Conflict Resolution: Model of International Intervention in a Crisis Area

A search for ways of transforming actual and potential conflict into peaceful processes of political and social change.

Mantova, 22 novembre 2018
Evoluzione dello Scenario 1/3

IERI

- Minaccia multidirezionale e multiforme
- Scenari operativi non definiti
- Formazioni Multinazionali
- Rapporti alleanze da definire nelle Coalizioni

OGGI

- Minaccia unidirezionale e definita
- Scenario operativo conosciuto
- Forze precostituite
- Rapporti alleanze definiti

Certezza
Prevedibilità

Indeterminatezza
Imprevedibilità
MINACCIA IBRIDA
ASIMMETRICITÀ
CONGESTIONE DELLA DIMENSIONE TERRESTRE
CONFUSIONE
VULNERABILITÀ
PERSISTENZA DEI CONFLITTI
MINACCIA IBRIDA
CONGESTIONE DELLA DIMENSIONE TERRESTRE
CONFUSIONE
VULNERABILITÀ
PERSISTENZA DEI CONFLITTI

ELEMENTI DI DISCONTINUITÀ RISPETTO AI CONFLITTI DEL PASSATO
CONFLITTO TERRESTRE
VIOLENZA
EMOTIVITÀ
VOLONTÀ POLITICA
RISCHIO
CASUALITÀ

Evoluzione dello Scenario 2/3

ELEMENTI DI CONTINUITÀ RISPETTO AI CONFLITTI DEL PASSATO
From interstate conflicts...

*Interstate:* Interstate violence is a conflict between two or more states (both members of the international system), who use their respective national forces in the conflict (i.e., India vs. Pak; Russia vs. Georgia).

... to intrastate conflicts

Intrastate violence is the most common form of conflict today. It describes sustained political violence that takes place between armed groups representing the state, and one or more non-state groups. Violence of this sort usually is confined within the borders of a single state, but usually has significant international dimensions and holds the risk of spilling over into bordering states (i.e., the conflict in Syria and Iraq).
Complexity of Background
– ISAF case –
Wide Range of Actors
International Scenario

• Legal Framework of Reference

• Multinational Endeavour

• Intervention: Political Will (Unanimous Consensus) & Military Capabilities (Ends+Ways+Means)

• Holistic Vision (Military, Political, Tribal, Religious, Economic Aspects)

• Effectiveness, Legitimacy, Accountability and Consistency

• Greater Awareness by Western Societies (RoEs/Caveats/Rule of Law)

• Strong Media Influence (from Local to Global Amplification of the Conflict)

• Comprehensive Approach
Local Scenario

• All conflicts are unique and require specific approaches
• From Two-Dimensional to Three-Dimensional Conflict (Wide Range of Actors)
• All Aspects Interested (Political, Military, Economic, Social, Information, Infrastructure)
• Unknown Cultural Environment
• Key Role of the Population
• Complexity of Operational Engagement (Combat, C/Terrorism, Humanitarian)
• Diversification of Military Functions/Roles (Socio-Cultural Mediators, Ambassadors, Organizations/Agenies Coordinators)
• Warriors vs Peacekeepers: In the Middle of vs In Front of; In Favor of and not Against
• Conflict of Perception
Conflict Resolution: a search for ways of transforming actual and potential conflict into peaceful processes of political and social change.
End State

- The overarching political and/or military situation to be attained at the end of an operation or activity, which indicates that the objectives have been achieved.

- It is sometimes called the “Post Conflict Situation”. It describes a range of conditions desired within the Political, Military, Economic, Social, Informational and Infrastructure fields at the conclusion of a campaign or operations.

- Ensure a security environment which allows both internal and external organizations the capacity to provide development aid free from violent interdiction.
Mediation is a process whereby a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict by helping them to develop mutually acceptable agreements. The premise of mediation is that in the right environment, conflict parties can improve their relationships and move towards cooperation. Mediation outcomes can be limited in scope, dealing with a specific issue in order to contain or manage a conflict, or can tackle a broad range of issues in a comprehensive peace agreement.

