployment". Soldiers came under both deliberate and accidental fire, some died or were seriously wounded in armed ambushes and mine-strikes and the employment amongst people is a two-sided coin. Security, confidence and normalization can only be achieved through personal contact, engagement, the stimulation of cooperation and the support of CIMIC operations, which you cannot do from inside a tank. An illustration is shown in figure 4.15.

Figure 4.15   Illustration of the operational environment

This, however, is difficult if the environment is poisoned by often-unpredictable outbreaks of ethnic hatred and violence, by deep rooted organized crime inseparable from extremism, and by a clear lack of internal and external consistency as regards the end-state of the Protectorate. To operate amongst the people means to expose yourself to them and to share their reality of aspirations, emotions and life. It means to take deliberate risk in force protection by simultaneous reassurance of social groups and the population as a whole and deterrence of violence through visibility and calculable resolve. And finally, it means that potential perpetrators will reveal themselves predominantly by serious criminal or hostile acts against anybody and anything disturbing their sinister ambitions and approaches.

It is obvious, that this type of employment spectrum in Europe differs significantly from more traditional European ones. It requires an appropriately different type of forces in terms of structure, equipment, education, training, employment policies and employment tactics. The Scandinavian nations and your nation, in particular, have a long-term experience in being employed within such operational environments and are therefore uniquely qualified to take a continued active and decisive European role in it.

It is a clear experience from our tour that the perception pattern of the population in Kosovo and the regional players continue to need the reassurance and deterrent effects of substantial, visibly deployed and available military power, in order to dissuade them from any recourse to adventurism for a long time to come. However, it is equally true that KFOR should avoid becoming part of the problem. Force levels must be carefully tuned to the improvement of the situation.

This has to go hand-in-hand with a shift from heavy to light forces which have to be structured, equipped, trained and available for employment significantly less constrained by national caveats, and alongside the police. And I hasten to echo what General Wilson mentioned earlier – those troops have to be trained in evidence handling, scenes of crime preservation as well as the giving and recording of statements for subsequent use in court. If this can cannot be fully accomplished during national preparatory training, there is a convincing case for this specialist training to be given soldiers after their arrival in theatre, possibly through a properly funded joint police/military training cadre – instructing from an appropriately endorsed common syllabus.

4.3.2.2   Operation Eagle

Out of the many operations we planned and executed, Operation Eagle was of special importance and serves as a useful example for the issues to be discussed here.

During our first 2 months, KFOR was still heavily involved in the peaceful controlled re-entry of FRY forces into the Ground Safety Zone (GSZ). The operational focus was on the Eastern periphery of Kosovo and covered the areas designated Sectors D and B on this slide, see figure 4.16.

Figure 4.16   Kosovo map showing MNB boundaries and ground safety zone sector B and D

This changed markedly in late May. Since early May, the FYROM Government has come under growing pressure from insurgents of the ethnic Albanian National Liberation Army (NLA). This took place across an increasingly large area of the country, to the extent that KFOR rear missions and forces were now gravely threatened, as well. The provision of a safe and secure environment in Kosovo was also indirectly threatened by continued unrest in FYROM and their links into Kosovo. The IC and NATO supported efforts to find a solution to FYROM's internal problem and COMKFOR decided to take action against the NLA preventing them from using Kosovo as an operational and logistic base. He launched Operation Eagle to interdict NLA supply routes throughout Kosovo and linked this to our Kosovo-wide operations targeting also illegal smuggling activities.

To do so, KFOR shifted its operational focus from Sector B of the GSZ to the FYROM border. The number of companies along the border was almost doubled. We accepted some risk elsewhere. As before, carefully synchronized info campaign/info ops supported this shift of main effort. New legislation in Kosovo on weapons possession, illegal border crossing and on anti-terrorism was enacted, in a bid to support joint operations by UNMIK and KFOR, including concerted action throughout the Province against organized crime. It would be utterly inappropriate, however, to assume that this legislation resulted in a prompt change of the mindset of the people. It was rather a pre-condition for some more law and order but not its actual establishment. That actual establishment would not only have required a profound change of the mindset of the entire society but also the existence and application of effective social enforcement tools. I understand that Ole Lindeman will look deeper into this and so I do not dwell on it too long but rather return to the more operational aspects.

At Brigade level and below a combination of more observation posts, UAV-coverage and the employment of Quick Reaction Forces was achieved. The QRF of the border brigades were available for short notice employment thus providing an intervention/reaction/interdiction/ reinforcement capability, see figure 4.17.

Figure 4.17   KFOR operations at the FYROM border to counter NLA

Their strength ranged from platoon to company (flexible composition). They were land and airmobile. Their employment was principally intelligence-driven. But there were also probability-driven random checks to avoid predictable patterns of action and promote uncertainties amongst perpetrators and transiting criminals as well as activists.

At provincial level, operations were designed Kosovo-wide by the combination of Immediate Reaction Forces, check points, enhanced mobility and information sharing, see figure 4.18. The purpose was immediate KFOR action (pro-/re-active) to allow interdiction in depth, Kosovo-wide and cross-boundary, both at Brigade and Task Force level. This included the targeting of smuggling and other organized crime. Nations increasingly supported limited attachment/detachment of units to establish and re-focus our main effort. Moreover, we now operated a more unpredictable system of static, mobile and temporary checkpoints. We put more emphasis on mobile patrolling, and KFOR units continued to execute their effective cordon and search operations.
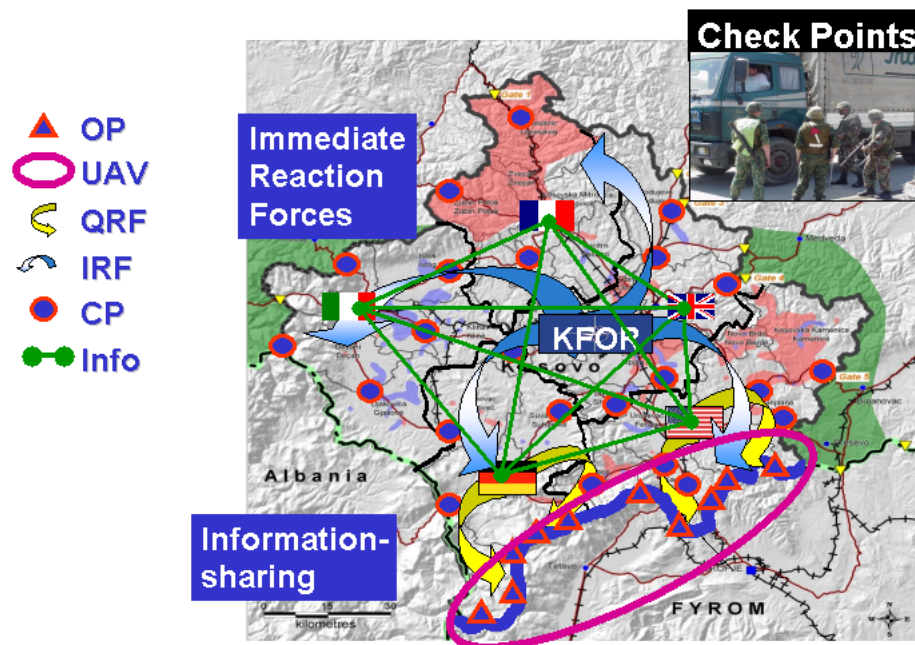
Figure 4.18   KFOR operations Kosovo-wide to counter NLA

In addition we also generated initiatives with regard to:
- SIGINT
- SOF
- National Intel Inputs
- Use of UNMIK/IOs
- NCCC (exchange of information with MACEDONIA)
- TOP (Temporary Operating Procedure) with FYROM, to ensure coordinated operations, de-confliction and force protection astride the shared border.

Our operational efforts included an initiative to establish a database for the effective monitoring and tracking of suspected individuals and vehicles throughout the Province and within the region. Information from UNMIK and KFOR were to be combined in order to

provide a sufficiently responsive information system to enable interdiction by police or military units as necessary.

In this context, Operation Groundhog was an operation in depth filtering out and searching suspected trucks and vehicles. It essentially added to our efforts to deter criminal activities linked to extremism that threatened the concept and the accomplishment of a safe and secure environment.

These amounts of weapons confiscated and suspected criminals and extremists detained and processed between early June and 30 August 2001 illustrate the success of this complex operation.

- Rifles   853
- Pistols   264
- Support weapons   63
- Anti-tank weapons   1084
- Rockets/missiles   122
- Air Defence weapons   1
- Grenades/Mines   1694
- Ammo rounds   168.502
- Personnel Detained   994

This all highlights the importance of meaningful intelligence sharing which, at the same time, yields weight and influence. Constraints imposed by capitals increase rather than reduce risks to participating nations. Some nations may have high value information but are not empowered or able to exploit it themselves or share it with others. The real significance of what they have may not be immediately apparent. They could be sitting on a key piece of information to complete a picture being put together elsewhere. Tactical opportunities may be missed. Consequences for force protection can be disastrous. In these types of operations, too, information gives us the edge. The more quality information available, the sharper the corporate edge will be. The more efficient the collection and co-ordination, the sooner end states are reached. Unity of purpose and economy of effort have paramount relevance on the ground. Time is, indeed, of the essence and meaningful information sharing absolutely crucial. This clearly includes low-level day-to-day intelligence products collected by patrols and random observation.

The undoubted key to our successful execution of Operation Eagle was an evolving common understanding of the benefits from contributing to the unity of purpose established by COMKFOR. This unity promoted and developed economy of effort at all levels of exploitable interoperability. With this generally positive approach from the Brigades and national contingents, it was possible to perform at least some cross-boundary operations and to establish and shift main efforts by detaching and moving units between Brigades and Task Forces as required by operational needs. It should be noted, however, that this occasionally needed some encouragement to overcome national constraints and restraints.

Moreover, some contingents were substantially constrained to take part in operations due to their force protection posture. All of this could make the process of operationally justified

force mixing and packaging and the supporting combination and use of advanced technology a fairly cumbersome entertainment. At its worst, these impediments could render a valid information, and even more so an entire operation, effectively meaningless.

It appears imperative and urgent that national interests are suborned in support of the mission and unity of purpose and effort. Our experience clearly calls for Centres of Excellence, role specialization, multinational logistics, and outsourcing to list just a few examples for possible and necessary improvement and progress. I concede that all of this is not easy to achieve in a multinational force posture with 39 nations providing 42.000 troops. However, 95 % of those troops were provided by only 17 nations, most of them NATO nations. As KFOR is, in fact, a NATO-led operation, it should not prove beyond our ability to proceed more vigorously into this direction, to set the pace for others to join, and, not least, to reduce duplication and waste of effort and thus reduce the costs of this operation at a collective and an individual national level.

4.3.3   Conclusions for Defence and Force Planning

Let me draw a few conclusions from those experiences for defence and force planning. They are not meant to reorganize, equip and train forces exclusively for KFOR. There are, and there will be, other challenges and CRO and PSO in future. Mirrored against the present Alliance and most national defence and force planning cycles and in-service periods of major equipment of up to 40 years and beyond, those future CRO and PSO are not sufficiently predictable in terms of political mandates, political incentives for commitment, time of occurrence, numbers, geography, conflict profile, and composition of multinational force postures. They can hardly be used as primary references for a more focussed planning, investment and restructuring of forces. The presumable overstretch of some nations may obligate others to participate in various sorts of multinational operations irrespective of location, framework and environment. This is, in fact, a contingency where pre-defined interest comes back to our minds as a central starting point from where to proceed.

It seems fair to conclude, that future CRO and PSO require appropriate pro- and reactive military employment options and demand forces that are sufficiently flexible in order to be available for all anticipated contingencies. However, for smaller nations, this is probably neither affordable nor sustainable across the whole spectrum of military capabilities. For them, some specialization and pre-agreed as well as pre-shaped plug-in capabilities for multinational force postures might offer a viable option in order to stay involved and retain or secure influence – provided those capabilities are essential enough to guarantee the desired proportionate weight and influence.

KFOR demonstrates that gradually echeloned weight and influence, in the first place, stems from taking responsibility as a lead nation for the entire force, for a multinational brigade or from the provision of a task force. In simple terms, the practice can be described as follows. If you are a lead nation for a multinational brigade, you control a brigade sector and subordinate units and qualify for flag and other key posts in the KFOR HQs. If you provide a task force, you control part of a brigade sector and qualify for reasonably influential posts within the KFOR HQs and the respective brigade. Consequently, depending on the degree of interest in a

specific CRO or PSO, the ambition should be to command a brigade or to provide, at least, a task force.

However, the control of a brigade or securing flag representation in a KFOR HQ also requires additional and sometimes costly "hidden" contributions such as helicopter units, transportation and headquarter units, specific intelligence assets like UAVs, military police units, detention facility guards, and all sorts of ancillary supporting elements ensuring cohesion, effectiveness and interfaces across the entire posture and operation. This may easily overburden available resources. As a consequence, the ambitions of a nation to attain a high visibility position similarly points to a multinational approach with others who share this ambition in order to resource the necessary military capability. The trend towards multinational formations within NATO since 1992 was initiated to avoid some suspected re-nationalization of defence. The practical outcome, however, was that through fair multinational participation also smaller nations attained a more prominent share in Allied operations and influence. I conclude, that this approach has value beyond NATO and into "coalitions of the willing" as those have started to emerge in various defence-related aspects and operations.

As illustrated in figure 4.19, my own observations in Kosovo and my visits to MNB (C) and its Task Forces more than convinced me of the outstanding experience and quality of your troop contingents and those of the other Scandinavian partners in PSO. Moreover, their uncomplicated style of cooperation within that MNB stands out starkly. I also had the pleasure to witness the considerable professionalism of your intelligence team and the excellent and mature staff work of your personnel within HQ KFOR MAIN.

Figure 4.19   "The Nordic way"

Taking this into account as a German who has served in multinational NATO environments, formations and HQs for at least 25 years with a more than positive experience it is hard to advise anything other than a partially multinational approach to the challenges addressed here.

Taking into account the security political as well as defence and force planning realities within my own nation, the Alliance and the European Union as a whole, I have to admit and accept the fact that the time of independent and self contained national defence forces and employment options has certainly passed for most, if not all, European nations. Obviously, multinationality is the logic consequence to avoid both overstretch and marginalization. The only reasonable and practical question then is how deep to engage in it and how to organize it.

It goes without saying, that the prime responsibility for the provision, equipment, training, deployment, and ownership of any forces always rests with the nation holding and retaining Full Command. This must not be interfered with in any respect. However, below this threshold much economy of effort appears achievable in the composition and coordination of shared capabilities contributing to a common force, to the development, selection and acquisition of interoperable-orientated equipment, and to coordinated and common training activities. This is not without frictions and learning curves. However, it is already practiced for land forces elsewhere in Europe (EUROCORPS, MNC NE) and I venture to say that the overall experience is positive and the trend is certainly going in this direction.

An essential requirement for such an option is a verifiable fairness in the allocation of roles and responsibilities. This applies equally to a permanent structure deployed at home or to a specific theatre for a longer-term role in an operation, or an on-call force at home. This even-handedness must be employed not only to the predictable availability of the required resources when needed, but also to a rotational filling of the command and possibly other key function, as well as properly balanced contributions to the necessary spectrum of ancillary supporting units.

Given the KFOR involvement of all Scandinavian nations and the experiences obtained by Norway as a lead nation during KFOR 5, I consider it rewarding to investigate if the already existing concept of a Scandinavian-led multinational brigade might be a realistic option again, if properly composed, resourced, employed and integrated into the broader multinational operational spectrum. Looking at trends in NATO and the European Union, such a brigade could also offer a useful opportunity to qualify and give visibility to promising staff and young flag at brigade and higher level within the international arena.

