
Within a week of the international civilian deployment to Kosovo in June 1999, a broad range of groups had taken to visiting the UN Mission in Kosovo’s (UNMIK) regional headquarters in Prizren to redress grievances. The grievances ranged from unemployed prison guards seeking reinstatement, contending management teams seeking exclusive control over socially owned businesses, retirees in search of pensions, businessman seeking to import oil, minority politicians seeking inclusion into the emerging political compact, minority citizens seeking protection, IDPs (Internally Displaced Persons) seeking shelter and to return home. If these meetings signified the revival of interest-driven politics and administration, they also constituted the ‘lighter side’ of pressing problems, such as daily burning of abandoned (mainly Serb) houses, illegal construction, control of commercial and residential property, and significant symbolic struggles over which flag (UN or Kosovar Albanian) should fly over official buildings, and which legal code would be applicable in the emerging government and administration. These issues were placed on UNMIK’s agenda in summer 1999 alongside UNMIK’s own priorities of providing ‘transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions…’1 They necessitated the rapid development of an effective administration and political system that would do more than reactively ‘put out fires’.

Neither Security Council Resolution 1244 nor the report of the Secretary General issued one month later, which laid out UNMIK’s strategy, provided a detailed map through these thickets of governance and administration. Such plans necessarily were developed in theatre, presumably in consultation with

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the headquarters of the key pillar organizations: UN, UNHCR, OSCE and NATO. In the event, we, in the regional headquarters, were overwhelmed with the enormity of the many tasks before us: there were too few international officials; those who did arrive generally lacked experience in handling the prosaic issues of administration; and few knew anything about Kosovo. We generally put off local petitioners by forming committees to explore the matter and draft recommendations while at the same time seeking guidance from our already overburdened colleagues in headquarters. Consequently, few substantive demands were addressed with the necessary urgency and dispatch to build genuine UN authority in Kosovo. On the other hand, Kosovar ‘hardliners’, including various strands of the KLA (Kosovo Liberation Army), quickly filled the void by taking direct action both to address the expressed needs of different constituencies and to build their own institutions in a ‘provisional government’ that would ‘never again’ leave Albanians to suffer under the ‘Serbian yoke’. This early dualism foreshadowed the significant difficulties that would beset the mission as it simultaneously attempted to administer Kosovo and build governing institutions.

Similar stories have been told about international operations in East Timor, post–Dayton Bosnia-Herzegovina and Eastern Slavonia, and an emerging literature too large to cite here has identified lessons in these efforts at complex peace building and international administration. Richard Caplan’s elegant survey of four international administrations—Eastern Slavonia, post–Dayton Bosnia, Kosovo and East Timor—is among the finest work in this literature, for its brevity, its comparative breadth and its judicious assessments. His combination of a close reading of the literature with extensive interviews make this monograph a fine precursor to an in-depth and systematic comparison of international administrations.

These administrations constitute a new type of loosely bounded political system in which the policy-makers are both international and national, and the exercise of policy depends on the cooperation and coordination of a range of military, political, administrative and non-governmental organizations. They borrow elements from the UN trusteeship system, from colonial administration and governance, and from post–Second World War reconstruction in Europe and Asia. Caplan takes a series of brief side-trips into the different sorts of ‘politics’ associated with contemporary transitional and supervisory administrations and into the means to enhance their capacity to govern. He is fully cognizant of the differences between these operations. Eastern Slavonia was considerably more modest in size and scope than the others. The operations in East Timor and Eastern Slavonia had very clear and very different end states, while those in Bosnia and Kosovo have been politically much more ambiguous.

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3 See, for example, Ralph Wilde, ‘From Danzig to East Timor and beyond: the role of international territorial administration’, *American Journal of International Law* 95: 3, July 2001, pp. 583–606.
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The operation in East Timor did not face the intense factional conflict encountered in the Balkans, but was plagued by a much lower domestic capacity and level of development. Caplan’s optimistic central argument ‘is that a transitional administration in possession of full executive, as opposed to supervisory, authority is better equipped to meet the manifold challenge of these operations’. He is also optimistic in his assumption that such administrations can be made more effective with appropriate planning and support. This review takes a similarly constructive approach by identifying some lessons on post-conflict governance, administration and state-building.

