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TO: Paul Wolfowitz
Doug Feith
Jerry Bremer
Gen. John Abizaid

FROM: Donald Rumsfeld *DR*

DATE: July 28, 2003

SUBJECT:

Attached is a paper from the Department of State from their historian.

Thanks.

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Attach: Memo to The Secretary of State from Historian Marc Susser; 2/28/03

Please respond by: _____

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07-M-099 R-1



United States Department of State

Washington, D.C. 20520

February 28, 2003

CLP

UNCLASSIFIED

TO: The Secretary

FROM: The Historian - Marc J. Susser *mjs*

SUBJECT: Occupation and Postwar Government: Precedents
and Options

Background

American views on occupation and military governments have evolved over time. An initial suspicion and skepticism based on Revolutionary and Civil War experience was tempered by the success stories of post-World War II Germany and Japan. U.S. actions--both unilateral and multilateral--in defense of our vital interests have resulted in both brief and lengthy cases of occupation and/or military rule. While the cases vary significantly--and our efforts met with varying degrees of success--there are some basic precedents that stand out when looking for models to follow and lessons to be learned.

The attached two papers provide: 1) a brief summary of significant U.S. occupation/military governments over the years, along with descriptions of five broad models for such governments; and 2) a historical overview of American approaches toward military government.

Possible Mandates for Occupation Government

Since 1945, there have been five basic models for postwar occupation/military government:

Unilateral rule - A single national government effectively occupies a vanquished nation, establishes a military government, and directs the transition to civilian rule. The best example of this type of rule is the post-World War II U.S. occupation of Japan. (Earlier examples include U.S. control over Cuba and the Philippines.)

Shared allied rule: A consortium of the victors parcels out responsibility for ruling a defeated nation, usually on a geographic (zonal) basis. Post-World War II Germany (and Berlin) and Austria are the best examples, although a zonal approach was also used more recently after the NATO action in Bosnia. (KFOR also provides peacekeeping authority in Kosovo on a zonal basis.)

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U.N. delegation of authority to a national government: This model was used in United Nations trusteeships (and League of Nations mandates). In some cases, e.g., Senegal, Mali, and Ivory Coast, these were relatively successful; in others, a long-term resolution of the problem of establishing stable democratic government remains elusive (e.g., Britain's Palestine mandate, Congo, Rwanda, and Burundi). British and (subsequent shared) French control of Libya from 1943 to 1949 also falls within these lines.

U.N. direct rule: In this case, the United Nations itself establishes a governing authority and uses U.N.-flag forces to restore order to a region while U.N. civilian authorities oversee the transition to civilian democratic rule. The recent case of East Timor is the best example of this approach. UNMIK has direct civil authority for the executive, legislative, and judicial administration of Kosovo (although, as noted above, KFOR handles peacekeeping). U.N. rule of post World War II Namibia is another example. Although UNTAC did not "occupy" Cambodia in the early 1990's, its actions there also fall within the general parameters of this approach, and provide some useful lessons.

U.N. "figleaf": In this case, the U.N.--or another multilateral organization--would formally "bless" (or cooperate with) the more or less unilateral actions of the occupying power, and a small, formal U.N. presence would, in effect, ratify the largely unilateral decisions of the occupying power. The U.S. occupation of Korea after World War II is the best example of this approach. While of much shorter duration, U.S. actions in the Dominican Republic in 1965, and Haiti in 1994, also fall under this general model.

Lessons Learned

There are several key factors to be considered when contemplating an occupation/military regime and an ultimate transition to indigenous civilian rule: 1) creating a sustainable democracy requires time, money, and well-supervised elections; 2) old ideologies must be discredited; 3) if possible, rule through local officials; 4) weed out the most fanatic supporters of the ousted regime; 5) a large and well-trained police force is as important as a military occupying force; 6) deal with--or co-opt--residual pockets of resistance; 7) avoid territorial or ethnic divisions; 8) give (acceptable) existing political factions a stake in the new government; 9) support of such factions requires the support of their outside patrons; 10) create a strong economic base; 11) obtain the participation--and support--of the international community; and 12) do not try to revolutionize society overnight.

