

## **The UN and Bosnia: Mishandling of Justice**

From the 11th to the 22nd of July, 1995, the Bosniak town of Srebrenica was cleansed of Bosnians by the Armed Forces of Republika Srpska under Ratko Mladić. Mladić would, at the negotiations with the UN Peacekeepers and the Bosniak citizens of the town before the massacre, state that “Allah cannot save you, only Mladić can.” By the 22nd, over 8,000 Bosniak men and boys were killed while the women were sent away along with UN Peacekeepers under Dutch command. The Bosniaks who met their fate were buried in mass graves or left out in the open to rot, while Srpska troops occupied the formerly Bosniak resort town. Many Bosniaks fled towards Sarajevo, directly west of Srebrenica. What is often discussed about the Srebrenica Massacre is the subject of the Dutch UN Peacekeepers who stood aside and let it happen. Simply put, they had no choice due to how the United Nations functions.

The United Nations suffers from ineptitude and shortages, making them an ineffective force to protect peace. To explain this point, the focus will be analyzing conflicts that lead up to the events in Bosnia, specifically in Korea and the Congo. Following this, the focus will shift to an in-depth analysis of the UN’s actions in both Bosnia and Croatia during the Yugoslav Wars before Srebrenica. After the general analyzation of UN Balkan intervention, the topic of Srebrenica will be discussed in terms of intervention. Finally, I will speak about the concept of peace enforcement as opposed to peacekeeping, and how it should be the modus operandi for UN troops in any mission. Last to be discussed, however, will be where the UN should go moving forward in terms of international intervention and the moral obligations behind the UN. But,

before I move into the past, one must first understand the Rules of Engagement of the UN, henceforth referred to as the RoE.

The RoE is a document that dictates how and to what degree peacekeepers will operate in a given environment, with one being made normally for each individual mission that the UN undertakes. According to the RoE document provided as part of Bruce D. Berkowitz's article, peacekeepers are unable to retaliate to armed situations, and may not continue firing if the hostile force stops firing.<sup>1</sup> In essence, the RoE serves as more a barrier to help than helpful to those it seeks to protect. Also mentioned is that peacekeepers must shout orders to stop until a mutual understanding is achieved. Such demonstrates the shortcomings of the RoE, along with other examples to be spoken of later.

However, a little background is needed if the conflict in Bosnia is to be understood as is, which is as a religious conflict. The local population in the Balkans before the Ottoman incursions were of Christian faith. The Croats and Hungarians professed the Roman Catholic faith, while the remainder (Serbians, Bulgars, Makedonians, and Montenegrans) professed the Eastern Orthodox faith practiced in Greece. The 1400s saw the Muslim Turks, known as the Ottoman Empire, invade and take the land owned by these people under their stewardship.<sup>2</sup> The Ottomans organized their state into *millets*, which were state and legal divisions based on majority religious affiliation, to be administered by the religious leaders of each sect (for example: The Christian Millet, the Jewish Millet). Those who were Muslims were part of the *umma*, or followers of the Muslim faith. This would create a somewhat strict class structure in

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<sup>1</sup> Berkowitz, Bruce D. "Rules of Engagement for U.N. Peacekeeping Forces in Bosnia." *Orbis* 38, no. 4 (Fall 1994): 635.

<sup>2</sup> Mojzes, Paul. "From Genocide to Dialogue Christian-Muslim Relations in the Former Yugoslavia." *Occasional Papers on Religion in Eastern Europe* 34, no. 3 (April 2014): 14–34.

the eyes of non-Muslim, while the Sultan and Muslims in the Empire saw this as very tolerant.<sup>3</sup> As Islam spread, a new group of people in the Balkans began to emerge as a ruling class. These are the Bosniaks, who were Croatians or Serbians who adopted Islam during Ottoman ownership. The Bosniaks lived in historically Serbian lands, where the Serbian Slavs had settled after Rome had fallen, and been subjugated ever since by the Byzantines and others.

During the late 1800s, nationalism began to rise in the region. Bulgarian, Serbian, Greek, Croatian, and Montenegrin nationalism resulted in revolts and wars in the region. Most of this hatred was directed at the Muslim ruling class, like the Bosniaks and Albanians, who owned most of the land and were considered in a higher class in the Ottoman Empire. The Ottomans were weak by the turn of the century, suffering from two major coups (The Young Turk Revolution in 1908 and the Sultan's Countercoup in 1909) and were not in any position to oppose nations like Montenegro declaring independence. Furthermore, the Western European powers had been tentatively backing the Ottoman state ever since the Crimean War of the 1850s, which saw the British and French backing the Ottomans against the Russian Empire. The Serbians had been independent by 1817 following their own revolt from the Ottoman Empire. With the Ottomans unable to respond, the Balkan nations formed the Balkan League, declaring war on the Ottoman Empire to seize territory. By the end of the war, from October 1912 until May 1913, the Ottomans lost nearly all their territory in the Balkans, isolating the Muslim minority in Bosnia and Albania from the Empire.

By mid 1913, the Balkans had been largely liberated from Ottoman hands. Nations either found themselves independent, or under the control of the Austro-Hungarian Empire (Croatia

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<sup>3</sup> Mojzes, Paul. "From Genocide to Dialogue Christian-Muslim Relations in the Former Yugoslavia." Occasional Papers on Religion in Eastern Europe 34, no. 3 (April 2014): 14–34.

and Bosnia). The First World War brought devastation to Serbia, and saw Bulgaria join the Central Powers against Serbia and the Allies. As a result of the Allied victory in WWI, enforced by the various signed treaties, most of the Balkans would become the Kingdom of Serbs, Croats, and Slovenes. This would, in turn, become the Kingdom of Yugoslavia. The Kingdom wasn't very stable and faced a lot of internal issues revolving around ethnic and religious tension. Nationalist groups plagued the new Kingdom, resulting in the assassination of King Alexander I by a Bulgarian nationalist group who were in an informal alliance with a Croatian Nationalist group known as the Ustaše.