Caplan’s sympathetic critique of existing international administrations falls within the range of mainstream reformist work. The monograph reflects the values that inform the international engagements and assesses the capacity of the operations to achieve the results for which their mandates hold them responsible. He reports, for example, that police in East Timor and Kosovo were forced to perform non-policing tasks, such as guarding banks and money transfers. He also reports that too few international policemen were deployed and too slowly in Bosnia and Kosovo, that the mission in Bosnia was plagued by contradictory policies and incomplete military support for civilian policing in the mission’s early stages. He records UNMIK’s great difficulties in authoritatively addressing the complexities of public order—in determining the applicable law, in establishing an effective judicial system, and in completing demilitarization.

Many lessons to learn

The record is not significantly brighter in other areas. Caplan demonstrates that international administrations did not succeed in forcing the return of refugees and internally displaced persons to their places of origin in Bosnia-Herzegovina. He points out that Kosovars were selected for posts in the joint administration on the basis of partisan consideration, that ‘Timorization’ has been ‘plagued … with a lack of training and experience’ among Timorese officials, and that ‘administrative authority resides ultimately with the SRSG’, in any case. He shows how the Dayton Accords’ ‘tight and inflexible deadline’ enabled Bosnian nationalist leaders to win elections and resist cooperation with international officials in implementing key components of the settlement. He reveals how consultative mechanisms in East Timor failed to establish ‘a more meaningful partnership’ with domestic officials. He outlines the difficulties faced in physical reconstruction, economic development, and in the transition from statist to liberal economic principles. He exposes the contradictions between the desire

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5 See Couzens, Chesterman and O’Neill.
6 Caplan, p. 34.
7 Caplan, pp. 39–40.
8 Caplan, pp. 42–3.
9 Caplan, pp. 45–6.
to build democratic institutions and the increasing arrogation of authority to the High Representative in Bosnia-Herzegovina. At the December 1997 Bonn meeting of the PIC (Peace implementation Council), the High Representative won the right to ‘impose laws in the absence of a willingness of local governing parties to adopt them and to dismiss from office public officials’. The High Representative has used these ‘Bonn powers’ to dismiss recalcitrant officials, restructure constitutional commissions, impose economic legislation, create a neutral and non-ethnic licence plate, adopt currency, and establish an Independent Judicial Commission, to name just a few significant (of several hundred) instances. Caplan’s account leaves no doubt that these international operations have fallen far short of the goals set out in initial planning, no matter how many ‘successes’ their individual leaderships cite in their regular reports on operations.

Caplan’s discussion of ‘critical issues’ and his recommendations also fall within the school of critical optimism on reform of peace operations, peace building and international administration found in the ‘Brahimi Report’, as well as in the work of the International Crisis Group, International Peace Academy and European Stability Initiative. He points to the UN’s absence of strategic and contingency planning; to the impediments to building local capacity; to long-term limitations to the High Representative’s government ‘by decree’; to dilemmas of the operations’ joint accountability both to the international organization and to the population in the territory; and to a series of lessons to be learned on exit strategies. He calls for improved capacity for planning and coordination, additional resources, and new types of thinking that would include the development of standard operating procedures and lists of deployable individuals in specific categories essential to the success of the operation. He claims that the ‘rapid and effective deployment of human resources and materiel to a distressed region is vital’ to a successful peace operation. He argues for clarity of mandate, and claims that ‘unified authority, strong co-ordination and a willingness by headquarters to delegate responsibility to the field’ will enhance the capacity of a transitional authority to work effectively. These conclusions are in accordance with the balanced self-criticism of UN lessons learned in exercises intended to contribute to improvements in its peace operations.

Broadening the relevance

These judicious assessments of existing international administrations leave out the issue of what we can learn from these experiences, especially if ‘it is doubtful that there will be the political will’ to establish them very often. Are there

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10 Caplan, p. 41.
12 Caplan, p. 70.
15 Caplan, p. 84.
lessons to apply to other types of post-war conflict management? Caplan points to the ‘unique’ geopolitical circumstances that have ‘given rise to these operations’, and notes down the ‘deep reluctance in the international community to become involved in the business of administering the territories of other states and other peoples’. Further, he suggests ‘it would be a mistake … to suggest that international administration constitutes a mere extension of complex peacekeeping’ because international administration involves a ‘unique’ set of prerogatives and powers that render this new type of operation quite like an international protectorate or trusteeship. A focus on the diplomatic and legal dimensions of international administrations draws attention away from the reality that all of these operations are conducted in failed (and partially failed) states and that they aim to establish, or assist a sovereign government to establish, stable and inclusive institutions that would prevent the further outbreak of deadly conflict.