OCCUPATION AND POSTWAR GOVERNMENT: PRECEDENTS AND OPTIONS

Since 1945, there have been five basic models for postwar occupation/military government:

Unilateral Rule

A single national government effectively occupies a vanquished nation, establishes a military government, and directs the transition to civilian rule. The best example of this type of rule is the post-World War II U.S. occupation of Japan. (Earlier examples include U.S. control over Cuba and the Philippines.)

Japan (1945-1951). When the United States occupied Japan in 1945, the initial post-surrender policy statement stressed the following objectives: "to insure that Japan will not again become a menace to the United States or to the peace and security of the world;" and "to bring about the eventual establishment of a peaceful and responsible government."

Occupation forces were under a Supreme Commander designated by the United States. General Douglas MacArthur was the Supreme Commander for the Allied Powers (SCAP). Although the surrender statement provided for Allied participation, the occupation of Japan was almost entirely a U.S. operation. The U.S. role during the occupation was one of supervision rather than direct administration. There were no "military governors." Rather, the U.S. appointed "military government officers," who were called "civil affairs officers" after July 1949. The United States intended the Supreme Commander to administer the country through the Japanese Government, including the Emperor, once the Government had been purged of militarist and ultra-nationalist officials. A series of SCAP directives restored civil liberties, freed political prisoners, abolished the secret police, enfranchised all adults, changed the educational curriculum, encouraged the formation of labor unions, abolished feudal land tenure, and ended State Shintoism. Elections were first held in 1946 and a new constitution went into effect in May 1947.

The occupation objectives were met. Japan completely disarmed and demilitarized. An international military tribunal was established in Tokyo. The Japanese armed forces and paramilitary organizations were disbanded. Military personnel were repatriated and demobilized. Remaining military equipment was destroyed or

distributed among the victorious Allies. Former military and naval officers were initially excluded from public life. Ultra-nationalist political organizations and societies were dissolved. The Japanese people were encouraged to form democratic and representative institutions. The Japanese economy was developed sufficiently to meet the country's peacetime requirements. Normalization of relations with Japan came with the 1951 peace treaty. Japan lost its overseas possessions, was no longer required to pay reparations, and was recognized as having "the inherent right of individual or collective self-defense."

Spanish-American War (1898 and after). After the Spanish-American War of 1898, the United States controlled the administration of Cuba, Puerto Rico, Guam, and the Philippines. The U.S. Army occupied Cuba until 1900, when Cubans drafted a constitution modeled after that of the United States. Cuba remained a *de jure* American protectorate until 1959. In Puerto Rico, the U.S. Army provided a military government until 1900, when Puerto Rican voters elected a legislature, but final authority rested with a governor and council appointed by the U.S. President. The U.S. Navy administered Guam until 1949 with the advice of a local congress. Guam underwent a 20-year transition to a self-governing territory. Occupation and administration of the Philippines proved an extremely difficult case. Filipino rebels fought U.S. attempts to keep the islands. After several years of fighting, the United States established a government for the Philippines similar to that of Puerto Rico. Independence was recognized in 1946.

Shared Allied Rule

A consortium of the victors parcels out responsibility for ruling a defeated nation, usually on a geographic (zonal) basis. Post-World War II Germany (and Berlin) and Austria are the best examples, although a zonal approach was also used more recently after the NATO action in Bosnia. (KFOR also provides peacekeeping authority in Kosovo on a zonal basis.)

Germany, Berlin, and Austria (1945-1955). In Germany, the Americans sought to transform a hitherto authoritarian state into a liberal democratic society. Although the allies agreed to consider Germany a single unit, each established separate occupation zones. In its zone, the U.S. implemented denazification, democratization, and decentralization, established strong federal states, and sponsored local and state elections in January 1946, which transferred many responsibilities to elected officials. The U.S. and Britain merged their zones on January 1, 1947, and established an Economic Council that evolved into a bicameral legislature headed by a quasi-central government. When the western allies established West Germany in 1949, the Bundestag superseded the Economic Council

and governed under a constitution. The western allies also issued the Occupation Statute, ending military government in favor of a civilian High Commission. Full West German sovereignty, except for Berlin, was granted in May 1955. The occupations of Berlin and Austria were related to the rest of Germany. The allies initially divided Berlin into three sectors, and by the 1950's treated Berlin as a *de facto* divided city. This situation continued until the two plus four agreement of 1990, when the allies surrendered all remaining rights over Berlin to a unified Germany. The allies also divided Austria into zones. Although they agreed to establish an elected all-Austrian government in 1945, the allies could not agree to a mutual withdrawal from the country until 1955.