4.3.4   Concluding Remarks

Let me conclude by admitting that the security political dimension has gone through this briefing like a red thread. This is not surprising; given the fact that CRO and even more so PSO are much more political in nature than any military operation before the demise of the Warsaw Pact and the end of the East-West confrontation. This is especially true for KFOR, where the stipulated military product is to ensure a safe and secure environment.

In this respect, Kosovo and KFOR may certainly serve as an example for a military contribution to, and involvement in, post-conflict peace building in a difficult environment in the Balkans and elsewhere.

Despite some rhetoric about exit strategies in this operation and actual troop reductions initiated, I observe that this operation will remain necessary until a comprehensive and

coherent Balkans security strategy is at hand and implemented. This security strategy would have to combine the crucial political areas and approaches. It would have to develop and stabilize the entire region. And it would have to integrate it into European structures strong and mature enough to cope with this challenge. Given the political will and power to accomplish and fund this, such a perspective is, however, a matter of decades rather than years.

In the logic of this briefing, this means that a sufficiently long-term and diversified perspective has to be applied to defence and force planning. It could not only help to cope with a number of hard-pressing challenges at home. It could also open interesting new options to pursue national interests in the ongoing European development. And even more reassuring, it might also be warmly welcomed by others who may well appreciate some relief in the Balkans in order to optimise their capabilities for other already existing and for new challenges.

This concludes my briefing. Thank you for your attention. I am looking forward to discuss these personal views with you during this Symposium.

4.4 Civil-Military Co-Operation and Military Support to Public Security in Peace Operations

By Ole Lindeman.

A background article for this presentation is given in appendix C.

4.4.1 Introduction

KFOR and UNMIK are in the forefront of complex international peace operations. Their relationship forms a civil-military duality in peacekeeping that is breaking new ground.

KFOR and UNMIK are the international community's "care-takers" in Kosovo", and are as such invested with powers to "steer" the gradual hand-over of authority to democratically elected bodies - without Kosovo sliding back into conflict or prejudging the final status of Kosovo. At the outset it looks simple: KFOR is charged with providing the safe and secure environment, within which UNMIK is responsible for administration in the transition period.

In reality the task is far from easy. The civil-military middle ground, where the civil and the security presences meet, is as complex as it is dynamic. Indeed, it is an arena that it is difficult to design. Frictions can occur if the civil and the military programmes develop at a different pace.

The military, by way of organisation, decision-making and available resources is *result*-oriented - whereas the civil programme has a different implementation structure and is generally more attuned to creating and managing a *process*. The situation easily draws the military into conducting tasks that are ideally the responsibility of the civil authority.

4.4.2 Modern Peace Operations

In the words of the Brahimi[8] Report on UN Peace Operations of August 2000, peace operations normally do not *deploy into* post-conflict situations, but try *to create* them.[9] I would like to use this as a point of departure. Keywords for modern peace operations are *transition*, *enlargement* and *integration*; these are dynamic – not static.[10] They reflect the multidimensional nature of modern peace operations. They put emphasis on the *processes of change* rather than on *end state*.

The sinews between the security and the civil presences have multiplied accordingly. A tendency to expand the mandates of military missions to include non-military responsibilities has emerged.[11] UNSCR 1244 (1999) is an example of this. We seem to be moving beyond

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[8] The same Lakhdar Brahimi who led the work on the UN Report on UN Peace Operations is now SRSG in Afghanistan. Two military operations will in an interim period exist side by side, but with ISAF co-ordinating closely with the US led "Enduring Freedom" as necessary. Civil-military co-operation and military support to public security will probably not be significantly less required in Afghanistan than for instance in Kosovo.

[9] The Brahimi Report on UN Peace Operations, UN August 2000.

[10] Espen Barth Eide: "Peacekeeping past and present" in NATO Review Vol. 49 – No. 2, Summer 2001.

[11] Eide, Ibid.

the restrictive notion of "mission creep" and into actively trying to shape and develop the civil-military interface[12].

The language of the UNSCR 1244 gives guidance as to the expected level of civil-military co-operation, but says very little about *how* this is to be achieved.

4.4.3 CIMIC

How can a military structure be adapted to perform in a dynamic and complex civil-military peace operation? One basic assumption is that neither the military structure nor its civilian partners are in a position to tailor a clear-cut framework for civil-military co-operation, and – by extension – to define exactly where the responsibilities of the one mission end and those of the other start.

Maybe the most poignant institutional difference between KFOR and a traditional military structure is that KFOR headquarters is reinforced with a staff element in charge of civil-military co-operation – so-called CIMIC. Seemingly, this is KFOR's institutional interface with civil authorities and civil society in Kosovo. But there is much more to civil-military co-operation than just CIMIC. As you know, the CIMIC staff is far from the only part of the military headquarters that provide input and output to and from the civil environment.

I will here – for obvious reasons – not dwell on what CIMIC is - or is not. But I must clarify regarding one caveat. I have deliberately sought to avoid making a distinction between CIMIC and other civil related activities and interactions of the military structure.

Civil-military co-operation plays out in a continuum within the military headquarters. It is difficult to draw borderlines, as the overall civil-military interface has developed - and is developing - as much out of *circumstance* as out of *organisational design*.

4.4.4 Shaping the Civil-Military Co-operation

At the end of the day, there is a commonality of interest between the military and the civil organisations. Economy of effort and effective use of the comparative advantages of the military and civil structures could be exploited to take the present-day relations even further.

Instead of a definition of civil-military co-operation based on delimitation and a clear-cut distribution of labour between the military and the civil authorities, a "*transitional*" definition is suggested[13]. The basic assumption is that it should be possible to scale back military involvement in civil activities – gradually – as the civil organisations are getting more and more capable of taking on their proper responsibilities. Certain benchmarks – or "*transition points*" – should ideally be defined in order to guide such a process.

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[12] See for instance Eide, Ibid: "In the early days of IFOR, the emphasis was put on avoiding "mission creep", or the tendency for a force to begin taking on tasks perceived as civilian. Eventually, however, it became increasingly clear that there could be no military success in isolation." (Eide, 2001).

[13][13] J.W. Rollins: "Civil-Military Co-operation (CIMIC) in Crisis Response Operations: The Implications for NATO." In *International Peacekeeping* (Volume 8). Frank Cass, 2001.

In order to gradually scale back military involvement in a structured way, a cross-institutional function could prove helpful. My suggestion is to establish an organisational framework charged with drawing up guidelines and with steering the *process* - in addition to handling the *substance* - of civil-military co-operation. I am thinking of a mechanism that could monitor and "audit" the quality and direction of civil-military co-operation. Their task would be to pinpoint and regularly assess "transition points" for referral of civil tasks from the military to the civil administration.

Transition of responsibility should be a flexible, continuous and multidirectional process, allowing for adaptations and reinforcements dictated by the general security and political climate. Probably there could be less focus on formal *institutional remits* and more attention paid to continuity and coherence of action. Nowhere does this seem more appropriate than in the field of military support to public security.

4.4.5   Military Support to Public Security

One of the more important challenges that the International Community is facing in peace operations is that of the vacuum in public security – especially at the initial stages of a post-conflict operation. Often the military presence will be under pressure to fill the security gap until civil law enforcement structures can take charge.

As experience from Kosovo has shown, rebuilding the judiciary almost from scratch is a formidable and time-consuming task. The security gap constitutes a considerable challenge to the peace operation as such.

Filling the security gap goes beyond the *image* of international peacekeeping and well into the domain of international and regional politics and the *core reasons* for international involvement in peace operations.

The successful implementation of public security measures is in many instances a pre-requisite for preventing re-occurrence of conflict, ensuring progress in reconciliation, enabling sustained progress towards peace and security, and creating conditions for sustainable development.

Indeed, the question of military support to public security has imposed itself on the KFOR-UNMIK agenda.[14] It is difficult to convince the general public, as indeed also the outer international community, that some 40.000 troops and 4500 international civil police are not able to do effective policing.[15] The Brahimi Report puts it very bluntly: "[...] Peacekeepers – troops or police – who witness violence against civilians should be presumed to be authorised to stop it."[16]

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[14] (1) On 5 September 2001 a first KFOR - UNMIK Pillar I seminar on law and order was held at KFOR headquarters. (2) 4-6 November 2001 a NATO/EAPC Ad Hoc Group Seminar on *Public Security Aspects of Peacekeeping* was held in Bucharest, Romania.

[15] Geoffrey Robertson: "Crimes against Humanity - the Struggle for Global Justice" (pp. 401-424, "The Guernica Paradox: Bombing for Humanity", Penguin Books 2000): "[...] after six months ...[SRSG Kouchner] still had no legal system and no effective police force, and the 40.000 troops from thirty-five countries lacked the cohesion and purpose which could be expected from a permanent force..."

[16] Brahimi Report, Ibid.

4.4.6   Security Sector Reform

In Kosovo, the international civil police (UNMIK Police) has been given executive powers. But as the situation in Kosovo has clearly demonstrated, the international civil police needs more than just the executive powers to be able to do the job. Obviously the international civil police needs to have the required manpower in terms of both the *number* and the professional *quality* of the police officers.

As it is not realistic to expect that UNMIK Police will ever get out of its manpower predicament, the whole issue of filling the security gap in Kosovo is clearly also a question about how the International Community makes use of its common resources.

Strengthening the common capacity for *policing* will, however, at best only take one halfway towards sorting out the problems of law enforcement. There is little use in apprehending criminals if there is no court to take them to, and a sentence imposed gives little meaning without a penal system. The answer is partly one of having the full judicial structure in place; that is, having the appropriate legal instruments[17] and a properly functioning judiciary and penal system. This is a task for the civil administration.

But partly the answer is also one of civil-military capacity building for joint law enforcement, *inter alia* in the field of producing intelligence that can serve as evidentiary information and give testimony that will hold up in court.

In my view, a broader approach to civil-military co-operation could allow for the operative handling of public security in a more institutionalised and focused way than what seems to be the case today. In this context, inter-operability is crucial. There are positive experiences in this regard. The practise of joint patrolling and conduct of operations is being adopted with increased regularity. In addition, KFOR has adopted SFOR's practise of having a *Multinational Specialised Unit* manned with personnel from Gendarmerie and Carabinieri operating under its mandate. The scope for using these kinds of resources in peace operations is significant.

4.4.7   Drawing a Line between External and Internal Security

As experience from Kosovo has demonstrated, the borderline between the *external* security situation and *internal* public security can be porous. Co-operation between the military and the civil law enforcement structures in this grey area frequently falls victim to different institutional thinking and prioritising. It is not evident that the military mission, even with the best of intentions, has the operational capacity and resources to start unravelling the criminal web from what – from a *policing* perspective - would seem to be the most productive way.

However, the need to break the nexus between the forces that represent a threat to regional stability <u>and</u> the wide-spread organised crime, ethnic violence and extremism that is apparently endemic in Kosovo and around – is probably the strongest argument in favour of direct

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[17] During 2001 the codified legal base for fighting serious and organised crimes and extremism was considerably reinforced by the promulgation of new UNMIK-Regulations.

military support to law enforcement and public security. Rather than the question of <u>why</u> – we are faced with the challenge of <u>how</u>.

The situation is probably best helped by solving the law and order predicament. To get to the root of organised crime, sustained and joint efforts Kosovo-wide have been employed in co-ordination between KFOR, UNMIK Police and the civil judiciary. Following the promulgation of new UNMIK Regulations on organised crime in 2001, UNMIK and KFOR now have the necessary legal instruments to fight organised crime efficiently.

If the military is to engage more comprehensively in public law and order enforcement, which is the case I am making here, it has much to learn from the professional police. On-the-job training of the military in policing as well as establishing common search policies and operative guidelines could prove helpful. Yet another area of co-operation is the exchange of information and intelligence as well as setting up police and court databases with central access to criminal statistics.

The only viable response to this challenge seems to be taking a renewed and critical look at how the International Community's common resources are put to use – and to look for adjustments by exploiting available mechanisms.

4.4.8   Conclusion

The process from start-of-mission to end-state is seldom defined. It is difficult if not unrealistic to lay out the roadmap and mark the critical path from initial engagement in a particular area of activity, through a number of carefully planned milestones, towards the transition of responsibility from the military over to the civil implementing partners.

By engaging heavily in civil-military co-operation, the military may risk finding itself embroiled in activities from which it will only get more difficult – rather than easier – to liberate itself and extract. Being mindful of this caveat, I am, however, of the opinion that the potential gains of doing more rather than less of both *civil-military co-operation* and *military support to public security* - probably outweigh the losses.

Experience shows that the civil environment "imposes" itself on the military structure with a doggedly persistence that it is difficult to withstand. Bluntly put, one needs to accept that the military structure in a peace operation cannot open and lock doors to co-operation with its civil surroundings at its own discretion.

One needs to turn the perception of so-called "mission creep" from something negative into something positive. Instead of fearing the "vacuum" one should seek to exploit it as an arena for closer co-operation.

Although I am mindful of concerns that suggest a less ambitious approach, I see scope for expansion. It is my proposition that CIMIC staff could be the institutional hub in charge of keeping track of and giving guidance on the quasi-totality of activities pertaining to civil-military relations. But in that case, the CIMIC element at military headquarters has to be restructured and given additional and more comprehensive tasks.

The International Community needs to develop the ability to quickly generate and have on call experts in post-conflict management and nation building, who are at a high readiness to deploy to crisis areas. In order to quickly mount an operation, one needs to have identified, and have on call, *policemen*, *prosecutors*, *judges* and *prison warders* who can quickly deploy and begin working alongside their military counterparts.

The question is, should the military also have a nomenclature of experts who could act as advisers to the force commander on civil-military co-operation and military support to public security? Could there be a need to include staff officers that are experts in *policing* and *judicial* affairs, for instance, in the CIMIC element at headquarters level?

If there is an inter-relationship between an even more focused and developed CIMIC-structure <u>and</u> the urgency to address shortages in the public security sector, what are the longer-term consequences to be drawn?

4.5   A Perspective on KFOR 5 Multinationality

By Jonny M Otterlei

4.5.1   Introduction

The Kosovo-operation represents an interesting case to defence planners. First, it is a comprehensive multinational military and civil operation that encompasses a number of elements characteristics for modern peace operations. The predefined objectives felled down in the KFOR mission as given by the UNSCR 1244 are agreed on by a large number of nations. Hence, a redefinition of the mission would have to be discussed and agreed on by these nations. As a part of this, the KFOR mission is closely linked into the multinational UNMIK presence and operations in Kosovo. The resources provided for COMKFOR are also multinational. KFOR comprises a total of 39 nations contributing about 42000 troops and a wide range of capabilities. The freedom to exploit forces in theatre is constrained at the national level by degree of interoperability with other forces and political restrictions (national caveats) on force use. Another important aspect to defence planners is a likely long-term military Balkan presence that would require nations to sustain their presence.

The military command challenge is to balance all these aspects in accordance with the overall KFOR mission. Ideally, the Commander should stand free to use the best assets available irrespectively of level addressed and nations contributing. However, this is not likely to happen in any multi-national operation due to the inherent national interest as well as the limited interoperability between national forces. Some of the constraints would be so fundamental to nations that they could only be altered in a long-term perspective. Other constraints could be relaxed in a short-term perspective.

Hence, a basic understanding of the opportunities and limitations that exists within a multi-national context and the mechanisms for establishing these relations is critical to planning and execution of operations and to achieve economy of effort. The economy of effort aspect would become more and more important to the force contributing nations, specially the large contributors, as a continued KFOR presence in Kosovo for a longer term appears likely.

