

**CHAPTER III.**  
***Human Rights Field Operations and the De-Escalation of Conflict***

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The link between achieving peace and addressing human rights violations in both low and high-intensity intra-state conflicts has led to the growth of Human Rights Field Operations (HRFOs) from one operation in 1992 to twenty-two in 1998.<sup>116</sup> During the *Meeting of Heads of Field Presences* in August 1998, the Office of the High Commissioner for Human Rights (OHCHR) summarized the growth and diversification of HRFOs as follows:

The nature and format of OHCHR's field presences has varied considerable over time, ranging from deployment of two field officers in Zagreb with the mandate of providing support to the Special Rapporteur on Human Rights in the ex-Yugoslavia, to the establishment of a fully fledged office in Cambodia with a technical cooperation and monitoring mandate, to the launching of the Human Rights Field Operation in Rwanda, to the recent establishment of field presences linked to the implementation of cooperation projects (Malawi, Mongolia, Gaza)."<sup>117</sup>

This chapter begins by discussing these variations of HRFOs in greater detail. A distinction is made between a human rights "field presence" and "field operation." The second section examines *how* HRFOs respond to HRVs through monitoring and institution-building – and evaluates the effectiveness of each type of response in de-escalating conflict. The third and final section explores the question of *when* HRFOs should be deployed in response to systemic, proximate or immediate determinants.

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<sup>116</sup> United Nations Office of the High Commissioner for Human Rights, *Human Rights in Action: Meeting of Heads of Field Presences* (Geneva 4-7 August 1998), p. 3.

<sup>117</sup> *Ibid.*

### 3.1 Defining Human Rights Field Operations?

HRFOs are characterized by their alignment with an international body such as the UN or the OSCE (they are based in a country for several months), their primary functions (observing, investigating, documenting and/or reporting on HRVs), and their number of staff (at least a dozen monitors).<sup>118</sup> Based on these characteristics, the following five operations were originally defined as HRFOs: 1) the UN Observer Mission in El Salvador (ONUSAL); 2) the UN Transitional Authority in Cambodia (UNTAC); 3) the UN Mission in Guatemala (MINGUA); 4) the International Civilian Mission in Haiti (MICIVIH); 4) the Human Rights Field Operation in Rwanda (HRFOR); and 5) the OSCE Mission in Bosnia and Herzegovina.<sup>119</sup> Since the publication of the first reports on HRFOs, however, the number and complexity of HRFOs has increased to include smaller HRFOs (also referred to as “field presences” of the Office of the High Commissioner of Human Rights). One of the most useful ways to differentiate between the varied and vast number of HRFOs is to divide them by configuration. The Aspen Institute divides HRFOs into two categories – New York-based and Geneva-based operations.<sup>120</sup>

*New York-based Operations* are HRFOs mandated under the Department of Peacekeeping Operations (DPKO) or the Department of Political Affairs (DPA) in New York and are part of larger interdisciplinary peacekeeping mission.<sup>121</sup> Examples include

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<sup>118</sup> Kenny (1997), p. 62.

<sup>119</sup> See: LaRose-Edwards; Kate MacKintosh, “International Responses to Acute Crisis: Supporting Human Rights Through Protection and Assistance,” Conference Discussion Paper, 11-13 February 1998; Kenny (1996); Stephen Golub, “Strengthening Human Rights Monitoring Missions: An Options Paper Prepared for the Office of Transitions Bureau for Humanitarian Response,” (Washington, DC: USAID, Dec. 1995).

<sup>120</sup> The Aspen Institute, *Honoring Human Rights: From Peace to Justice* (Washington: The Aspen Institute, 1998), p. 1. Source: [www.aspeninst.org/dir/polpro/jsp/hhrtoc.html](http://www.aspeninst.org/dir/polpro/jsp/hhrtoc.html)

<sup>121</sup> *Ibid.*

UNTAC in Cambodia and ONUSAL in El Salvador – where the human rights observer missions were integrated into the larger peacekeeping operation – and MICIVIH in Haiti, which retained its operational independence from the UN Mission in Haiti (UNMIH).

Recently, however, there has been a new generation of HRFOs without the umbrella of a larger multidisciplinary peacekeeping operation.<sup>122</sup> These *Geneva-based Operations* refer to HRFOs created by the Office of the High Commissioner for Human Rights in Geneva. They include stand-alone operations, which may accompany a UN peacekeeping operation. Examples include HRFOR in Rwanda, a stand-alone operation independent of UNAMIR, the UN Peacekeeping Mission in Rwanda.<sup>123</sup>

In addition to New York and Geneva-based operations, there is another new generation of HRFOs – those led by organizations other than the United Nations. Examples include the monitoring and civilian police operations in Haiti organized by the Organization of American States (OAS) and the HRFOs in Croatia and Kosovo organized under the OSCE. In *Table 5*, the different configurations of current HRFOs are summarized:

*Table 5: Configurations of Current HRFOs and OHCHR Field Presences*

HRFO	ORGANIZATION	CONFIGURATION
Abkhazia, Georgia UNOMIG (UN Observer Mission in Georgia)	DPKO	Human Rights Unit under UNOMIG
Angola – MONUA (UN Observer Mission in Angola)	DPKO	Human Rights Field Office
Burundi	OHCHR	Human Rights Field Office
Cambodia	UNTAC τ OHCHR	Human Rights Field Office
Central African Republic HRFOC (Human Rights Field Office in the DRC)	DPKO	Human Rights Unit under MINURCA
Columbia	OHCHR	Human Rights Field Office
Democratic Republic of Congo	OHCHR	Human Rights Field Office
El Salvador	OHCHR	Human Rights Field Office

<sup>122</sup> Leonardo Franco, Introductory Statement at the International Symposium, “Strengthening of Human Rights Field Operations,” Working Group I: “Mandate and Concept of Human Rights Field Operations” (Bonn, 26-27 May 1998).

<sup>123</sup> *Ibid.*, p. 2.

Bosnia and Herzegovina	OHCHR	Human Rights Field Office
Croatia	OHCHR	Human Rights Field Office
Federal Republic of Yugoslavia	OHCHR	Human Rights Field Office
FRY Macedonia	OHCHR	Human Rights Field Office
Gaza	OHCHR	Human Rights Field Office
Guatemala	MINUGUA τ OHCHR	Human Rights Field Office
Liberia	DPA	Human Rights Field Office
Malawi	OHCHR	Human Rights Field Office
Mongolia	OHCHR	Human Rights Field Office
Rwanda – HRFOR (Human Rights Field Operation in Rwanda)	OHCHR	Human Rights Field Office
Sierra Leone – UNOMSIL (UN Observer Mission in Liberia)	DPKO	Part of Military/CIVPOL Operation
South Africa	OHCHR	Human Rights Field Office
Southern Africa Regional Office	OHCHR	Human Rights Field Office
Togo	OHCHR	Human Rights Field Office

*Information compiled from: United Nations Office of the High Commissioner for Human Rights, Human Rights in Action: Meeting of Heads of Field Presences, Geneva 4-7 August 1998.*

### 3.2 The Role of HRFOs

In most cases, HRFOs are given a mandate, under a formal peace agreement or through the consent of a state, to monitor and observe HRVs and prevent further abuses. The role of HRFOs, therefore, has moved beyond the original purpose of *ceasing* hostilities and HRVs through human rights monitoring and observation, to *sustaining* and *securing* human rights through a more developmental and long-term approach. This shift is articulated by the Aspen Institute in its claim that “[t]he logic of human rights field operations is shifting from being a useful component in peacekeeping to being the essential link in peace building in all its aspects: development, good governance, and crime prevention.”<sup>124</sup> This new approach of HRFOs employs strategies such as

<sup>124</sup> The Aspen Institute, *Honoring Human Rights: From Peace to Justice* (Washington, DC: The Aspen Institute, 1998), Source: [www.aspeninst.org/dir/polpro/jsp/hhrtoc.html](http://www.aspeninst.org/dir/polpro/jsp/hhrtoc.html)

institution-building and strengthening local capacity. These new strategies, as well as the traditional monitoring role of HRFOs, are discussed below.<sup>125</sup>

### 3.2.1 Monitoring

In its *Handbook on Human Rights in Situations of Conflict*, Minnesota Advocates for Human Rights lists the three functions of human rights monitoring as: 1) investigating incidents or government policies through recovery of evidence or data and interviewing victims and witnesses; 2) observing prisons and refugee camps; and 3) evaluating the evidence and drawing conclusions.<sup>126</sup> The monitoring of human rights is important because it brings the actions of states under the watchful eye of the international community, which may serve to deter state governments from continuing human rights abuses. As explained by Marrack Goulding, UN Under-Secretary-General for Political Affairs, the dispatch of a fact-finding or monitoring mission ‘is a public act that tells the parties to the conflict that international concern has been aroused by their failure to handle it more responsibly. At the same time the decision conveys the message that international help is available if the parties want to take advantage of it.’<sup>127</sup>

In addition to their symbolic importance, these monitoring functions may enable HRFOs to alert the international community of impending crises, particularly through the identification of accelerators of gross human rights abuses, genocide and politicide.

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<sup>125</sup> It is important to note that monitoring and institution-building activities undertaken by HRFOs are often implemented in tandem with sanctions and other actions aimed at enforcing compliance. Although these activities may influence the success of a HRFO, such a discussion is beyond the scope of this paper.

<sup>126</sup> Janelle Diller, *Handbook on Human Rights in Situations of Conflict* (Minneapolis, MN: Minnesota Advocates for Human Rights, 1997), p. 2.

<sup>127</sup> Marrack Goulding, ‘Observation, Triage, and Initial Therapy: Fact-Finding Missions and Other Techniques,’ in *Preventive Diplomacy: Stopping Wars Before They Start*, Kevin Cahill (ed.), (New York, NY: Basic Books and the Centre for International Cooperation, 1996), p. 148.

These accelerators, if responded to rapidly and effectively, may serve to de-escalate crises. Three of the eight accelerators of genocide and politicide discussed by Harff and Gurr take the form of HRVs (see Accelerators five, seven and eight in *Table 4*, on pages 46-47). Therefore, a HRFO may be well-positioned not only to identify the presence of these accelerators, but more importantly, to suggest ways to minimize and prevent HRVs from turning into conflict.

However, as articulated by Andrew Clapham and Florence Martin ‘monitoring alone [does] not create the local expertise that needs to remain after the monitors are long gone.’<sup>128</sup> Reactive strategies such as monitoring and observation must be employed in tandem with more proactive strategies such as institution-building, which aims to sustain the protection of human rights.

### **3.2.2 Institution-Building**

After its 1996 consultations with field mission officers, United Nations officials, international NGO leaders, and representatives of international human rights groups, the Aspen Institute concluded that:

Monitoring human rights and building institutions to secure these rights were intimately connected and that this complementarity are in turn related to peace. If the institutions necessary to sustain human rights were not in place, it was likely that hostilities would resume once the peacekeepers left.<sup>129</sup>

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<sup>128</sup> Andrew Clapham and Florence Martin, “Smaller Missions, Bigger Problems” in *Honoring Human Rights: From Peace to Justice* (Washington, DC: The Aspen Institute, 1998),

Source: [www.aspeninst.org/dir/polpro/jsp/hhrtoc.html](http://www.aspeninst.org/dir/polpro/jsp/hhrtoc.html)

<sup>129</sup> The Aspen Institute.