Italy and Italian Colonies (1943-1951). Italy's ambiguous status as a combatant complicated plans for the postwar period. Washington and London excluded Moscow from the decision-making process, a move that exacerbated allied relations in Europe but improved the prospects for stabilization in postwar Italy. From 1943-1948, the allies were able to encourage moderate and conservative forces and facilitated the transition from military to civilian rule. Italy's former colony, Libya, remained an Italian possession administered by Britain and France until the 1947 Italian peace treaty. The allies favored trusteeship but disagreed on form. Consequently, a November 1949 UN resolution called for all three provinces of Libya to be joined in a sovereign state that would gain independence in 1952. The General Assembly named a commissioner, who approved the appointment of a national committee. A subsequent national assembly in November 1950 approved a federal system of government with a monarchy and drafted a constitution, which was adopted in 1951. Two months later, an independent Libya was proclaimed.

Bosnia (1995). The treaty resulting from the Dayton Negotiations established terms for peaceful and democratic self-rule in Bosnia-Herzegovina, the prosecution of war-criminals, the return of refugees, arms control, economic relations, reconstruction, and the creation of a NATO-led international military force to ensure treaty compliance. The implementation force (IFOR) included 2000 Russian troops under NATO command. The treaty created the Office of the High Representative (OHR) to oversee elections, humanitarian aid, and the organization of a civilian government. Additionally, the Organization for Security and Cooperation in Europe was tasked with overseeing elections. Various United Nations entities oversaw humanitarian aid to refugees and displaced persons. At the end of 1996, IFOR was replaced by a new, smaller NATO-led Stabilization Force (SFOR). Under the leadership of the OHR, IFOR, and SFOR, there has been no significant military activity in Bosnia. The parties have mediated numerous governmental and territorial disputes, and free and fair elections have been held.

U.N. Delegation of Authority to a National Government

This model was used in United Nations trusteeships (and League of Nations mandates). In some cases, e.g., Senegal, Mali, and Ivory Coast, these were successful; in others, a long-term resolution of the problem of establishing stable democratic government remains elusive (e.g., Britain's Palestine mandate, Congo, Rwanda, and Burundi).

Mandates after World War I. At the end of the First World War, the League of Nations placed the territories of Syria and Lebanon under French mandate, and the territories of Iraq, Palestine, and Trans-Jordan under British mandate. It was assumed that these Middle East territories were in a stage in their development such that the "tutelage of advanced nations" would bring them into independence within a decade or more. It was the intent of both western powers to shape democracies in the region that would represent the different ethnic and religious factions of each area. Although France met with some success, and eventually recognized the independence of its mandates after almost 2 decades, the British met with less success. Iraq, gained titular independence in 1921, and Jordan followed with independence 2 decades later. Palestine was a disaster for the British, however. The British tried for 30 years to craft solutions palatable to both sides without success. Violent clashes between Arabs and Jews, and violence against the British themselves by both factions, led to the eventual withdrawal of the British in 1947.

Post-World War II Trusteeship. Many territories have been subject to the U.N. Trusteeship system since 1945, and 16 remain listed as non-self governing territories by the U.N. General Assembly. Some of the territories in the U.N. Trusteeship system have achieved independence with varying degrees of success, such as Kenya (1963), Tanzania (1963), Singapore (1965), and Brunei (1984). It is significant that those former U.N. Trust Territories that did successfully achieve independence all had a long colonial history (in these cases, with the United Kingdom), and had entrenched governmental institutions in place before gaining independence. Others, however, have been unable to establish stable governments, such as Somalia (1960), the Democratic Republic of the Congo (DROC) (1960), Rwanda (1962), and Burundi (1962). These former U.N. Trust Territories, which have fared poorly since independence, did not have such well-developed governmental institutions before independence and also had significant divisions (often ethnic) within their societies.