During the Second World War, nations in the Balkans had three options: Collaborate with the Nazis, be oppressed by collaborationist governments, or stand against the Nazis. The Croats chose to join the Nazis under the name "Independent State of Croatia", with the Ustaše tanking command under Ante Pavelić. The Ustase opened up the only concentration camps in WWII in Europe that were not operated by the Germans, targeting the Serbs and the Bosnians to a lesser degree. The Waffen-Schutzstaffel (Waffen-SS) formed three Muslim divisions, two of which were Bosniak in origin.<sup>4</sup> The Serbians had their own right wing groups, descendant from the Black Hand, known best for enabling the assassination of Archduke Franz Ferdinand in 1914 in order to start WWI. They were known as Četnici, or Chetniks. They opposed the Ustaše and the various Partizan groups lead by Josip Broz Tito. By 1945, Tito's Partizans would have the upper hand against all other factions fighting in the Balkans, and would form Yugoslavia as a Communist state after Germany's surrender in 1945.

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<sup>4</sup> Ibidib

Tito's Yugoslavia favored the Serbians (and to a lesser degree, the Croats) over any other ethnic groups in Yugoslavia. Serbians were disproportionately represented in the League of Communists of Yugoslavia.<sup>5</sup> This turned the power structure of old, where the Bosniaks used to be the ruling class and Christians were ruled by the Bosniaks and Turks, to a system where the Christian overall majority oppressed the Muslim overall minority even in areas where they were the majority population. Tito's Yugoslavia would never reach the point of genocide or ethnic cleansing, just preferential treatment, but the origins of the conflict can be seen in Tito's Yugoslavia. Serbians, since they enjoyed favoring from an authoritarian government, had their housing requests filled, and they flooded into Bosnia as did the Croats. The sudden influx from 1945-1980 made an already tense situation worse. Kosovo, the Albanians living in Serbia, were also oppressed using this method.

As the Communist states in Eastern Europe collapsed in the late 80s and early 90s, only two of these nations saw advanced violence and conflict come out of them. These were Romania and Yugoslavia, Romania's issue would be quickly handled, as Nicolae Ceaușescu and his wife would be tried and killed by the people. In Yugoslavia, Slobodan Milošević, President of the League of Communists, would take de-facto control of Yugoslavia. Slovenia would be the first nation to leave the nation; followed by Croatia, Bosnia, and Macedonia. This would be the backdrop of the Yugoslav Wars, where the UN was deployed to keep the peace in Croatia and Bosnia, and where the ethnic cleansing would take place.

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<sup>5</sup> Flere, Sergej. "Blind Alleys in Ethnic Essentialist Explanations of the Downfall of the Former Yugoslavia." *Critical Sociology* (Brill Academic Publishers) 29, no. 2 (July 2003): 237–56.

# Chapter I:

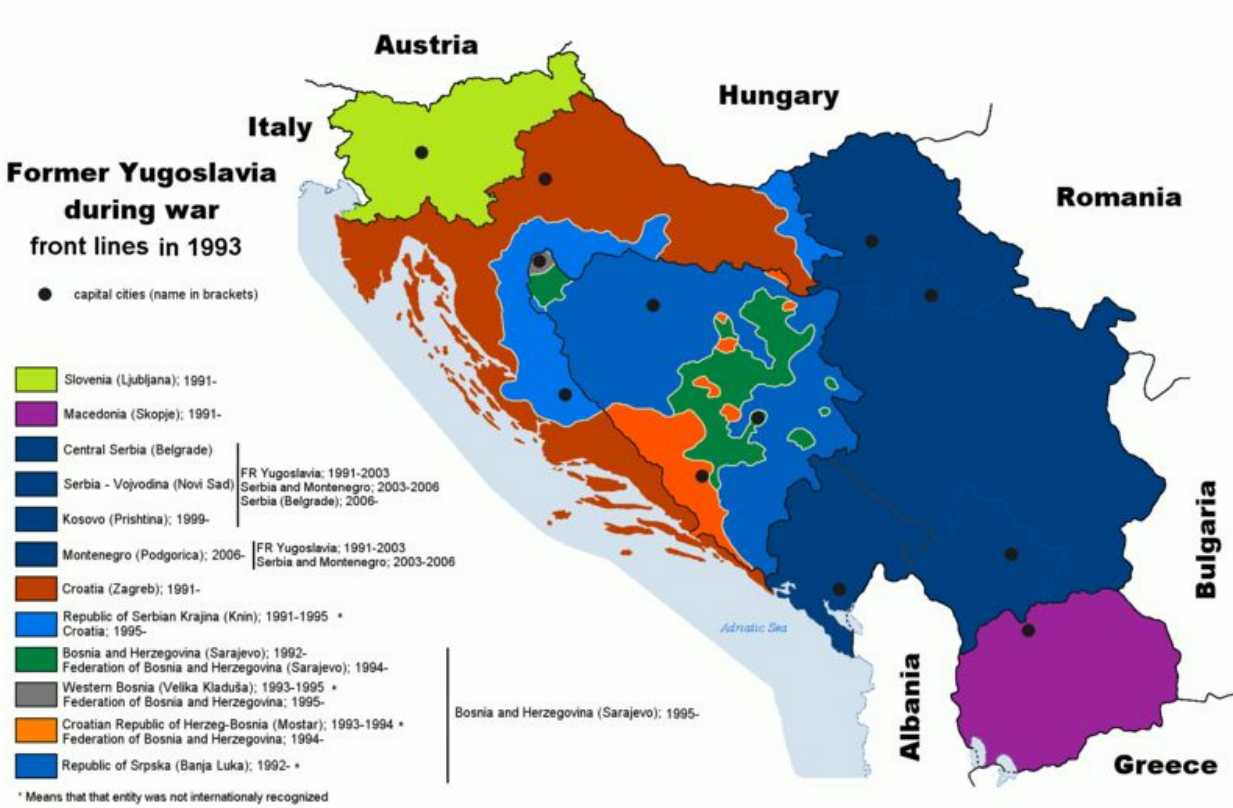


Fig. 1. Map by Paweł Goleniowski, 2006. Scaled Vector Graphics

From the 11th to the 22nd of July, 1995, the Bosniak town of Srebrenica was cleansed of Bosnians by the Republika Srpska (Also known as Bosnian Serb Republic) armed forces under Ratko Mladić. Mladić would, at the negotiations with the UN Peacekeepers and the Bosniak citizens of the town before the massacre state that “Allah cannot save you, only Mladić can.” By the 22nd, over 8,000 Bosniak men and boys were killed while the women were sent away along with UN Peacekeepers under Dutch command. The Bosniaks who met their fate were buried in mass graves or left out in the open, while Srpska troops occupied the formerly Bosniak resort town. Many Bosniaks fled towards Sarajevo, directly west of Srebrenica. What is often discussed about the Srebrenica Massacre is the subject of the Dutch UN Peacekeepers who stood aside and let it happen. Simply put, they had no choice due to how the United Nations functions.