Karen Kenny refers to this form of institution-building as the “sustainability principle,” which affirms that “the aim of a human rights operation should be to facilitate a sustainable improvement in the protection of human rights in accordance with the host society’s needs.”<sup>130</sup>

Capacity-building, through advisory services and technical assistance to national human rights institutions, government and local authorities, as well as support for local human rights NGOs and representatives of civil society, may be the greatest long-term contribution which an (inevitably) transitional human rights operation can make. Structural reform is more likely to be sustainable if it is internally generated.<sup>131</sup>

In its report, the Aspen Institute recommends that in order for institution-building to be successful, it must focus on four key areas – the national police, the judicial system, national institutions and NGOs, and human rights education.

Regarding the national police, the Aspen Institute concludes that HRFOs perform an important role in police reform projects.<sup>132</sup> Such projects involve training police officers and sensitizing them to human rights issues. These projects are usually undertaken with civilian police (CIVPOL) who may act as a transitional police force until new officers are trained. A central aim of these police reform projects is to cleanse the former police force of corruption and create a sense of legitimacy.

A second strategy of capacity-building concerns the judicial system and prisons. Judicial reforms involve the provision of a human rights education to local lawyers and judges in an effort to limit, and eventually prevent, the number of unfair trials that often

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<sup>130</sup> Kenny (1997), pp. 66-67.

<sup>131</sup> *Ibid.* p. 69.

<sup>132</sup> The Aspen Institute.

take place in countries where HRVs occur. Prison reforms include changes to hiring practices and the education of prison employees.<sup>133</sup>

The third strategy of capacity-building recommended by the Aspen Institute refers specifically to the ability of HRFOs to sustain respect for human rights through the development of local organizations. This strategy ensures that local NGOs are able to carry on reporting and investigating functions *after* international monitors leave and that the institutions are in place to deal with violations of human rights.<sup>134</sup>

A fourth and final strategy is the development of a human rights program within educational institutions. Such a program may limit and eventually prevent the systemic discrimination of groups within society that often fuel human rights abuses. The Aspen Institute argues that an education program must build on the strengths and expertise of other organizations and UN offices such as the United Nations Children’s Fund (UNICEF) and UNHCR.

Through these strategies, the protection of human rights and peace can be sustained over the long-term and the most important role of HRFOs – ‘cultivating a spirit of reconciliation and revitalizing the democratic process’<sup>135</sup> – can be fulfilled.

### 3.3 The Timing of HRFOs

To date, the deployment of HRFOs has been limited to the post-conflict peacebuilding stage. However, anomalies exist, such as ONUSAL, the El Salvadoran

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<sup>133</sup> *Ibid.*

<sup>134</sup> *Ibid.*

<sup>135</sup> Alexandre S. Kamarotos. ‘Building Peace, Democracy and Human Rights: International Civilian Missions at the End of the Millennium,’ *International Peacekeeping*, Vol.2, No. 4, (Winter 1995), pp. 486.

peace operation that was deployed not only prior to the signing of an agreement, but more importantly, in the midst of the civil war.<sup>136</sup> The recent OSCE Kosovo Verification Mission (KVM) was also deployed without a negotiated peace agreement and in the midst of protracted intra-state conflict.

Building on the recent invention of preventive deployment forces, such as the United Nations Preventive Deployment Force (UNPREDEP) in Macedonia,<sup>137</sup> only two HRFOs – Burundi and Kosovo – have been deployed prior to the outbreak of conflict as a means of preventing gross human rights abuses, albeit with little success. Although initially promoted by the High Commissioner for Human Rights as “a beacon of preventive diplomacy and an innovative step towards early warning,”<sup>138</sup> the HRFO in Burundi was severely hampered by poor leadership, a lack of personnel and a failure to investigate daily reports of civilian killings.<sup>139</sup> The KVM is still in progress;<sup>140</sup> however, the ability of monitors to deter attacks by Serbian forces and the Kosovo Liberation Army (KLA) has thus far, been questionable.<sup>141</sup>

Another factor restricting the preventive deployment of HRFOs is the unwillingness of the international community to view HRVs as a threat to international

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<sup>136</sup> The other four HRFOs, in Cambodia, Haiti, Guatemala, and Rwanda were deployed during the post-conflict peacebuilding stage of the conflict.

<sup>137</sup> For a detailed analysis of the role of preventive deployments in conflict prevention see, Alice Ackermann and Antonio Pala, ‘From Peacekeeping to Preventive Deployment: A Study of the United Nations in the Former Yugoslav Republic of Macedonia’ *European Security*, Vol. 5, No. 1 (Spring 1996), pp. 83-97.

<sup>138</sup> Clapham and Martin.

<sup>139</sup> *Ibid.*

<sup>140</sup> The KVM observers were evacuated from Kosovo on March 19, 1999. The mission is expected to return either as an accompaniment to the deployment of NATO ground troops or following the signing of a cease-fire agreement. The mission will remain under the umbrella of the OSCE and will become the Kosovo Implementation Mission (KIM). Source: OSCE website: [www.osce.org](http://www.osce.org)

<sup>141</sup> It should be noted that, unlike other HRFOs that have been established in the midst of violence, the KVM was not supported by a UN peacekeeping force.

peace and security.<sup>142</sup> This unwillingness has limited the role of HRFOs to a reactive one, as state consent remains a prerequisite for their deployment. Despite these challenges facing preventive deployment of HRFOs, early deployment remains the best strategy for preventing the escalation of conflict and the emergence of GHRVs.

In the next chapter, comparative case studies of the HRFOs in El Salvador and Angola are used to test the hypothesis that responding directly to HRVs through HRFOs may minimize the escalation of conflict. In doing so, the chapter examines how the timing and approach of each HRFO can be used to mitigate the rise of widespread HRVs and the eventuality of high intensity conflict. Secondly, the impact of human rights observers on the conflict in Angola compared to El Salvador is assessed. Finally, the chapter discusses the question: were institutions in place in either of the HRFOs to sustain the protection of human rights and if not, how did this affect the success of the HRFOs?

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<sup>142</sup> A discussion of human rights as a threat to international peace and security can be found within international relations and humanitarian law literature. Although the UN Security Council has acknowledged the threat to international peace and security caused by human rights violations (a precondition for enforcement measures under Chapter VII of the UN Charter), such violations have not been used as a means of justification for a UN Chapter VII enforcement. For a discussion of this debate see Gerard J. Tanja, 'Humanitarian Intervention and Humanitarian Assistance: An Echo from the Past and a Prospect for the Future,' in *Law in Humanitarian Crises*, Vol. 2, 1995, pp. 67-96; Maurice Torrelli, 'From Humanitarian Assistance to 'Intervention on Humanitarian Grounds,'' *International Review of the Red Cross*, May/June 1992; and Corrine Lynne McDonald, *Human Rights Violations as Threats to International Peace and Security*, MA Thesis, Norman Paterson School of International Affairs, May 1997.

## **CHAPTER IV.**

### ***Case Studies – El Salvador and Angola***

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A comparative case study of the operational responses to the conflicts in El Salvador and Angola is undertaken in this chapter. The focus of each case study is how the establishment of a human rights unit within larger peacekeeping operations was used to respond to the conflict. It is argued that the success of the human rights monitoring mission in El Salvador hinged upon its early deployment and its focus on building institutions to sustain the protection of human rights and foster a sense of trust and reconciliation among Salvadorans. In contrast, it is suggested that the monitoring mission in Angola failed because it was delayed in responding to HRVs and it did not focus on institution-building. Consequently, the peace process is still hampered by an atmosphere of profound mistrust and impunity.

#### **4.1 *El Salvador***

*“People saw the white vehicles as a human rights ambulance: ‘alli vienen los derechos humanos’ — here come human rights.”*

- ONUSAL official, describing the initial reaction to the mission by Salvadorans (Lawyers Committee Interview, San Salvador, August 16, 1994)<sup>143</sup>

In July 1991, a human rights observer mission was created to address El Salvador’s twelve-year civil war. This mission was significant, not only because it was deployed prior to the signing of a cease-fire agreement, but also because it was rooted in

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<sup>143</sup> Lawyers Committee for Human Rights, *Improvising History: A Critical Evaluation of the United Nations Observer Mission in El Salvador* (December 1995), p. 1.

the acknowledgement that HRVs were a major cause of conflict and thus, had to remain the focus of any response. This case study begins with a brief historical overview of the conflict and then proceeds to examine how the focus of the observer mission on human rights contributed to the de-escalation of conflict.

#### **4.1.1 Historical Overview**

After gaining independence in 1838, El Salvador grew to become a state marked by continuous conflict and instability. The rule of economic and military elites defined the political culture of El Salvador. As noted by Mahmood Monshipouri in his study of El Salvador, '[f]rom General Maximiliano Hernández Martínez's 1932 coup, following his brutal suppression of rural resistance, until 1980, every president, with the exception of one provisional executive who served four months, was an army officer. Periodic presidential elections were seldom free or fair.'<sup>144</sup>

By forging an alliance with the military, the interests of the ruling oligarchy were sustained through the extreme maldistribution of land and resources. As argued by Monshipouri 'by monopolizing the economy and controlling export crops, the landed oligarchy dominated the new state: the entire power structure came to reflect the interests of the wealthy landowners.'<sup>145</sup> When the demand for indigo dye, El Salvador's main export, decreased with the influx of cheaper European chemical dyes, El Salvador turned to coffee production. Farm land was seized from Metizos and Indians who were then subjected to forced labour on the coffee plantations. Subsequent protests of this land seizure were suppressed by the military regime to defend the interests of the oligarchy.

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<sup>144</sup> Monshipouri, p. 137.

Thus, a symbiotic relationship developed between the oligarchy, which continued to reinforce economic and social inequalities, and the military regime, which, received financial support from the oligarchy in return for suppressing peasant protest and rebellions.

In the 1970s, severe economic, political and social setbacks were a catalyst for several protests and attempted coups, which were violently repressed by the military under the Romero dictatorship. In response to this government repression, guerilla groups, armed by Nicaragua, engaged in armed opposition. The Salvadoran forces responded with a “vicious nationwide offensive.”<sup>146</sup>

On October 15, 1979, the Romero regime was deposed by junior military officers in a reformist coup and successive military and civilian-military juntas were installed. However, the inability of the junta governments to control the armed forces and death squads led to a subsequent increase in violence. During this escalation of violence, GHRVs were committed. These atrocities are outlined by Edelberto Torres-Rivas and Mirta González-Suárez in their report for the International Centre for Human Rights and Democratic Development:

Examples of the level of violence were the ruthless sacrilege of Archbishop Romero’s assassination (March 1980) and the death of over 100 people at his funeral, as well as the pathological massacre of 600 unarmed peasant civilians in Rio Sumpul (May 1980). In 1980 and 1981 alone, 7,303 people were killed. The repression carried out by the military went far beyond their traditional limits, making them virtually independent of all political power, including the Executive Branch.<sup>147</sup>

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<sup>145</sup> *Ibid.*

<sup>146</sup> *Ibid.*, p. 138.

