

## Safe Areas? Failures and Successes in Protecting Civilians in War.

Joris Voorhoeve, Atlas Contact Publishers, Amsterdam, 2015, 424 pp.

What measures are to be taken by the international community to protect civilians in a war which cannot be ended by an external humanitarian intervention? How to execute more effectively the Responsibility to Protect? This book tries to answer these questions by comparing 15 cases in recent international history. From 1948 till 2014 eight more or less successful interventions by the international community stand against 7 serious failures.

The focus is first on the Bosnian war (1992-1995), especially Srebrenica. In 1993 the UN Security Council created six so-called Safe Areas in Bosnia, but failed to protect these by sufficient means to fulfill these promises. Srebrenica and Zepa were overrun by Serb military under Mladic in July 1995. In Srebrenica they murdered about 7500 men.

The UN had stationed, with the consent of the warring parties, Blue Helmet soldiers in the Safe Area's, as impartial, lightly-armed peace keepers. They were under UN instructions not to fight the warring parties but to defend themselves if attacked. The idea was that the UN would deter war by being present in these contested areas and assisting the population with humanitarian supplies.

The Netherlands government agreed to requests by the UN dating back to 1992 to station Blue Helmets in the Former Yugoslavia in several positions in the course of the war. A total of 10.000 Dutch soldiers served in the United Nations Protection Force (UNPROFOR) and later in IFOR, SFOR and EUFOR in different areas from 1992 onwards, mostly for six months at a time. These tasks were completed with success, but the mission in Srebrenica failed miserably. The Netherlands was deeply embarrassed by the inability of Dutch Blue Helmets to save the people in Srebrenica, an enclave deep in Bosnian-Serb territory. Most national and international media and a part of the public blamed Dutch Blue Helmets for this failure.

Before the Netherlands Government made Blue Helmets available for Srebrenica in 1994, it received a written and publicly announced promise by UN Secretary-General Boutros Ghali on behalf of the UN Security Council that "air power would be used, if necessary, in self defense." This air power would be supplied by NATO after being requested by the UN under a "dual key" system involving both organizations. On the basis of this promise, the Lubbers-Kok Cabinet and the Netherlands Parliament agreed to deploy troops to Srebrenica.<sup>1,2</sup>

The Lubbers-Kok Cabinet sent the first group of Blue Helmets (Dutchbat-I) to the enclave in the beginning of 1994. Gradually, the Bosnian-Serb military cut off Srebrenica from supplies though "convoy terror," trying to make life as difficult as possible for the population and the Blue Helmets.

The Lubbers-Kok Cabinet was succeeded by the Kok-1 Cabinet on August 22, 1994.<sup>3</sup>

From September 1994 onward, the new Dutch cabinet submitted several proposals to its NATO allies, to the Bosnian Government, and to the UN, to reduce the vulnerability of the inhabitants of the enclave:

(a) trade territory with the Serbs for relocation of the population near Sarajevo;

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<sup>1</sup> The UN Secretary-General had promised the Netherlands government, on January 21, 27, and 28, 1994 that a request for air power by the officer in charge of Dutchbat "would be responded to within two hours."

<sup>2</sup> Netherlands Institute for War Documentation, *Srebrenica, a "Safe Area"*, Amsterdam, 2002, pp 1141-2 (Dutch version).

<sup>3</sup> The author of this book assumed as minister of Defense the obligations of the Netherlands Government as troop contributor to UNPROFOR as of that date. He kept a diary that is one of sources of the book.

- (b) station troops of more countries in the enclave as a political deterrent;
- (c) reinforce UNPROFOR with additional military means; and
- (d) supply the enclave by transport helicopters accompanied by armed helicopters.

These proposals and calls for assistance were made between September 1994 and June 1995 to the UN, NATO allies, the Bosnian government and their representatives. These proposals were not implemented.

On June 2, 1995 at a meeting in Paris, Great Britain, France and the Netherlands agreed to the deployment of a Rapid Reaction Force. This force would only become operational in August 1995 and was meant for Sarajevo in particular.

The Serb military went on the offensive in early July 1995. The valley and town of Srebrenica fell on July 11. In July 6-11, 1994 the UNPROFOR command chain in Sarajevo and Zagreb turned down many requests for Close Air Support from the lieutenant-colonel who commanded the UN Blue Helmets in the enclave. The Dutch government requested Close Air Support on July 9 in a telephone call with UNPF in Zagreb, which was to be decided by the Force Commander.