From my point of view, the main dimensions related to multi-nationality are actually within NATO, and between NATO and Russia. The other nations participating are either familiar with NATO procedures and concept of operations or represent too small a fraction to have significant impact on the operations. An overview of KFOR multinationality is given in figure 4.20. However, the large number of nations participating represents an administrative challenge.
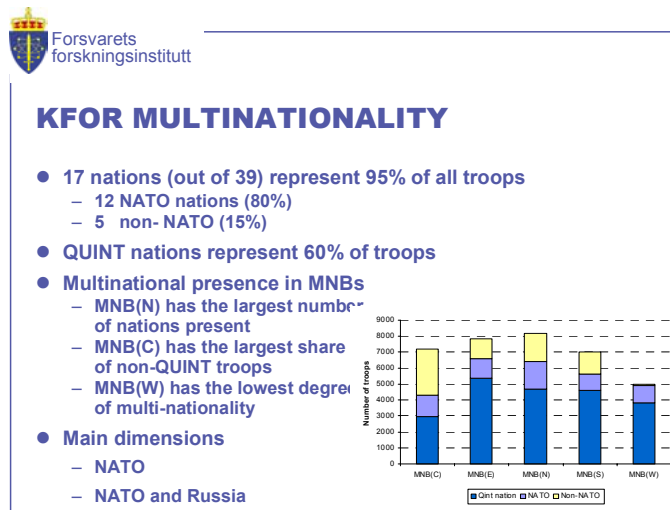
Figure 4.20   KFOR multinationality

In this presentation, I would try to highlight some of the most critical constraints to COMKFOR freedom of action as given by the KFOR multinational context. Together with the previous speakers, I hope this would contribute to the following discussion session addressing the implications to defence planning.

4.5.2   Freedom of Action

KFOR operations are constrained and influenced by a large number of factors, see figure 4.21. Some of these factors are under the control of the participating nations and the international community. I have grouped these "controllable" factors into three headings or fronts; the political context, the structural context and the (national) constraints.
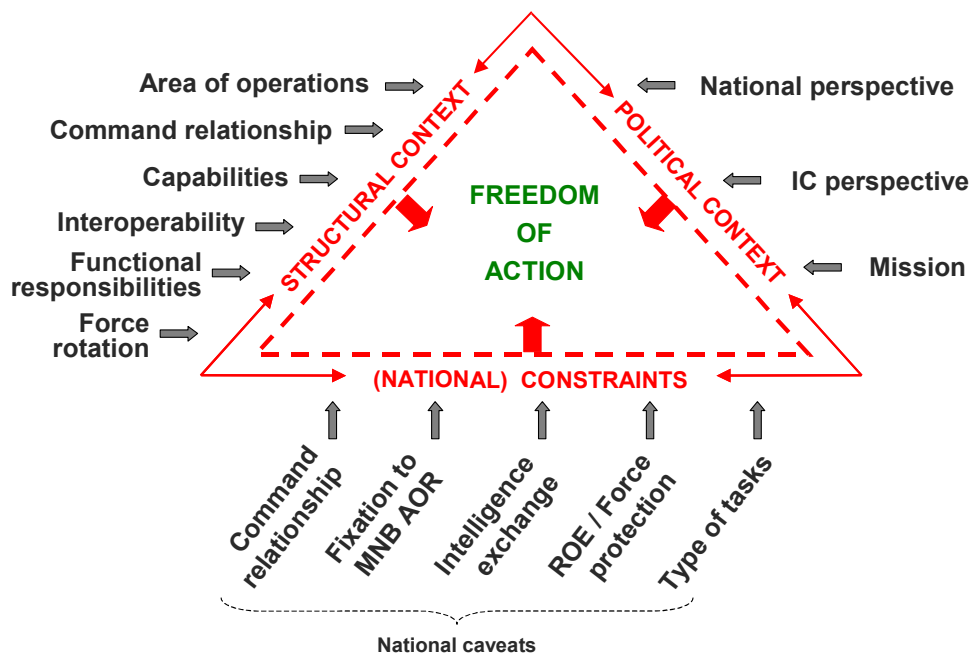
Figure 4.21   Boundaries to COMKFOR freedom of action

However, the various degree of interaction between these factors, as illustrated by the arrows, makes this a complex system to control and direct.

The political context captures the overall objectives given for the military presence in Kosovo as well as the national and international political views on the implementation of UNSCR 1244. The political dynamics is complex and to a large extent outside COMKFOR control. Still, initiatives by nations and/or the international community can set the agenda for KFOR operations on extremely short notice. The ability to respond to such initiatives in a constructive way is essential to a joint civil – military approach to the challenges in Kosovo. I have split the political context into the KFOR mission, the international community perspective and the national perspective. The international community perspective includes the views that can be agreed on by the nations in forums like UN, NATO and OSCE. In this perspective, we could also include the Contact group for Kosovo and/or the Quint since they capture the key nations. The national perspective includes the nations like the US, the EU, and other nations. Both the national and IC perspective should be viewed as dynamic given by how the internal national priorities and the overall situation develop. The different perspectives can either unite and express a common view or in some cases divide the nations involved when the nations takes independent positions. It should be noted that the time constants for changes of position are considered short for the nations perspective and gradually longer as the view becomes more international.

The structural context captures the resource dimension and structural agreements providing the capabilities and the ability to sustain operations. Other factors are the area of operations, command relationship, and functional responsibilities; e.g. in the area of multinational logistics.

The (national) constraints capture the restrictions on force use. These restrictions might be explicitly stated as a part of the transfer of authority process or more implicitly stated, becoming transparent when operations involving use of force is planned and executed. The most frequent appears to be within the command relationship, a fixation to MNB AOR, on intelligence exchange, in the area of ROE and forces protection and also the type of tasks that could be taken on. Often we use the term national caveats on these constraints.

4.5.3 Command Relationship

Figure 4.22 illustrates the command relationship within COMKFOR and KFOR operate. On both the civilian side and the military side, the formal structure seems clear. However, the strong national influences on all levels are also clearly seen. From a structural point of view, these relationships opens up for national military initiatives outside COMKFOR influence and control as well as nations political influence into KFOR all levels of command. To add more ambiguity to this picture, the coordination within each nation might also be weak leading to different perspectives being communicated into the chain of command. To COMKFOR and SRSG this national influence represents a huge challenge in fusing and synthesizing all these (contradicting) perspectives and views and transforming them into actions.
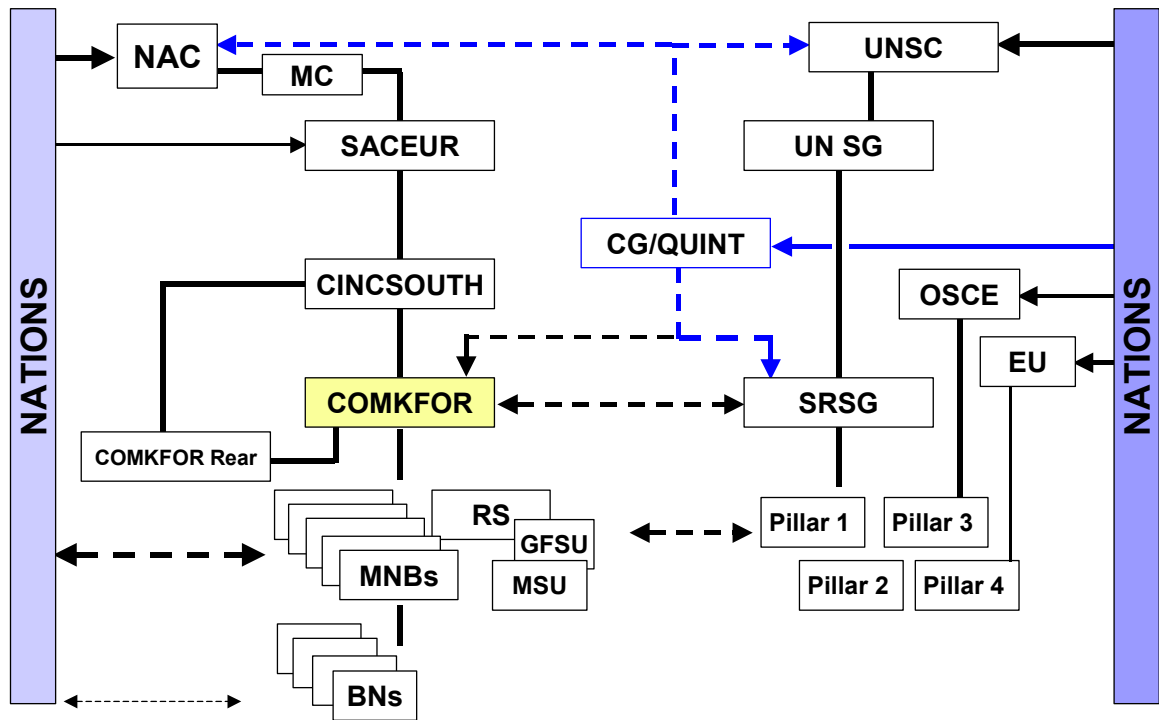
Figure 4.22   Command relationships within which COMKFOR and SRSG operate

The command relationship and the strong national bindings make it very difficult for the Brigade commanders to free up troops for cross boundary operations. Troops would have to be withdrawn from ongoing tasks and thereby decreasing the ability to solve high priority tasks within the MNB. Since this can introduce a potential risk to the brigade mission and the national focus is primarily on own forces and AO a conflict of interest can occur also within the military chain of command. A central body in coordinating the international effort is the Quint nation with strong links back to NATO and the United Nations as well as representing 60% of the troops.

The implementation of the constitutional framework after the 17 November elections would introduce a new decision-making body on the civil side, and especially, in the transition period where UNMIK is transferring responsibilities to the new government, could complicate the civil-military dialogue.

4.5.4   Intelligence

There are inherent structural weaknesses of how intelligence is organised and executed in KFOR. Intelligence is provided to COMKFOR from the nations, as NATO does not have separate intelligence gathering units. The HQ plays primarily a co-ordinating role fusing information provided by the nations either through the chain of command or more directly to the HQ by the national intelligence cells collocated with the HQ.

This makes the HQ critically dependent on the willingness and capability of the nations to provide relevant information within a multinational environment. Information with direct relevance to force protection appears to be released and available without much delay.

However, information in support of KFOR planning and operations is an area for substantial improvements both with respect information exchange and effective resource allocation. Far

to often, the exchange of information is hampered by the lack of formal agreements on sharing information and the lack of system interoperability within the intelligence community. Since the national needs for information set the collection focus, constrained Intel resources are often allocated to collect the same information or to collect information relevant to national requests and not to KFOR needs.

Though the HQ and the nations meets on a regular basis to co-ordinate and exchange information, the above mentioned factors seriously constrain the exploitation of the huge potential present by the large number of nations participating in KFOR.

Another structural constraining factor is the low capacity of exchanging classified information within KFOR. The communication side is dominated by national solutions more or less incompatible with other nations. The establishment of a classified KFOR computer and voice network has improved the situation some, but this is still an area for substantial improvement.

A large share of the personnel provided to the HQ J2 branch lack required intelligence training and experience as well as language skills. In addition, rotation of personnel on a 6-month basis makes it impossible to overcome this weakness by in theatre training. As a result, the HQ has a much lower capability of producing timely intelligence than the CE suggests making COMKFOR even more dependent on a few nations direct contributions.

The SIGINT area stands out as an example of what can be achieved if the conditions for co-ordination of effort and exchange of information are met. MG Lutz covered this example in his presentation so I would not go into the details.

4.5.5 Interoperability

In the HQ, the individual level is especially important. A large share of personnel lack required qualifications in
- The English language
- Computer handling, both in general as well as more specific knowledge in standard NATO computer programs used in NATO HQs
- Filling Assigned positions, example J2 where several nations send people in without prior experience and training in the area of intelligence. Combined with little flexibility in reallocating personnel, effectiveness is significantly constrained!

Frequent rotations make teambuilding and pre-deployment training even more important. The transition to a component HQ might deal with the rotation problem, but the question whether nations will be able to fill posts with qualified personnel remains open.

Among the units, the equipment to a large degree remains in theatre - and in that respect - interoperability problems might be reduced over time by incremental improvements. Substantial examples from KFOR 5 illustrate that soldiers and units can and do operate well together irrespectively of level. However, the area of communication remains important to improve. A recent study from the NATO Research and Technology Organisation, *Improving Land Armaments Lessons From The Balkans*, states, "with the exception of communication systems, interoperability was not a major issue due to the way that the forces were deployed

into national areas". This formulation could hide a potential challenge related to interoperability if cross boundary operations are further emphasised or more challenging operations undertaken. Training and exercises is also an important mean to further increase the flexibility and the interaction within KFOR. In this respect, the value of PfP-exercises should be raised in order to familiarise troops with a multinational environment before deploying into theatre.

4.5.6   Functional Responsibilities

The functional relationship can be understood as agreements between nations to provide a specific service or capability to sustain capabilities or to achieve economy of effort.

Within the logistics area, France provide fuel for the whole KFOR, the Irish transport company provides a flexible transport resource for KFOR, and the GFSU traffic controllers and the Italian Railway company conduct specific tasks that all the other nations benefit from.

KFOR 4 took the initiative to explore this area further with the Multinational Support Initiative aiming to achieve cost savings without reducing the overall capabilities. It has been clearly identified that large savings can be achieved by adjusting the logistic support concepts within KFOR. This initiative has been continued under KFOR 5, and need to be followed in KFOR 6 and on.

On the forces side, the UK and US agreement under KFOR 4 to rationalise into one hospital represents another example. A large number of examples where nations have made arrangements within the brigade context exist. The potential for further development clearly exists within the area of support helicopters, explosive ordinance disposal and high-risk search.

4.5.7   Force Rotation and Sustainability

A force rotation system is required to sustain operations. Nations have different approaches with a complete troop rotation on a 4-6 month basis. The frequent rotations reduce level of experience in AO, but are in some cases compensated by a large share of personnel signing up for a new period. Troop rotations can also be a mechanism to increase troop presence over a short period by delaying outgoing troops. However, the full effect of such a measure requires incoming troops to be operational when arriving in theatre.

The KFOR HQ manning and pro and cons related to core and composite models have been well covered by earlier speaker, and I would not go into further details.

4.5.8   National Constraints

I did a quick survey of the national constraints expressed in the transfer of authority process. Most of them seem to fall into the category of command relationship, fixation to MNB AOR, rules of engagement and force protection and also explicit exemption of tasks that could be undertaken. To relax these constraints, national approval at different levels is required; in some cases, a parliamentary decision.

The command relationship constraint typically is specified as a fixation to a specified command structure. A large set of requirements might be stated in order to relax this constraint; either on a minimum task organisation or on the full spectrum to ensure full operational interoperability. This constraint is also closely related to the current brigade structure and the fixation of units to the brigade AOR. About 8000 NATO troops and 1000 non-NATO troops could not be used for cross boundary operations without national approval.

The rules of engagement and the force protection posture vary between the nations. In some significant cases, movement is restricted to roads to reduce mine threat or an offset border distance is established. The consequence is limited ability to observe and severely constrained ability to intercept. Some troops are not allowed to use riot control gas or use either lethal or non-lethal force to prevent escape of detained personnel.

Troops are also constrained from participating in detention services; this was clearly a huge challenge in the preparing for the return of FRY forces into GSZ – Sector B. Also a large number of troops (8000) cannot be assigned to crowd control. In a few cases, troops could not be assigned to tasks involving force.

4.5.9   Final Comments

The observation is that the mission is accomplished within the KFOR multinational context, but the potential for further exploiting multinationality clearly exists. The following areas have been identified:
- The command relationship
- Communications
- Intelligence
- Critical capabilities
- Functional responsibilities
- Individual skills (language and competence)
- Manning and reallocation
- Identifying explicit and implicit constraints

One would have to expect that the political context to remain diverse, but mechanisms for simplifying national influence should be explored. Today, the strong national influence is present at all levels causing an over-controlled system.

A substantial review of constraints appears required to achieve economy of effort and open up for a restructuring of KFOR. This might imply a greater willingness to take risk.