Western Sahara. Western Sahara was a Spanish colony until 1975. After Spain withdrew, Morocco took over two-thirds of the territory and took over the remaining third after Mauritania

withdrew all claim to the territory in 1979. Morocco controls Western Sahara and is opposed by the Polisario, but since 1991 both sides have been cooperating with the United Nations in an effort to hold a referendum on independence for Western Sahara. MINURSO (United Nations Mission for the Referendum in Western Sahara) has been working since 1991 to bring about a referendum, without success.

United Nations Direct Rule

In this case, the United Nations itself establishes a governing authority and uses U.N.-flag forces to restore order to a region while U.N. civilian authorities oversee the transition to civilian democratic rule. The recent case of East Timor is the best example of this approach. UNMIK has direct civil authority for the executive, legislative, and judicial administration of Kosovo (although, as noted above, KFOR handles peacekeeping). U.N. rule of post World War II Namibia is another example. Although UNTAC did not "occupy" Cambodia in the early 1990's, its actions there also fall within the general parameters of this approach, and provide some useful lessons.

Kosovo (1999). The occupation of Kosovo in June 1999 utilized the talents of the United Nations, NATO, and the G-7, to rebuild Kosovo's political, economic, and civil structure. This task involved building confidence among distrustful ethnic groups, disarming rival militias, rebuilding an economy destroyed by years of sanctions, and assisting refugees. The reconstruction of Kosovo was based on a United Nations Security Council resolution that provided a framework for directly administering Kosovo as a U.N. protectorate that also remained a part of Yugoslavia. Working with Partnership for Peace members, including Russia, the NATO-led postwar military occupation became known as the Kosovo Force. The U.N. Interim Administration Mission in Kosovo took responsibility for civil administration, including drafting a penal code, training judges, undertaking voter registration, and establishing the Kosovo Police Service. The Organization for Security and Cooperation in Europe undertook monitoring missions, established the Kosovo Law Center, and opened a police academy. The G-7 led a donors' conference that included the European Union Investment Bank, the World Bank, and the IMF. Finally, the U.N. established the Kosovo Transitional Council, with leaders of the Albanian and Serbian political communities, as well as the Turkish and Muslim Slav minorities, to build confidence among the rivals and involve them in the transition to democracy.

East Timor. In January 1999, the Indonesian government agreed to consider broad based autonomy for East Timor. A security council resolution provided for a U.N.-supervised popular referendum in East

Timor. In August 1999, 78.5 percent of voters opposed autonomy. Weeks of post-referendum violence led the Indonesian assembly to revoke its 1978 annexation of East Timor and the government withdrew its troops and police forces from East Timor. An Australian-led International Force in East Timor (INTERFET) arrived in September to restore order.

As the Security Council established the United Nations Transitional Administration in East Timor (UNTAET), with 8,950 troops, 1,640 police officers, and a large number of civilian officials. In early 2000, INTERFET transferred command of military operations to the transitional administration's peacekeeping forces and responsibility for internal security to the United Nations Civilian Police. The job of the peacekeeping force was to restore and preserve basic social order and prevent violence by pro-Indonesia militias inside East Timor.

Throughout the transition to East Timor's independence, the Transition Administrator worked with a political umbrella of concerned organizations. During its tenure, the transitional administration established a variety of governing structures, in close consultation with the East Timorese, while gradually reducing its participation in these bodies to allow increased participation by local groups. Its mission lasted until East Timor's full independence in May 2002. A successor mission stayed to help maintain stability, democracy, and justice, internal security and law enforcement, and external security and border control.

Namibia (South West Africa). The U.N. incrementally created an independent Namibia after years of guerrilla warfare and negotiations. In 1967, the U.N. General Assembly drafted Resolution 2248 (S-V) establishing a U.N. Council for South West Africa, replacing the post-World War I mandate given to South Africa. In 1971, the International Court of Justice formally terminated South Africa's mandate, and in 1972 the U.N. voted to impose sanctions against South Africa. Finally, in 1989, the U.N. Transition Assistance Group (UNTAG) supervised preparations for free elections, the adoption of a constitution, and the formation of a new government. The Namibian case expanded U.N. practices from peacekeeping and diplomacy to monitoring elections, maintaining public order, providing basic administrative services, and offering humanitarian relief. The Republic of Namibia was admitted to U.N. membership in 1990.