<sup>147</sup> Edel Torres-Rivas and Mirta González-Suárez, *Obstacles and Hopes: Perspectives for Democratic Development in El Salvador*. (Montreal, PQ: International Centre for Human Rights and Democratic Development, 1994), p. 16.

This wave of repression unleashed against sympathizers of the political opposition continued throughout the early 1980s. During this time, systematic killings, torture and politically-motivated disappearances were commonplace. Thousands of civilians were killed as ‘military forces and death squads engaged in campaigns to exterminate popular leaders and potential mediators of the conflict: peasant and union leaders, students and teachers, human rights activists, [and] journalists.’<sup>148</sup>

Although killings by the guerilla forces, namely the Democratic Revolutionary Front (FDR) and the Farabundo Martí National Liberation Front (FMLN), accounted for a smaller portion of civilian deaths, over time there was less disparity between the number of abuses committed by guerillas and those committed by state forces. As noted by Human Rights Watch, ‘forced recruitment, the endangerment of civilians through widespread use of landmines, and executions of captured noncombatants were practiced by the guerillas during the mid-1980s.’<sup>149</sup>

External geopolitical interests reinforced this civil war between the left and the right political factions within El Salvador in the early 1980s. The right-wing ARENA (Nationalist Republican Alliance) was supported by the United States, while Cuba, Nicaragua and the Soviet Union, supported the left-wing FMLN. Throughout the 1980s, the Soviet Union became pre-occupied with its own domestic problems, thus paving the way for the 1984 election victory of Christian Democrat, Napoleón Duarte. During his presidency, Duarte set a precedent by advocating for dialogue with the FMLN. This dialogue was continued in 1989, after Alfredo Cristiani, a moderate representative of the

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<sup>148</sup> Human Rights Watch, *The Lost Agenda: Human Rights and UN Field Operations* (New York, NY: Human Rights Watch, 1993), p. 16.

<sup>149</sup> *Ibid.*, p. 17.

ARENA party won the presidency.<sup>150</sup> During this time, the Cristiani government attempted to rectify the deep divisions within Salvadoran society by offering minimal reforms and a few concessions to popular opposition.<sup>151</sup> Despite these attempts at reconciliation, however, violence re-emerged in November 1989 following the killing of six Jesuit priests by the army. In response, the United States halved its military aid to El Salvador.<sup>152</sup> This financial loss put pressure on Cristiani to negotiate a successful deal with FMLN to resolve the escalating conflict.

In Geneva in April 1990, talks commenced between the Salvadoran government and the FMLN, under the auspices of the United Nations. These talks eventually resulted in the signing of the San José Agreement on Human Rights in July 1990, marking the first agreement successfully negotiated between the Salvadoran government and the FMLN. The San José Agreement on Human Rights was significant and precedent-setting in that it designated human rights protection as a key requirement for ending the civil war in El Salvador. To operationalize this centrality of human rights, the agreement created the United Nations Observer Mission in El Salvador (ONUSAL), which was deployed in July 1991.

#### **4.1.2 The UN Observer Mission in El Salvador**

ONUSAL was an unprecedented mission because it was the first time UN human rights observers were sent to a sovereign state while fighting persisted in many parts of

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<sup>150</sup> In its report, Human Rights Watch argues that the presidential victory of Cristiani was due in part to an electorate that was exhausted by war and distrustful towards the corrupt Christian Democratic Party, Human Rights Watch (1993), p. 17.

<sup>151</sup> Torres-Rivas and González-Suárez, p. 14.

<sup>152</sup> Human Rights Watch (1993), p. 17.

the country and no cease-fire agreement had been reached.<sup>153</sup> The original mandate of ONUSAL was to ‘take any steps it deem[ed] appropriate’<sup>154</sup> to defend human rights. Included in this mandate was the ability of human rights field officers to visit any military barracks or detention centres without prior notice or consent. ONUSAL’s original staff of 101 people included: forty-two human rights observers, legal and political advisers, educators, fifteen military advisors and sixteen police officers.<sup>155</sup>

Immediately following the signing of a comprehensive peace accord in Chapultepec, Mexico, in January 1992, the ONUSAL operation was expanded to include police and military components such as demobilization and demilitarization of security forces and the FMLN.<sup>156</sup> The increased mandate of the multidisciplinary force – to verify the implementation of agreements between the government and the FMLN – now encompassed the enforcement of a cease-fire, reform of judicial and electoral systems and intense human rights monitoring and verification. For ONUSAL, this presented human rights officers with three specific tasks: protecting human rights, monitoring the 1994 presidential, legislative and municipal elections and overseeing the creation of a new police force.<sup>157</sup> The Salvadorans viewed the third task to be the most important because they were not confident that justice would be administered fairly. Few people trusted or accorded legitimacy to the police force; therefore, strengthening the

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<sup>153</sup> Alexandre S. Kamarotos, ‘Building Peace, Democracy and Human Rights: International Civilian Missions at the End of the Millennium,’ *International Peacekeeping*, Vol. 2, No. 4 (Winter 1995), p. 488.

<sup>154</sup> United Nations document A/44/971: S/21541, ‘Agreement on Human Rights,’ (San José, 1990), para. 13.

<sup>155</sup> Human Rights Watch, (1993), p. 18.

<sup>156</sup> An election monitoring office also existed temporarily during the 1994 election.

<sup>157</sup> Human Rights Watch (1993), p. 23.

administration of justice through the reform and legitimization of key institutions was identified as a major objective of the human rights division of ONUSAL.<sup>158</sup>

The multifaceted nature of the ONUSAL mission, as well as its strong human rights component, resulted in what the Lawyer's Committee for Human Rights has termed an attempt at "improvising history."<sup>159</sup>

Never before has the United Nations launched such a large field operation of this type...[T]he UN did not draw on the advice and expertise of the agency with the most experience in running field operations – the UN High Commissioner for Refugees (UNHCR). Nor was the Human Rights Centre in Geneva involved – the UN's own in-house expert body in human rights. As one senior UN official told the Lawyers Committee, 'every aspect of this has been improvised.'<sup>160</sup>

Many of the solutions to the problems that arose were created in an *ad hoc* manner. Inevitably, this created challenges, since an operational framework was not established from the beginning. As a consequence, cooperation with the military and civilian police of the UN was minimal. In addition, the lack of a unified chain of command created leadership problems in the field. This was particularly evident between the human rights field coordinators and the civilian police officers in their efforts to establish the new National Civilian Police (PNC).

Because the Human Rights Division was created first, the human rights officers were deemed the sole officers responsible for the coordination and facilitation of all ONUSAL's human rights activities. Accordingly, the civilian police were required to accept the authority and expertise of the human rights officers. However, due to the lack of practical experience by human rights field officers in leadership positions, the civilian

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<sup>158</sup> Lawyers Committee for Human Rights (1995), p. vii.

<sup>159</sup> "Improvising History" is the title of the report by the Lawyers Committee for Human Rights on the human rights division of the ONUSAL mission.

police were often reluctant to accept this authority. Although the human rights coordinators for each of the five regional offices were chosen for their individual qualifications, as well as their experiences in human rights and humanitarian legal matters, none had direct experience and only one seconded from UNHCR had extensive field experience.<sup>161</sup> This absence of actual field experience prevented the civilian police from regarding them as true experts, which in turn made it difficult for the civilian police to cooperate with, and receive orders from the human rights coordinators.

Although these problems contributed to the frustration of human rights field officers at times, and presented additional challenges to the ONUSAL operation, overall the mission was relatively successful in meeting the initial goals and objectives outlined in the 1990 San José Accord. Members of the Lawyers Committee who considered the mission to have been a fundamental success articulated this opinion:

There is evidence that Salvadorans by and large trusted the mission and viewed it as having a positive impact. Asked in March 1995 to name the institution which did the most to protect human rights in El Salvador, more than 50% of those polled...named ONUSAL.<sup>162</sup>

Human Rights Watch in its evaluation of ONUSAL also expressed the same sentiment:

The end of the armed conflict, in itself, has improved the observance of human rights in El Salvador. But there is also a rare consensus, among Salvadorans of divergent political views, that ONUSAL's presence has in fact dramatically reduced the incidence of human rights abuses, both before and during the cease-fire.<sup>163</sup>

The monitoring function of the ONUSAL mission may have served to minimize the number of HRVs mainly through deterrence, however, the most significant contributor to

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<sup>160</sup> Lawyers Committee for Human Rights (1995), p. 1-2.

<sup>161</sup> *Ibid.*, p. 15-16.

<sup>162</sup> *Ibid.*, p.4.

the *sustained* de-escalation of HRVs was the development of institutions and the training of local people.

#### **4.1.3 Institution-Building in El Salvador**

ONUSAL's approach to re-building the institutions responsible for the protection and enforcement of human rights was four-pronged. First, the Police Division of the ONUSAL division played an integral role in the elimination of El Salvador's corrupt public security forces – the National Police, the National Guard and the Treasury Police. In conjunction with the human rights monitors, the Police Division also contributed to the training and deployment of the new National Civil Police (PNC).<sup>164</sup> This new PNC was important because it legitimized an institution that was previously regarded as not only corrupt, but also a party to the atrocious human rights abuses committed in the previous years. Therefore, the reforms instilled confidence that the institutions responsible for protecting and enforcing human rights were no longer committing HRVs.

A second measure for building institutions to sustain the protection of human rights was the creation of a national ombudsperson. This person was given the mandate to hear and investigate allegations of human rights abuses. This role was significant in that it provided individuals with an alternative to the National Police for investigating their complaints, and its independence from the Salvadoran government enabled it to criticize the government and investigate any allegations against it. This function was important in helping to end El Salvador's past climate of impunity.

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<sup>163</sup> Human Rights Watch (1993), p. 22.

A third attempt at institution-building was evidenced in the process of judicial reform that was undertaken. During this process, international lawyers worked with Salvadoran Supreme Court authorities to train judges and magistrates. This training was focused on ensuring that the judiciary was impartial and able to effectively deal with cases involving GHRVs.

The fourth example of institution-building by ONUSAL was illustrated in the two Commissions it created. Mandated by the 1992 peace accords to produce a report on HRVs from the previous decade, the Truth Commission received over 2,000 direct testimonies and information on more than 22,000 cases of violence.<sup>165</sup> Released on March 15, 1993, the Truth Commission's most significant recommendations were as follows: 1) the replacement of current members of the Supreme Court and a reform of the judicial system; 2) full compliance with the provisions pertaining to military reform within the peace accord; 3) a special investigation into state-tolerated death squads; 4) a ten-year prohibition on holding public office for those found guilty of serious HRVs; and 5) a permanent exclusion from military duty for those found responsible for human rights abuses.<sup>166</sup>

Despite these important recommendations, the action of the Truth Commission that had the greatest impact was its decision 'to identify by name those individuals it found to be responsible for ordering, carrying out or covering up human rights abuses.'<sup>167</sup> Human Rights Watch argues that, given El Salvador's history of impunity regarding

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<sup>164</sup> Hemisphere Initiatives, *Risking Failure: The Problem and Promise of New Civilian Police in El Salvador*, George Vickers and Jack Spence (eds.) (Cambridge, MA: Hemisphere Initiatives, November 1993), p. 1.