Close Air Support by four planes arrived after the Serb military had entered the center of the enclave on July 11 and had circumvented the blocking positions established by Dutchbat. One bomb was dropped on a Serb tank. This action could not halt the Serb forces who had already taken the enclave and hoisted their flag in Srebrenica.<sup>4</sup>

British, US, French and Dutch military experts had previously agreed that the enclave was “totally indefensible” on the ground. The only way to stop a Serb offensive was with NATO air power.

Netherlands officials were unaware that five weeks before this Serb offensive, the governments of France, the UK and the US had agreed on May 27, 1995 to “quietly” suspend use of NATO air power against the Serb military. One US official disagreed with this decision: the late Richard Holbrooke, as noted in a footnote in the account of the decision.<sup>5</sup>

The document recording this decision to suspend use of air power at the request of the French and British governments, has been declassified by the US. This suspension helps to explain the lack of air support at the crucial period in July 1995. The decision not to use air power any more followed the violent reaction by the Serb Commander Mladic to NATO air attacks on Serb targets in May 1995. His forces took 340 British and French UN soldiers hostage and shelled Tuzla and Srebrenica.

The government leaders who decided to quietly suspend use of air power may have been unaware about the promises made by the UNSG to the Dutch Government.

Before, during and after the Serb offensive, about 15,000 people from Srebrenica tried to flee to Tuzla, including 5000 Bosnian military and several thousand militia. Mladic's troops killed many of them, including women and children. During the following days, the Bosnian Serbs killed an additional 6000 prisoners of war in mass executions near Srebrenica. US planes photographed execution sites in mid-July. These pictures were analyzed later after the accounts of survivors which

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<sup>4</sup> The UNPROFOR command in Sarajevo called off this air support after Serb General Mladic threatened at 15:50 hrs to shell the inhabitants and kill Dutch Blue helmets, about 30 of whom had been taken into custody by Serb troops at that time, and later on about 56. (When the Dutch government requested the UN Special Representative to halt continuation of close air support at about 16:40 hrs, the air action had in fact already been called off by UNPROFOR's Sarajevo Command 10 minutes earlier.)<sup>4</sup> Moreover, the NATO planes had already flown back to their base at 16 hrs.

<sup>5</sup> The Road to Dayton, Dept. Of State, declassified 1/24/03, recodring the decision of the Principals Committee on May 28, 1995.

were noted as of July 15-16. Some pictures of mass graves were shown to the UN Security Council on August 10, 1995.

Around 27,000 civilians, mostly women, children and elderly, had fled on July 11 to Potocari near the UN's Dutchbat compound. Dutchbat shared its supplies with the refugees, but supplies were finished after one day. On the evening of July 11, the Dutchbat commander, under instructions from UNPROFOR in Sarajevo, requested Mladic to cooperate in the evacuation of all the refugees, together with Dutchbat. Before the UN could start the evacuation, Mladic mobilized a large number of buses to deport the population on July 12. On July 12 and 13, most buses dropped refugees in Kladanj near Tuzla.

The Serb military led buses with men of fighting age to different locations, supposedly to investigate Bosnians for having attacked Serb villages in the years before. Dutchbat tried in vain to accompany buses with blue helmet soldiers, but had no fuel. The Serbs stole equipment and blocked Dutchbat from riding along as witnesses.

Dutchbat remained in the enclave as long as there were refugees and wounded, to be taken care of. It left the enclave on July 21 after receiving instructions from UNPROFOR to leave.

International media broadcast on July 12 and 13 a Serb video-cut of a meeting between Mladic and the Dutchbat lieutenant-colonel on the evening of July 11, with a glass of wine in his hands, suggesting that the Dutchbat officer congratulated Mladic with his victory. The full video of this meeting shows that he did not offer any congratulations, but repeatedly asked Mladic for his cooperation in caring for the refugees and requested joint evacuation of the refugees and Dutchbat at the same time. The video edits created a false impression.

This impression was heightened on July 22 when a number of Dutchbat soldiers, upon their release and safe arrival in Zagreb, were filmed by a Dutchbat officer in a brief row dance, which was unrelated to the events in Srebrenica. On July 23, the Dutchbat lieutenant-colonel stated in a press conference that the war was not between "good guys and bad guys". This was a reference to the fact that Srebrenica had been run by a local war lord who had committed very serious crimes and had attacked several Serb villages in the years before the Serb attack. This statement seemed to belittle Serb war crimes. The Chief of the Netherlands Land Forces at first denied that Serb military might had committed genocide, but later admitted that a number of Dutch Blue helmets had seen many corpses.

The International Tribunal for Crimes in the Former Yugoslavia ICTY in The Hague prosecuted the main Serb military and political leaders. The cases of Mladic and Karadzic are still pending.