Cambodia (1992-1993). While the United States did not occupy Cambodia, it was instrumental in setting up and paying for a United Nations Transitional Authority (UNTAC) that eased Cambodia from war to relative peace. The United States played a crucial role behind the scenes and was the single largest contributor to the operation.

UNTAC's 22,000 personnel consisted of seven distinct components. The electoral component wrote electoral laws, registered voters, and supervised the May 1993 election. The military component comprised at its peak 15,000 troops from 36 countries. Although it failed to disarm the factions, it created an environment that allowed for a fair election. In that election, 90 percent of eligible voters cast ballots. The military component's success was due to rapid and wide deployment. The civilian police component consisted of 3,600 officers from 32 countries who supervised and trained local police to maintain law and order and safeguard human rights. However, with only one UNTAC police officer per 3,000 Cambodians and no independent Cambodian judiciary, its accomplishments were modest. The civil administration component sought to rebuild a Cambodian government and ensure a secure political environment. This component never established effective control over Cambodian civil administration because the pro-Vietnamese Phnom Penh government, which actually controlled most of the country, ignored it. The civilian component's major success was the creation of an independent Radio UNTAC, which was able to broadcast programs on a regular and frequent basis and bypassed the propaganda campaigns of the factions. The Office of the United Nation High Commissioner for Refugees staffed the component responsible for the successful repatriation of 370,000 refugees. The human rights component investigated and raised awareness of human rights abuses. It suffered from staffing shortages and from the lack of an independent Cambodian judicial framework. In general, UNTAC had mixed results, succeeding with refugees, elections, and the creation of a coalition government, but failing to disarm the factions, control civilian administration, or establish much lasting respect for human rights or democracy.

United Nations "Figleaf"

In this case, the U.N.--or another multilateral organization--would formally "bless" the more or less unilateral actions of the occupying power, and a small, formal U.N. presence would, in effect, ratify the largely unilateral decisions of the occupying power. The U.S. occupation of Korea after World War II is the best example of this approach. While of much shorter duration, U.S. actions in the Dominican Republic in 1965, and Haiti in 1994, also fall under this general model.

Korea (1945-1948). South Korea is an example of unilateral U.S. action in which U.N. cooperation was an important factor. At the end of World War II, the United States and the Soviet Union divided the occupation of Korea, a former Japanese colony, at the 38th parallel. Korea had little experience with representative government and the United States established an interim U.S. Military Government and stationed 25,00 troops in the south. The

United States had to rely heavily on former Japanese collaborators to make the South Korean bureaucracy function. A joint U.S.-Soviet Commission on Korea failed to agree on anything. In 1946, the United States created an interim appointed legislature (including districts for North Korea). In November 1947, the United Nations established a United Nations Temporary Commission on Korea to try to end guerrilla fighting between factions, supervise elections, and unite the country. The Soviet Union denied the Commission entry into North Korea. In May 1948, the U.N.-sponsored elections were held only in South Korea, and were won by anti-Japanese nationalist Syngman Rhee. This led to the creation of a Republic of Korea in August 1948 with Rhee as president. The United States Military Government was terminated, and within weeks U.S. troops left the peninsula.

Haiti (1994). In Haiti the United States used the U.N. to legitimize, support, and ratify its efforts to restore democracy following the September 30, 1991 coup led by Haitian Armed Forces Lt. General Raoul Cedras. The coup, which ousted democratically elected President Jean-Bertrand Aristide, created a political and humanitarian disaster, as thousands of Haitians tried to flee the country. When the United States, the OAS, and the U.N. pressed Cedras to restore democracy, he refused, and neither a trade embargo nor negotiations convinced the regime to step down. In the face of the regime's intransigence, and after pressing the issue for more than a year, the U.N. passed Resolution 940, authorizing the use of force to restore democracy. As the spearhead for U.N. efforts, the United States implemented Operation Uphold Democracy in September 1994 and began conducting air assaults against Haiti from the USS Eisenhower. The Cedras regime capitulated and Aristide returned to power by October. A nominal U.S. force remained in the country until January 2000 to provide humanitarian assistance and ensure a smooth transition back to democracy. In spite of enjoying short-term success in banishing military dictatorship, the fraudulent 2000 elections demonstrated that Haitian democracy was still a work in progress.