The Guidance identifies a number of key fundamentals that should be considered in mediation processes:

- preparedness
- consent
- impartiality
- inclusivity
- national ownership
- international law and normative frameworks
- coherence; coordination and complementarity of the mediation effort
- quality peace agreements

https://peacemaker.un.org/guidance-effective-mediation
The Five Steps to Conflict Resolution:

1. Identify the source of the conflict (information about the cause of the conflict)
2. Look beyond the situation (the perspective of the situation)
3. Request solutions (how the situation could be changed)
4. Identify solutions two (or more) disputants can support (the most acceptable CoA)
5. Agreement (common official statement)
## Legal Basis for the Use of Force

<table>
<thead>
<tr>
<th><strong>UN Charter</strong> – Resolutions/Mandates based on the UN Charter as a whole primarily Chapters VI, II, and VIII:</th>
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</thead>
<tbody>
<tr>
<td>➢ <strong>Chapter VI: Pacific Settlement of Disputes</strong> – Addresses peaceful means</td>
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<tr>
<td>➢ <strong>Chapter VI 1/2</strong>: the right, and even an obligation, to use force to defend themselves and their units against attack or imminent attack (self-defense) (Peacekeeping).</td>
</tr>
<tr>
<td>➢ <strong>Chapter VII</strong>: use of force necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations (Peace-Enforcement).</td>
</tr>
<tr>
<td>➢ <strong>Chapter VIII</strong>: Regional arrangements to maintain peace &amp; security.</td>
</tr>
<tr>
<td><strong>International Treaties/Multinational Agreements/Conventions.</strong></td>
</tr>
<tr>
<td><strong>National Constitutions/Declarations/Resolutions/Statutory Authorizations.</strong></td>
</tr>
<tr>
<td><strong>Rules of Engagement (RoE)</strong>: directives to military forces (including individuals) that define the circumstances, conditions, degree, and manner in which the use of force can be applied. RoE can make the difference between success and failure.</td>
</tr>
<tr>
<td><strong>Caveat</strong>: National government directives that limits the action of military forces.</td>
</tr>
</tbody>
</table>
Key Planning Documents (1)

- Security Council Resolution (UNSCR)
- Status of Forces/Mission Agreement (SOFA/SOMA)
- Mandate
- Terms of Reference
- Chapter VI or VII
- Rules of Engagement (RoE)
- Caveat
- Memorandum of Understanding (MOU)
### Key Planning Documents (2)

<table>
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<tr>
<th>Document Type</th>
<th>Description</th>
</tr>
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<tr>
<td>SECURITY COUNCIL RESOLUTION (UNSCR)</td>
<td>United Nations Security Council (UNSC) passes Resolutions that establishes the basis for the PKO. Resolutions normally contain two sections: First part contains political statements from the UNSC and, the second part outlines the Mandate for the PKO.</td>
</tr>
<tr>
<td>STATUS OF FORCES/MISSION AGREEMENT (SOFA/SOMA)</td>
<td>Negotiated agreements with the Host Nation and/or Affected that establish the detailed legal status of PKO forces. Are considered an International Agreement.</td>
</tr>
<tr>
<td>MEMORANDUM OF UNDERSTANDING (MOU)</td>
<td>Used to establish agreements within the forces as required. Flexible tool to establish formal agreements as required (can supplemented or replace TORs). Can be used between nations or for the Commander as a whole to establish procedures or processes.</td>
</tr>
<tr>
<td>TERMS OF REFERENCE (TOR)</td>
<td>Based upon the situation and Mandate; may be subject to approval by the parties to the dispute. Describes the mission, command relationships, organization, logistics, accounting procedures, coordination and liaison, and responsibilities or personnel assigned to the force.</td>
</tr>
</tbody>
</table>
The Mandate is the central document for outlining the scope of the operation. The Mandate is either contained in a UNSC Resolution, an Initiating Directive from a Regional Organization or Multinational Organization, or can be included in Warning Orders and OPORDs for the operation.