It seems appropriate to place the different types of intervention aimed at conflict management along a continuum from more to less interventionist. The place of an operation on this continuum could be based, as Caplan does, on the degree of authority possessed by the peace operation and on its scope of interest and actual responsibility for functioning of the state. All operations envision some form of division of authority among domestic and international officials and these interventions would be sanctioned by the United Nations.

On such a continuum, comprehensive international administrations, such as in Kosovo and East Timor, would be placed as the most significant form of intervention. The UN operations in these places have enormous formal authority to establish an administration, to build state institutions, and to engage in international bargaining. For example, UNTAET officials negotiated a treaty over the Timor Gap with the Australian Government. Similarly, UNMIK officials negotiated the international sale of commodities to firms in Europe and Asia and have established partnerships with European firms in Kosovo.

Supervisory operations, such as that in Bosnia-Herzegovina, are the next most comprehensive form of intervention. One implication of Caplan’s central argument is that it is significantly more difficult for a supervisory operation than for an interim administration to achieve its mandated goals. In Bosnia, international officials have had to contend with formally sovereign domestic politicians who did not share the goals set out in the Dayton Accords. In response to the continued refusal of these nationalist officials to cooperate in implementing the accords, the High Representative has acquired increasing authority to make binding decisions. In effect, the post-Dayton international operation in Bosnia suffers from a gap between the aspirations of an ‘interim administration’ and the tools of a mere advisory operation when the ‘bad’
domestic politicians refuse to take appropriate guidance from the ‘wise’ international officials. UNTAES (UN Transitional Authority in Eastern Slavonia) can also be placed in this category. It enjoyed extensive formal authority over a small portion of Croatia, but acquired only a modest capacity to administer or to build institutions. It worked effectively to integrate the full range of existing Serb institutions—i.e., police, postal service, education—into the sovereign Croatian institutions. These aims, while complex and difficult enough, were significantly more modest than the aims of operations in East Timor and Kosovo.

Advisory operations, such as in Afghanistan, the Congo or the more recent UNMISET (UN Mission of Support in East Timor), encompass elements of peace building and elements of administration. The authority of such operations generally rests on a UN Security Council mandate, and the scope of activity can be broad but non-authoritative. For example, Annex II of the Bonn Agreement on provisional arrangements in Afghanistan enjoins the United Nations to ‘monitor and assist in implementation’ of the agreement, to ‘advise the Interim Authority’, and to ‘investigate human rights [and] recommend corrective action’. MONUC (UN Mission in the Congo) has a mandate to monitor a ceasefire, to liaise with the militaries of all parties; to develop an implementation plan for the Ceasefire Agreement that includes substantial elements of disarmament, demobilization and reintegration of former combatants; to work with the parties to obtain release of prisoners of war; to supervise and verify military disengagement; to facilitate humanitarian assistance and human rights monitoring with attention to vulnerable groups, in close cooperation with UN and other agencies; to cooperate closely with the Facilitator of the National Dialogue; and to develop a mine action plan. The mandates of these operations are clearly to assist formally sovereign governments prevent the resolution of conflict by violence.

There is a fourth type of operation, in areas where the conflict continues and where there is no settlement or United Nations sanctions, such as in Sudan or in Colombia, what Robert Cooper calls ‘pre-state, post-imperial chaos’. This lightest form of intervention—or apparent non-intervention—is driven by informal ‘Groups of Friends’ and Special Diplomatic Envoys from the UN Secretary General, regional organizations and individual governments.

The position of a specific operation within these categories is not hard and fast. Individual operations can evolve over time—as has been the case with post-Dayton intervention in Bosnia-Herzegovina. Administration and governance—or their absence—is significant in all of these types of operations. All operations have a mix of international and domestic officials, as well as an implicit international–domestic division of labour within public institutions.