<sup>165</sup> *United Nations, Truth Commission Report (Informe de la Comisión de la Verdad para El Salvador)*, (United Nations: San Salvador and New York, 1992), p. 41 [hereinafter Truth Commission Report].

<sup>166</sup> Human Rights Watch (1993), p. 29.

<sup>167</sup> *Ibid.*, pp. 29-30.

human rights crimes, this act was crucial.<sup>168</sup> Unfortunately, despite the efforts of the Truth Commission to end the vicious cycle of impunity, less than a week after the report was issued, the Salvadoran government granted general amnesty to all parties accused of gross human rights abuses.<sup>169</sup> However, regardless of this failure by the Salvadoran government to acknowledge its involvement in the human rights atrocities committed during the civil war, Torres-Rivas and González-Suárez conclude that the Truth Commission's impact remained significant:

The Commission's report is of extraordinary moral and political value. Regardless of the amnesty adopted while the report was released, and its rejection by many of those accused, the report constitutes a basis on which to build practices leading to democracy and respect for human rights.<sup>170</sup>

Therefore, the greatest achievement of the report was its acknowledgement of gross human rights abuses as a military strategy linked to the state. This was evidenced by the fact that, of 7,000 cases of direct testimonies, the report attributed some 6,182 cases of HRVs to official forces.<sup>171</sup>

The second Commission was the Ad Hoc Commission. Initiated in May 1992, the Commission was mandated with the task of reviewing the records of military officers and then recommending dismissal of those guilty of serious human rights abuses, corruption, or incompetence. Although significantly delayed, this purge of the armed forces had important consequences for legitimizing and instilling national confidence by Salvadorans in the institutions designed to protect them:

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<sup>168</sup> *Ibid.*, p. 30.

<sup>169</sup> Torres-Rivas and González-Suárez, p. 25.

<sup>170</sup> *Ibid.*, p. 25.

<sup>171</sup> Truth Commission Report, Anexos Tomo 1, Anexo 5, p. 13.

In El Salvador, the care taken to investigate and acknowledge formally the abuses of the past, and the determination to rid the armed forces of the officials who were responsible for those abuses, made important, if incomplete, strides towards establishing the principle that murder, torture and disappearance could not be committed without consequence.<sup>172</sup>

It was through the police and judicial reforms, in tandem with the findings and recommendations of the Truth Commission, that ONUSAL was able to break the cycle of impunity in El Salvador, thus enabling El Salvador to embark on a genuine process of national reconciliation.

#### **4.1.4 Conclusion**

Although the adoption of a human rights focus for ONUSAL was an important element in de-escalating the violence in El Salvador, more important was the ability of the mission to ensure that human rights protection would be *sustained*. This was achieved through the institutional reform of the police and the judicial system and through the establishment of an Ombudsperson. By developing a local capacity for human rights protection in El Salvador, ONUSAL minimized long-term dependency on international institutions and personnel.

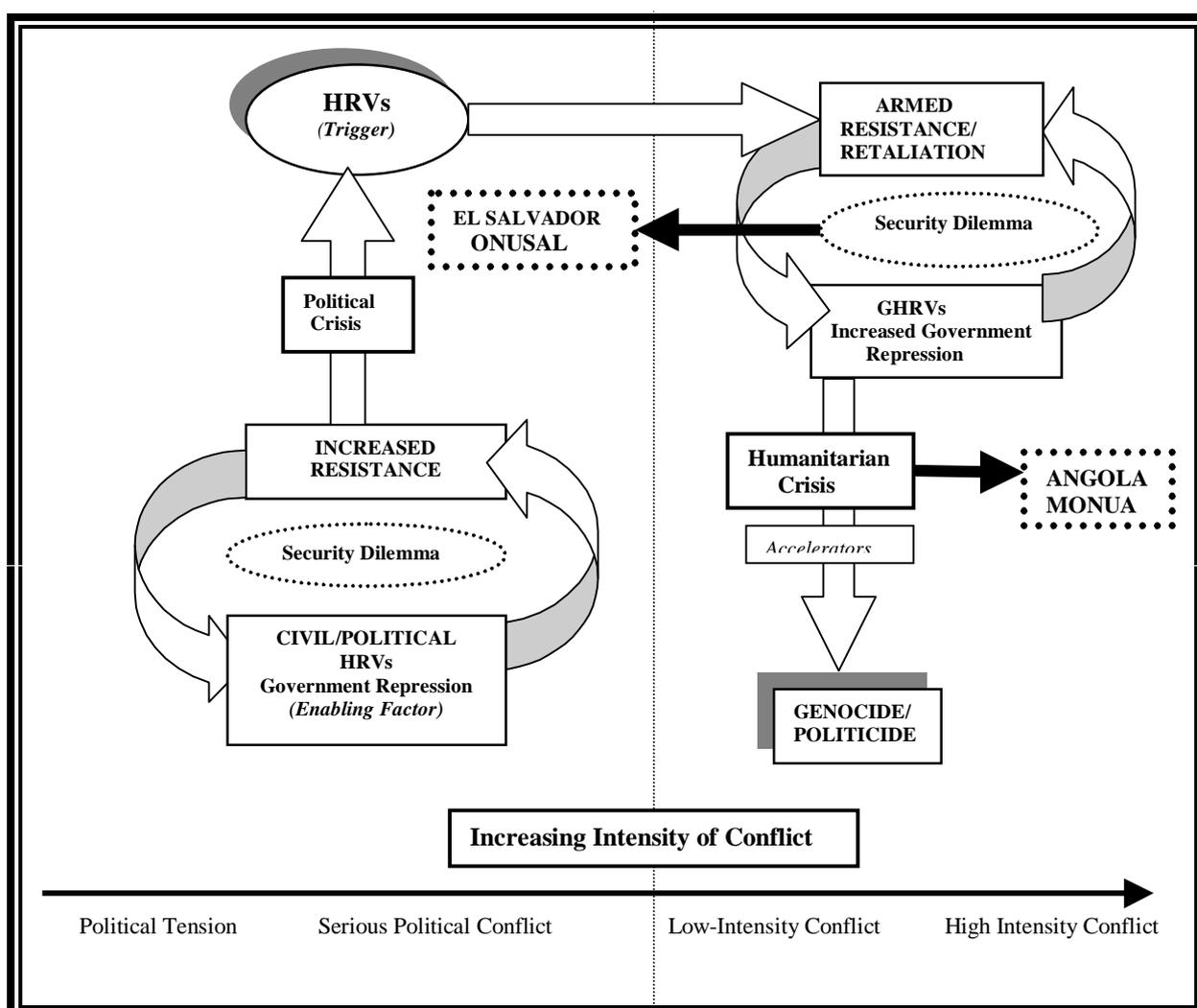
In addition to the four-pronged approach of ONUSAL with regard to institution-building, a second explanation for its success concerns the timing of the mission. ONUSAL was deployed during GHRVs were committed, but before the emergence of a humanitarian crisis. By preventing a second cycle of repression and resistance based on distrust and violent acts of self-defence, the early deployment of a legitimate operation to

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<sup>172</sup>Human Rights Watch, p. 7.

protect human rights served to break this cycle, thus, de-escalating the conflict. In *Figure 4*, the ONUSAL mission is placed within the theoretical model discussed in chapter two, in an effort to indicate at which point in the conflict cycle the mission responded to HRVs.

**Figure 4: The Placement of ONUSAL and MONUA within Theoretical Model**



## 4.2 *Angola*

*“Amnesty International welcomes the human rights elements of the [Lusaka Protocol] peace agreement, but remains concerned that these may not be enough to protect human rights and to end the cycle of impunity. Without determined and concerted efforts to build respect for human rights, the people of Angola will continue to live in fear.”*

Amnesty International, 10 April 1996<sup>173</sup>

After more than 35 years of protracted civil conflict, the violation of social and political human rights has, like the signing and breaking of peace accords, become engrained within the political culture of Angolan conflict. In this case study, the long and complex search for peace in Angola is discussed. It is argued that, unlike El Salvador, a climate of trust and reconciliation was not achieved and the environment of impunity in Angola was, and continues to be, the source for continued violations of human rights on a gross scale. This continuous cycle of human rights abuses stemming from government repression and oppositional backlash, has instilled both parties in Angola with a sense of distrust and a desire for revenge. It is this factor that has prevented the parties from achieving a sustained peace in Angola.

Although an overview of all peace support operations in Angola is provided, the emphasis of this case study is on the most recent peace operations in Angola – the verification mission created to oversee the implementation of the Lusaka Protocols (UNAVEM III) and the follow-on observation mission (MONUA).

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<sup>173</sup> Amnesty International, “Angola – The Lusaka Protocol: What Prospect for Human Rights?” April 10, 1996. Site: <http://www.amnesty.org/ailib/aipub/1996/AFR/11200296.htm>

#### 4.2.1 Historical Overview

Angola's fourteen-year anti-colonial struggle for independence from Portugal was finally achieved in November 1975. Engaged in this struggle were two nationalist groups – the Movement for the Popular Liberation of Angola (MPLA) and the National Front for the Liberation of Angola (FNLA). In 1966, a third nationalist movement – the National Union for the Total Independence of Angola (UNITA), was formed. During the lead up to independence, the struggle for power by these three groups, resulted in low-level guerilla activities. This protracted warfare was complicated and further exacerbated by Cold War interests. China and the United States supported the FNLA, while the USSR and Cuba backed the MPLA, and South Africa assisted UNITA.<sup>174</sup> In an effort to reduce the violence stemming from this intergroup rivalry, the Alvor Agreement, signed in January 1975, established a transitional coalition government among the three groups.<sup>175</sup> However, prior to Independence Day, the coalition collapsed, leaving the MPLA and UNITA vying for power. On November 11, 1975, the MPLA leader Agostino Neto was sworn in as the first President of the People's Republic of Angola.

On December 22, 1988, in New York, the governments of Cuba, South Africa and Angola signed the Tripartite and Bilateral Agreements on Angola and Namibia. Together, the agreements addressed the dual problems of Cuban troops in Angola and South African support for UNITA. Following these agreements, the UN deployed the United Nations Angola Verification Mission (UNAVEM) which was established by

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<sup>174</sup> Ismail Adams, "The War, its Impact and Economic Transformation in Angola," *South African Perspectives* (No. 57), (Bellville, South Africa: Centre for African Studies, 1996), p. 3.

<sup>175</sup> W. Martin James III. *A Political History of the Civil War in Angola 1974-1990* (New Brunswick and London: Transaction Publishers, 1992), p. 55.

Security Council resolution 626 to monitor the withdrawal of 50,000 Cuban troops.<sup>176</sup>

This operation was completed in May 1991.