Today, KFOR operations seem critically constrained in the areas of
- (Special Forces Operations)
- Military and police joint operations
- Targeting of extremists and their supporters

5 SESSION II: FUTURE INTERNATIONAL INVOLVEMENT IN KOSOVO AND THE WESTERN BALKANS

5.1 Scenarios for Kosovo and the Western Balkans

By Iver Johansen

5.1.1 The Problem

Today, 39 NATO and non-aligned countries are committing a total of 40 000 plus troops to maintain what is termed a "safe and secure environment" in Kosovo. Pending a political settlement that both establishes some sort of political and administrative autonomy for Kosovo, and that determines Kosovo's future status – either as a part of the Federal Republic of Yugoslavia as indicated in the UNSC Resolution 1244, or as an independent state – the international security presence will most likely have to remain in some form or other.

Figure 5.1   Some alternative developments for the Western Balkans

This point of departure obviously begs some very acute questions:
- What will Kosovo and the Western Balkans be like in 5 – 10 or 20 years time?
- How long will "we" – i.e. the international community – have to stay on?
- Under what conditions will the international military presence be stepped up or down or changed in some way or other?

5.1.2   Development of Framework Scenarios

Trying to gaze into the future might – however – prove fruitless, especially if one hopes to give specific answer to these questions. This does not mean that we are without tools that might aid us in shedding some light on future developments. In this context, *scenarios* can serve as a useful – and indeed a much used – analytical tool.

While focusing on Kosovo, the degree to which regional politics are entwined dictates a broader scope. Therefore, a number of scenarios should be developed that not only outlines future scenarios for Kosovo, but also takes into consideration possible developments in Macedonia, Albania, Yugoslavia and Bosnia. An example is given in figure 5.1

5.1.2.1   Causes of the Conflict

Fundamental to the development of scenarios is a good understanding of the main driving forces lying at the base of the conflict in Kosovo and its many spin-off conflicts into nearby regions.

On the one hand, the Kosovo conflict can be seen as but the last in the long series of conflicts that during the 1990s ended in the near complete break-up of the Yugoslav republic created by Tito during the Second World War. Seen from this perspective the root causes of the conflict can be found in the nationalist and separatist ambitions of the Kosovo Albanian community. This perspective focuses on the nationalist and separatist ambitions of the Kosovo Albanian community. Today, these ambitions find expression in the virtually unanimous demand among the Albanians in Kosovo to gain independence from the Federal Republic of Yugoslavia.

This interpretation, however, seems not to fully appreciate the impact the war in Kosovo has had on political and military developments elsewhere in the region. To fill in this picture, the Kosovo conflict must be considered within a wider context that encompasses social and demographic issues as well as the historical failure to establish a state that comprises the majority of Albanians in the region.

The Albanian nation stands apart from the surrounding Slavic peoples in a number of ways. Since Albanians, irrespective of state boundaries, are tied together with a strong sense of ethnic, cultural and historic community, the struggle for Albanian independence affects most areas where Albanians live in significant numbers.

The Albanians also have maintained uniquely high birth rates, at a time when other – not least the Slavic peoples – have experienced demographic stagnation. This has, on the one hand, produced a sense of "demographic aggression" among neighbouring Serbs and Macedonians. On the other hand, it has made Kosovo the most densely populated and economically deprived region in the former Yugoslavia.

Seen from this perspective the problems, not only in Kosovo, but also in most other regions with significant Albanian populations, have mainly to do with "too many people trying to live on too little land"[18]. This interpretation of today's conflicts in the Western Balkans is in line

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[18] McNeill William, The Pursuit of Power: Technology, Armed Force and Society since AD 1000, Chicago 1982, p 315.

with the historian William McNeill, when he focuses on high birth rates, resulting population pressures and social unrest as a main driver for conflicts in Europe since the French Revolution.

In this context it is quite amazing to discover, when re-reading McNeill's 1982 book "The Pursuit of Power", that he, through investigating demographic patterns in Eastern Europe, pointed to the Albanians' uniquely high birth rates and rapidly increasing numbers as a main cause of the Albanian population "becoming troublesome in Yugoslavia" in the beginning of the 1980ies.

This appreciation of different reasons for the conflicts leads to two important conclusions: Firstly, that the conflicts under consideration has to do with much more than just nationalist politics, but encompasses social and demographic factors as well. Secondly, that perhaps the main vehicle for a lasting settlement of the conflicts would be to create the necessary conditions for region wide economic growth and a social development that might bring the Albanian society more in line with neighbouring peoples in the region.

5.1.2.2 Scenario Parameters

As the discussion above indicates, developing scenarios for the Western Balkans will have to be done within a very complex social and political environment. Capturing all of the complexities of Kosovo and the wider Balkans region within a scenario format is, however, not feasible. Any attempt to reduce that complexity necessarily implies a certain amount of simplification. On the other hand, experience indicates that planning and analysis that do not start with an attempt to simplify the problem tend to be of little use in practice.

The first step is to identify a limited set of parameters that outline the basic framework for the scenarios to be defined. Framing possible future developments in political and security terms, the basic parameters for scenarios pertaining to Kosovo, as well as to the wider Balkans region are, thus, defined to be:

- The relevant *actors* within a given setting,
- The actors' goals in terms of *preferred end states* within that setting,
- The *means* and *capacities* by which the actors seek to achieve their goals.

Actors
A wide range of distinguishable actors contributes to the diverse and complex political processes in the Western Balkans region. It is, however, impractical to encompass all of these actors and the totality of their interactions within a single set-up is. Therefore, a distinction should be made as to which actors actually play a role within the different settings under consideration in this analysis.

Turning to *Kosovo* the main actors in this setting are:
- the *Albanian community*, which can be sub-divided into *moderates* and *extremists*,
- the *international community* and
- the *Federal Republic of Yugoslavia* (FRY)/*Serbia*

Moving beyond the Kosovo framework, however, a large number of additional actors appear on the stage. Scenarios related to Macedonia comprise, in addition to the government itself, actors like the Macedonian Albanian Community and the neighbouring countries Bulgaria and Greece. Scenarios related to a possible break up of Yugoslavia will have to consider a secessionist Montenegrin government. In Albania, the government is forced to share power with locally based clans and other networks that, in parts of the country, run their businesses relatively undisturbed by the authorities in Tirana. In Bosnia, the Serbs in the "Republika Srpska" and the Muslims and Croats within the "Federation of Bosnia" make up the main actors in that fragile union.

Preferred End-States

In the same way that actors differ within and between regions, their ultimate goals also differ. Of course, it is not possible to delineate the complete scope of all the above-mentioned actors' preference structures. Instead, we seek to frame, in the simplest way possible, the actors' goals in terms of what their preferred end-states are within any given conflict.

In this context the aim of *independence* or varying degrees of autonomy is central to the Albanian populations all over the region. In many ways, this aim constitutes the main political rationale for scenarios focussing developments in Kosovo and Macedonia.

Against this concept of independence stands the aim of the central authorities in both Belgrade and Skopje to protect the territorial integrity of their states. Thus, *dominance* or *preserving territorial integrity* may be relevant as "preferred end-states" for Yugoslav and Macedonian governmental actors.

The concept of *self-government*, however, is unique to Kosovo. The UNSCR 1244 indicates that Kosovo, whatever the details of a final settlement, should still be a part of FRY. Thus, self-government should be taken as a political concept lying somewhere in between the two extremes of "independence" and "dominance" defining Kosovo as a self-governed province of FRY. The problem, of course, is that none of the local actors see this as a viable solution. Thus, there is a risk that the International Community over time will have to defend this solution against increasing local opposition.

Means and Capabilities

Actors promote their causes with a wide range of means. What is interesting in terms of conflict scenarios, however, is whether the actors' choices of means and methods can cause conflicts to rise, to escalate or to subside. Thus, the scenarios only distinguish between basically *political means* on the one side, and *military* or *violent means* on the other.

5.1.3   Longer-Term Development

Returning to the questions asked above, the scenarios may provide us with some answers as to possible future developments.

Firstly, there are good reasons to believe that the international security presence will have to stay on for a longer time. What this means, however, is not entirely clear. On the one hand

KFOR's role may be seen more or less along today's operational lines, as indicated in the "status-quo" development, see figure 5.2.

STATUS-QUO EXTRAPOLATED

Basic assumptions:

• K-Albanian community see <u>independence</u> as long term goal to be achieved by political means.

• International community support establishment of <u>self-government</u> by extensive military presence.

• FRY/Serbia opposes independence for Kosovo; engages in political process; represent no military threat to Kosovo.

KFOR/IC:
• Military presence necessary for security and stability.

Situation:
• Ethnic unrest, harassment of minorities.
• Economic development lacking; grey area economy mixes in with organized crime.

Figure 5.2   Status quo extrapolated scenario

On the other hand, KFOR's tasks may turn out to become much more difficult given that the Kosovo Albanian community – spearheaded by extremist groups – shifts its priorities as to by what means independence is to be achieved, from purely political and co-operative to military and confrontational, see figure 5.3.

INSURGENCY

Basic assumptions:
• K-Albanian community changes its strategy from "political" to "military"; armed insurgency to drive KFOR out of Kosovo and declare independent state.

• FRY/Serbia lacks effective means to promote its interests in Kosovo; de-facto accept of independence.

KFOR/IC:
• KFOR main barrier for K-Alb. independence. K-Alb. guerrillas target KFOR and IC personnel.

Driving forces:
• Overpopulation and unemployment.
• Political frustration.

Conflict entrepreneurs:
• K-Albanian extremist groups.

Cause of conflict:
• (Window of) opportunity for independence.

Figure 5.3   Insurgency scenario

Outside Kosovo conflicts have taken on an endemic character. With respect to Macedonia conflict scenarios range from a continued low-level insurgency (figure 5.4) to a wider conflict involving neighbouring states at the high end of the spectrum.

MACEDONIA: LOW INTENSITY WAR

Basic assumptions:
- M-Albanian community stage insurgency to gain political independence
- FYROM government defend territorial integrity of the state.
- International community remains disengaged (militarily).

Situation:
- Widening guerrilla campaign in Northern part of the country

Driving Forces:
- Ethnic discrimination and frustration over economic and social deprivation.

Conflict entrepreneurs:
- Extremist militant groups (Maoist guerrilla).

Cause of conflict:
- M-Albanian community use opportunity to strike at weak FYROM state.

Figure 5.4   Low-intensity war in Macedonia

Both these scenarios represent cases in which international military forces will be called upon. The same goes for Albania, which has already once – in 1996 – experienced a "descent into anarchy".

It is almost too easy to point out all the reasons why we will be stuck in the Balkans for an indefinite time. So, one should at least give some thought to possible developments that would allow the international military presence to end. The obvious possibility, of course, would be a settlement of today's conflicts. As indicated in the "improving" scenario for Kosovo, this would imply political changes that would allow local actors to accept the internationally sanctioned concept of "self-government within FRY", leaving it to each to consider the plausibility of that happening see figure 5.5

IMPROVING

Basic assumptions:
• K-Albanian community accepts self-government within FRY.
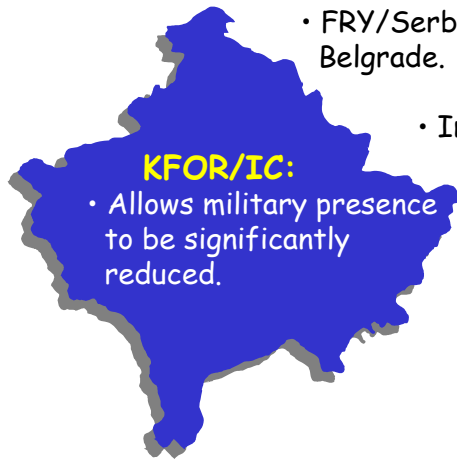
• FRY/Serbia renounces its claim to run Kosovo from Belgrade.

• Implementation of self-government for Kosovo.

KFOR/IC:
• Allows military presence to be significantly reduced.

Driving forces:
• Democratization of FRY.
• Economic development and interdependence.

Conflict entrepreneurs:
• Extremists marginalized.

Figure 5.5   Kosovo improving scenario

However, we should also consider a much more troublesome development. As indicated in the "deteriorating" scenario, a failure to prevent banditry, economic breakdown and lawlessness undermines international support for the civil and military presence in Kosovo to such a degree that the NATO-led military presence is eventually terminated, see figure 5.6.

DETERIORATING

Basic assumptions:
• K-Albanian community employ military means to achieve independence.

• FRY/Serbia "challenged"; reassert military control; armed conflict ensue between K-Alb guerrillas and FRY forces.

KFOR/IC:
• International community withdraws; no significant political/military influence

Driving Forces:
• Economic and social break down.
• Increasing # Serb DPREs.

Conflict entrepreneurs:
• Extremists and organized crime with vested interests in social anarchy.

Cause of conflict:
• Challenge to FRY authorities; cost of non-action potentially high.

Figure 5.6   Kosovo deteriorating scenario

Of course, such a development might seem extremely unlikely given the recent history of international conflict management. But one should not take it for granted that the western nations forever will be able to support conflict ridden societies all over the globe in the face of rising costs new emerging threats.

5.2   Political Update on the Development after the 17 November Election

By Boris Ruge

5.2.1   Introduction

I would like to thank General Skiaker and the Norwegian MoD for having invited me to this seminar. It is a great pleasure to be here, first and foremost because serving under General Skiaker's command and working as part of KFOR 5 HQ was a great experience and a privilege. General Valentin was happy for me to attend, but only on the condition that I state that KFOR 6 was doing an even more brilliant job than KFOR 5. And of course I do not hesitate to do so.

I was tempted to offer you one of the updates I gave back in October, because in some ways things have hardly changed. It's the same old place; you would have no trouble at all recognizing it. But at the same time there have been some significant developments, which, in time, will turn Kosovo into a rather different place from the one you knew.

Not being able to cover all areas, I would like to talk about the following topics
- Elections
- Post-Election Situation
- Belgrade and the Kosovo Serbs
- Mitrovica
- Pillar I
- Outlook

5.2.2   Elections 2001

The actual election campaign began around the time of the TOA and the campaign itself was of little interest. On the positive side, there was practically no political violence to speak of.

The major issue in the period up to the elections was whether the K-Serbs, including those in Serbia proper, would participate. That question was answered on 5 November, i.e. 12 days before the elections. As you know, they did, concentrating their votes on one list, i.e. Coalition Return.

Election day itself went without any significant problems. The OSCE did a fine job and many of the difficulties encountered in October 2000 were avoided. KFOR made its contribution, based also on many months of careful planning and preparation by KFOR 5.

As far as the results are concerned, the voter turnout was 64.3%, and thus downs from 75,2% in the municipal elections of October 2000, itself an interesting observation.

There were no major surprises on the Kosovo-Albanian side, but a number of significant developments. Table 5.1 shows the results in percentages.

Party	LDK	PDK	AAK	KP	Other KA	Non Serb minority
%	45.65	25.70	7.83	11.34	3.22	3.79
Seats in the parliament	47	26	8	22	4	13

Table 5.1   Results from elections of 17 November 2001

Considering that Belgrade gave the green light at the very last moment, the K-Serb side had a very good showing. The 11% on the slide represent almost 90.000 votes, amounting to more than 50% of registered Serb voters. In Serbia proper and in some enclaves, participation was considerable. By contrast, turnout in Mitrovica was below 10%.