Dominican Republic (1965-1966). The U.S. invasion of the Dominican Republic offers an example of a "figleaf" approach using the Organization of American States to legitimize the U.S. operation. The invasion came in the wake of the 1961 assassination of long-time dictator Rafael Trujillo, which left the Dominican Republic with a political vacuum. Juan Bosch -- a leftist intellectual elected to fill that vacuum -- exacerbated matters when he legalized the country's communist party. The military ousted him in 1963, but the civilian junta that replaced him fared no better. In 1965, the United States invaded the country under the pretense that American lives were being threatened and that Cuban-sponsored communists were destabilizing the country. The operation restored

democracy to the Dominican Republic, establishing a government favorable to U.S. interests. Members of the Organization of American States provided token support initially and then increased their contingents to replace U.S. troops. The OAS sponsored an election, which brought to power pro-American politician Juan Balaguer. In a sense, the operation legitimized the OAS as an international institution.

Lessons Learned

Despite a constant media focus on an end date for an "exit strategy" after military involvement, it can be more important to focus on exactly how we get out rather than precisely when. There are several key factors to be considered when contemplating an occupation/military regime and an ultimate transition to indigenous civilian rule: 1) creating a sustainable democracy requires time, money, and well-supervised elections; 2) old ideologies must be discredited; 3) if possible, rule through local officials; 4) weed out the most fanatic supporters of the ousted regime; 5) a large and well-trained police force is as important as a military occupying force; deal with--or co-opt--residual pockets of resistance; 6) avoid territorial or ethnic divisions; 7) give (acceptable) existing political factions a stake in the new government; 8) support of such factions requires the support of their outside patrons; 9) create a strong economic base; 10) obtain the participation--and support--of the international community.

U.S. Occupation/Military Government: A Historical Overview

The Early American Experience

Americans have traditionally viewed military governments with some suspicion, a distrust that stems from their belief in individual liberty, representative government, and civilian control of the military, as well as some particular historical events. While the post-World War II experience ameliorated that sense to a considerable extent, its roots lie deep within our own history.

This view began to evolve during the Revolutionary War, when the British army occupied and established military rule in a number of American cities. As the new nation expanded westward after 1789, the U.S. Government's policy was to put new territory under civilian administration as quickly as possible. However, the U.S. military has often acted as an occupying and governing force.

As the U.S. Army marched through Mexico during the Mexican War (1846-1848), General Winfield Scott found that he had to deal with Mexican civilians. His response was to issue General Order No. 20, which provided a code of conduct that emphasized respect for the rights and property of innocent civilians. Scott ordered U.S. military governors to rule through local officials where possible.

As the Union Army occupied increasing areas of the Confederacy during the Civil War, it had to control a hostile civilian population, protect freed slaves and friendly Unionists, and ensure essential services. The broad aim of military government was to restore the Union by suppressing the secessionists and establishing loyal state governments. In 1863, the War Department issued guidance for the Army in General Order No. 100, which was later published as an army manual: *Instructions for the Government of Armies of the United States in the Field*. This was the first formal attempt by a national government to codify the laws of war.

The Union Army became the major instrument of the U.S. Government in the occupied South during the war and through most of the postwar Reconstruction period. In 1867, the Republican Congress divided the South into five military districts. Each state had to guarantee suffrage to adult black males and ratify the Fourteenth Amendment before military rule was ended in 1870.

Following the Spanish-American War, the United States found itself in charge of far-flung possessions, which initially were governed by military occupation forces. The U.S. Army governed Cuba from 1898 to 1903 (and again from 1906 to 1909); Puerto Rico from 1898 to 1900; and the Philippines from 1899 to 1901. The U.S. Navy governed Guam from 1899 to 1950; and American Samoa from 1899 to 1951.

In the Caribbean, naval and marine forces governed--sometimes directly, sometimes through local leaders--in Haiti (1915-1934); the Dominican Republic (1916-1924); Honduras (1924-1925); and Nicaragua (1909-1910, 1912-1925, and 1926-1933). The Army governed the Panama Canal Zone from 1903 until 2000.