Signed in Portugal in 1991, the Bicesse Accords included provisions for disarmament, unification of the MPLA and UNITA armies into one Angolan Armed Force (FAA) and the holding of national elections. As a mechanism for verifying and monitoring the implementation of the Bicesse Accords, UNAVEM II was deployed with a mandate to observe and verify the implementation of the Accords. After sixteen months of relative peace and stability following the signing of the Bicesse Accords, parliamentary and presidential elections were held from September 28-29, 1991. The MPLA won the legislative majority with 53.74% of the vote, against 34% for UNITA. However, in the Presidential election, President Jose Eduardo dos Santos of the MPLA party secured only 49.7% of the vote against the 40.7% by UNITA's leader, Dr. Jonas Savimbi.<sup>177</sup> As neither of the candidates received 50% of the vote, according to Angolan electoral law, a second round of presidential elections was required. However, before a second election could be conducted, UNITA declared the elections fraudulent and invalid. This action by UNITA, combined with its withdrawal of its forces from the FAA, resulted in the collapse of Bicesse Accords and resumption of war in September.

From October 31 to November 1, a massive outbreak of fighting in Luanda occurred, which was even more severe than the violence prior to the Bicesse Accords. It was estimated that, during October alone, there were between 100,000 and 500,000

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<sup>176</sup> Margaret Anstee, "Angola: The Forgotten Tragedy: A Test Case for UN Peacekeeping" *International Relations*, Vol. XI, No.6, (December 1993), p. 496.

<sup>177</sup> Adams, p. 3.

deaths, and widespread human rights violations were committed.<sup>178</sup> Margaret Anstee, the UN Secretary-General for Angola and Head of UNAVEM II at the time, argued that the failure of the Bicesse Accords and the recommencing of hostilities had taken place because of two major problems. The first concerned the nature of the Bicesse Accords, and their reliance on a kind of ‘Boy Scouts’ Honour” where both sides were trusted to independently disarm and demobilize.<sup>179</sup> Thus, the UN was only given a mandate to observe and verify the Accords, rather than to enforce strict compliance with provisions under the Accords.<sup>180</sup> As a consequence, neither of the two conflicting armies had demobilized or disarmed prior to the commencement of the elections.

The second problem that Anstee highlights concerns the operational weaknesses of the UNAVEM II operation. Anstee argues that the resources available to the operation were extremely inadequate, especially when compared to other UN operations with similar mandates:

At the highest point, the total number of UN international personnel in Angola came to about a thousand. This might be compared to the successful operation in Namibia where there were something like eight thousand for a population and electorate less than one-sixth the size of Angola’s.... The total budget for UNAVEM II from June 1991 to October 1992, the period in which the operation was initially supposed to be completed, was only \$118m, compared to Namibia’s \$480m.<sup>181</sup>

In contrast to the problems identified by Anstee, Amnesty International argued that the re-escalation of violence, as well as the failure of the Bicesse Accords, was more a

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<sup>178</sup> Amnesty International, “Angola – The Lusaka Protocol: What Prospect for Human Rights?” April 10, 1996. Source: <http://www.amnesty.org/ailib/aipub/1996/AFR/11200296.htm>

<sup>179</sup> Anstee, p. 497.

<sup>180</sup> Assis Malaquias, “The UN in Mozambique and Angola: Lessons Learned,” *International Peacekeeping, Special Issue – Beyond the Emergency: Development within UN Peace Missions*, Jeremy Giner (ed.), (London: Frank Cass & Co., 1996), p. 92.

<sup>181</sup> Anstee, pp. 497-8.

consequence of the UN's failure to effectively respond to past human rights abuses and to eradicate the culture of impunity in Angola:

Amnesty International firmly believes that the Bicesse Accords failed because human rights abuses were allowed to continue unchecked, uninvestigated and unpunished. Failure to investigate and bring to justice those responsible for politically motivated killings reinforced Angola's long tradition of impunity, culminating in the mass killings of late 1992 and early 1993, and led to the resumption of the civil war.<sup>182</sup>

However, despite urgent statements by Amnesty International stressing the need for the UN to deal with the continuous cycle of human rights abuses and the environment of impunity, these warnings remained largely ignored as the UN instead focused its efforts on obtaining a cease-fire agreement.

From April 12 to May 21, 1993, under the auspices of the UN, cease-fire negotiations ensued between the MPLA and UNITA in Abidjan. According to Margaret Anstee, the UN representative at the time, in order for UNITA to accept the cease-fire, it demanded a symbolic presence of UN peacekeepers. However, the UN was unprepared to send in a force unless UNITA agreed to the cease-fire. Therefore, because neither side was willing to make the concessions necessary for a cease-fire agreement, the negotiations in Abidjan failed.<sup>183</sup> Predictably, following this failure, hostilities and widespread violations of human rights again increased. In May, it was estimated that approximately one thousand people a day were dying from both the direct and indirect effects of the war.<sup>184</sup>

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<sup>182</sup> Amnesty International, "Angola – The Lusaka Protocol: What Prospect for Human Rights?" April 10, 1996. Source: <http://www.amnesty.org/ailib/aipub/1996/AFR/11200296.htm>

<sup>183</sup> Anstee, p. 504.

<sup>184</sup> *Ibid.*, p. 495.

After a year of slow progress in negotiations between the Angolan government and UNITA, in November 1994, the Lusaka Protocol was signed between representatives of the MPLA and UNITA. The Lusaka Protocol was based on the principle of reciprocal concessions, with UNITA reducing its military forces in exchange for a power-sharing agreement with the ruling MPLA. As part of the Lusaka Protocol, UNAVEM III was deployed.

#### **4.2.2 UNAVEM III**

UNAVEM III was established by Security Council resolution 976 of February 8, 1995, with an initial mandate of six months. In addition to its role in disarming, demobilizing and quartering UNITA troops into the FAA and the Angolan National Police (ANP), UNAVEM III was also given a mandate to investigate violations of human rights.<sup>185</sup> In response, a Human Rights Unit (HRU) was set up within the UNAVEM III operation.

The HRU, which consisted of eleven monitors to cover eighteen provinces, was assisted by 225 civilian police who were also given a mandate to conduct investigations regarding human rights abuses.<sup>186</sup> However, despite the inclusion of a HRU within the Lusaka Agreement, human rights protection and enforcement remained a low priority within the overall UNAVEM III operation. Although the Security Council in its resolution 976 of February 8, 1995 “welcome[d] the Secretary-General’s intention to

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<sup>185</sup> Specific human rights provisions of the Lusaka Protocol covered areas such as: 1) respect for human rights and basic freedoms under the Universal Declaration of Human Rights; 2) freedom of movement of persons and goods; 3) freedom of speech; freedom of association; 4) release of all prisoners imprisoned as a result of the conflict; and 5) neutrality of the police. Source: Amnesty International, “Angola – The Lusaka Protocol: What Prospect for Human Rights?” April 10, 1996. Source: <http://www.amnesty.org/ailib/aipub/1996/AFR/11200296.htm>

include human rights specialists in the political component of UNAVEM III to observe the implications of the provisions related to national reconciliation,<sup>187</sup> the role of the HRU of UNAVEM III was restricted to *observing* reconciliation rather than *cultivating* it through the building of institutions and local capacity. Without the mandate to build the institutions necessary to foster a climate of trust and confidence between the two parties, reconciliation at the national level was, at the very least, unlikely.

The HRU's focused on only one component of institution-building – police reforms. Therefore, the re-building of judicial institutions, the creation of a national Ombudsperson and the establishment of a Truth Commission – the institutions most likely to break the cycle of impunity in Angola – failed to emerge as a priority for the UNAVEM III operation. Instead, the Angolan National Assembly chose to deal with past gross violations of human rights by passing an amnesty law in November 1995.<sup>188</sup> The ineffectiveness and illegitimacy of the judicial system was stressed by Amnesty International in its 1996 report:

Very few of the security officials responsible for human rights violations have been arrested and fewer have been prosecuted. The judicial system lacks resources but the main reason for the failure to prosecute those suspected of human rights violations is the lack of independence of the criminal justice system. Pervasive corruption is another factor: arrest or prosecution can be evaded through bribery or the intervention of powerful friends.<sup>189</sup>

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<sup>186</sup> *Ibid.*

<sup>187</sup> UN Doc. S/RES/976 (1995), para. 8.

<sup>188</sup> *Ibid.*

<sup>189</sup> Amnesty International, “Angola: From War to ...What? No Reconciliation Without Accountability, October 1996.” Source: <http://www.amnesty.org/alib/aipub/1996/AFR/11200696.htm>

In El Salvador, corruption and illegitimacy of judicial institutions were dealt with by the establishment of Truth Commissions and an Ombudsman's Office, however, in Angola, these options remained absent from the Lusaka Agreement.

In August 1995, the UN Security Council extended the initial six-month mandate of UNAVEM III by another six months on the condition that MPLA and UNITA guaranteed the free and safe passage of humanitarian aid and the cessation of hostilities.<sup>190</sup> In response to the continuation of hostilities and the presence of widespread GHRVs committed by both sides, on February 8, 1996, the UNAVEM III operation was again extended until May 8, 1996 by UN Security Council resolution 1045. However, the continuous failure of UNITA to complete the quartering of its troops by this time resulted in a further extension of UNAVEM III by UN Security Council resolution 1055 until July 11, 1996. It was in this resolution that the Security Council: “[u]nderlin[ed] the need for respect of human rights and urg[ed] the Angolan parties to give greater attention to preventing and investigating incidents of human rights abuse.”<sup>191</sup> The need to strengthen the human rights mandate of UNAMEM III was also highlighted by Amnesty International in its report of October 1996:

The UN has patiently woven a political compromise in Angola, which will unravel if it does not include mechanisms for the protection and promotion of human rights. Trust between the government of President José Eduardo dos Santos and UNITA, led by Jonas Malheiro Savimbi, is very fragile. At every stage there are delays and difficulties which could tip the balance towards war.<sup>192</sup>

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<sup>190</sup> Amnesty International, “Angola – The Lusaka Protocol: What Prospect for Human Rights?” April 10, 1996. Source: <http://www.amnesty.org/ailib/aipub/1996/AFR/11200296.htm>

<sup>191</sup> UN Doc. S/RES/1055 (1996), para. 11.

<sup>192</sup> Amnesty International, “Angola: From War to ...What? No Reconciliation Without Accountability,” October 1996. Source: <http://www.amnesty.org/ailib/aipub/1996/AFR/11200696.htm>

In response to these concerns, and the expiration of the mandate of UNAVEM III, on June 30, 1997, the follow-on force to UNAVEM III – the UN Observation Mission in Angola (MONUA) – was established by the Security Council under resolution 1118.

### 4.2.3 MONUA

Under MONUA, ‘the HRU with fewer than twenty staff was upgraded to a Human Rights Division with fifty-five staff.’<sup>193</sup> However, despite the increase in human rights monitors, human rights remained a low priority within the larger operation. MONUA’s broader mandate included assisting the Angolan parties in consolidating peace and national reconciliation, enhancing confidence-building and creating an environment conducive to long-term stability, democratic development and rehabilitation of the country.<sup>194</sup> Within this mandate, MONUA’s main tasks involved completion of the demobilization process, incorporation of ex-combatants of UNITA into the FAA and the ANP, integration of UNITA personnel in all levels of state administration, and disarmament of the civilian population.<sup>195</sup>

In July 1998, the newly integrated FAA, of which 10,000 of the 90,000 troops were former UNITA soldiers, was officially inaugurated.<sup>196</sup> Despite this success, however, reports of widespread violence remained. In its 1997 report, the U.S. Department of State recorded that ‘members of the security forces committed numerous,

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<sup>193</sup> Amnesty International, 1998 Annual Report: Angola.