While all published studies of the Srebrenica disaster agreed on the indefensibility of the enclave with the available ground forces, none of the studies made reference to the May 27-28 decision by three NATO countries to suspend air power. This decision was followed by an instruction to UNPROFOR from the Force Commander in Zagreb of June 2. This read: "We must definitely avoid any action which may degenerate into confrontation, further escalation of tension and the potential use of air power."

The absence of air power when it still could have made a difference between July 6 and the morning of the 11-th was probably crucial. The weak response by UNPROFOR at all levels in the days before and during the Serb offensive made Mladic decide to push on. This observation implies in no way that the UN and NATO member governments concerned can be held responsible for the war crimes committed by the Bosnian Serb army led by Mladic on July 12-16. These governments, like the Netherlands government, did not imagine that the fall of Srebrenica would trigger massive executions of men. These crimes were ordered and carried out by those indicted by ICTY and their soldiers.

The crucial importance of air power was demonstrated convincingly after the fall of Srebrenica and Zepa by the way NATO air power saved the enclave Gorazde and three other “safe areas” in August 1995. The decision of May 27-28 to suspend air power was rapidly overturned when its possible consequences had become clear. NATO met in London on July 21, 1995 and issued a stern warning to the Serbs not to overrun Gorazde, as such aggression would trigger very serious consequences for the Bosnian Serb government.

After the fall of Srebrenica, the US assumed strong leadership in this failing UN operation. On the advice of the British UNPROFOR commander in Sarajevo, UNPROFOR agreed to use NATO planes to defend Gorazde, destroy Serb military targets in Pale and on Mount Igman near Sarajevo. The Dutch air force participated vigorously and destroyed Serb arms stocks near Pale. Dutch marines shelled Serb artillery on Mount Igman. Air power of the US fleet in the Mediterranean destroyed several Serb targets. US negotiator Richard Holbrooke then successfully negotiated the Dayton Peace agreement.

Bosnia and four of the six “Safe Areas”, Gorazde Sarajevo, Tuzla and Bihac, owe their survival to this NATO intervention prompted by the US. The NATO-led Implementation Force IFOR took over from UNPROFOR on January 1, 1996. Bosnia is still at peace in 2015, even though there are many unsolved issues.

The purpose of this book is to establish more generally, by comparative analysis, what measures are needed to protect endangered groups, often refugees, who are exposed to aggression. In addition to case studies of the Bosnian enclaves Srebrenica, Zepa, Gorazde, Sarajevo, Tuzla, and Bihac, nine different cases were studied: Kosovo, Macedonia, Cambodia, Rwanda, Libya, Darfur, the Kurds and the Yezidi in Northern Iraq, as well as the much older and unrelated Berlin crisis in 1948.

In the final chapters of the book, an attempt is made to reach general conclusions on how the Responsibility to Protect can be applied in practice, on the basis of the 15 cases analyzed. The factors that explain nine relatively successful external interventions are first of all US air power and NATO involvement. In some instances, the threat of Russian and Chinese vetoes in the Security Council against effective Western intervention could be ignored or circumvented, as in Kosovo and Northern Iraq.

The book reflects on the need to apply the doctrine of the *Responsibility to Protect* R2P as established in 2005 at the World Outcome Summit, not just as a responsibility to intervene, but as a **responsibility to prevent** gross crimes against populations, such as in Rwanda and Cambodia, as well as a **responsibility to rebuild** after an intervention, as should have been done in Libya. *It concludes that it is sometimes necessary to undertake humanitarian interventions without Security Council approval in case Russia and China block urgent humanitarian action with their veto.*

Use of the veto should ideally be limited to questions that directly affect the vital national security interests of the veto-holding states. To implement the R2P doctrine and save many civilians from the scourge of war, war crimes, genocide and crimes against humanity, the UN Charter should be amended and the Security Council should be reformed. That is not in the offing. Endangered populations cannot wait many years for such reforms, however.

That is why the EU would do well to strengthen its policies and means to contribute to peace in many unstable countries and help protect unsafe peoples in and around Europe if certain conditions are met, which are inferred from the 15 cases analyzed in this book. To encourage and contribute to more robust European action, European countries should strengthen their air mobile forces and air forces.

This study concludes there are several requirements in order to apply the Safe Area concept with success:

1. UNSC resolution or a similar justification

2. Imposition of a no-fly zone
3. Removal of enemy artillery around the area
4. Disarmament of the the area
5. Defence of the area by an ad-hoc coalition led by a major power
6. Administration by an international authority
7. Supply by air
8. Deterrence by escalation dominance
9. Negotiations with the government of the state concerned on the conditions under which the area will return under its control, or preparation for self-government, elections, autonomy or independence.

Such conditions are hard to impose, but not impossible once a major power and a group of (ad-hoc) allies decide to enforce them.

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