

resettled by the end of August, some reporting that SWAPO still held political detainees in camps in Angola and Zambia. These reports prompted the SR to set up a UN Mission on Detainees consisting of officials from the UNHCR, the Office of the SR, UNTAG, and including the International Jurist.

A number of other UN agencies and programmes assisted in the repatriation programme, including the World Health Organization, UNICEF, UNESCO, the World Food Programme, and the Food and Agricultural Organization. Acting as implementing partner to the UNHCR was the Council of Churches of Namibia.

### THE INTERNATIONAL JURIST

The Settlement Proposal of 1978 stipulated amnesty for Namibian exiles as a prerequisite of repatriation. The position of International Jurist (IJ) was set up specifically to advise on any disputes over amnesty of political prisoners or detainees.

In the case of the reported SWAPO detainees, the IJ acted as part of the mission that visited various camps in Zambia and Angola and found no evidence that SWAPO continued to hold detainees. By April 1990 the IJ mission managed to account for all but 211 of some 1,100 people who had allegedly been detained.

The IJ advised upon twenty-five cases of political prisoners held by South Africa, and determined that all were entitled to amnesty. His advice was accepted by the AG and the prisoners were duly released.

### CONCLUSION

In the years to come, the United Nations will be mounting more peacekeeping operations that are analogous to the military/civilian mission undertaken in Namibia in 1989. One need only point to the plans being formulated for the settlements of conflicts in Cambodia, Angola, El Salvador, and the Western Sahara, to see evidence of this trend.

Peacekeeping, then, will no longer be identified as an exclusively military operation. In a very real sense this perception of peacekeeping has always been a misperception — or at least a misrepresentation. Civilians, from the Secretary-General on down, have traditionally played an important role in the political, legal, and administrative aspects of peacekeeping operations. In some cases, such as West Irian and Namibia, civilians have played an important, indeed, critical part in fulfilling the mandate of the peacekeeping operation.

But whereas in the past these types of operations were atypical, it is likely that in the future, peacekeeping will involve more often an active civilian component.

For this reason, Marrack Goulding, UN Under-Secretary-General for Special Political Affairs, has speculated that it is perhaps time to think about redefining the technical term “peacekeeping.” Goulding posits that peacekeeping is evolving from a species into a genus that embraces three different species. These are the following: classical military peacekeeping operations; large composite operations, such as in Namibia; and, *perhaps*, field operations without a military component.<sup>9</sup>

F.T. Liu has distinguished between traditional military peacekeeping operations and what he calls, “multi-dimensional” operations.<sup>10</sup> In the latter category he includes UN operations in the Congo, West Irian, Cyprus, and Namibia — all of which involved civilians who performed essential political, technical, or humanitarian tasks.

Liu argues further that the innovative nature of the UNTAG operation in Namibia will serve as a precedent for the expanded use of civilians in peacekeeping. Moreover, the civilian functions of monitoring and supervising elections are likely to expand — specifically in the Western Sahara and Cambodia — to include responsibility for *organizing* elections.

While the use of civilian police, election organizing/monitoring, and territorial administration, or some combination of the above, seems to be the probable nature of multi-dimensional or composite peacekeeping operations in the immediate future, there are also other peacekeeping possibilities in which civilians or civilian agencies might play a larger role.

Thomas Weiss, Indarjit Rikhye, and Aage Eknes, among other commentators, have speculated upon the use of military peacekeeping troops in securing the delivery of humanitarian aid (again, the UN operation in the Congo comes to mind).<sup>11</sup> Rikhye reminds us that while several UN agencies are involved in refugee relief, none has a built-in security component. Yet, the need to provide security for humanitarian assistance in places such as the Horn of Africa is painfully obvious.

Weiss echoes the thoughts of Rikhye, saying that the use of peacekeeping troops could prove useful in the “contemporary world as part of a more comprehensive international response to humanitarian crises.” Eknes, flipping the coin, argues that the attachment of civilian humanitarian relief units to peacekeeping forces can help to strengthen the link between peacekeepers and the population.

The case for future civilian involvement in peacekeeping, then, is threefold. First, the complexity of the settlement arrangements that the UN will be asked to carry out in the future in order to resolve equally complex conflict situations, will make the use of civilians not only welcome but unavoidable.