Source: <http://www.amnesty.org/ailib/aireport/ar98/afr12.htm>

<sup>194</sup> United Nations Department of Peacekeeping Operations, Angola Update (January 21, 1999)

Source: [http://www.un.org/Depts/DPKO/Missions/monua\\_p.htm](http://www.un.org/Depts/DPKO/Missions/monua_p.htm)

<sup>195</sup> *Ibid.*

<sup>196</sup> U.S. Department of State, *Angola Country Report on Human Rights Practices for 1997*, Bureau of Democracy, Human Rights, and Labor, January 30, 1997.

Source: [http://www.state.gov/www/global/human\\_rights/1997\\_hrp\\_report/angola.html](http://www.state.gov/www/global/human_rights/1997_hrp_report/angola.html)

serious human rights abuses.”<sup>197</sup> In addition, in Security Council resolution 1135, the UN “deplored” UNITA’s failure to comply with its obligations under the Lusaka Protocol and decided to impose sanctions targeting UNITA.<sup>198</sup> In response to this continuation of conflict, and the subsequent delay in the implementation process of the Lusaka Protocol, the Security Council extended the mandate of MONUA on several occasions, most recently until February 26, 1999 in resolution 1213.

For more than a year, the deterioration of the security situation in Angola was accompanied by increases in human rights abuses.<sup>199</sup> On June 12, 1998 a Chapter VII operation was authorized by the Security Council under resolution 1173 in an effort to freeze UNITA funds and property and to prevent official UN contact with UNITA leadership in areas of Angola where state administration was not extended.<sup>200</sup> This continued defiance by UNITA of its obligations under the Lusaka Protocol was further exacerbated on June 17, 1998 with the launching of military efforts by UNITA. These actions resulted in a dramatic deterioration of the humanitarian and human rights situation in Angola.<sup>201</sup> As tensions continued to heighten, the security of MONUA personnel became an immediate concern of the Security Council; this was particularly the case following the crash and disappearance of UN flight 806 on December 31, 1998, over UNITA-controlled territory in central Angola.<sup>202</sup>

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<sup>197</sup> *Ibid.*

<sup>198</sup> UN Doc. S/RES/1135 (1997).

<sup>199</sup> Amnesty International, “Angola: Human Rights – The Gateway to Peace,” 1999. Source: <http://www.amnesty.org/ailib/aipub/1999/AFR/11200199.htm>

<sup>200</sup> UN Doc. S/RES/1173 (1998).

<sup>201</sup> United Nations Department of Peacekeeping Operations, United Nations Mission of Observers in Angola (MONUA), (Background). United Nations Department of Public Information, January 21, 1999. Source: [http://www.un.org/Depts/DPKO/Missions/monua\\_b.htm](http://www.un.org/Depts/DPKO/Missions/monua_b.htm)

<sup>202</sup> *Ibid.*

On January 12, 1999, after the downing of a second UN-chartered aircraft over territory controlled by UNITA, the UN again enacted Chapter VII of the Charter and demanded in Security Council resolution 1221 (1999) that all attacks cease immediately and that UNITA cooperate fully with an investigation into the incidents.<sup>203</sup> On January 17, 1999, ‘with the peace process collapsed and no meaningful UN peacekeeping role there,’ Secretary-General Kofi Annan recommended the termination of MONUA after the expiration of the mission’s mandate on February 26, 1999.<sup>204</sup>

Since the collapse of the Lusaka Protocols and the withdrawal of the MONUA operation, Amnesty International continues to assert the need to address human rights in order to de-escalate the continuing conflict in Angola:

As the peace process draws to a close in Angola, it is vital that steps are taken now to ensure that human rights are protected.... Without this, the peace process will amount to nothing, and the months and years spent by thousands of people trying to lay the base for reconciliation will have been wasted.<sup>205</sup>

However, without the establishment of institutions to protect and secure these rights, any prospects for national reconciliation and long-term peace remain dim. Therefore, any future attempts for resolving the conflict in Angola and curbing human rights abuses, will require both parties to start again at the very same position they were at more than 35 years ago.

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<sup>203</sup> UN Doc. S/RES/1221 (1999).

<sup>204</sup> United Nations Department of Peacekeeping Operations, United Nations Mission of Observers in Angola (MONUA), (Background). United Nations Department of Public Information, January 21, 1999. Source: [http://www.un.org/Depts/DPKO/Missions/monua\\_b.htm](http://www.un.org/Depts/DPKO/Missions/monua_b.htm)

<sup>205</sup> Amnesty International, News Release: ‘UN Withdrawal Could Lead to Another Human Rights Disaster,’ Source: <http://www.amnesty.org/news/1996/11200896.htm>

#### 4.2.4 Conclusion

Although an effort was made to respond to HRVs through the establishment of a Human Rights Unit within the larger UNAVEM III operation, as well as through the expanded human rights division of the MONUA operation, these efforts proved to be unsuccessful. In contrast to the ONUSAL operation where success was seen as contingent upon a response to HRVs, responding to HRVs in Angola remained a much lower priority for the UN and was often superseded by efforts to achieve a cease-fire agreement. Unlike ONUSAL, which responded *proactively* to HRVs prior to the emergence of a humanitarian crisis, UNAVEM III and MONUA responded *reactively* to HRVs after they had already transformed into GHRVs and a humanitarian crisis had emerged. In *Figure 4* (refer to page 71), the timing of the MONUA operation is placed within the theoretical framework of this paper.

#### 4.3 Analysis of Case Studies

From the case study of ONUSAL, the human rights operation in El Salvador, it becomes apparent that human rights operations have a potential to play an important role *prior* to the termination of a conflict or signing of a peace agreement. The success of the ONUSAL mission was based largely on the early formulation of a response that was rooted in the understanding that human rights abuses were a major part of the conflict and that failure to address continued abuses and to break the cycle of impunity, would contribute to conflict re-escalation.

In first understanding, and then responding to the conflict in El Salvador, the United Nations was able to achieve success in not only terminating the conflict, but more importantly, in preventing a re-escalation of violence from occurring.<sup>206</sup> Once the catalyst for the re-escalation of violence was identified and addressed, the ONUSAL operation was then able to direct its attention towards instilling Salvadorans with a sense of trust and legitimacy in the institutions responsible for protecting human rights. This finding was stated in the report of Human Rights Watch:

El Salvador is the exception that proves the rule. In El Salvador, the care taken to investigate and acknowledge formally the abuses of the past, and the determination to rid the armed forces of the officials who were responsible for those abuses, made important... strides toward establishing the principle that murder, torture and disappearance could not be committed without consequence.<sup>207</sup>

Addressing these injustices (both real and perceived) and establishing local institutions to sustain the protection against future human rights abuses, created a willingness among the Salvadoran government and the FMLN to respect the provisions of the peace agreement and to work towards a lasting peace. This finding is articulated by Fen Osler Hampson in his study of the peace settlement process in El Salvador:

The early deployment of human rights workers also created a local climate of confidence in the United Nations, the accords, and the seriousness of the signatories. The ONUSAL human rights bureaucracy aimed the international spotlight directly at the Salvadoran government, putting it on the defensive as it tried to explain the appalling evidence of state-sponsored brutality. The government was compelled, one might even say shamed, by the intense international scrutiny to compensate for past atrocities by complying with the terms of the agreement and proving its commitment to a reinvigorated democracy.<sup>208</sup>

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<sup>206</sup> Human Rights Watch, (1993), p. 18.

<sup>207</sup> *Ibid.*, p. 7.

It is clear from the analysis of the case studies that the human rights division of the ONUSAL mission had much greater success in achieving its mandate and in preventing the re-escalation of conflict, than the HRU of UNAVEM III in Angola. Although several factors may be attributed to the success of ONUSAL, it can be argued that this success was primarily derived from the willingness of the UN to make human rights the central pillar of the mission. The dual efforts of ONUSAL – to bring the perpetrators of gross human rights abuses to justice, thus breaking the cycle of impunity in El Salvador, and to create a sense of legitimacy and confidence in the institutions responsible for the protection of human rights – enabled the FMLN and the Salvadoran authorities to have trust in the peace process, as well as in one another. This sense of trust enabled both sides to openly disarm and to eventually enter a power-sharing agreement.

Unfortunately, in Angola the failure of the UN to establish effective mechanisms to build trust among the MPLA and UNITA, and to create confidence in the Lusaka peace process, resulted in both sides resorting to violence in an effort to maintain their control. Amnesty International argues that, although the Lusaka Protocol aimed ‘to establish structures capable of containing the antagonism between the two sides,’ it was created more out of ‘international pressure than the political will of the Angolan government and UNITA to achieve peace.’<sup>209</sup> This was exemplified by the fact that neither the President of the ruling MPLA party, José Eduardo dos Santos, nor the leader

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<sup>208</sup> Fen Osler Hampson, *Nurturing Peace: Why Peace Settlements Succeed or Fail* (Washington, DC: United States Institute of Peace Press, 1996), p. 167.

<sup>209</sup> Amnesty International, “Angola – The Lusaka Protocol: What Prospect for Human Rights?” April 10, 1996. Source: <http://www.amnesty.org/ailib/aipub/1996/AFR/11200296.htm>

of UNITA, Jonas Malheiro Savimbi, signed the agreement; instead, the Lusaka Protocol was signed by the chief negotiator for each party.<sup>210</sup>

Although the Lusaka Protocol contained considerably stronger human rights provisions than the Bicesse Accords, the protection and institutionlization of human rights did not emerge as a top priority for UNAVEM III in the same way that it did for ONUSAL. Therefore, despite the statement contained within the Lusaka Protocol that: ‘In the spirit of National Reconciliation, all Angolans should forgive and forget the offences resulting from the Angolan conflict and face the future with tolerance and confidence,’<sup>211</sup> without the institutions in place to build this tolerance and confidence, this goal was doomed from the start.

Due to the fact that the administration of justice, the creation of a national Ombudsperson, and the establishment of Truth Commissions were not addressed in tandem with police reforms, these institutions continued to lack legitimacy. According to a 1997 U.S. Department of State Report, the judiciary, where it functioned, was not independent of the President and the MPLA.<sup>212</sup> Therefore, the ability of the ruling party to punish individuals of human rights atrocities, particularly when those individuals were members of the MPLA party or forces, was significantly hampered. As argued by Human Rights Watch, failure to address such human rights abuses often undermines the success of post-conflict peacebuilding endeavors, in that ‘[a]buses of the past can haunt reconstruction by triggering a cycle of revenge and by establishing a precedent of

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<sup>210</sup> *Ibid.*

<sup>211</sup> Lusaka Protocol, Annex 6, General Principle V.