On the K-Albanian side, the LDK suffered significant losses. The addition of K-Serb voters in 2001 does not allow for a direct comparison. In figure 5.7, this is taken into account. In terms of the K-Albanian vote, it is clear that the LDK suffered significant losses, while the PDK and the AAK were able to increase their support, albeit only slightly.
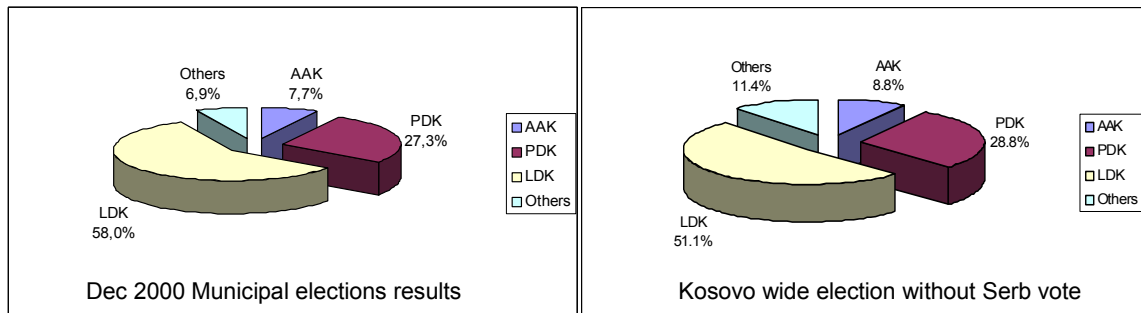
Figure 5.7   Comparison of Dec 2000 municipal elections with Nov 2001 Kosovo wide elections

The main point would appear to be that the LDK continued its decline and that it must now cooperate with others in order to govern. Keep in mind: Until 1998, the LDK was the only significant K-Albanian force.

5.2.3   Post-Election Situation

The distribution of seats in the Assembly is as shown in figure 5.8.
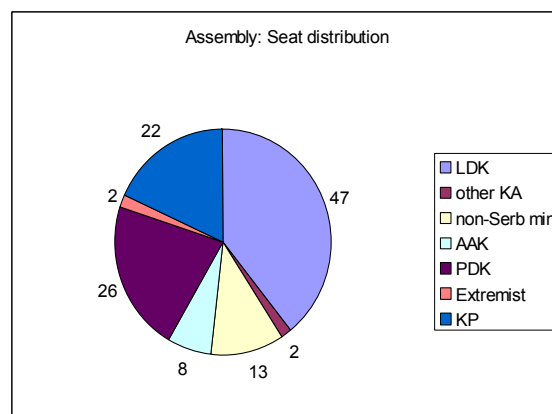

Figure 5.8   Assembly seat distribution

Rugova requires 61 votes to be elected President in a secret ballot. 61 votes are also needed at a later stage for the election of the Prime Minister. As you are interested in strategic issues rather than tactical details, I will not bore you with coalition arithmetic or the theatrics in the Assembly since December 10.

What is important is that the LDK has decided to keep the three top positions for itself, i.e. President of Kosovo, PM, and President of the Assembly. At the same time, the LDK has offered five out of 7 ministerial positions to the PDK/AAK, including two DPMs. Nonetheless, the PDK/AAK insist that they must have at least one of the top positions with Thaci promoting himself as Prime Minister.

The PDK/AAK leverage lies in their ability to block Rugova's election as President of Kosovo. Numerically, the Serb Assembly members could provide the required majority, but accepting Serb support would amount to "political suicide" as leading members of the LDK have repeatedly pointed out.

The local Quint has been involved in facilitating talks between the main players.

Currently, it still appears that Rugova will be President of Kosovo, but there is a limit to how often he can attempt to be elected. A government could be lead by an LDK man or possibly by an independent representative. A coalition supporting it could be based on LDK plus minorities and Serbs, or it could have a broader base including PDK/AAK.

There are several risks in this. If the process drags out for too long, there could be political violence among K-Albanians. If Rugova is elected with the support of the Serb group in the Assembly, we could also see increased ethnic violence.

5.2.4   Belgrade and the Kosovo Serbs

The key paper is the so-called Common Document (CD). The key points are:
- Agreed in context of K-Serbs participation in 17 Nov elections
- Re-affirms key elements of UNSCR 1244
- Promotes rights and interests of K-Serbs
- PISG cannot take decisions on final status
- Establishment of HRWG
- Specific Areas Include:
    - Return of refugees and displaced persons
    - Freedom of movement for K-Serbs
    - Judiciary/Civil Service multi-ethnic
    - Development of Kosovo Police Service
    - K-Albanian detainees transferred to UNMIK authorities

SRSG Hans Hækkerup negotiated the CD in an attempt to get Belgrade to support K-Serb participation in the vote. An agreement was reached on 5 November, and Belgrade extracted as high a price as possible. With the blessing of the chain of command, we kept KFOR out of the document. Nonetheless, we feel that the CD was a "good deal". Participation of the K-Serbs was vital and what SRSG gave away was acceptable.

At the same time, there is a danger in the CD in that it can provide a vehicle for Belgrade to insert itself in each and every issue area. The key to this is the creation of the so-called High-Ranking Working Group through which our friend Dr. Covic wishes to co-administrate the province. Covic has recently stated "that there cannot be dual Serb policies, but only one state policy which is applied through the plan, as an obligation for all authorities and state officials."

No doubt, Covic sees the Serb Assembly members, headed by Rada Trajkovic, as belonging to the latter category. It will be interesting to see whether Rada and others will emancipate themselves from Belgrade in order to protect the genuine interests of their constituents. I very much hope that Rada will be able to capitalize on the courageous positions she has taken during and after the elections.

5.2.5   Mitrovica

Mitrovica is of course a prime example of Serb policy in Kosovo. The situation as it stands today is as follow:
- Overall, the situation is calm, although we have had some violent incidents.
- The Bridge Watchers have lost support and can no longer muster large crowds; one of their colleagues is now in Bondsteel.
- Covic has announced that he will put forward a Mitrovica Plan shortly.
- Sadly, the very good Mitrovica Team will almost entirely be changed at the end of this month

The way ahead remains that laid out in the Strategy, i.e. showing the Serbs that cooperating with the IC pays off. There has been some progress with regard to the University in North Mitrovica and the creation of an LCO.

5.2.6   Pillar I

I think we can see progress here, some of which goes back to the work done by KFOR 5

The current Pillar I priorities are as follows:
- Transfer of KFOR tasks to UNMIK-Police and KPS
- Increasing numbers of international judges and prosecutors (21 to 34)
- Strategy for combating organized crime
- Establishing cooperation with PISG

The renamed Dept. of Justice with its new Director from the U.S., Clint Williamson, is focussing on dealing with organized crime and extremism. New units are being set up to deal with sensitive information and operations and they are being staffed with persons who possess the necessary clearances to do the job.

In concluding this brief presentation, we are still in the old logic of the international community running Kosovo. There has not been much of a transition. After a very good election campaign, the progress on the Kosovo Albanian side has slowed down making them still very much dependent on a substantial international presence.

Against the above background, UNMIK and KFOR should
- Maintain close cooperation at all levels between the two missions
- Maintain support for our efforts through coordinated info ops campaign
- Establish cooperation with the PISG
- Implement a joint strategy to combat organized crime and extremism and call upon local leaders to take responsibility for public security
- Cooperate with Belgrade on the basis of Common Document, but push back parallel structures and co-administration
- Promote economic development through resolution of the property issue
- Finally, at the political level, the IC must consider whether the time has to initiate a process with regard to the final status

Once again, many thanks for the invitation, and thank you for your attention.

APPENDIX

A   ABBREVIATIONS

AFNORTH	Regional Headquarters Allied Forces North Europe
AFSOUTH	Regional Headquarters Allied Forces South Europe
AAK	Alliance for the Future of Kosovo (Kosovo political party}
AO	Area of Operations
AOR	Area of responsibility
ARRC	Allied Command Europe Rapid Reaction Corps
BN	Battalion
C3	Command, Control and Communications
CD	Common Document (agreement between UNMIK and Belgrade to ensure Kosovo-Serbian participation in the 17 Nov 02 elections)
CG	Command Group
CHOD	Chief of Defence
CIMIC	Civil Military Cooperation
CINCNORTH	Commander-in-Chief Allied Forces Northern Europe
CINCSOUTH	Commander-in-Chief Allied Forces Southern Europe
COG	Centre of Gravity
COMKFOR	Commander Kosovo Forces
COS	Chief of Staff
CP	Control Posts
CRO	Crises Response Operations
DCI	Defence Capabilities Initiative
DCOM	Deputy Commander
DPM	Deputy Prime Minister
ESDI	European Security and Defence Identity
ESDP	European Security and Defence Policy
EU	European Union
EW	Electronic Warfare
GFSU	Greek Force Support Unit
GSZ	Ground Safety Zone
FFI	Forsvarets forskningsinstitutt (Norwegian Defence Research Establishment)
FOFT	Forsvarets forskningstjeneste (Danish Defence Research Establishment)
FRY	Federal Republic of Yugoslavia
FYROM	Former Republic of Yugoslavia Macedonia
HQ	Headquarters
HRWG	High Ranking Working Group
IC	International Community
IO	International Organisations
IRF	Immediate Reaction Forces
JCN	Joint (Sub-Regional) Commands North
JCNE	Joint (Sub-Regional) Commands North East
JSRC	Joint Sub-Regional Commands
K-Albanian	Kosovo Albanians
KFOR	Kosovo Forces
K-Serbs	Kosovo Serbians
KP	Coalition Returns (Kosovo Political Party)

KPC	Kosovo Protection Corps
KPS	Kosovo Police Service
LDK	Democratic League of Kosovo (Kosovo political party)
LEGAD	Legal Advisor
LOC	Lines of Communication
MC	Military Committee (NATO)
MNB	Multinational Brigade
MO	Modus operandi
MOD	Ministry of Defence
MSU	Multinational Specialised Unit
MTA	Military Technical Agreement
NAC	North Atlantic Council
NATO	North Atlantic Treaty Organisation
NBC	Nuclear, Biological and Chemical Warfare
NC3A	NATO Consultation, Command and Control Agency
NCCC	NATO Cooperation and Coordination Cell
NIC	National Intelligence Cells
NLA	(Ethnic Albanian) National Liberation Army
OA	Operational Analysis
OOTW	Operations Other Than War
OP	Observation Posts
OPS	Operations
OSCE	Organisation for Security and Cooperation in Europe
POLAD	Political Advisor
PDK	The Democratic Party of Kosovo
PfP	Partnership for Peace
PIO	Public Information Officer
PSO	Peace Support Operations
QRF	Quick Reaction Forces
Quint	The brigade lead nations (France, Germany, Italy, United Kingdom, and United States)
R&T	Research and Technology
ROE	Rules of Engagement
SACEUR	The Supreme Allied Commander Europe
SFOR	Stabilisation Force
SIGINT	Signal Intelligence
SOF	Special Operations Forces
SRSG	Special Representative of the Secretary General
TOA	Transfer of Authority
TCN	Troop Contributing Nation
TOP	Temporary Operation Procedure
UAV	Unmanned Aerial Vehicle
UNMIK	United Nations Mission In Kosovo
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution

B   ABOUT THE PRESENTERS

Espen Barth Eide is Director of the Strategic Institute Programme on Collective Security, also known as the UN Programme, at the Norwegian Institute of International Affairs. He recently resumed this position after two years as Deputy Foreign Minister (State Secretary) in the Ministry of Foreign Affairs. As responsible for the Labour Governments' Balkans policies, he was closely engaged both in the preparations for KFOR 5, Kosovo reconstruction issues, the handling of the Macedonian crisis, and the broader regional peace-building initiatives. He is a political scientist trained at the Universities of Oslo (Norway) and Barcelona (Spain). He has written extensively on European integration and European security, the United Nations and NATO, peacekeeping, conflict prevention, post-conflict peace building, security sector reform and civil war theory. Eide is co-editor of the London-based journal International Peacekeeping and member of the board of the Academic Council of the United Nations System (ACUNS).

Iver Johansen was senior analyst at the KFOR 5 HQ operational analysis cell. He is a principal scientist at FFI with a research focus on defence planning, scenarios, arms control and Russian foreign policy. He graduated with a major in political science from the University of Oslo (Norway) specialising in international relations.

Ole Lindeman was special political advisor to COMKFOR 5. Presently, he is political counsellor at the Norwegian Embassy in Moscow and has several years of experience within the Ministry of Foreign Affairs. He graduated with a major in political science from the University of Oslo (Norway). Before that, he graduated from the Naval academy and has served five years as an officer in the Royal Norwegian Navy.

Major General Ernst Lutz was Deputy Commander (Operations) in KFOR 5. He is Chief of Staff at Joint Command Northeast. He joined the Bundeswehr in 1966 and became an airborne officer (parachute) and served as a platoon leader, company commander and in an airborne brigade headquarters. In 1979, Major General Lutz graduated from the German General Staff and Command College (Führungsakademie). After that, he has held a number of command positions and staff positions in the Ministry of Defence. He was responsible for operational planning and crises management in the German Military Representative staff to the MC/NATO. Major General Lutz was a fellow at the Institute for Peace Research and Security Policy (University of Hamburg) and later a research associate at the International Institute for Strategic Studies (London). In the field of security policy, he has published a number of papers, articles and a dictionary of security political terminology.

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Major General David Wilson was Chief of Staff KFOR 5. He is Chief of Staff at Joint Command North. Major General Wilson was commissioned into the Royal Marines in 1968 and has a wide operational and command experience in Special Forces operations and amphibious operations and was commander United Kingdom/Netherlands Landing Force before becoming COS Joint Command North. Major General Wilson is a graduate of the Canadian Armed Forces Command and Staff College and the UK Higher Command and Staff College.

C CIVIL-MILITARY CO-OPERATION AND MILITARY SUPPORT TO PUBLIC SECURITY IN PEACE OPERATIONS

By Ole Lindeman

Contemporary conflicts have expanded in scope and complexity, and a general cognition of the need for a more comprehensive and inclusive approach to international peace operations has developed. While it could never be expected that the International Community[19] (IC) should settle long-standing internal ethnic disputes, it could be instrumental in putting in place institutions and facilitating the political process. Thus modern peace operations have been dubbed "second generation", in order to reflect the new emphasis on trying to settle a conflict, rather than simply to monitor compliance with a cease-fire.

Complex peace support and enforcement missions require a composite and multifunctional response.[20] On the Balkans, the military missions are increasingly seeking to interact with the civil environment. The peace operations encompass not only military, but also political and humanitarian aspects.[21] The military enforcement structure has to relate closely to both the war-affected local population and to a society of international organisations and NGOs. This implies that military and civil personnel are working more intensely and directly together than before. In the KFOR-UNMIK partnership there is already a vast arena on which civil-military co-operation is taking place. But how well is it structured? And are there any mechanisms taking care of the problems of monitoring and directing the overall development of civil-military co-operation?

Public security is a new and important arena for civil-military co-operation. It is assumed that the success of a peace operation to a large degree depends on the effectiveness of civil-military collaboration in this sector. In Kosovo there is a robust security presence, but a comparatively small presence of international civil police. One gets the paradoxical impression of much security, but little law and order[22]. Could more be done by the security and the civil presences jointly in order to fill the security gap? Is there an imbalance in the employment of civil and military structures in the public security sector?

In this essay we shall, by referring to experience from Kosovo, examine some aspects of interaction between the civil and the military presences of modern peace operations. The

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[19] Generally used to denominate capitals and international organisations with a permanent presence or representation in the peace operations area, in this case the UN, NATO, EU, OSCE, diplomatic representations and non-governmental organisations in Kosovo.

[20] Gerald Hatzenbichler: "Civil-Military Co-operation in UN Peace Operations Designed by SHIRBRIG". In *International Peacekeeping* (Volume 8). Frank Cass 2001.

[21] J.W. Rollins: "Civil-Military Co-operation (CIMIC) in Crisis Response Operations: The Implications for NATO." In *International Peacekeeping* (Volume 8). Frank Cass, 2001.