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21 Cited in Caplan, p. 84. See also, Jan Egeland, ‘Peacemaking and prevention of violence in internal strife and intra-state conflict: the role of governments and NGOs’, Inter-American Development Bank Seminar on 14 March 1998, accessed at http://www.iadb.org/sds/doc/1075eng.pdf. Egeland was later a Special Representative of the UN Secretary General in Colombia.
International officials play an essential role in all of them—either by their mandated activities to govern, supervise and advise, or by their absence. Against this background, it is possible to take some lessons from Caplan’s work to other, likely types of intervention in the near future. Such lessons may be even more important in those conflict zones that will lack formal international administrations—i.e., in Afghanistan, parts of Africa and possibly Iraq. The lessons involve political consolidation, the establishment of strategic priorities, the division of authority among domestic and international officials, and capacity building as mutual learning.

**Political and organizational consolidation.**

The single most important and most difficult objective is the achievement of political consolidation or a winning ‘coalition of the willing’ among the great powers, among regional powers, and, in theatre, among key organizations. Caplan discusses the organizational culture against planning within the UN Secretariat, as well as the difficulties of coordination among different departments and with the Security Council. The greater the unity of relevant stakeholders, the greater the chance that an operation will succeed. This has not proven easy. For example, in the early 1990s, the permanent five governments on the Security Council could not agree on a common approach to end the Balkan war and settled on adopting resolutions aimed at the lowest common denominator of agreement. This allowed the armed conflict to simmer for four years.

Nor have regional powers always acted in support of the international mandate. It is fair to say that neighboring states of Yugoslavia and Croatia neither acted in support of peaceful resolution to the war in Bosnia nor in support of a stable peace following the Dayton Accords. And the departure of Presidents Milosevic and Tudjman, who were the region’s most obstinate and authoritative opponents to a fair and stable peace, has not ensured the success of international efforts. Transnational groups—governments, criminal organizations and paramilitary groups—that benefit from continued instability will continue to sabotage a stable and inclusive peace to further their own interests.

Caplan also reminds us that ‘[n]o international administration can function without having a political vision … for the society it is administering’. On one hand, it is the case that the success of interim administrators, such as Jacques-Paul Klein in UNTAES or Bernard Kouchner in UNMIK, rests in good measure on their personal capacity to convey a convincing political vision.
message to the domestic population while at the same time maintaining a sense of clear priorities for achievement. Both administrations appeared to build relationships with headquarters on the basis of their relatively successful performance in theatre. On the other hand, it is also the case that many international operations promote putatively cosmopolitan values—such as multi-ethnicity, political diversity, economic liberalism or democratic development—that are not as deeply rooted internationally as we would sometimes like to believe. Caplan urges the reader to bear in mind ‘that ultimately there may be limits to what outside parties can do to promote the values that underpin a democratic and tolerant society’.26

Clear strategic priorities

Caplan assesses the capacity of international administrations to maintain order, resettle refugees and IDPs, perform civil administration, develop local political institutions and initiate economic reconstruction. However, in his belief that there can be no single template for all operations, he does not present a method of establishing priorities among the different types of activities.27 Yet in a world of limited resources, it would seem necessary for international officials to follow a strategic map that would lead to establishing a stable, inclusive government. Planners for each operation will need to establish a distinct set of priorities that are based on an accurate reading of the situation in theatre.

A first necessary condition after a ceasefire agreement and peace settlement must be security and justice, which can underpin the expansion of economic development and political inclusion. The absence of order at the end of wars provides fertile soil for the flourishing of organized crime and for the arbitrary intimidation of political and ethnic minorities. As part of a broader program of reform, it might be necessary to assist the police, judiciary and correctional system to improve their management and administration. International officials may assist in the recruitment of personnel and in the examination of their qualifications, war records and past performance to ensure their personal and professional integrity. They can monitor the system of justice from the perspective of human rights standards. They may also be requested to assist in the establishment of mechanisms to address alleged past war crimes, and current political and sensitive crimes. Together with domestic colleagues, peacekeepers may assist in the review and revision of applicable codes in criminal and civil law.28