<sup>212</sup> U.S. Department of State, *Angola Country Report on Human Rights Practices for 1997* (Bureau of Democracy, Human Rights, and Labor, January 30), 1997.  
Source: [http://www.state.gov/www/global/human\\_rights/1997\\_hrp\\_report/angola.html](http://www.state.gov/www/global/human_rights/1997_hrp_report/angola.html)

impunity for gross abuse.”<sup>213</sup> The climate of impunity that defined Angola’s civil war of more than 35 years may serve to explain why the peace process has continued to result in delay and failure.

The importance of a focus on human rights in achieving an end to the civil war in El Salvador was based largely on the protracted nature of the conflict and the sense of perceived inequalities and threats that existed between the FMLN and the government. In order to break the cycle of violence, the integration and reconciliation of parties was required. As explained by Catherine Phinney: ‘In protracted, identity-based conflicts, the termination of violent conflict implies a temporary settlement of the dispute, leaving deep-rooted issues and concerns unexplored...It is only through parties’ interaction and communication that perceptions and attitudes may be conveyed and exchanged, leading to reconciliation.’<sup>214</sup> An effective means for changing these perceptions and attitudes is to advance a sense of confidence, trust and justice among all parties through institution-building. The acknowledgement and commitment to respond to HRVs has increasingly been regarded as a means of achieving this objective.

Once the 1990 San José Accords were signed, the ability to secure human rights protection and reduce perceived inequalities and threats was based largely on the efforts of ONUSAL to instill a sense of trust and confidence in the people towards the government and institutions of El Salvador. This success was acknowledged by Marrack Goulding, in his claim that ‘establishment of the facts relating to past horrors can have a detoxifying and cathartic effect and thus, help to reduce the risk of the resumption of

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<sup>213</sup> Human Rights Watch, (1993), p. 10.

<sup>214</sup> Catherine Phinney, ‘Enhancing Conflict Termination Through Problem Solving’ *Peacekeeping and International Relations*, Vol. 26, No.1 (January/February 1997), p. 15.

conflict.”<sup>215</sup> It was this emphasis placed upon reconciliation by the Truth Commission in El Salvador that accorded legitimacy to ONUSAL, as well as operational support. This not only enabled ONUSAL to meet its mandate with success, but also contributed to the de-escalation of violence in El Salvador by equipping institutions and individuals to deal effectively with HRVs.

It can be concluded that, because human rights were accorded a central role in the peace process in El Salvador right from the start, the Salvadoran government and the FMLN were sent a strong signal that further abuses would not be tolerated. By simultaneously acknowledging past injustices, and by establishing the proper mechanisms to enforce and sustain the protection of human rights, a climate of trust and confidence was created whereby both sides were able to slowly put down their arms and resolve their differences through a power-sharing agreement.

In contrast to the peace process in El Salvador, in Angola, human rights did not emerge as a priority in the early stages of the peace process. Instead, the UN chose to channel its energy and resources towards the brokering of a cease-fire agreement between the MPLA and UNITA. However, this process was continually interrupted by spurts of violence and widespread human rights abuses. Therefore, because past abuses were not acknowledged and no efforts were taken to improve and legitimize the mechanisms for protecting human rights, both parties freely, and without consequence, continued to commit GHRVs.

The successes of ONUSAL in El Salvador and the failures of UNAVEM III and MONUA in Angola highlight two important points. The first, which has already been

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<sup>215</sup> Goulding, p. 153.

discussed, is the importance of ensuring that local institutions are able to respond to HRVs early in responses to protracted civil conflicts. The second point is that, when a human rights response is included in multidisciplinary peacekeeping operations, it is important that human rights are not simply an add-on to the mission, as was demonstrated with the HRU of UNAVEM III.

As evidenced in the case study of El Salvador, human rights have a much greater potential to be sustained and respected over the long-term, if institutions are in place to respond to violations as they arise. Although monitoring plays an important role in reducing the number of human rights atrocities committed, institution-building measures such as police and judicial reform, the creation of a national ombudsperson and the establishment of truth commissions, may play an equally important role in preventing further human rights abuses. It is through sustaining the protection and respect for human rights, that conflict de-escalation can be achieved.

## ***Conclusions***

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*In situations where human rights are not only a causal factor, but also a key causal factor, a failure to inform of past and present human rights violations will fatally flaw any UN response.<sup>216</sup>*

Throughout this study, it has been demonstrated by quantitative data, theoretical arguments and comparative case study analysis that a link between HRVs and conflict escalation does indeed exist. The empirical analysis conducted in the first chapter suggests that HRVs and conflict escalation are at least correlated. An argument for direct causation would be difficult to make. However, the theoretical conclusions advanced in the second chapter support an argument for indirect causation, given the presence of certain intervening variables. These variables include institutional factors, such as the regime-type of the governing authority, and ideological factors such as the use of inclusive and exclusive nationalism of the ruling party. These factors serve to exacerbate less severe socio-economic violations such as systemic discrimination, poverty and social exclusion and give rise to more severe and immediate violations of civil and political human rights.

After the emergence of more severe violations of human rights, a vicious cycle of increased government repression and increased resistance by opposition groups develops. At this point, as they become threatened by each other's actions, opposition groups and governing authorities are likely to engage in acts of violence, either for purposes of retaliation, self-defence, or repression. It is when this cycle of backlash and rebellion is

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<sup>216</sup> LaRose-Edwards, p. 13.

allowed to continue that conflict has the potential to escalate and give rise to more severe and GHRVs.

This conflict escalation, according to Harff and Gurr, is further prompted by certain accelerators (outlined on pages 47-48) which intensify and expedite the rise of violent conflict. As discussed previously, many of these accelerators take the form of human rights abuses. Accordingly, it is argued in the third chapter that a response to human rights abuses, such as a HRFO, may be well positioned, not only to identify the presence of these accelerators, but more importantly, to minimize and prevent HRVs from turning into GHRVs.

In the fourth chapter, it is argued that conflict escalation can be prevented by addressing political crises early through the inclusion of a comprehensive human rights response that focuses on institution-building, and developing a local capacity as was done in El Salvador. However, if these increased violations of human rights are left largely unchecked, and if tensions between warring parties are not alleviated (as was the case in Angola), it is at this point that the conflict may further escalate from a political crisis to a humanitarian crisis. Also at this point, although not evidenced in Angola, it may be concluded that a continuation of extremely severe human rights abuses, if left ignored may eventually give rise to escalated conflict in the form of genocide or politicide, as was the case in Rwanda in 1994.

It is concluded from the comparative case studies in chapter four that the failure of UNAVEM III and MONUA to incorporate human rights into its initial response, was a failure by the UN to address HRVs as a major catalyst in the escalation of conflict. This oversight had, and continues to have, extremely grave consequences for the people of

Angola through the continuation of GHRVs and the humanitarian crisis. It is this lesson that has proved to be the most valuable in highlighting a new role for HRFOs within the UN – preventing conflict escalation after a political crisis.<sup>217</sup> In El Salvador, the early deployment of ONUSAL in the midst of low-intensity conflict served as a confidence-building measure<sup>218</sup> for the agreement of a cease-fire, thus creating a willingness between the fighting groups to gradually limit their use of violence. Knowing that their actions would be monitored and observed by human rights officers also deterred both the government and the FMLN from resuming violent tactics. Self-defence mechanisms adopted previously by the FMLN were slowly abandoned as trust and legitimacy in the institutions designed to protect human rights increased. As a consequence, ONUSAL was successfully able to end the security dilemma between the government and the FMLN by breaking the cycle of armed retaliation and GHRVs through a human rights-centred approach.

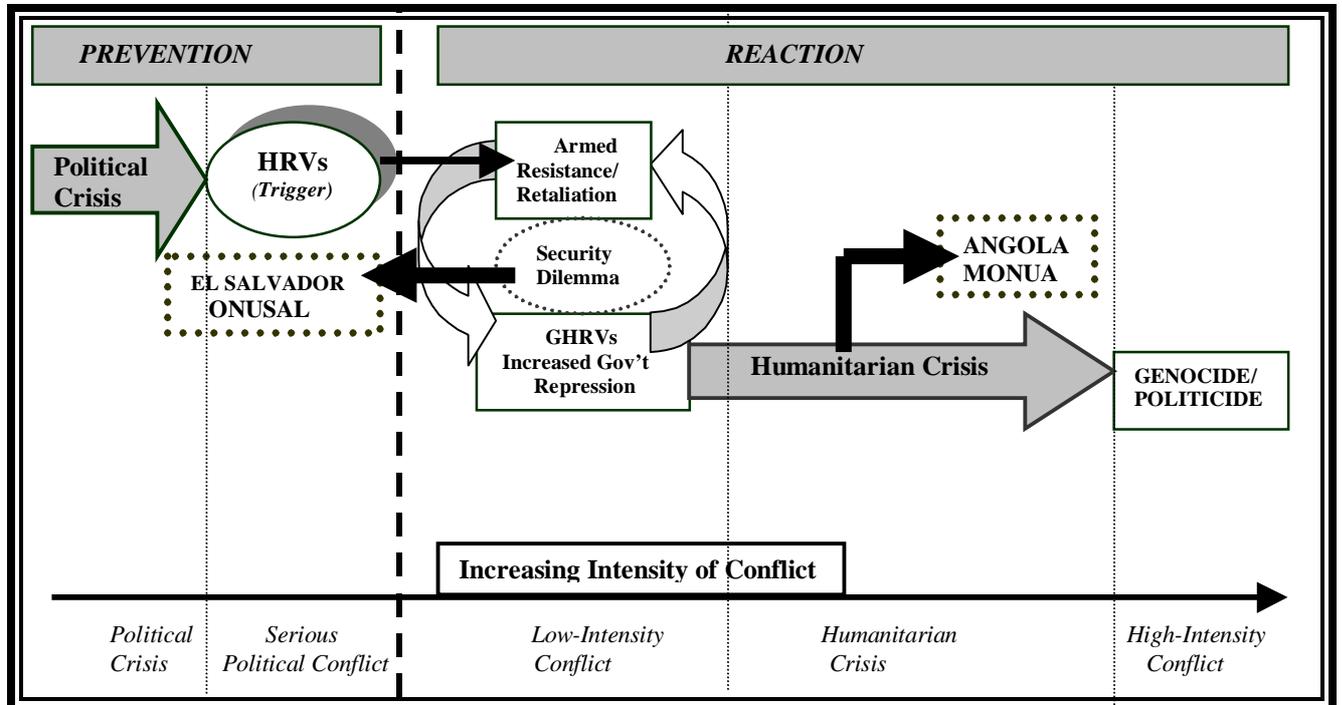
Although ONUSAL responded to GHRVs in the midst of low-intensity conflict, HRVs may also be responded to after the outbreak of a political crisis (*see Figure 4*). By responding to HRVs through the dual use of short-term monitoring and long-term institution-building, the de-escalation of conflict and the prevention of GHRVs may be achieved.

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<sup>217</sup> The Minorities at Risk project, coordinated by Ted Robert Gurr, found that “[a]t the beginning of 1996, there were more than forty violent ethno-political conflicts under way...[and that] about half of them are at risk of escalation and repression.” See, Ted Robert Gurr, “Minorities, Nationalists, and Ethno-political Conflict, in *Managing Global Chaos: Sources and Responses to International Conflict*, Chester A. Crocker and Fen Osler Hampson, (eds.) (Washington, DC: United States Institute of Peace, 1996), p. 54.