[22] See for instance Espen Barth Eide, "The Internal Security Challenge in Kosovo", (Paper for UNA-USA/IAI Conference on "Kosovo's Final Status", Rome 12-14 December 1999). In a chapter with the telling title "No Law, Little Order", Eide points out that "reversed ethnic cleansing" and organised crime is "benefiting from the near-absence of public order".

argument is that there is room for a more embracing approach to civil-military co-operation in general, and for closer co-operation in the public security sector in particular.

I   INTRODUCTION

Modern Peacekeeping Operations

Through something we may broadly relate to as the "Balkan experience", peace operations have taken on a more dynamic and complex form. The notion of limiting peace operations to upholding a neutral "buffer" between consenting parties or re-establishing and preserving a *status quo,* seems more and more remote. In the words of the Brahimi Report, peace operations normally do not *deploy into* post-conflict situations, but try *to create* them.[23] These words indicate the multidimensional challenges of modern enforcement missions. Peace operations cannot be limited to the immediate legacies of conflict, but must also seek to address the underlying causes. Without an approach that is comprehensive, integrated and all-inclusive, national reconciliation stands a meagre chance, and the root causes for ethnic and national extremism will remain.[24]   Keywords today are *transition*, *enlargement* and *integration*; they are dynamic – not static.[25] They reflect that involvement in the processes of change, i.e. political change, economic development and social reintegration, need not be anathema to the mandate of the military arm of an international peace operation, but rather an integral part of it. Terms such as "crisis response operations"[26] and "peace operations"[27], have been coined to embrace the employment of both a military and a civil mission working side by side in support of nation and institution building in a post-conflict environment[28]. Indeed, traditional "blue helmet" peacekeeping has come down a long and bumpy road towards trying to address and deal with the root causes of conflict. Modern peace operations are about rebuilding a society in the wake of conflict *within* a state rather than *between* states, thus they unfold in an environment that is normally politically sensitive and very complex.

In addition to the military – or security – aspect, a series of other activities has been integrated in the overall concept of modern peace operations. Through co-ordinated implementation of civil and military measures, the IC set out to meet the conditions for creating durable solutions. A new understanding of the nature of a security presence in a peace operation is developing,

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[23] The Brahimi Report on UN Peace Operations, UN August 2000.

[24] Gerard Å. Fischer: "Internal Conflicts and National Reconciliation. The Kosovo Experience." (UNMIK-Paper, 2001).

[25] Espen Barth Eide: "Peacekeeping past and present" in NATO Review Vol. 49 – No. 2, Summer 2001.

[26] NATO's concept of "Crisis Response Operations" (CRO) relate to so-called "non-Article 5 Operations". The concept reflects current NATO thinking on international security and crisis management, and is a recognition of the greater emphasis that NATO today give to the political components of security and on developing the proper capacities to meet unpredictable and multidirectional non-military risks. CRO was introduced as part of NATO's crisis management in recognition that its forces would deal with a "complex and diverse range of actors, risk, situations and demands". (NATO-Seminar on Modalities for Co-operation with International Organisations, Krakow, Oct. 2001). See also note xxiii below on CRO.

[27] The UN Security Council has a special responsibility for peace and security and draws up the mandates for international peace operations. A distinction is made between peacekeeping operations within the meaning of Chapter VI of the UN Charter and peace enforcement operations within the meaning of Chapter VII. In order to employ military force for purposes other than self-defence, a UN mandate invoking Chapter VII is required.

[28] See Berdal (2001), "Lessons not Learned. The Use of Force in Peace Operations in the 1990s", for a critical view on the ""catch-all phrase" *peace operation*, embracing categories as *peace support operations* and *peace enforcement operations.*" (Mats R. Berdal, Forsvarsstudier 4/2000. IFS, 2000).

and the sinews between the security and the civil presences have multiplied accordingly. As a consequence, a general tendency to expand the mandates of military missions to include certain non-military responsibilities has emerged.[29] We are moving beyond the restrictive notion of "mission creep" into actively shaping and developing the civil-military interface[30]. This development accentuates the inherent difficulties of co-ordination and distribution of labour and responsibilities between military and civil missions in peace operations. As to Kosovo, "establishing and ensuring a safe and secure environment", which is at the core of KFOR's mandate, is about much more than military action alone. It is about establishing the environment in which refugees and displaced persons can return in safety, the international civil presence can operate, a transitional administration can function and humanitarian aid be delivered *as well as* "ensuring public safety and order until the day when the civil judiciary can take full responsibility for this task"[31].

Civil-Military Co-Operation and Public Security

In this essay we will take a closer look at civil-military co-operation and military support to the public security sector in peace operations. Kosovo will be our empirical point of reference, and we will draw on experience gained in the co-operation between KFOR and its civilian partners, in particular the KFOR-UNMIK partnership. We will seek to identify external and internal variables that could shed light on the evolution of civil-military co-operation, especially with a view to determining the degree to which such co-operation can be designed and shaped, or is taken hostage by "history" and the dynamics of day-to-day operations. One basic assumption is that neither the military structure nor its civilian partners are in a position to tailor a clear-cut framework for civil-military co-operation, and – by extension – to define exactly where the responsibilities of the one mission end and those of the other start. Our second assumption is that an element of institutional overlap is more helpful than harmful to the overall achievement of the peace operation.

One of the more important challenges that the IC is facing in peace operations is that of the vacuum in public security at the initial stages of a post-conflict operation. Often the military presence will have to seek to bridge this security gap until civil law enforcement structures can take charge. As experience from Kosovo has shown, rebuilding the judiciary almost from scratch is a formidable and time-consuming task. In our opinion, the security gap constitutes a considerable challenge not only with respect to the job that the mission has set out to do, but possibly also to the success or failure of the whole peace operation as such.

In the following we will initially briefly point out how the mandate and the historical legacy of NATO in Kosovo constitute two important *external* vectors, who in their own right oblige the military structure to involve itself in civil-military co-operation. The language of the UNSCR 1244 (1999) and the Military Technical Agreement gives guidance as to the expected level of co-operation, but says very little about how this is to be achieved. We will examine some of the structural arrangements of KFOR in dealing with the civil environment, and in this context

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[29] Eide, Ibid.
[30] See for instance Eide, Ibid: "In the early days of IFOR, the emphasis was put on avoiding "mission creep", or the tendency for a force to begin taking on tasks perceived as civilian. Eventually, however, it became increasingly clear that there could be no military success in isolation." (Eide, 2001).
[31] UNSCR 1244, 9 (d).

look at certain *internal* aspects of the evolution of the KFOR – UNMIK relationship. We will also briefly explore inter-related processes within KFOR in response to changes in the security environment. Finally we will look at inter-operability in the public security sector, and try to ascertain whether this could be developed further.

II   THE SHAPING OF THE CO-OPERATION BETWEEN KFOR AND UNMIK

Two International Presences – Two Mandates

Acting under Chapter VII of the UN Charter, the Security Council on 10 June 1999 decided to deploy international security and civil presences in Kosovo under United Nations auspices.[32] The UNSCR 1244 is a robust mandate and sets up ambitious goals for the security and civil presences, and the civil-military dimension of the operation is explicitly expressed in the mandate.[33] It instructs the UN Secretary General to establish an interim civil administration to be led by his Special Representative. The Special Representative of the Secretary General (SRSG) is instructed to co-ordinate closely with the international security presence to ensure that both presences operate towards the same goals and in a mutually supportive manner[34]. Likewise the security presence is to support and closely co-ordinate with the work of the civil presence[35]. In the wording of the UNSCR 1244, the overall aim of the international security presence is to "establish a safe environment for all people in Kosovo and to facilitate the safe return to their homes of all displaced persons and refugees"[36]. Together with the security presence, the civil presence is instructed to establish basic security, protect minorities, re-establish key infrastructure, provide basic services, and assist returnees.

NATO forms the core of the international peacekeeping mission Kosovo Force (KFOR). In Kosovo close to 40.000 personnel from over 30 troop-contributing countries are currently deployed. KFOR's specific mandate comes from the Military Technical Agreement (MTA)[37] signed in Kumanovo (FYROM[38]) by NATO and Yugoslav commanders on 9 June 1999, as well as from the UNSCR 1244.[39] The MTA gives the international security force the "right" to

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[32] The Security Council furthermore decided that the political solution to the Kosovo crisis would be based on the general principles adopted in Petersberg on 6 May by the G-8 Foreign Ministers, and on the agreed principles between Finnish President Martti Ahtisaari / Russian Special Envoy Viktor Chernomyrdin and Yugoslav President Slobodan Milošević in Belgrade on 3 June.

[33] Both documents were included as annexes to UNSCR 1244. The most important principles included an immediate and verifiable end to violence and repression in Kosovo; the withdrawal of Federal and Serbian military, police and paramilitary forces; deployment in Kosovo of an effective international security presence with substantial NATO participation and under unified command and control, deployment of an international civil presence and establishment of an interim administration; the safe and free return of all refugees and displaced persons; a political process toward an interim framework agreement providing for substantial self-government; demilitarisation of the Kosovo Liberation Army (KLA); and a comprehensive approach to the economic development and stabilisation of the crisis region.

[34] UNSCR 1244, 6.

[35] Ibid., 9 (f): "Decides that the responsibilities of the international security presence to be deployed and acting in Kosovo will include...[....]...Supporting, as appropriate, and co-ordinating closely with the work of the international civil presence; ...".

[36] Ibid., Annex 2, 4.

[37] Military Technical Agreement between the International Security Force ("KFOR") and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia.

[38] I.e. "Former Yugoslav Republic of Macedonia". For the sake of convenience, I will hereafter use "Macedonia".

[39] Following the adoption of UNSCR 1244, the North Atlantic Council instructed the immediate implementation of the mandated security force (Operation Joint Guardian). The first elements, under the command of General

"monitor compliance with [the MTA] Agreement and respond promptly to any violations and restore compliance, using military force if required." It entitles KFOR to have "liaison arrangements with local Kosovo authorities, and with FRY/Serbian civil and military authorities".[40] The MTA furthermore authorises the commander of KFOR to establish a Joint Implementation Commission[41] (JIC). The JIC is mandated to handle contacts between KFOR and Yugoslav and Serbian civil and military authorities, including in the Ground Safety Zone. It has three sub-commissions; on Police and Security, Missing Persons and Border Issues, these are co-chaired by KFOR and FRY MUP, and have participation by UNMIK Police (and on Missing Persons also by ICRC). KFOR troops and the Serbian local police have on specific occasions conducted joint inspections in the Ground Safety Zone. KFOR has, however, at no time had responsibility under the MTA for law enforcement in the Ground Safety Zone, which is part of Serbia.

In NATO's Strategic Concept it is stated that the UNSC has primary responsibility for the maintenance of international peace and security. The Strategic Concept lists peace support operations and crisis management under the authority of the UNSC or the OSCE, as a new and central task for the Alliance[42], and references are made to the principles of International Law. However, at the time of the adoption of the Strategic Concept (at the Washington-Summit in April 1999), NATO forces had already since 24 March been conducting a military campaign whose legitimacy was disputed, and still is. That the member countries of the NATO Alliance themselves concluded that the use of military force in Yugoslavia was lawful and legitimate is beside the point we would like to make here, as is indeed the still ongoing discussion on the legality of Operation Allied Force[43]. Our point is that there were very particular circumstances leading NATO to Kosovo; and that this fact, even today, reflects on NATO's engagement on the Balkans in general, and on the conduct of KFOR's activities in particular. NATO's historical legacy in Kosovo is in many ways a difficult point, and considerable political and military resources have been invested in overcoming that legacy and bringing KFOR to where it is today.

Jackson, entered Kosovo on 12 June 1999. In keeping with the MTA, the deployment of KFOR was synchronised with the phased withdrawal of Federal and Serbian forces. By 20 June this withdrawal beyond the limits stipulated by the Ground Safety Zone and the Air Safety Zone established under the authority of the MTA. Thus on 20 June 1999, NATO formally announced the termination of the air campaign (Operation Allied Force).

[40] The MTA authorises KFOR to "observe, monitor and inspect any and all facilities or activities in Kosovo that the international security force [...] commander believes has or may have military or police capability, or may be associated with the employment of military or police capabilities, or are otherwise relevant to the compliance with [the MTA] Agreement." The MTA gives the force commander the explicit right to "compel the removal, withdrawal, or relocation of Specific Forces and weapons, and to order the cessation of any activities whenever the [...] ("KFOR") commander determines a potential threat to either the international security force ("KFOR") or its mission, or to another Party." (MTA Appendix B; 4 (a), (b), (c); 5.)

[41] MTA Article IV: "A JIC shall be established with the deployment of the international security force [...] to Kosovo as directed by the international security force ("KFOR") commander."

[42] The Strategic Concept describes "non-Article 5" Crisis Response Operations as those which: "[...] encompass the full spectrum of operations which could range from the most demanding types of peace enforcement to military preventive activities, and others as directed by the North Atlantic Council."

[43] See i.a. Vidar Helgesen: "Kosovo og folkeretten" (i.e. "Kosovo and International Law"), IFS Info 4/1999 and Geoffrey Robertson: "Crimes against Humanity - the Struggle for Global Justice" (pp. 401-424, "The Guernica Paradox: Bombing for Humanity"), Penguin Books 2000, for two differing views on the legality of Operation Allied Force.

Civil-Military Co-Operation (CIMIC[44])

How can a military structure be adapted to perform in a dynamic and complex peacekeeping environment? We are taking as point of departure the two assumptions mentioned above; that civil-military co-operation in real life seems to escape the institutional constraints imposed on it, and that institutional overlap probably does more good than harm to the overall purpose of the mission. The most poignant institutional difference between KFOR and a traditional military structure is that KFOR headquarters and the multinational brigades are reinforced with a staff element in charge of civil-military relations. Broadly speaking, this is KFOR's institutional interface with civil authorities and civil society in Kosovo. We will here touch briefly on how CIMIC is organised and "placed" in the staff structure at the headquarters of the military mission.[45]

CIMIC is a facilitator, a provider of services, a co-ordinator, a participant or an initiator of actions, and a catalyst for generating civil-military mutual understanding. The basic idea is that KFOR as a whole stays tuned in and on top of events developing within the civil environment, at the same time as KFOR may use its resources to provide military information and utility assets for civilian purposes where appropriate. These actions ensure that both KFOR and civilian partners work in tandem to formulate and achieve common goals and build broader cross-institutional understanding. For KFOR's part, a point of gravity is to provide the safe and secure environment upon which so many other central processes in the civil sphere in Kosovo depend.

CIMIC at KFOR headquarters is organised in two subsections: One is for *planning and operations* and has an "inward" perspective, its purpose being to sensitise the military staff at headquarters to developments on the civil end of the spectrum. Its main task is to inject "civil" information into the military decision making process. CIMIC produces plans and reports for internal and external use. On the planning side, the CIMIC staff work hand in hand with the main planning section of the headquarters in formulating plans that cover the spectrum of civil-military activities. Being an integral part of the staff structure, the CIMIC section is in a position to make provisions for civil considerations in the planning of military operations. The CIMIC-staff is situated in the middle of the triangular information flow between the headquarters, the multinational brigades and the civilian partners of the peace operation. On the operations side, immediate and short-term issues are handled on a day-to-day basis. The routine issues include a daily CIMIC-report that is staffed at headquarters and distributed to the multinational brigades and IOs/NGOs. The planning and operations section is also instrumental in providing management and oversight of special projects.[46] Secondly, CIMIC has a subsection charged with *outreach*. By using Liaison Officers, CIMIC is represented in

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[44] "Civil-Military Co-operation". The term CIMIC was established by NATO in 1997. It derives from the US Civil Affairs concept, and is based on experience from operations in Bosnia. (Hatzenbichler, 2001).