The issue began in 1992, when the United Nations Security Council (henceforth referred to as the UNSC) voted to expand the U.N. Protection Force (UNPROFOR) to include Bosnia along with Croatia. Some in the U.N. Peacekeeping department were worried from the start. Marrack Goulding, head of the Department of Peacekeeping Operations at the UN, wrote to UN Secretary-General Boutros Boutros-Ghali that the operation would be impossible due to the nature of continued warfare on the ground in Bosnia. Boutros-Ghali agreed.<sup>6</sup> Nevertheless, in June of 1992, UN Peacekeepers were slated to arrive in Bosnia and begin the job of keeping Republika Srpska and the Bosniaks separate. Other concerns had been raised by Goulding, who cited the UN’s abhorrent performance in Rwanda and Somalia as examples why the UN was not prepared for Bosnia.<sup>7</sup>

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<sup>6</sup> Rieff, David. “The Illusions of Peacekeeping.” *World Policy Journal* 11, no. 3 (Fall 1994)

<sup>7</sup>Idibid

The differences between Croatia and Bosnia became apparent to the peacekeeping force deployed. In Croatia, the issues of Serbian Krajina had largely been solved, and now the mission was to keep two dormant belligerents from engaging one another or breaking ceasefire. Bosnia, however, was in the midst of an active conflict with negotiations yielding no diplomatic fruits. The city of Sarajevo had been placed under siege by the Army of Republika Srpska (henceforth known as VRS). VRS and Bosnian forces committed atrocities against opposing civilians, with a disproportionate amount of violence coming from VRS.<sup>8</sup> To a lesser extent stood Croats, who sought to found their own state in Bosnia, called the Croatian Republic of Herzeg-Bosnia. One thing was certain: The UN was completely unprepared logistically, legally, and morally to deal with the issue at hand. This substantial mismanagement would result in thousands dead, and millions displaced. Unlike the combatants in question, the UN Peacekeepers could not expand safe area territory by force, due to the Rules of Engagement (henceforth to be referred to as the RoE).

The United Nations attempted to enforce various safe areas, including Sarajevo and Srebrenica. Safe areas are areas designated by the UN where no fighting may occur and where civilians will be protected. Several safe areas were set up all over Bosnia. These areas would be guarded by UNPROFOR personnel at all times, be subjected to strict checkpoints, and would be enforced with arms. Many of said safe areas, specifically the aforementioned Sarajevo and Srebrenica, weren't effective. Sarajevo, the capital of Bosnia, was under constant shelling from the VRS who were supported by the Yugoslav People's Army (henceforth known as JNA). The UN failed to address the issue due to their defensive and moralistically neutral nature, the latter

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<sup>8</sup>Hoare, Marko Attila. "Towards an Explanation for the Bosnian Genocide of 1992-1995." *Studies In Ethnicity & Nationalism* 14, no. 3 (December 2014): 516–32

of which will be discussed later. There was also great humanitarian overtures made to civilians in Bosnia during the UNPROFOR mission in Bosnia and Croatia, with the rich nations under the guise of the UN Commission for Human Rights (UNCHR) began pouring tons of food aid into the nation. These convoys were regularly denied by the VRS. However, an agreement between the VRS and the UN was reached in early 1992 to allow humanitarian aid to be flown into Sarajevo<sup>9</sup>. This, however, didn't solve the issue with actual convoys reaching far out Serbian and Bosniak towns in the war zone, which still were stopped regularly. The UN was unable to force the aid through, however.

As can be clearly seen in Figure 2, in the early stages of the war, massive human rights abuses were already beginning. Pictured is a pro-Serbian militia known as Skorpion, attacking Bosniak civilians in in 1992, shortly after the beginning of the war. This photo was released to the public almost immediately, however they seemed to not have a bearing on the international response to Bosnia at the time. This is just one early example of massive human rights violations that should have put weight to what was being said by civilians during Srebrenica to the UN.

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<sup>9</sup> Rapp, Kyle. "Protection from Tragedy: Developing Effective and Legitimate Safe Zones after the Tragedy of Srebrenica." *International Social Science Review* 91, no. 2 (December 2015): 1–35.



Fig.2: Serbian Militiaman kicks a dying Bosniak Woman, 1992. Taken by Ron Haviv

To understand the UN's shortcomings, one must look at the RoE. The primary issue is the RoE's complexity and overreaching nature. For example, the RoE uses a concept known as decision tree, which means that there's multiple avenues to tackle a problem. This goes against most established forms and executions of warfare, especially for western armies.<sup>10</sup> The RoE's function is two fold: It is to ensure the political mission is met, and to minimize unnecessary casualties. The primary issue with this is not in the nature of the document, but with the nature of its creation. The RoE for Bosnia was created to adhere to UNSC Resolution #721<sup>11</sup>, which

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<sup>10</sup> Berkowitz, Bruce D. "Rules of Engagement for U.N. Peacekeeping Forces in Bosnia." *Orbis* 38, no. 4 (Fall 1994): 635.

<sup>11</sup> Berkowitz, Bruce D. "Rules of Engagement for U.N. Peacekeeping Forces in Bosnia." *Orbis* 38, no. 4 (Fall 1994): 635.

strongly encouraged the foundation of a peacekeeping mission in Bosnia. To present an example as to why this RoE was so disastrous, I will cite the RoE itself.

#### 9. Rule No. 04: Response to Hostile Act (with Use of Fire)

Option A: take immediate protection measures, observe and report. Warn the aggressor of intent to use force and demonstrate resolve by appropriate means. warning shots are authorized (See paragraph 15 and Annex A). Report action taken. If the hostile act does not cease and life is threatened, Option B can be ordered by the troop commander.

Option B: On order, Open Fire (See paragraph 16 and Annex A). Report action taken.

Note: In both Option A and Option B the following manoeuvres are authorized (Depending on the situation, orders and reports given by the troop commander):

- (1) Withdraw in order to preserve own Force,
- (2) Stay in place and defend, or
- (3) Move through to escape and preserve own force.

A western commander attempting to answer a situation in which requires return fire would be at a loss as to what option to choose. This would require a commander to read the notes and rules each time an action would occur, leading to complete confusion and a completely ineffective fighting force. The sluggish nature of rule checking and ensuring the sanctity of the UN would be some of the largest hindrances to the whole mission.