Establishing security has proven far more difficult in the Balkans than it has in East Timor, but it is not at all clear that subsequent operations will face the relatively benign security environment similar to that presented in East Timor. Security and justice issues must be addressed early on to ensure the further

26 Caplan, p. 64.
27 Caplan, p. 68.
28 For a detailed exploration of the Kosovo case, see Mark Baskin, Lessons learned in Kosovo’s judiciary, Pearson Paper 8 (Clementsport, NS: Canadian Peacekeeping Press, 2002).
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success of the operation. If the international administrators choose early on to emphasize a set of ‘attractive’ investments in economic production and civil society, this assistance is likely to end up in the pockets of individual leaders of transnational groups—both inside and outside the government—that maintain a stake in continued instability. In the absence of the capacity for quick deployments of officials and staff to work in the areas of security and justice, these civilian activities will require initially close cooperation with the military. As the emerging administrative and representative institutions begin to function, it will be possible to expand international involvement from strictly humanitarian assistance to a broad programme of reconstruction and economic development. This will also allow a focus on the expansion of civil society. The significant point about priorities is that security and justice must fundamentally underpin all other good things associated with development, democracy and civil society.

Effective division of international and domestic authority

Caplan draws attention to the relationship between international and domestic officials and points out that it is not always a simple matter to choose representative and legitimate domestic interlocutors. When international and domestic partners disagree, he suggests that ‘it is the local authorities who bear primary responsibility for the policies that prevail’ and international organizations must determine when to contemplate indefinite ‘occupation’ and when to consider disengagement. On the other hand, he observes ‘problems arising from insufficient consultation’ that are ‘compounded by the tendency of international staff … to detach themselves from the local population and from the realities of everyday life in the territories where they serve’. This is possibly even more important and more difficult in operations that are not under international administration.

The capacity of international officials to identify effective mechanisms of cooperation and coordination with host country colleagues would enhance the credibility of an international operation to fulfill its broader mandate to ‘prevent the inevitable conflicts that every society generates from turning into violent conflicts’. It would enable international officials to nurture a ‘domestic’ or ‘local’ constituency with a stake in implementation of the international mandate. This capacity would also enable the international security forces to act authoritatively and isolate ‘spoilers’ who are impeding the implementation of an inclusive and stable peace. It would permit international operations to avoid or mitigate tense confrontations with a broad range of domestic groups. It would

29 Caplan, pp. 77–8.
30 Caplan, p. 54.
31 The following paragraph is taken largely from Mark Baskin, ‘Between exit and engagement: on the division of authority between international and domestic institutions in transitional administrations’, Global Governance (forthcoming, 2003).
lead to the development of institutions that can effectively address challenges in social, economic and political development, and thereby contribute to the domestic legitimacy of the emerging government’s authority. This is in accordance with Robert Axelrod’s seminal work on cooperation: ‘For cooperation to prove stable, the future must have a sufficiently large shadow’ that is rooted in a stable set of relationships and expectations. While this may have proven difficult for officials in international administrations, it will prove essential in those advisory or supervisory operations.

**Capacity building as mutual learning**

Caplan’s discussion of building local capacity demonstrates that international authorities are often tempted ‘to rely principally, if not entirely, on international agencies and personnel for the implementation of their mandate’ from their concern for ‘adequate and efficient implementation’. Officials in supervisory or advisory operations do not have this luxury of ignoring domestic officials. Their requirement to work much more closely with their domestic colleagues will necessitate intensive preparation. In this sense, building capacity is a two-way street. It may be the case that domestic personnel will require appropriate technical skills and acquaintance with prevalent international values and norms in their profession. But it is also the case that international officials lack appropriate technical and cultural expertise. They will require extensive knowledge about the place where they are working, about its pre-war development, about the conflict’s political economy, and about the country’s deeper political and decision making cultures. Among their teachers can be the domestic officials undergoing training to be civil servants, their interpreters and their landlords. This is the case in international interventions of all types.

If policy-makers at the UN, regional organizations and national governments are to move beyond the temptation of employing rigid templates to future international interventions—whether administrations, supervisory or advisory operations—it will be necessary to begin planning with a careful and detailed comparison of recent efforts at international governance. Caplan’s monograph on the international administration of war-torn territories provides an excellent starting point for such an exploration.

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34 Caplan, p. 51.