[45] We are in this article concerned only with CIMIC at force command HQ level. So-called CIMIC activities conducted at lower levels and financed through national channels are conceptually different. On this see also J.W. Rollins: "Care should be taken not confuse activities conducted as part of a theatre-level CIMIC plan and those carried out by national military contingents. Such action [must] not compromise either the [...] theatre-level plan or – by extension – activities carried out by civilian organisations. A prerequisite to ensure that this does not happen may be the Theatre Commanders full visibility over and control of such activities."(Rollins, Ibid.)

[46] E.g. the mine awareness programme, the Trepca Mine Complex environmental clean up project, KFOR support to the Kosovo-wide election and the action plan for the return of Serbs to Kosovo, just to mention a few.

all IOs/major NGOs and the civil administration. Especially, such presence is well established within all the pillars of UNMIK, UNHCR and the Departments of the Joint Interim Administrative Structure (JIAS). At the heart of KFOR's CIMIC liaison efforts lies the daily contact with UNMIK. This is where the main attention is focused.

The Elusiveness of CIMIC

It has rightfully been pointed out that the term CIMIC has become a "buzz-word" which has gained both currency and usage, but still suffers from a lack of clarity. Employing the term CIMIC without having a full understanding of what it is about, could lead to unrealistic expectations and create confusion about key aspects of the role of the military in peace operations. The question generally asked is "how far should military forces be employed outside their traditionally mandated roles?"[47] A definition based on the current understanding in NATO about "operational CIMIC and "where it sits" within the spectrum of civil-military relations", suggests simply that CIMIC is the "co-ordination and co-operation that a [military] commander employs with all the civilian actors within his area of operations in order to carry out his mission."[48] This is, however, a fairly wide definition that begs questions. It does for instance not draw a line between the point "where the military commander's mission ends and that of the civilian partners begin", it does not try to distinguish between the "wide range of civilian actors" and it provides no answers as to how to "reconcile the relative cohesion of military organisational structures with looser civilian ones, even where there is consensus on such difficult issues as end-states"[49].

Therefore a negative definition, about what CIMIC *is not*, has been proposed[50]: Military assistance to civil authorities is not the same as CIMIC, according to mainstream thinking. In such cases the military forces are operating as "sub-contractors" under civil direction throughout, for a specific and time-limited task. Civil emergency planning is also not CIMIC. Furthermore, distinction should be made between the civil affairs activities of the military organisation and CIMIC. CIMIC is part of the main operational effort and as such under the direct control of the force commander, whereas civil affairs activities are predominantly located elsewhere in the organisation and has a different operational direction (although civil affairs may be targeted through CIMIC structures if warranted by the commander's mission). Last but not least, CIMIC is not nation building, although it admittedly contributes to it. Nation building is under the remit of the civil administration, and a military peace force should not be given a formal role in it.[51] However, neither the positive nor the negative definition above seem precise enough to encapsulate the global characteristics of civil-military co-operation as it unfolds in the real world. Rather, civil-military co-operation has proved to be a fluid and elusive phenomenon. Whereas civil-military co-operation according to a conservative approach should be concerned with civil implementation of military operations, reality has seen involvement even in economic and social affairs.

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[47] Rollins, Ibid.
[48] Ibid.
[49] Ibid.
[50] Ibid.
[51] Ibid.

Instead of a definition of civil-military co-operation based on delimitation and a clear-cut distribution of labour between the military and the civil authorities, a "*transitional*" definition has been suggested. The basic assumption is that it is possible to scale back military involvement, in activities that are first and foremost the responsibility of civil authorities, as civil organisations are gradually getting established and capable of taking on their proper responsibilities. Certain benchmarks – or "transition points" – should ideally be defined in order to guide such a process[52]. We will below explore whether this could be a fruitful approach also to military support to public security structures.

In this essay we have deliberately sought to avoid making a distinction between CIMIC and the rest of the civil activities and interactions of the military structure. Our assumption is that such a distinction would be artificial, although, admittedly, in an organisational perspective it makes sense to have a staff element specifically charged with civil-military relations. We do not, however, want to narrow down the issue of civil-military co-operation to cover CIMIC activities only, but rather look for inter-relationships. The CIMIC staff is far from the only part of the military headquarters that provide input and output to/from the civil environment. The force commander (ComKFOR) and the Command Group[53] do not only represent an additional intake of information emanating from the civil surroundings, they also give guidance to and instruct the CIMIC staff. In reality civil-military co-operation plays out in a continuum within the military headquarters. It is difficult to draw borderlines, as the overall civil-military interface has developed - and is developing - as much out of circumstance as out of organisational design. For instance, the accumulated "outlook" into the civil world by the KFOR command is of decisive importance for the overall decision-making. Just to give a general idea: a) ComKFOR has regular meetings with SRSG. These meetings provide an arena for consultations in order to facilitate joint decision-making and generate inter-institutional understanding, b) ComKFOR enjoyed observer status with a right to speak in the Interim Administrative Council and the Kosovo Transitional Council, thus bringing him in direct contact with the political leaders of Kosovo.[54]; c) ComKFOR regularly participated alongside SRSG in the political dialogue with Belgrade,[55] d) in the Command Group, one of the deputy commanders is charged with Civil Affairs, e) between KFOR and UNMIK there is direct top-level co-ordination on security and police issues, and KFOR participates in the Security Panels of UNMIK Pillar I[56]. In addition to this, ComKFOR receives political visits from troop contributing countries and conducts his own visits to see political leaders of neighbouring states.[57]

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[52] Ibid.

[53] Which includes the office of the Political Advisers.

[54] As a consequence of the Kosovo-wide elections of 17 November 2001 and the establishment of the Provisional Institutions of Self-Government, the Interim Administrative Council and the Kosovo Transitional Council have been dissolved.

[55] We have here in mind the political dialogue between the SRSG and the FRY/Serbia appointed head of the Co-ordinating Centre for Kosovo, Serbian Deputy Prime Minister Čović, in which ComKFOR has regularly participated. ComKFOR has not established a KFOR-specific dialogue with Belgrade except in military matters and with FRY military counterparts.

[56] The new Pillar I, for Law and Order, was established in 2001.

[57] During KFOR 5, ComKFOR received defence and foreign ministers from an impressive part of the troop contributing countries, as well as the North Atlantic Council and the Secretary General of NATO. Together with the SRSG he received the UN Security Council, and President Putin and President Bush in addition to other state leaders. ComKFOR made several visits to Macedonia and Albania and had meetings *inter alia* with President

It is our proposition that the approach to CIMIC outlined above is too conservative and limited in its ambition. We believe that CIMIC could be the institutional hub in charge of keeping track of and giving guidance on the quasi-totality of activities pertaining to civil-military relations. But in that case, the CIMIC staff at military headquarters most probably has to be restructured and given additional and more comprehensive tasks. Although we are cognisant of concerns that suggest a less ambitious approach to civil-military co-operation, we see scope for expansion. The reasons are twofold, and the argument is partly one of organisational design, partly one of substance.

A Broader Approach to CIMIC?

We are mindful of the practical difficulties involved in trying to stick to a too rigid and restrictive line of policy on the use of the military's CIMIC structure. Experience shows that the civil environment "imposes" itself on the military structure with a doggedly persistence that it is difficult to withstand. Undeniably, suggesting to "go with it" rather than fight it, has an element of making a virtue out of a necessity. But at the same time, a more open approach to CIMIC would serve to bring the military structure and its personnel in closer contact with the political environment surrounding the operation and could, it can be argued, also serve to enhance the level and quality of the overall security implementation. We argue that there are advantages to choosing a more *pragmatic strategy*, deliberately aimed at developing the CIMIC instrument even further. Bluntly put, one needs to accept that the military structure in a peace operation cannot open and lock doors to co-operation with its civil surroundings at its own whim. One needs to turn the perception of so-called "mission creep" from something negative into something positive. Instead of fearing the "vacuum" one should seek to exploit it as an arena for closer co-operation. We therefore propose applying a broader and more ambitious perspective on what civil-military co-operation is and could achieve.

A more *process-oriented* approach to CIMIC is probably needed. At the end of the day, there is a commonality of interest between the military and the civil organisations. Economy of effort and effective use of the comparative advantages of the military and civil structures could be used to take the present-day relations even further. We are here thinking of expanded use of subsector integrated models of co-operation over the civil-military divide, e.g. by establishing steering-groups or similar arrangements on specific issues. Of particular concern to KFOR today are, or have recently been, the following areas of civil-military co-operation: the return of Serbs, election support, law and order enforcement and judicial affairs, the handling of Mitrovica. In every one of these areas, issue-specific structures have been established, and it is probably fair to say that the co-operation has yielded results. The point we would like to make at this stage is that, although co-operative arrangements with the civil environment are in place and functioning well, more could be done in order to tie the totality of civil-relations tighter in with the CIMIC element at KFOR headquarters. In order to gradually scale back military involvement in a structured way, a more comprehensive and designed civil-military cross-institutional function could prove helpful. Notwithstanding that some of the above mentioned issue-specific areas are already handled by the CIMIC staff, we would like to make the case

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Trajkovski and President Meidani. Finally, ComKFOR received high-ranking visits from several IOs and important research institutes and foundations.

for developing an expanded institutional capacity for oversight of all the civil relations in which the military headquarters is in one way or another involved.

Our suggestion is to establish an organisational framework charged with drawing up guidelines and with steering the *process* - in addition to handling the *substance* - of civil-military co-operation. We are thinking of a mechanism that could monitor and "audit" the quality and direction of civil-military co-operation. Their task would be to pinpoint and regularly assess "transition points" for evolutionary referral of civil tasks from the military to the civil administration. Transition of responsibility should be a flexible, continuous and multidirectional process, allowing for adaptations and reinforcements necessitated by the development in the general security and political climate of the peace operation. Probably there should be less focus on formal institutional remits and more attention paid to continuity and coherence of action. Inherent in such a process is also an element of inter-institutional learning and development. Nowhere does this seem more appropriate than in the field of military support to public security.

III   CIVIL-MILITARY CO-OPERATION AND PUBLIC SECURITY

Filling the Security Gap

A key concern for peacekeepers is the public security sector. In a war-shattered society, with a population that has suffered the neglect of basic law enforcement and the suspension of Rule of Law and Human Rights, it is of vital importance to quickly re-establish a civil judiciary that holds international standards. The IC must immediately send an unequivocal signal that criminal behaviour will not be tolerated and that there will be no impunity for the perpetrators of crime. Ideally, the military should only play a minor role in this process, as they are not and should normally not be, mandated to carry out criminal investigations and prosecutions. As we shall see, however, the issue is more complex than one might think. If there is a security gap, it not only reflects negatively on the IC, it could also prove detrimental to the conduct of the whole peace operation. The Brahimi Report puts it very bluntly: "[...] Peacekeepers – troops or police – who witness violence against civilians should be presumed to be authorised to stop it."[58]   It is difficult to convince the general public, as indeed also the outer international community, that some 40.000 troops and 4500 international civil police are not able to do effective policing.[59] Indeed, the question of military support to public security has imposed itself on the KFOR-UNMIK agenda.[60]

In Kosovo, the international civil police (UNMIK Police) have been given executive authority. This is a novelty as far as traditional tasks of international civil police in peace operations are concerned. Normally these have been limited to supporting, monitoring, advising, reporting

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[58] Brahimi Report, Ibid.

[59] E.g. Robertson, Ibid.: "[...] after six months ...[SRSG Kouchner] still had no legal system and no effective police force, and the 40.000 troops from thirty-five countries lacked the cohesion and purpose which could be expected from a permanent force..."

[60] (1) On 5 September 2001 a first KFOR - UNMIK Pillar I seminar on law and order was held at KFOR headquarters. (2) 4-6 November 2001 a NATO/EAPC Ad Hoc Group Seminar on *Public Security Aspects of Peacekeeping* was held in Bucharest, Romania.

and training.[61] But as the situation in Kosovo has clearly demonstrated, the international civil police element needs more than just the executive powers to be able to do the job. Obviously the international civil police need to have the required manpower in terms of both the *number* and the professional *quality* of the police officers. As it is not realistic to expect that UNMIK Police will ever get out of its manpower predicament, the whole issue of filling the security gap in Kosovo is clearly also a question about how the IC make use of its common resources. It can be argued that protecting the public security within the resources available in Kosovo could best be achieved by enhancing the role of KFOR and increasing the co-operation with UNMIK Police.[62]   There are already positive experiences in this regard. The practise of joint patrolling and conduct of operations is being adopted with increased regularity. In addition, KFOR has emulated SFOR's practise of having a *Multinational Specialised Unit* manned with personnel from Gendarmerie and Carabinieri type formations, operating under its mandate. The scope for using these kinds of resources in peace operations is significant.

But enhanced capacity for *policing* will, however, at best only take one halfway towards sorting out the problems of law enforcement in Kosovo. Espen Barth Eide (Eide, 1999[63]) points out that "there is little use in apprehending criminals if there is no court to take them to, and a sentence imposed gives little meaning without a penal system". Eide also calls attention to the problem caused by "imbalances within the security sector ..[that].. may even lead to human rights violations, like for instance when the police (for lack of a due process or a legitimate penal system) takes care of its own sentencing or punishment"[64]. As to Kosovo, this is more than a philosophical issue, given the continued use of the detention practises under the authority entrusted in ComKFOR and the SRSG. The answer is partly one of having the full judicial structure in place; i.e. having the appropriate legal instruments[65] and a properly functioning judiciary and penal system. This is a task for the civil administration. With the establishment of its Pillar I for law and order, UNMIK has taken an important step forward in dealing with this problem in a more comprehensive way. But partly the answer is also one of civil-military capacity building for joint law enforcement, *inter alia* in the field of producing intelligence and sensitive information that can serve as evidentiary information and give testimony that will hold up in court.

The issue of filling the security gap has implications that go beyond the *image* of international peacekeepers and well into the domain of international and regional power politics and the *core reasons* for peace operations. Furthermore it could have a bearing on the practical question of *defining an end-state* to the military peacekeeping mission. For instance, the international community need to develop the ability to quickly generate and have on call experts in post-conflict management and nation building, who are at a high readiness to deploy to crisis areas. In order to quickly mount an operation, one needs to have identified, and have on short call of notice, policemen, prosecutors, judges, prison warders – as well as civic planners and administrators - who can quickly deploy and begin working alongside their military counterparts. Again, most of this falls on the civil administration. As to the military

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[61] Eide, Ibid. (1999).
[62] Ibid.
[63] Ibid.
[64] Eide, Ibid.
[65] During 2001 the codified legal base for fighting serious and organised crimes and extremism was considerably reinforced by the promulgation of new UNMIK-Regulations.

mission, our suggestion is to consider inclusion of military staff officers that are also experts in policing (from the Gendarmerie, Carabinieri or other such professional formations) in the CIMIC element at headquarters level, who could act as specialists and advisers to the force commander from *within* the staff structure.

In our view, a broader approach to civil-military co-operation could allow for the operative handling of public security in a more institutionalised and focused way than what seems to be the case today. In the context of expanded military support to the judiciary, the question of inter-operability is crucial. It is inconceivable to design a perfect interface between the civil and military presences of an international peace operation. But this vital field of civil-military co-operation, upon which the peace operation's success is very much dependent, should probably not be left to an incremental approach in which the two structures separately seek to cope through trial and error and use of earlier best practices. Rather, a more comprehensive process should be initiated, and joint institutional efforts be applied. However, bringing in the same military who enforced peace, in order to enforce public security, could possibly cause apprehension and raise principal questions about the impartiality and the quality of the justice that they represent.