This concoction of issues and trials would begin to come together just before the massacre at Srebrenica. VRS troops would be pushing the envelope everywhere as US attacks increased, because by this time, NATO was set on intervening in the conflict on behalf of the United Nations. The group guarding the safe area at Srebrenica were of Dutch origin, known as Dutchbat. As the VRS approached the town, lead by Ratko Mladic, people grew fearful because they knew what his force was capable of. However, at the end of the day, the Dutch stepped aside as they were powerless to do anything otherwise due to their equipment and the RoE. What

would follow is the most noted atrocity from the Yugoslav Wars, cited as the worst massacre in Europe since World War II. This is the Massacre of Srebrenica.



Fig 3: Bosniak Mass Grave near Čančari, ICTY

## Chapter II

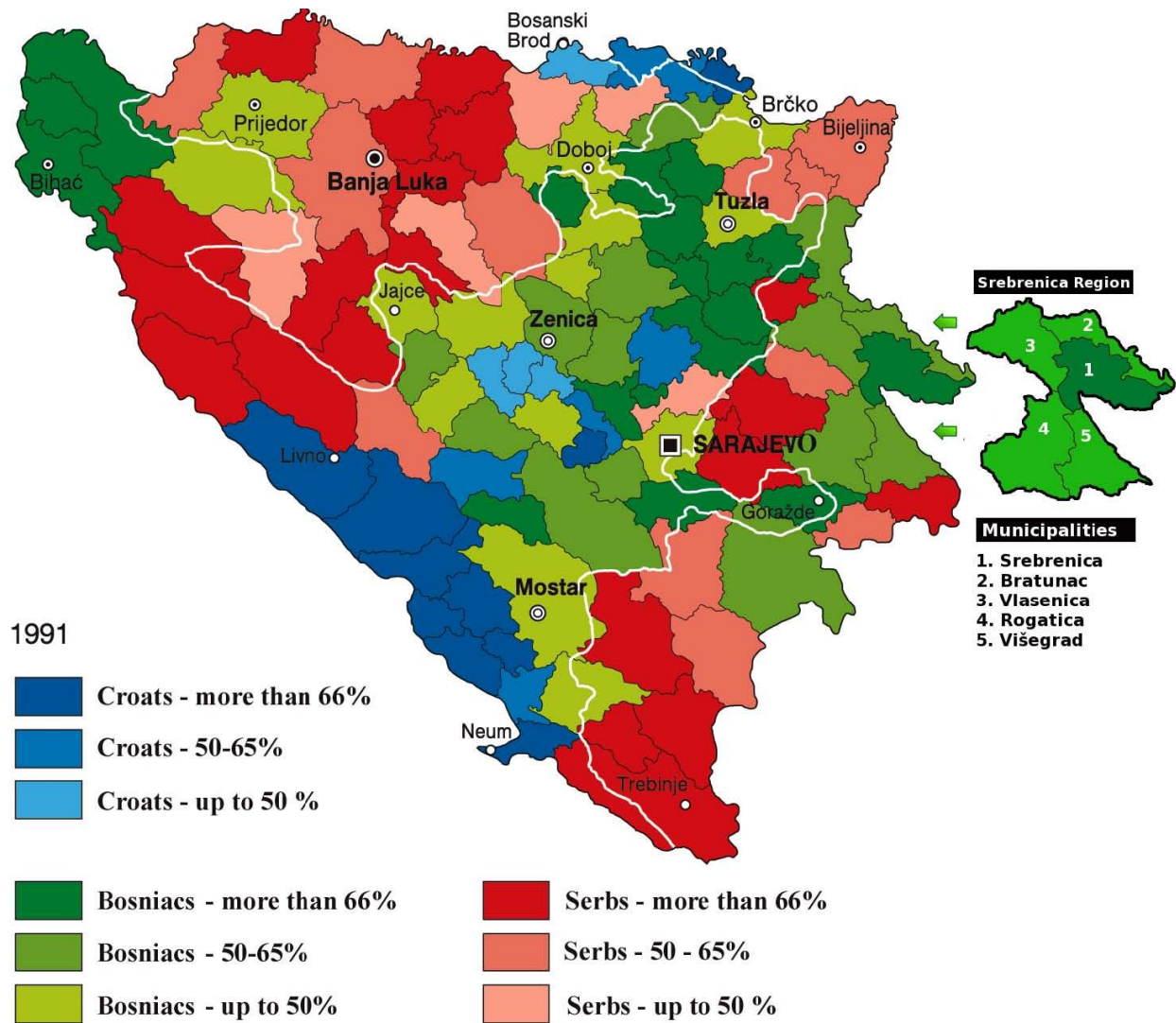


Fig 3: Map of the Ethnic Divisions of Bosnia and Herzegovina, highlighting Srebrenica, 1991. White border lines depict the modern borders of Republika Srpska within BiH.

From 1991 until 1993, the area surrounding Srebrenica saw constant fighting between the VRS and the Bosniak locals backed up by the Army of Bosnia and Herzegovina (Henceforth referred to as ARBiH). The Bosniak locals were initially successful in keeping their territory safe, but in 1993, forces under Ratko Mladic pushed the small Bosniak enclave into an area

approximately 150 kms in area.<sup>12</sup> This prompted the UNSC to endorse the safe zone concept purported by the French, preferring more heavy and bombastic responses as opposed to lighter ones. By 1994, it was realized that the UN couldn't afford the heavy option. Reports made in 1992 to the General-Secretary on resolution 836 (the resolution concerning the creation of Srebrenica's safe zone) recommended 34,000 additional troops to enforce said mandate.<sup>13</sup> The only nation willing to contribute at the time was France, who could not fill the order alone. With this development, the United Nations took the softer option, which would limit strategic and tactical capability in the region. The door was opened for the massacre to occur, where the lack of Peacekeeping troops would be the deciding factor in the events during the coming days.