World War I led to the first U.S. military occupation in Europe: after the armistice in 1918, the U.S. Army was assigned an Allied occupation sector in the Rhineland. Despite French pleas to remain, the U.S. force was rapidly reduced and its role ended in 1923.

World War II and Postwar Experience

America's role in World War II led to unprecedented responsibilities in military occupation and government. Before U.S. entry into the war, the Army prepared two field manuals on the subject: *The Rules of Land Warfare* (1939) and *Military Government* (1940). Because of the initial wartime experience, another manual, *Army-Navy Manual of Military Government and Civil Affairs* (1943), emphasized assisting military operations rather than winning over the population. U.S. policy, however, continued to insist on "just and reasonable" treatment of civilians and prompt rehabilitation of the civilian economy.

In Europe, General Dwight D. Eisenhower allowed his field commanders considerable freedom of action over occupation and military government policies. In Italy, the policy favored rapid reconstruction of local and regional governments and the civil service, drawing upon all but the most dedicated Fascists. In Germany and Austria, the U.S. Army played a role in aiding millions of refugees, in arranging for reparations, in conducting a de-Nazification program, and in prosecuting war crimes.

The emergence of the Cold War led to the continuation of allied military occupation in Germany long after the fighting stopped in May 1945. Although the Allied military occupation of Italy ended in 1947 with the signing of a peace treaty there, Germany remained divided into separate military occupation zones. The U.S. Zone was in the south, plus part of jointly occupied Berlin; from 1947-1949, it was governed by General Lucius D. Clay.

In 1947, the United States and Britain merged their two zones, first economically, and then, along with the French, completely, in order to create the Federal Republic of Germany in 1949. (In East Germany, West Berlin remained an Allied occupation zone.) However, U.S. occupation and government, under High Commissioner John J. McCloy, did not end until the Federal Republic rearmed and joined NATO in 1955; the occupation of Austria ended the same year.

In contrast to General Eisenhower's decentralized occupation policy, General Douglas MacArthur established highly centralized control of occupied Japan in 1945. The United States was also the sole occupying force in Micronesia (the Carolines, Marianas, and Marshalls), Okinawa, and Iwo Jima.

Supported by President Harry S. Truman, MacArthur planned to "reform" Japan and replace its militaristic ideology with democratic liberalism. MacArthur's military government expanded civil rights, broadened the franchise, officially emancipated women, established new political parties and labor unions, instituted land reform, and began antitrust proceedings against giant Japanese conglomerates. However, after the Communists took power in China in 1949, the emphasis shifted to building up Japan as a bastion against the spread of communism. A formal peace treaty in 1951 ended U.S. military occupation and government.

U.S. military government in Korea south of the 38th parallel from 1945 to 1946 was followed by a staunch anti-Communist civilian government headed by Syngman Rhee. The United States had removed most of its forces by the time of the North Korean invasion in 1950.

The U.S. military was successful in brief interventions to restore/safeguard democratic rule in the Dominican Republic (1965), Grenada (1983), and Panama (1989).

Although the United States did not set up a military government during the Persian Gulf War of 1991, the Army did mount its largest military-civil affairs operation since World War II in Kuwait.

U.S. military involvement in Haiti, beginning in 1994, reinstalled the country's elected president, Jean-Bertrand Aristide, and restored order. U.S. forces also joined peacekeeping occupations in Bosnia in December 1995, and in Kosovo in mid-1999.