Impartiality and Justice[66]

Impartiality in conducting peace operations and bringing to justice those suspected of war crimes and crimes against Humanity, is about as difficult as it is important to the success of post-conflict nation building and reconciliation. As to ordinary law enforcement, turning chaos in the public security sector into cosmos almost overnight, is as pivotal as it is challenging. These are at the outset two different tasks and processes, but in reality they can be closely interwoven. Being perceived as "impartial" in Kosovo, presented KFOR with challenges within its own military structure (between NATO and certain other contributing nations) and even more importantly, with respect to relations with the Kosovo Serbs and Belgrade, as well as with the Kosovo Albanians. This already difficult situation was exacerbated by the initial inability of the international civil police to uphold the principles of justice and effectively enforce the law, a problem that to this day has not been completely overcome. This brings us to the importance of establishing an *impartial* and *just* judiciary, working on the basis of recognised Human Rights principles and the Rule of Law.

In "Lessons not Learned – The Use of Force in Peace Operations in the 1990s", Mats Berdal (Berdal, 2001[67]) questions the notion of so-called "active impartiality" and deployment and use of force in peace operations. He suggests that to "believe in the feasibility of disinterested and politically neutral "peace enforcement" may be overestimating the purity of the motives of those charged with restoring the peace, while underestimating the variety of different motives [...] – including power political and domestic ones - that influence and constrain governments in their decisions regarding the deployment and use of military force." The author highlights

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[66] On both accounts the process conducted by the International Criminal Tribunal for Former Yugoslavia, is of crucial importance. This is, however, a judicial process that follows its own course, and which both in time and location lacks proximity to the processes on the ground in Kosovo that we are here first and foremost concerned with. The "Hague Tribunal" is of course vulnerable to attempts of political exploitation by Serbs/Kosovo Serbs and Kosovo Albanians alike. This secondary relation is on the other hand something that affects the question of upholding the international civil and security presences' image of being impartial and just.

[67] Berdal, Ibid.

some basic difficulties involved in the use of military force in what he describes as ""messy", volatile and dangerous" peace operations. Firstly, he questions the role and utility of military force, his point being that deeply rooted political problems stand a meagre chance of being "fixed" through enforcement operations, and that the linkage between the employment of force and the "long-term political objective which the use of force is intended to achieve", is uncertain. His second point is that no matter how "clinical", any application of force, necessarily must have consequences for the unfolding of the political dynamics of the conflict and have impact on the "local balance of military, political and economic interests in [...] complex intra-state conflicts [...]".

Geoffrey Robertson (Robertson, 2000[68]) makes a related point when he criticises the IC for creating a "peace without justice". He argues that"[...] the lack of any provision for justice was NATO's real defeat in the war." "No doubt", he continues, "[NATO] felt pressure, as did the UN, from the pragmatic imperative of getting over a million refugees back ...[...]... before winter." His main point is that by leaving Milošević's crimes unrequited, the IC induced the Kosovo Albanians (in this context mainly the KLA, but not only!) into taking the law into their own hands and thereby "wreaking vengeance on the remaining Serbs so relentlessly that Kosovo [...] (contrary to everything the humanitarian intervention stood for)" was on its way to being cleansed of its Serb and Roma minorities; i.e. was at risk of becoming an "ethnically cleansed province". The Brahimi report seeks to bring this crucial issue forward by making reference to the UN Charter rather than to the parties of a conflict: "[...].... consent of the local parties, impartiality and the use of force only in self-defence should remain the bedrock principles of peacekeeping. [...] Impartiality for the United Nations operations must [...] mean adherence to the Charter. [...] No failure did more to damage the standing and credibility of United Nations peacekeeping in the 1990s than its reluctance to distinguish victim from aggressor."[69]

Similarly, our conclusion is that it is the law that has to be impartial, not those charged with enforcing it. Having the necessary legal instruments and the structure to use them according to international standards and norms, must be the best safeguard for maintaining impartiality and upholding the principles of justice. In parallel, it is important, however, to secure the sort of longer term legitimacy that can only be provided by giving the local communities a feeling of "ownership" to the forces authorised to police them. It is a sound principle of law enforcement that a population should be policed by their "own". If the different ethnic communities do not "see the police as legitimate representatives of a government they recognise (if not necessarily agree with),..[..]..the police becomes either ineffective or illegitimate..".[70] In Kosovo this is a matter of concern since the Kosovo Police Service is still far away from having the "correct" ethnic composition and balance, as well as lack the required formal authority to execute law enforcement over the entire spectrum.

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[68] Robertson, Ibid.
[69] Brahimi Report, Ibid.
[70] Eide, Ibid. (1999).

General Security and Military Support to Public Security

As one has witnessed in Kosovo, the borderline between the *external* security situation and *internal* public security, can be difficult to draw. Co-operation between the military and the civil law enforcement structures in this grey area easily gets complicated by institutional differences of priority. It is not evident that the military mission, even with the best of intentions, has the operational capacity and resources to start unravelling the criminal web from what – from a *policing* perspective - would seem to be the most productive way.
Over the first two years of its existence, KFOR has had to adapt to considerable changes in the security environment. It is important to bear in mind that KFOR came from a situation where the main threat to peace and security was perceived to come from the outside.
A new kind of external threat, for which KFOR was at the outset unprepared and ill-equipped to tackle, has later materialised: one which in a disturbing way is inter-related with the developments on the internal security scene. We are here thinking of the challenges posed by ethnic Albanian extremists involved in the insurgencies in Southern Serbia and Northern Macedonia. These groups are somehow connected to an amorphous criminal nexus operating partly out of Kosovo and are involved in activities ranging from ethnic violence to organised crime and political extremism. Obviously this is part of the legacy of the former KLA, but these structures are also rooted elsewhere in the Kosovar society as well as outside Kosovo.

Organised crime constitutes a particular and multi-layered threat to the safety and security in Kosovo, and fighting organised crime is gradually becoming a focal point of KFOR's actions. UNSCR 1244 gives KFOR the necessary authority to address this crucial problem.[71] It is probably an important lesson learned that these challenges to the implementation of the peace operation, should be regarded and treated as a threat to the public security and not be unduly politicised. The situation is best helped by solving the law and order predicament. To get to the root of organised crime, sustained and joint efforts Kosovo-wide have been employed in co-ordination between KFOR, UNMIK Police and the civil judiciary. Following the promulgation of new UNMIK Regulations on organised crime in 2001, UNMIK and KFOR now have the necessary legal instruments to fight organised crime efficiently. Today the international civil police are operational Kosovo-wide. This has, however, taken time, and the situation is still far from ideal.

Durable improvements in the overall security situation can only be guaranteed through efficient policing and a functional judicial system. It is vital that the general public trust the ability of the police and judiciary to apprehend, fairly prosecute, pass sentences and imprison those responsible for crime. Over the entire spectrum from apprehension to detention, KFOR and UNMIK have experienced challenges and found areas suited for co-operation. More can still be done, and the issue is under scrutiny by both KFOR and UNMIK. The question of a closer co-operation between KFOR and UNMIK on policing and law and order enforcement was introduced at a joint KFOR-UNMIK seminar dedicated to this issue in September 2001[72],

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[71] See, however, critical note by Françoise Hampson in paper submitted to UN Sub-Commission on the Promotion and Protection of Human Rights (53rd Session, 2001), in which it is pointed out that: "[...]...[UNSCR 1244] is seriously flawed. [...] Nowhere does the resolution discuss whether the international security presence has the power to detain, nor does it address whether the security force has the power to try persons accused of committing crime."
[72] 5 September 2001 at Film City, the "KFOR and UNMIK Pillar I Seminar on Law and Order".

where suggested areas of further co-operation were identified. A new dimension could be the evolving triangular co-operation between KFOR, UNMIK Police and the international prosecutors. Moreover, creating a greater commonality and clarity on detention practise and policy in this regard, has become a priority. If the military is to engage more comprehensively in public law and order enforcement, which is the case we are making, it has much to learn from the professional police. On-the-job training of the military in policing as well as establishing common search policies and operative guidelines, could prove helpful. Yet another area of co-operation, is the exchange of information and intelligence as well as setting up police and court databases with central access to criminal statistics.

Security and the Political Environment

KFOR's efforts to maintain a safe environment and to provide for the security conditions that allow return of refugees and displaced persons, has become a pivotal point in the political dialogue between UNMIK and Belgrade. Notably, progress with regard to missing persons, protection of Serb properties and increased freedom of movement is essential within the broader framework of defining and enforcing acceptable security standards. Providing security for the Kosovo Serb community is crucial as a means of creating an all-inclusive society. Convincing the Serbs that they are legitimate stakeholders in the political processes of Kosovo and that they have a meaningful role to play in the Provisional Institutions of Self-Government, is equally important. Obviously Serb leaders in Kosovo and Belgrade need to see that issues of vital importance to them are efficaciously addressed by UNMIK and KFOR.

Also, the leadership in Belgrade has to lend genuine support to the political process. Today political and military authorities in Belgrade are perceived as partners and no longer relevant as a security threat. The UNMIK-FRY Common Document agreed on 5 November[73] between the SRSG and DPM Čović in his capacity as President of the FRY/Serbian Co-ordinating Centre for Kosovo, could be an important mechanism for bringing added substance to this process. The commander of KFOR has as a rule participated in the development of the political dialogue between SRSG and Belgrade. Although many of the topics on the agenda fall under the remit of UNMIK, there are tangible advantages to such an inclusive approach. It allows for increased attention to security specific issues and guarantees that such considerations are given their rightful place in the shaping of relations with Belgrade.

As is very much the case in Kosovo, the peace operation is partly played out on the international macro-political scene. The UNSC and the NAC keep a watchful eye on their engagement in Kosovo and on the Balkans in general. Especially KFOR and NATO are vulnerable to politicised criticism originating from real or more or less construed perceptions: that organised crime and trafficking is being allowed to flourish; that weapons are being transported criss-cross Kosovo to the hot-spots of southern Serbia and Macedonia; that minorities are not enjoying the minimum personal security nor freedom of movement. At the end of the day, however, no amount of soldiers or international police will ever be enough to make an end to inter-ethnic violence, political crime and extremism in Kosovo. Neither KFOR nor UNMIK can impose peace and reconciliation, they can at best deliver stability and create conditions conducive to furthering a peaceful coexistence between the

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[73] Signed in Belgrade 5 November 2001

communities. Without political vision and courage by the Kosovo Albanian and Serb leadership, the violence will continue irrespective of the efforts of the international community. This problematic issue must be expected to have a tangible bearing on the Kosovo-Albanian aspirations of independence for Kosovo. Without a different and more responsible approach by Kosovo's elected Albanian leaders, Kosovo risks being branded a "failed state" even before the question of the final status is squarely put on the international agenda.

V   CONCLUSION

Towards the further Strengthening of Civil-Military Co-Operation

KFOR and UNMIK are in the forefront of complex international peace operations. Their relationship forms a civil-military duality in multidimensional peacekeeping and enforcement that is gradually breaking new ground. Under their common as well as mission-specific mandates, KFOR and UNMIK are responsible for tasks ranging from security to civil administration, economic rehabilitation and reconstruction, institution building, return of displaced persons and refugees and Human Rights. At the outset it looks simple: KFOR is charged with providing the safe and secure environment within which UNMIK is responsible for administration in the transition period. Together, KFOR and UNMIK are the international community's "care-takers" in Kosovo", and are as such invested with powers to "steer" the gradual hand-over of authority to democratically elected bodies - without Kosovo sliding back into conflict or prejudging the final status of Kosovo.

In reality the task is far from easy. The civil-military middle ground, where the civil and the security presences meet, is as complex as it is dynamic. Indeed, it is an arena that it is difficult to design. The multidimensional nature of the peace operation in Kosovo requires a close and efficient co-operation between the military commanders and the civil environment on all levels. Frictions can occur if the civil and the military programmes develop at a different pace. The military, by way of organisation, decision-making capabilities and resources are *result*-oriented in its general approach, and eager to reach objectives quickly - whereas the civil programme has a different implementation structure and is generally more attuned to creating and managing a *process*.

Result and process should not be regarded as dichotomies, rather as different sides of the same coin. But this difference in approach does lead to certain challenges with regard to the division of responsibilities between the military and the civil presences. The situation easily draws the military into conducting tasks that are ideally the responsibility of the civil authority, such as public security, law and order, refugee assistance, support for municipal services, etc. One has to accept that vacuums occur, and re-occur – and be flexible enough to fill them. Our point of departure is that civil-military co-operation in peace operations is inevitable, and that its level of organisation could be a determining factor for the success or failure of a mission.

We make the case for expanded civil-military co-operation by design, rather than by default. Although our impression is that the civil-military co-operation is not easily designed, it could

probably be shaped and streamlined more than is the case today. Moreover, much is to be gained by employing a proactive stance. We believe that there are certain mechanisms embodied in the military structure that could be used for this purpose. Today, this view should be more or less in line with mainstream thinking. A less propagated and accepted idea, however, is that significant military involvement in co-operation with the civil environment could actually be helpful in bringing the military mission closer to its own end-state. With respect to those who would oppose such an idea, it has to be admitted that the case we are making is not obvious, and that there is still not too much empirical knowledge at hand that might lend support to it. Based on the evolving practises in Kosovo, we have, nonetheless, suggested that military support to public security and co-operation with the civil judiciary, is an arena for civil-military interaction that should be further developed.

Civil-Military Co-Operation in the Public Security Sector

The public security sector is generally a critical area of concern in crisis and post-conflict situations. The successful implementation of security sector reform measures is in many instances a pre-requisite for preventing re-occurrences of conflict, ensuring progress in reconciliation, enabling sustained progress towards peace and security, and creating conditions for sustainable development. Inter-mixed with inter-ethnic violence, one finds cross-border organised crime and political extremism. The web of inter-related consequences and dependencies is vast, and the regional political implications are far-reaching.

The problem of impartiality and of administering a *just* justice, seems to be generic to Chapter VII peace enforcement operations. Military support to public security is not a perfect solution for many good reasons. But it is still worse to do nothing. The transition from peace enforcement to law enforcement is not a linear development. With co-operation and added experience, the result will improve; civil-military co-operation in the field of public security has come to stay in one form or another. We see a potential co-ordinating role for the CIMIC structure in this regard. This should not happen at the ground operational level, but closer to the core of the civil-military inter-institutional co-operation. In addition to its present tasks, CIMIC should develop an institutional capacity for "staying above the fray", and monitor and give direction to the civil-military co-operation in a *global* sense.
CIMIC staff at the military headquarters should be well situated for setting benchmarks towards the transition of responsibility across the spectrum of civil-military activities. In such an expanded configuration, the CIMIC staff could also serve as a mechanism - at headquarters level - for drawing up local strategies and guiding the military structure down the road to force extraction.

There are many stumbling blocks along the road. The process from start-of-mission to end-state is seldom defined. It is difficult if not unrealistic to lay out the roadmap and mark the critical path from initial engagement in a particular area of activity, through a number of carefully planned milestones, towards the transition of responsibility from the military over to the civil implementing partners. The main challenge seems to be how to overcome the institutional fault line running through the civil-military divide. The military may risk finding itself embroiled in activities from which it will only get more difficult – rather than easier – to liberate oneself and extract. But there are intra-institutional difficulties to take into account as

well. Being mindful of these caveats, we are, however, of the opinion that the potential gains of doing more rather than less of both *civil-military co-operation* and *military support to public security* - probably outweigh the losses. If the two tasks could be institutionally co-located in the military structure, even more could be achieved within both domains. However, the final balance sheet of pros and cons based on empirical and practical experience has yet to be drawn up.

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Unclassified	140	108

RAPPORTENS TITTEL	FORFATTER(E)
EXPERIENCES FROM KFOR 5 AND IMPLICATIONS FOR DEFENCE PLANNING, NATIONAL CONTRIBUTIONS AND OPERATIONAL ANALYSIS. Symposium Report. Oslo 16-17 January 2002	OTTERLEI Jonny M (editor)

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FFI-K1   Retningslinjer for fordeling og forsendelse er gitt i Oraklet, Bind I, Bestemmelser om publikasjoner for Forsvarets forskningsinstitutt, pkt 2 og 5. Benytt ny side om nødvendig.

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