On the 6th of July, 1995, the VRS began its attack on the safe zone around Srebrenica. This would begin nearly a month of combat that would see approximately 8,000 Bosniaks killed by VRS troops in an ethnic cleansing. Dutch peacekeepers, known as Dutchbat, retreated towards the town itself while Bosniak forces surrendered to advancing VRS troops. ARBiH soldiers were also pushed back by the advancing Serbs, and were in no condition to fight due to a lack of supplies. Dutchbat troops claimed to have seen the local Bosniak houses "cleansed" by VRS troops as they withdrew towards the city. By the 9th, VRS troops were 1 km from Srebrenica, as UN Peacekeepers looked on. The next day, Dutchbat commander Colonel Karremans requested NATO support, which was finally granted towards the afternoon. Further help would not come, and the Dutchbat abandoned the city along with 20-25,000 Bosniaks.<sup>14</sup>

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<sup>12</sup> Rapp, Kyle. "Protection from Tragedy: Developing Effective and Legitimate Safe Zones after the Tragedy of Srebrenica." *International Social Science Review* 91, no. 2 (December 2015): 1–35.

<sup>13</sup> *Ibid*, 1–35.

<sup>14</sup> Prosecutor v. Radislav Krstic (Trial Judgement), *International Criminal Tribunal for the former Yugoslavia (ICTY)*, (2 August 2001): 12



*Fig 4: Dutchbat HQ entrance in Potočari, a few minutes outside of Srebrenica*

People gathered at the UN compound at Potočari for protection against encroaching VRS units, who had begun to set fire to houses and haystacks of Bosniak families clearly in view of the compound. By the 12th, people who were at Potočari reported a pile of 20-30 bodies killed overnight by VRS units. Sporadic shootings occurred on the 13th, and sexual assaults were reported by Bosniaks with one witnessed by a Dutch medical officer. Women, children, and the elderly were loaded onto busses and bussed to Bosniak lines, where they would be safe by the VRS in agreement with the Dutchbat contingent at Potočari. This agreement was surprisingly upheld. Dutchbat would escort the first convoy, but upon escorting the second, they were forced to stop by the VRS units along the road and subsequently robbed of their vehicles at gunpoint.<sup>15</sup> By the 14th of July, all of Srebrenica had been cleansed of Bosniaks, who were either forced out or killed. The women and children, along with the elderly, made it out relatively unharmed and

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<sup>15</sup> Prosecutor v. Radislav Krstic (Trial Judgement), *International Criminal Tribunal for the former Yugoslavia (ICTY)*, (2 August 2001): 16

out of sight of UN eyes (notwithstanding sexual violence that occurred from the 11th-13th) but the men weren't permitted to leave.

During this time, from the 11th-14th, Bosnian men were separated from the women, elderly, and children. They were kept in a nearby Zinc factory and to a place referred to as the "White House" by UN observers. One Dutchbat soldier reported seeing two VRS soldiers and a Bosniak walking behind a building, followed by a gunshot, and the VRS soldiers returning without the Bosniak. Others reported hearing 30-40 gunshots an hour.<sup>16</sup> The ABiH 28th Division, along with 10-15,000 refugees, began to push away from Srebrenica in a desperate attempt to break out of the area. They would be intercepted by VRS units at the rear who would ambush or seize individuals from the mass and execute them. They would finally break through to friendly lines, but suffered greatly to do so.

I am not arguing the intent of genocide or ethnic cleansing, the horrible nature of this, or anything having to do with the VRS here at Srebrenica: I simply point out that the United Nations personnel present could not engage the VRS units attacking Srebrenica due to a deficiency in personnel and lack of firepower. Just reading portions of this event, one can see that Dutchbat was a non-factor in the Srebrenica massacre in changing the outcome. VRS units stole their cars and arms, forced them to their compound, and killed people right next to their headquarters while they stood around, unable to move. As mentioned previously, the French suggested a force size increase of 30,000+ in Bosnia. According to a release by the United Nations Press Office 1996, the UN had deployed 38,130 troops by 1994. This is total troop counts for the entire existence of UNPROFOR from 1991-1994, including rotations and troops

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<sup>16</sup> Ibid, 16-18

being pulled out. This is nowhere near enough to the estimates by the French General Staff required to not only hold, but advance from these safe zones.

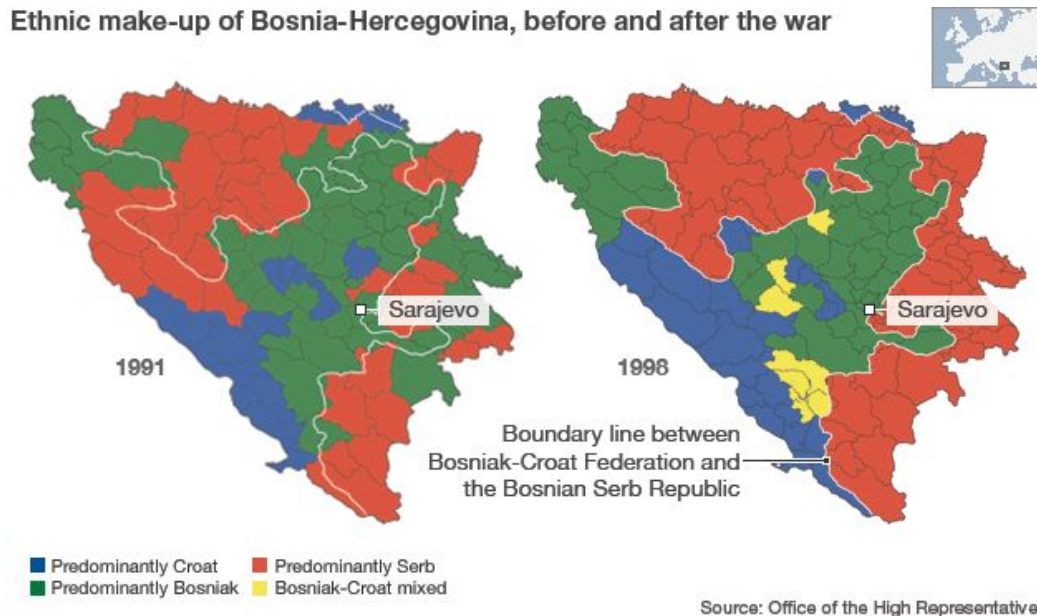
The United Nation, possessing no ability to call nations to arms, could never supply the troops to meet this demand. Instead, the UN had to rely on NATO air support, as mentioned earlier, that was tied up in paperwork and bureaucracy. Even so, Srebrenica is the most prolific of these cases. The other large instances of genocide in Bosnia during the war was the Siege of Sarajevo and the first pushes by VRS during the beginning of the war, with more Muslims from Podrinje killed in 1991 initially than in all of 1995.<sup>17</sup> What separates those from Srebrenica is that Srebrenica was preventable while compared to the other two instances. The United Nations had full power to stop the attacks, but failed to because of a cauldron of issues: the Rules of Engagement forbidding the Dutch to actually do anything without authorization, the bureaucratic nightmare of paperwork for a simple airstrike, and the complete lack of troops to applicably deal with a well trained and experienced military force.