<sup>218</sup> Teresa Whitfield, “Staying the Course in El Salvador,” The Aspen Institute, *Honoring Human Rights: From Peace to Justice* (Washington: The Aspen Institute, 1998)  
Source: <http://www.aspeninst.org/dir/polpro/jsp/hhrchap5.html>

*Figure 4: HRFOs as Tool for Conflict De-escalation*



Therefore, in identifying and responding to human rights abuses *prior* to the escalation of conflict, HRFOs have an important role to play in the early warning of conflict escalation and in the formulation of a response to de-escalate conflict. It is for this reason that Amnesty International has recommended in its *15-Point Program for Implementing Human Rights in International Peace-keeping Operations* that:

A specialized international civilian human rights monitoring component should be a part of all peace-keeping operations. These components should have adequate resources with staff with human rights expertise. Their mandates should include human rights verification, institution-building, legislative reform, education and training.<sup>219</sup>

<sup>219</sup> Amnesty International, *Peacekeeping and Human Rights: 15-Point Program for Implementing Human Rights in International Peace-keeping Operations*; point 9 (January 1994).

Building on Amnesty International's recommendation, this paper has endeavored to demonstrate why a human rights component in a peacekeeping operation is important and how responding to HRVs may serve to de-escalate conflict. In doing so, there are important implications for theory and policy that need to be highlighted.

### **Implications for Theory**

During the research of this paper, it became immediately evident that a causal link between HRVs and conflict escalation is assumed in many instances but explained with detail in very few. Therefore, the empirical findings and theoretical framework developed in this research paper are an attempt to address a gap in the literature and data on HRVs and conflict escalation. As the numbers and types of HRFOs continue to increase, the model and empirical findings may be further applied and tested. An increased understanding of the link between HRVs and conflict escalation will enable scholars and policymakers to understand why further literature and empirical research on the linkages between these two factors is necessary in the prevention of future conflicts and GHRVs.

### **Implications for Policy**

In this research paper is argued that a correlation exists between responding to HRVs and the de-escalation of conflict. Accordingly, the need to respond to HRVs with a short-term monitoring and long-term institution-building approach has been emphasized throughout this paper. The comparative case

studies of this paper suggest that without guarantees for human rights protection, reconciliation is difficult. It is for this reason that an immediate and short-term response to HRVs, to be successful and sustained, must also develop a capacity to protect human rights. It has been argued that a four-pronged approach consisting of institutional reform of the police, improving the judicial system, the establishment of an ombudperson, and the use of truth commissions are important ways to achieve this goal. In its 15-point plan, Amnesty International highlights these strategies for success:

Human rights components in peace-keeping operations should assist in the establishment of permanent, independent and effective national institutions for the long-term protection of human rights and the reinstatement of the rule of law, including an independent judiciary and fair criminal justice system. Other mechanisms, such as ombudsmen or national commissions, may be encouraged to reinforce respect for human rights.<sup>220</sup>

In its recent report, the Aspen Institute recommends that institution-building should also include the strengthening of national human rights NGOs and institutions, as well as the development of a comprehensive and sustainable strategy for human rights education.<sup>221</sup> Although it is beyond the scope of this paper and the expertise of the author, to recommend an extensive strategy for institution-building, the aim of this paper has simply been to demonstrate why such an approach is necessary and how such an approach may serve to de-escalate conflict.

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<sup>220</sup> Amnesty International, (1994).

<sup>221</sup> The Aspen Institute, *Honoring Human Rights: From Peace to Justice* (Washington, DC: The Aspen Institute, 1998), p. 7. Source: [www.aspeninst.org/dir/polpro/jsp/hhrtoc.html](http://www.aspeninst.org/dir/polpro/jsp/hhrtoc.html)

## **Future Applications**

Similar to the ONUSAL operation in El Salvador which was deployed not only prior to the signing of an agreement, but more importantly, in the midst of the civil war, the recent OSCE Kosovo Verification Mission (KVM) was also deployed without a negotiated peace agreement and in the midst of protracted intra-state conflict. This parallel between the two situations then begs the question: Why did the deployment of a human rights presence in the midst of hostilities serve to de-escalate the violence and create a willingness among both parties to end the conflict in El Salvador yet not in Kosovo? Instead, following the peace talks in Rambouillet, human rights abuses escalated.

The answer to this question seems to lie in the nature of the human rights response to each of the conflicts. In El Salvador, the focus of ONUSAL on institution-building created an environment of trust that facilitated the subsequent cease-fire agreement between the two warring sides. In Kosovo, the KVM was simply a monitoring mission, aimed more at observing violations of human rights than addressing the deep levels of mistrust between the Serbian government and the Kosovo Liberation Army (KLA). The inability to bring together leaders of the Serbian government and the KLA in the initial phase of the negotiations in Rambouillet, demonstrates the profound sense of mistrust that has defined the actions of both parties towards one another.

Therefore, should NATO eventually deploy a peacekeeping operation to Kosovo following the current air strikes, it will be important that such an operation include a comprehensive human rights component within it. However, based on the findings of

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this study, it will be equally important that such a human rights response include not only a monitoring role, but more significantly, a mandate for multi-faceted institution-building that will sustain the protection of human rights and prevent a future re-escalation of conflict.

## Appendix A

### Data Collection of 1997 Human Rights Violations in Africa

**Sources:**      **Amnesty International 1998 Report**  
**US Government of State Reports**  
**Human Rights Watch**

	Extra-judicial Executions	Disappearances	Prisoners of Conscience	Torture & Ill-Treatment	Detention w/o charge or trial	HRVs by Armed Opposition Grps
Algeria	{ (hundreds) { (19) { (scores)	{ (dozens) { (numerous) { (dozens)	{ (thousands) { (numerous) N/D	{ (hundreds) { (scores) { (hundreds)	{ (thousands) { (several) { (dozens)	{ (hundreds) { (hundreds) { (hundreds)
Angola	{ (dozens) { (numerous)	{ { (50+) {	{ { (numerous) X	{ (several) { (dozens) { (thousands)	{ (scores) { (numerous) {	{ (several) { (numerous) { (several)
Burundi	{ (1000+) { (thousands) { (thousands)	{ (several) { (numerous) { (dozens)	{ X X	{ (several) { (hundreds) { (thousands)	{ (hundreds) { { (thousands)	{ (1000+) { (hundreds) { (hundreds)
Cameroon	X { (several) N/D <sup>222</sup>	X { (numerous) N/D	{ (several) { (60+) N/D	{ (several) X N/D	{ (hundreds) { (hundreds) N/D	X X N/D
Central African Republic	N/D { N/D	N/D X N/D	N/D X N/D	N/D { (several) N/D	N/D { N/D	N/D { (numerous) N/D
Chad	{ (scores) { (scores) N/D	{ { N/D	{ (scores) N/D N/D	{ (widespread/100+) { (dozens) N/D	{ (scores) { (dozens) N/D	{ (dozens) { (numerous) N/D
Comoros	{ (several) X several N/D	X X N/D	X X N/D	{ (several) { (several) N/D	X X N/D	{ { (several) N/D
Congo (Republic of)	{ (thousands) { (thousands) N/D	{ (several) { N/D	{ X N/D	{ (several) { (widespread/100+) N/D	{ (scores) { many N/D	{ (1000+) { (thousands) N/D
Democratic Republic Of Congo (DRC)	{ (thousands) { (hundreds) { (thousands)	{ (scores) { (several) X	{ (scores) { (11) { (~20)	{ (thousands) { (several) {	{ (scores) { (numerous) { (100+)	{ (thousands) { (hundreds) { (thousands)
Djibouti	X { (1) N/D	X X N/D	{ { N/D	{ (several) { N/D	{ (14+) { (several) N/D	X X N/D
Eritrea	{ (dozen) X N/D	X X N/D	{ (scores) X N/D	X { N/D	{ (scores) { (several) N/D	{ X N/D
Ethiopia	{ (several) { (unconfirmed) {	{ { (numerous) X	{ X {	{ { (numerous) {	{ (hundreds) { (several) { (hundreds)	{ { (numerous) {
Ghana	X { (numerous) N/D	X X N/D	{ X N/D	{ (dozens) { (several) N/D	{ { (several) N/D	X X N/D
Kenya	{ (scores) { (scores) { (scores)	X X X	{ { X	{ (scores) { { (numerous)	{ { {	X X X
Liberia	{ (4) { (numerous) {	X { X	{ (9+) X X	{ (scores) { (numerous) { (numerous)	{ { {	{ X {

<sup>222</sup> N/D = No data available

...Cont'd	Extra-judicial Executions	Disappearances	Prisoners of Conscience	Torture & Ill-Treatment	Detention w/o charge or trial	HRs Abuses by Armed Opposition Grps
Mali	X X N/D	X X N/D	{ X N/D	{ X N/D	{ X N/D	X X N/D
Mozambique	{ (1) { (several) X	{ (2) { (unconfirmed) X	X X X	{ (dozens) { (several) { (several)	{ { { (several)	X X {
Niger	{ X N/D	X X N/D	X X N/D	{ { (dozens) N/D	{ (scores) { N/D	{ { N/D
Nigeria	X { { (tens)	X { X	{ (hundreds) X {	{ (scores) { {	{ (hundreds) { {	X X X
Rwanda	{ (thousands) { (thousands) { (thousands)	{ (scores) { (several) {	{ X X	{ (hundreds) { (scores) { (scores)	{ (thousands) { (hundreds) { (hundreds)	{ (hundreds) { (hundreds) { (hundreds)
Senegal	{ (tens) { (tens) N/D	{ (30+) { (30+) N/D	{ (scores) N/D N/D	{ (numerous) { (numerous) N/D	{ (120+) { (100+) N/D	{ (several) { (12+) N/D
Sierra Leone	{ (dozens) { (numerous) N/D	{ { (thousands) N/D	{ (hundreds) { (numerous) N/D	{ (many)) { (numerous) N/D	{ (hundreds) { (hundreds) N/D	{ (dozens) { (numerous) N/D
Somalia	{ (200+) { N/D	X X N/D	{ X N/D	{ X N/D	{ X N/D	{ { (hundreds) N/D
South Africa	{ (hundreds) { (hundreds) { (hundreds)	X X X	X X X	{ (100 deaths) { { (hundreds)	X X X	{ { {
Sudan	{ (scores) { (nuerous) { (gross/1000+)	{ (hundreds) { (numerous) {	{ (hundreds) { (several) {	{ (numerous) { (scores) {	{ (hundreds) { (scores) {	{ (thousands) { (00+) { (GHRVs/thousands)
Uganda	{ (20+) { (several) N/D	{ (hundreds) X N/D	{ (hundreds) { N/D	{ { (scores) N/D	{ (hundreds) { (100+) N/D	{ (GHRVs/thousands) { (numerous) N/D
Zambia	{ { {	{ (1) { (1) X	{ (1) { {	{ (several) { {	{ (90+) { { (15+)	X X X
Zimbabwe	X X N/D	X X N/D	X X N/D	{ { (several) N/D	X X N/D	X X N/D

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