- Also establishes the following:
  - Legitimacy for the operation
  - Chapter VI or VII
  - RoE guidance
  - Nature of the operation
  - Strategic Objectives and Political/Military end states
  - Strategic Mission and Tasks
  - Freedoms, constraints, and restraints
  - Expected Duration
  - Logistics and key supporting aspects
  - Civil-Military coordinating mechanisms

It is critical that a clear end state be contained in the Mandate.
Population Role

- XIX Century
- World War 1
- World War 2
- Marginal Element
- Support to War Effort
- Obj to Weaken the Spirit of Soldiers
- Main Mobilization Population = Army
- No Difference Between Combatants & Noncombatants
- Center of Gravity
- Current Crisis
- Post Colonial Conflicts
Legality vs Legitimacy 1/2

- **LEGALITY**
  - Compliance with Regulatory Requirements for Planning and Conducting Operations
  - Military Operations Conducted in a Legal Framework of Reference (International Mandates, National Laws, RoE, Caveats)

- **LEGITIMACY**
  - Recognition, Understanding, Acceptance & Sharing of the Country (National Public Consensus)
  - Media Influence
  - Non-Formal Aspects (Political, Emotional, Cultural, Intellectual, etc.)

**INFLUENCE THE CONFLICT OUTCOME MORE THAN THE RESULTS ON THE GROUND**
Conflict of Perception

EVENTS AMPLIFICATION
From Local to Global

NARRATIVE CONTEST
It Tells Facts (Interpretation of Events) Rather than Reporting them

STRATEGIC IMPACT
The problem arises when legality and legitimacy come into conflict, that is, when something that is deemed to be legitimate is prohibited by law and vice versa.

Legitimacy is an inherently subjective concept, so agreement is not always possible on what is legitimate and illegitimate. Without institutional endorsements of a particular action by the SC of the UN, for instance, which create a sense of consensus as a result of a successful political process on what is seen as legitimate, a tension between law and legitimacy may weaken the bidding force of legal rules that are necessary for the very existence of the society of states. If this situation prevails, the breakdown of any international legal regime is unavoidable.
A “Legitimate” Illegal Intervention

- Aggression or legitimate intervention?
- In the current framework of the international community, three sets of values underpin the overarching system of interstate relations: peace, human rights and self-determination.
- To promote Human Rights NATO violated the other two.
Model of International Intervention in a Crisis Area

**DIPLOMATIC, INFORMATION, MILITARY, ECONOMIC (DIME) LEVERS OF POWER & ACTION**

**CRISIS “DImE”**
- Analysis of Region and Operational Environment
- Frame the “PROBLEM”
- Set a Likely Political-Strategic Solution, and Establish an Effective Diplomatic Approach (International Community, Nations, Actors (State & Non-State))
- Design a Security Strategy, Operational Design & JOPP & MDMP (Military Planning)
- Force Generation (Lead Nation / Coalition / Troop-to-Task / Supporting & Supported Forces’ Role)
- Communication Strategy at Political-Strategic Level

**INTERVENTION “DIMe”**
- SOFA & MTAs
- Force Deployment & Force Sustainment (Feasible, Acceptable, Sustainable (FAS))
- Enlarge Military Presence
- MIL OPS to Achieve Established END STATE and/or Status Quo
- Diplomatic Action & Regional Stabilization (Agreement & Commitment International Communities / Countries / Nations / State & Non-State Actors / Organizations)
- Humanitarian Aids
- Implementation of a Strategic Communication Plan through all Tools: PA, SOCIAL Networks, KLE, PSYOPS, Intelligence

**STABILIZATION “DIME”**
- Humanitarian Aids
- Enduring Military Presence and Combined Effort
- Enhancement of Comprehensive Effort (all Actors, Military and Civilians)
- Military Assistance (Training and Equipping of Military Forces and Local Police)
- Formation of a Provisional Government
- Reshaping Strategic Communication Plan. Main Effort Focussed on KLE, Instrument to the Local Institutions and the International Community (Better Understanding of Mission)

**RECONSTRUCTION “DIMe”**
- Reconstitution of Institutional and Government Sectors and Improvement of the Socio-Political-Economic Conditions of the Host Country/Nation
- Assistance to Institutions and Local Government Authorities
- Training, Advise & Assist (TAA) to Military Forces and Local Police
- Agreements with the Host Nation, Institution & Support to the Election Process and Transition of responsibilities to a Government Recognized by the International Community
- Reshaping the Strategic Communication Plan and Involvement of Local Authorities

**TRANSFER OF AUTHORITY “DImE”**
- Local Political and Military Authorities take Responsibility at Local, Regional and National Level
- Reintegration of the Country at Regional Level
- Socio-Political and Economic Development of the Country
- Knowledge Transfer of Strategic Communication to Local Authorities