The massacre officially concluded on the 22nd of July, 1995, after prisoners taken from the town to a local prisoner camp were executed. At the end of it, VRS troops withdrew relatively unharmed.. Dutchbat was safe, having pulled out of the area and to friendly lines. ARBiH's 28th Division eventually made it to friendly lines, with most of the group arriving safely. At the end of it, though, only a few leaders would see trial and punishment for the massacre of Srebrenica. Many individual troops, who did most of the killings, would never see trial or justice. Only a few commanders, Mladić, Krstić, and Karadžić would be tried for the war crimes there. Otherwise, many of the participants felt no ill effects. In fact, Republika Srpska

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<sup>17</sup> Hoare, Marko Attila. "Towards an Explanation for the Bosnian Genocide of 1992-1995." *Studies In Ethnicity & Nationalism* 14, no. 3 (December 2014): 516–32.

remained a legal entity under the nation of Bosnia and Herzegovina to this day, with its own President and government.



*Fig 5: Map of recorded population changes before and after the war. Srebrenica and surrounding regions became majority Serbian following the war. OHR 2018*

The International Criminal Tribunal for the former Yugoslavia, henceforth referred to as ICTY, was formed in order to address events like Srebrenica. The ICTY was important in deciding what was to be considered genocide and what isn't, but failed to label the events at Srebrenica, or anywhere in Bosnia, a genocide in the official sense.<sup>18</sup> The ICTY would convict various high ranking officials with charges of crimes against humanity, but not genocide. As the United Nations agreed to respect the decision of the ICTY, the Srebrenica massacre and the Bosnian War are still referred to as ethnic cleansing, not genocide. The ICTY led the efforts to exhume and identify the victims of the massacre, which were well-documented by survivors and

<sup>18</sup> Clarke, Alan W., and David Gesspass. "Successes and Failures: Assessing the Icty After Prosecutor V. Radovan Karadžić." *National Lawyers Guild Review* 73, no. 4 (Winter 2016): 232–44.

former VRS troops, leading to more solid convictions and a generally successful United Nations Court. So, examining the situation, the United Nations as a concept and group was not responsible for the events in Bosnia. It falls to the individual nations of the UN to step up and take care of issues like peacekeeping and diplomatic posturing until the issues are taken up by the Security Council. This is something we'll come back to in the next chapter.

The United Nations would not take responsibility for the actions at Srebrenica, and rightfully so. The responsibility falls upon the nations of the UN to provide troops. However, the lack of troops was not the only issue present. UN forces were held back by the RoE and bureaucratic paperwork that left them toothless in the face of the VRS. I would argue that the Dutchbat, for their ability and strength, did the best they could in the situation they were in. If they attacked the VRS, and turned it into a fight, many more would have died in the artillery attacks and warfare that would've befallen the town. However, 8,000 Bosniaks still perished here. Why was the United Nations so stifled when it comes to Bosnia?

The stifling comes from individual member nations within the United Nations, since Peacekeeping and other operations require nations to provide troops to the UN for usage. The French called for 30,000 troops to be added to UNPROFOR, but the call was ignored by nearly every nation in the United Nations. This deficit of troops would lead to instances like Dutchbat and Srebrenica, since the troop and equipment numbers were not present to deal with the threat head on. Humanitarian aid, economic sanctions, and international pressure work well in a normal situation, but the Yugoslav Wars were an anomaly built out of the powder keg of the Balkans. The Yugoslav Wars had roots in ethnic tension and religious sectarianism that Europe hadn't

seen since the Thirty Years War. The United Nations stood by because of the notion that peacekeeping is a useless venture, which was born out of the Congo Crisis of the 1960s.

### Chapter III

One of the many fixtures of the UN and Bosnia is how the UN's role is portrayed in the memories of those who lived in Srebrenica and across the whole of Bosnia. Accounts vary from person to person, and depending on what side is taken to account. Some fail to mention the UN at all, as they were not present in some areas as detailed in Chapter II. In this chapter, I will detail some of those personal accounts, largely from Bosniak survivors, and examine these stories to speak of the UN's failures in Bosnia during the Yugoslav Wars.

On May 25th, 1995, VRS artillery teams shelled the city of Tuzla in what would become known as the Tuzla massacre. A liason from the Helsinki Assembly (named Andre Lommenbr) was present for the massacre that took place within a UN Safe Zone. In his account, he details the following:

“In the morning, the pain is even worse than in the evening. Slowly realisation comes: a huge part of Tuzla's future, of Bosnia's future, has been killed. TV Tuzla reports 65 deaths, and over a hundred wounded. Almost all of them are between 18 and 25. The city is picking up the pieces. At 8.30 a.m., there is another shelling at Tuzla, but people hardly care: they are still paralysed by yesterday's events. The atmosphere in Tuzla is one of dejection. But even more so, of helplessness. The international community is obviously neither able nor willing to protect Bosnian civilians. The UN-declared "Safe Areas" are not safe at all. All of them (Sarajevo, Bihac, Zepa, Srebrenica, Gorazde and Tuzla) have witnessed shelling last night, as they have as long as they exist. But the Bosnian Muslims don't have the chance to defend themselves either: the arms-embargo prevents them from buying the weapons to defend themselves. I am not an expert on international law, but I would say that this is against the UN-Charter. Article 51 of the Charter guarantees every sovereign nation the right of self-defence. And Bosnia-Hercegovina is widely recognised as being a sovereign, independent state.”<sup>19</sup>

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<sup>19</sup> Lommenbr, Andre. “Eyewitness Account of the Tuzla Massacre” 1995

As stated, the UN Safe Areas were not safe at all, and were subject to constant shelling and attacks that could begin at any moment. Tuzla is an example of this, just as Srebrenica is. With this in mind, it is clear that the UN did not have the numbers to enforce these Safe Areas, nor did they have the ability to defend themselves due to the arms embargo placed on Bosnia at the time. Lommenbr's account is just one of several surrounding various attacks that occurred without the UN being present at all. Hasan Nuhanović, a resident of Srebrenica, remarks:

I realized that the only way to survive was to remain on the compound for as long as possible with the Dutch.

I was there with my family in the room when three Dutchbat soldiers came, looked at my family and at me, and they told me, "Hasan, tell your family that they have to leave the compound."