**Possible Models for Post-Conflict Iraq:
Reference Document**

	Afghanistan (UNAMA- UN Assistance Mission in Afghanistan)	Kosovo (UNMIK - UN Interim Administrative Mission in Kosovo)	Bosnia (OHR - Office of the High Representative)	East Timor (UTAL - UN Transitional Administration for East Timor)
Established	UNSCR 1401 (2002); Chapter VI (ISAF chap. VII).	UNSCR 1244 (1999); Chapter VII	Dayton Peace Agreement (DPA - 1995); UNSCRs 1031 (ch. VII) and 1035 (1995); UNSCR 1088 (ch. VII, 1996); Bonn PIC Dec. (1998).	UNSCR 1272 (1999); Chapter VII
Mandate:	Fulfill tasks related to human rights, rule of law and gender issues entrusted to the UN in the Bonn Agreement; promote national reconciliation; coordinates all UN humanitarian relief, recovery and reconstruction activities.	Broad: provide civilian administration; establish and develop provisional government; facilitate process to determine final status. KFOR to provide security.	DPA created OHR to coordinate implementation of DPA; HiRep final authority on civilian aspects of DPA; UN provides police vetting, restructuring, training and oversight. NATO-led IFOR (then SFOR) final authority for military implementation.	To act as government until independence; provide security maintain law and order, assist in the development civil and social services, ensure coordination of humanitarian assistance, rehability and development assistance.

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	Afghanistan (UNAMA- UN Assistance Mission in Afghanistan)	Kosovo (UNMIK - UN Interim Administrative Mission in Kosovo)	Bosnia (OHR - Office of the High Representative)	East Timor (UTAP - UN Transitional Administration for East Timor)
Authority / Power Sharing	Small "UN footprint" - UNAMA to assist Afghan authorities. Major donors agreed that the GoA must have lead in political and economic rebirth of country. Extensive cooperation between UN and Afghan Ministries.	Special Representative of the Secretary- General (SRSG) has very broad powers to direct affairs of Kosovo. Cooperates with KFOR (Kosovo Force), the lead on military and security issues with separate chain of command to NATO. UNMIK gradually ceding powers to Kosovo's provisional government, except in reserved powers such as foreign affairs and defense.	HiRep reports to 55- nation Peace Implementation Council (PIC) through Steering Board (SB) consisting of Canada, France, Germany, Italy, Japan, Russia, UK, US, EU Presidency, European Commission and Turkey as rep. for OIC). Bosnian local authorities remain in place. HiRep has authority to remove obstructionist officials and impose laws.	SRSG has broad executive and security powers prior to independence. See also mandate.

	Afghanistan (UNAMA- UN Assistance Mission in Afghanistan)	Kosovo (UNMIK - UN Interim Administrative Mission in Kosovo)	Bosnia (OHR - Office of the High Representative)	East Timor (UTAI - UN Transitional Administration for East Timor)
Organization	SRSG, Deputy SRSG for Political Affairs and a Deputy SRSG for Relief, Recovery and Reconstruction. UNAMA does not have responsibility for most security functions which come under ISAF's purview. Authority for army and police shared between UNAMA, Afghan government, and lead nations.	SRSG and five deputies; four "pillars" under direction of various international organizations (but all under authority of SRSG). Pillars are Police and Justice (UN), Civil Admin. (UN), Democratization and Inst. Building (OSCE), and Economic Development (EU).	Group of international organizations tasked with various issues under the loose authority of the OHR. Often- inefficient coordination recently improved by streamlining process that led to reorganization along lines similar to "pillar" structure of UNMIK and development of a Mission Implementation Plan for OHR.	SRSG oversees the components, including governance and public administration, humanitarian assistance and emergency rehabilitation, a military component (troops and observers).

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Pros of Model	Key role of GOA in reconstruction process increased legitimacy and Afghan buy-in; dampened existing distrust of UN; helped coordinate established and disparate NGO presence.	Strong authority of SRSG encourages action and assists in building multi-ethnic democratic structures; various international organizations involved can focus on specific duties.	OHR an <i>ad hoc</i> self-administering body with impressive power to act against obstructionist elements. Parties agreed to arrangement in CPA.	Strong authority, promotes stability, encourages self-administration.
Cons of Model	Slow recovery and reconstruction efforts may have been hindered by lack of capacity in the Afghanistan Interim Authority (AIA), and small UN footprint.	Some criticism that SRSG wields too much power; locals have complained at times (and we have agreed in principle) that UN has been slow to turn over certain authorities to the provisional government in accordance with 1244.	Coordination often inefficient; unclear division of labor; communist legacy leads Bosnians to rely on HiRep to make key reforms; Bifurcation of civilian and military missions inefficient; OHR requires firm managerial direction.	Transition of powers presents challenges, as in Kosovo. External planning and communication needed to avoid friction with locals.