And I knew I could stay because I had the contract with United Nations so the Dutch could not throw me out of the base.<sup>20</sup>

From Mr. Nuhanović's perspective, the Dutchbat troops, under the flag of the United Nations, failed to uphold their duties and allowed the VRS to take the town with no resistance. The same is with Lommenbr's account in Tuzla. From these testimonies, we can gather that the UN lacked the troops to deal with the issues, and failed to enforce the safe zones as they were set up at the time. Aside from interviews with websites and the like, many of the specific instances of the events in Srebrenica and Bosnia at large come from the International Criminal Tribunal for Yugoslavia, formed by the United Nations to deal with the war criminals from that war.

The ICTY is the largest depository of personal accounts, as they were used in the convictions of many prominent war criminals of all ethnic groups during the conflict. The focus, however, was on Republika Srpska, as the largest perpetrator as discussed earlier. In general,

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<sup>20</sup> "Eyewitness Testimony: Hasan Nuhanović" United States Holocaust Memorial Museum, 2018/23/8, <https://www.ushmm.org/confront-genocide/cases/bosnia-herzegovina/bosnia-video-gallery/eyewitness-testimony-hasan-nuhanovic>

however, there's a lack of accounts on UN troops in the area for the ICTY tribunal dealing with Srebrenica. This seems to coincide with the evidence presented earlier, that there weren't enough troops present to effectively enforce this safe zone from attack by Srpskan troops.

The ICTY, as mentioned prior, worked as an organized body to bring to trial and convict any and all war criminals that were designated as such during the Yugoslav Wars. These trials were against all factions, but a vast majority were Serbian or Srpskan in origin. Many of those on the ground, before these trials began, also argued for heightened security and a more stringent UN Response. Eric Dachy, a Doctor working with the United Nations in the Srebrenica area in 1992, recounts

Definitely the military situation was dramatical. The Serbs were going to take the city. They were on the edge of entering the city and basically doing what they were doing everywhere else, which meant killing all the men in age to fight, raping some women and sending everybody else, I mean, old men, women, and children to Bosnia territory. We understood that there was very little we could do as doctors.

People in Bosnia didn't need assistance. They needed security, they needed protection, they needed to be saved from killers.<sup>21</sup>

This chilling foresight into what was about to happen wasn't secret to the international community, nor was it secret to those in the city. Foreign observers, like Dachy, knew the situation would become untenable eventually, and that Srpskan troops would soon descend upon the city in an act of invasion. However, as mentioned previously, the international community was not willing to assist under the banner of the United Nations.

From these accounts, we can gather that foresight into what was happening was present, and the world community stood back and did nothing. Because this operation was under the

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<sup>21</sup> "Eyewitness Testimony: Eric Dachy" United States Holocaust Memorial Museum, 2018/23/8, <https://www.ushmm.org/confront-genocide/cases/bosnia-herzegovina/bosnia-video-gallery/eyewitness-testimony-hasan-nuhanovic>

guise of UN, any and all meaningful military engagement was out the window. The UN, restricted by their past peacekeeping blunders, in concert with a world too afraid to act, abandoned these people completely to their own devices until NATO intervention following the massacre of Srebrenica. So, why did the United Nations become an organization of timid intervention? This begins during the first true UN Peacekeeping act, the Congo Crisis.

## **Chapter IV**

The UNPROFOR deployment to Bosnia and Croatia during the Yugoslav Wars wasn't the first time the United Nations faced the choice between peacekeeping and peace enforcement. The Democratic Republic of the Congo (henceforth DRC) gained its independence in June of 1960. Belgium, having robbed the treasury and left the nation with no endemic defence or police, supported the new government among UN lines. Patrice Lumumba becomes the first Prime Minister under a broad sweeping coalition in the DRC government, trying to stand as a neutral African power during the worst days of the Cold War. The Congo Crisis would begin when Moïse Tshombe would declare independence from the DRC as president of the province of Katanga.

Before the Congo Crisis, the area known as the Democratic Republic of the Congo was controlled by the Kingdom of Belgium as a colonial holding. Through the beginning half of the 20th century, the Belgian government invested in the Congo as a place to keep Belgium afloat, and to civilize the nation in European eyes.

UN Secretary-General (henceforth UNSG) Dag Hammarskjold declared that the Congo Crisis was a perfect way for the UN to prove itself as a major peacekeeping force, and authorized the Organisation des Nations Unies au Congo (United Nations Organization in the Congo, ONUC for short).<sup>22</sup> The first glaring issues with the UN began to surface immediately after the declaration of ONUC. The British, American, Belgian, and French foreign interests in the region wished to see Katanga become independent due to the vast reserves of copper there. For the British, this was seen as advantageous for the nearby Confederation of Rhodesia and Nyasaland (Which would become Zambia, Rhodesia/Zimbabwe, and Malawi) due to its strategic positioning. During the UNSC vote to send troops to the DRC, France and Britain abstained from the vote. Not only did these two nations see decolonization as a private matter, they also supported the wealth pouring out of Katanga. Katanga had effectively become a “white haven” backed up by a Belgian mining monopoly.<sup>23</sup> Hammarskjold’s objective was to use the UN force as a peacekeeping force only, to allow the peaceful and diplomatic resolution to the Congo Crisis. Prime Minister Lumumba thought the exact opposite, wishing to use UN troops as an army to keep the Congo united.

Lumumba wouldn’t last too long, being assassinated by Belgian and Congolese assassins in 1961.<sup>24</sup> Kennedy’s Administration in the US sought out the election of Cyrille Adoula, a trade unionist. He would initially be an equalizer, appointing Lumumban supporters and people of all

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<sup>22</sup> O’Malley, Alanna. “‘What an Awful Body the UN Have Become!’” *Anglo-American–UN Relations during the Congo Crisis, February–December 1961.*” *Journal of Transatlantic Studies* (Routledge) 14, no. 1 (March 2016): 26–46.

<sup>23</sup> O’Malley, Alanna. “‘What an Awful Body the UN Have Become!’” *Anglo-American–UN Relations during the Congo Crisis, February–December 1961.*” *Journal of Transatlantic Studies* (Routledge) 14, no. 1 (March 2016): 26–46.

<sup>24</sup> Mountz, William. “The Congo Crisis: A Reexamination (1960–1965).” *Journal of the Middle East & Africa* 5, no. 2 (July 2014): 151–65.

groups, but would never manage to gain support all over the country. In the East, the “Free Republic of the Congo” was set up by opposition members (supposedly backed by the Soviets). Adoula began a military campaign against his enemies, and began to repress his people in order to achieve his goals. Defying the US government’s expectations, he negotiated with the Katanga Rebels, and secured an agreement to include Katanga back into the Congo. By 1965, the DRC would be taken over by Mobutu Sese Seko, and would become Zaire in the late 1970s. Seko, who took control was a US backed anti-Communist dictator who was known for his repressive attitudes and nationalistic sentiments. All in all, the Congo Crisis was a resounding failure for the United Nations, resulting in millions of deaths and an economic downfall that, to this day, has not been remedied in the DRC. Both of these conflicts are seen as initial UN failures, with eventual peace secured.



*Fig: Irish Peacekeepers at Elizabethville Airport, Katanga, 1961*

This is where similarities between Bosnia and the ONUC become prevalent. Members of the UNSC had conflicting goals going into both of these conflicts, though it was more pronounced during the ONUC due to the nature of decolonization. Since the French and British

had a vested interest in the occurrences in the Congo, they subversively supported the opposite side in Katanga, where French-lead Gendmarines (militarized police or militia) would attack an Irish UN outpost at the small town of Jadotville, leading to a several day siege where UN troops would surrender to the Katanga forces. This support and events allowed the colonizing powers to keep a grip on the region, and benefit from the wealthy and developed Katanga province. In Bosnia, a similar situation developed when Russian sympathies to the Serbians came up in debates. Russia has been a supporter of the Orthodox nations of Europe for a long time, and rumors of military support quietly trickled in. This led to the UNSC being unable to attack Serbia, which is why the issue was forcefully taken up by NATO to end the conflict as soon as possible following Srebrenica.

One set of glaring similarities is the incredible lack of tactical organization or strategic ability that both ONUC and UNPROFOR both shared. In the Congo; ONUC faced lack of communication, logistics support, intelligence support, and always lacked enough UN volunteers to be effective.<sup>25</sup> Supplies weren't distributed enough in the Congo, leading to ammo shortages and food supplies running low in each of the UN deployment zones. Without air power, these convoys filled with the necessary equipment for UN troops had no protection from ground forces armed with modern military equipment left by the Belgians or supplied by the French. The application of resources in the Congo also allowed for groups to take falls for the UN. As I stated briefly before, the Jadotville siege is an example of a fall group used by UN command on the ground to explain the disastrous mission and subsequent American backed dictatorship. This is similar to the role Dutchbat played at Srebrenica, even though Dutchbat didn't have the

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<sup>25</sup> Berdal, Mats, and David H. Ucko. "The United Nations and the Use of Force: Between Promise and Peril." *Journal of Strategic Studies* 37, no. 5 (July 29, 2014): 665–73.

equipment or support to change the outcome of the massacre. In Bosnia, as discussed earlier, French commanders requested an additional 33,000 troops to be sent to Bosnia to join UNPROFOR, but no one volunteered their troops in such an unstable time. As such, the UNPROFOR was unable to meet their goal of peacekeeping. This brings us back to the argument of “peacekeeping” versus “peace-enforcement”

Peace enforcement is a military action intended to carry out the enforcement of UN resolutions. For example, one of the more prominent instances of peace enforcement is the Gulf War. The UN (using UNSC members) forced Iraq to comply with UNSC Resolution 678, the withdrawal from Kuwait, by means of armed conflict. This is an example of a successful multinational coalition operating in the UN’s best interests to enforce their will. However, this is a rarity in terms of UN intervention. Peacekeeping, on the other hand, is the maintenance of agreements between two combatant groups using armed forces. While UNPROFOR initially started as a peace enforcement mission, the end result was a peacekeeping force that had not the power to take care of peace enforcement. Peace enforcement requires that the force present in the interest of enforcement be strong enough and permitted to enforce resolutions. The UN Rules of Engagement wasn’t present in the Gulf War, which allowed the coalition to act freely tactically and strategically, bringing a swift end to the conflict.

In all examples mentioned so far, it is clear to see that peace enforcement should have become the norm: aside from meddling affairs in decolonization occurring due to the colonial powers on the UNSC. Peacekeeping and inaction helped no one during the Congo Crisis: The following regime that would take over would be an effective US puppet for the remainder of the 1900s, until falling into civil war in 1994. To this day, Congo-Kinshasa is unable to administer

their governance out to the outer reaches of the nation's borders. Iraq, while in a desperate state of affairs in the modern day, was relatively left unharmed after the Gulf War: Saddam Hussein was pushed out of Kuwait and that was the end of it. No mass strife befell the Iraqis until the 2003 Invasion and that was outside the United Nation's control.

### **Conclusion**

The United Nations, as an organization devoted to world peace and to solve potential conflicts with diplomacy over warfare, has genuinely good intentions. The UN Command during Bosnia lacked the manpower, was restricted by a completely misguided Rules of Engagement document, and suffered from many past misdeeds committed under the UN banner in the Congo and beyond. The approach to Bosnia was a misguided attempt at peacekeeping without the teeth to enforce such a monumental task.

War crimes and other crimes against humanity was the result of a lack of teeth. Massive abuses of human life while the UN stood by helplessly, without the ability to act as a force due to the nature of the United Nations being government by the entire global community. Since the UN is simply the global national community, it's hard for the organization to declare sides in a conflict. At the end of the day, these awful regimes were backed by members of the UN, and in some cases are member states themselves. This places the UN in a precarious environment where it tows the line between protecting innocent civilians and declaring sides in a conflict as we saw with Bosnia. Taking sides lead to the disastrous Congo Crisis which saw the UN backing a failed government, and a multinational group of soldiers who followed very different doctrines in combat.

The United Nations itself has thrown around the idea of peace enforcement over peacekeeping to address these substantial issues facing it today. I would argue, based on the research conducted, that a policy of peace enforcement would be far more conducive to protecting people from war crimes than the current doctrine. To be an effective force for good, the United Nations must in every way shake off the mistakes of the past. To fail to do so will result in the same mistakes being made again: Instead of by malice or mismanagement, these mistakes will be made by timidness and inaction as we saw in the 1990s. As so, it is safe to say, that the United Nations suffers from ineptitudes in command and shortages in manpower. Until this is remedied, the United Nations will continue to be ineffective at peacekeeping, and will fail to meet these international conflicts with any meaningful response.