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## Conditions for Peace: Conflict Resolution by Diplomacy and Coercive Measures

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# Conditions for Peace: Conflict Resolution by Diplomacy and Coercive Measures

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## ***Introduction***

Once a conflict or political crisis begins, it is not easy to resolve it. This is why diplomats of major powers have continued their efforts to prevent conflicts; when it failed, they tried to resolve the conflicts.

Most research on conflict resolution has focused either on negotiations and deterrence among major powers or on peacekeeping operations and peacebuilding activities in vulnerable countries. At the United Nations, the concept of “sustaining peace” has been advocated since 2016, triggered by historic twin resolutions (S/RES/2282 and A/RES/70/262) adopted on 27 April 2016, by the UN Security Council and the UN General Assembly. The basic idea was that post-conflict peacebuilding activities to strengthen reconstruction and governance could lead to the resolution of the next conflict. Still, the concept of “sustaining peace” primarily focuses on socioeconomic aspects in conflict-affected countries.

When analyzing contemporary conflicts and political crises, the focus has typically been on government policies and the decision-making of policymakers. There has been a lot of works on drawing lessons from conflicts in Rwanda, the former Yugoslavia, Iraq, and Afghanistan. Conflict analysis and lessons learned analysis, however, cannot provide practical guidance on what to do about resolving future conflicts.

Some policymakers seem to share common, not clearly articulated conditions to resolve conflicts. For instance, Japan’s prime minister Shinzo Abe once stressed “dialogue and pressure” was required to resolve North Korea’s WMD and abductions issues. The message was clear, but its pathway or operational plan was unclear. The vagueness

remained until the end of PM Abe's term, and still continues in Japan. Diplomats and practitioners in peace and security need to learn good practices, or "what actually worked", to understand basic conditions for peace.

Hence, the central questions to address should be: how have conflicts been resolved?; what strategies and operations led to conflict resolution?; what were the fundamental conditions for peace?

This study will analyze cases in which conflict resolution was actually achieved so that it can identify certain basic conditions for resolving conflicts through diplomacy and coercive measures. The coercive measures mean economic sanctions and military actions as stipulated in Chapter 7 of the UN Charter. This study would also like to contribute to providing theoretical guidance for policy makers involved in conflict resolution in their capitals or the field. This intends to establish the minimum conditions -- not optimum conditions -- for conflict resolution. This means that if any conditions for peace are not fulfilled, it is quite probable that a conflict occurs soon.

Among the vast amount of previous research on conflicts and political crises, William Zartman has long studied conflict resolution and mediation.<sup>1</sup> According to Zartman, conflicts must be ripe to make progress in peace negotiations. Conflicting parties must be in a Mutually Hurting Stalemate (MHS) where the pain is mutually intolerable. Zartman argued that MHS is a condition for moving from a cycle of continued fighting and escalation to peace negotiations.

Whether economic sanctions are effective is discussed and sorted out in Richard Nephew's *The Art of Sanctions: A view from the field* (Columbia University Press, 2017).

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<sup>1</sup> For example, Zartman, William. "Negotiation as a joint decision-making process." *Journal of Conflict Resolution* 21.4 (1977): 619-638; Zartman, I. William. "Ripeness: the hurting stalemate and beyond." *International conflict resolution after the Cold War 2* (2000): 225-250.; Zartman, William. *Preventing Deadly Conflict* (Polity, 2015).

Nephew focused on the pains that sanctions inflict. Nephew is a practitioner who designed the snapback mechanism of JCPOA (reinstating sanctions if Iran resumes its nuclear program) as a State Department official during the U.S. Obama administration's JCPOA negotiation with Iran.

### ***CCPMI***

This paper will argue that the fulfillment of “**NCPMI**” is a fundamental condition for resolving conflicts. NCPMI means as follows:

1. **No veto:** Consensus among the permanent members of the UN Security Council (P5) to seek peace for a conflict or political crisis. No countries exercise veto.
2. **Commitment to peaceful resolution of disputes:** Strong commitment to resolve conflicts backed by political, military, and economic power.
3. **Political Pain for conflicting parties:** Severe political pain coupled with military and economic pain for political leadership to start or continue a conflict. Coercive measures, including economic sanctions and military measures by great powers and the UN, inflict pain on conflicting parties.
4. **Mutually hurting stalemate (MHS):** The political crisis is ripe and has reached a MHS where the pain is mutually intolerable.
5. **Initiative:** Organizations and/or individuals from the P5, regional powers, the UN Secretariat, or international NGOs, advocate creative crisis resolution ideas or roadmaps to elicit commitment from the US, UK, France and regional powers, or engage in mediation as mediators.

As a case of conflict resolution that fulfilled the NCPMI, this paper will discuss the coercive diplomacy on Haiti in 1994, which resulted to the Carter Agreement.

### ***Coercive diplomacy on Haiti in 1994***

In Haiti, the Duvalier father and son continued the military dictatorship from 1957 to 1986, and President Jean-Bertrand Aristide was inaugurated after the presidential

election in 1990. However, nine months after his inauguration, President Aristide was ousted in a military coup led by Lieutenant General Raoul Cédras. At the time, the U.S. was under the Clinton administration. With strong support from the United States, the UN Security Council decided to take peace enforcement action in Haiti with the aim of "restoring democracy". Under the coercive diplomacy backed by a U.S.-led multinational force, the restoration of power from the military government of General Cédras to the legitimate government of President Aristide proceeded through peace mediation by former President Jimmy Carter and then-former Chairman of the Joint Chiefs of Staff Colin Powell. The following part will examine how the conflict was resolved in this case in accordance with NCPMI.

In 1990, under the watchful eye of the United Nations Election Verification Mission in Haiti (ONUVEH), the Organization of American States (OAS), and the Caribbean Community (CARICOM), Haiti's first democratic elections were conducted generally peacefully. Jean-Bertrand Aristide, a leftist Catholic former priest who espouses a "theology of liberation," was elected president. He was supported by the poor in Haiti.

President Aristide imposed heavy taxes on the wealthy and raised the minimum wage. This provoked a backlash from the wealthy who had dominated the political economy. Moreover, President Aristide tried to take control of the personnel of the military, which controlled Haiti behind the scenes, and this led to a backlash.

As a result, on September 30, 1991, the military, led by Lieutenant General Cédras, attempted a coup d'état, ousting President Aristide and sending him into exile in the United States. The military committed serious human rights violations against the pro-Aristide faction, including raids, assassinations, torture, kidnappings, assaults, sexual crimes, and arson. The pro-Aristide faction responded with a counteroffensive, plunging Haiti into a state of civil war. In addition to the fragile political system that had previously pitted the conservative class, mainly the wealthy, against the poor, the civil war between the military and the pro-Aristide faction caused many citizens to become refugees and

flee to other countries.

The military coup by General Cédras was the first coup in Latin America in the 1990s, and the OAS was the first to respond to it. Due to opposition from the Latin American side to the US, the principle of mutual non-interference in each other's internal affairs was maintained during the Cold War. However, during the coup d'état of General Noriega after the 1989 Panamanian presidential election, the OAS was unable to take effective measures because of its tradition of noninterference in internal affairs. Now, the OAS called for the reinstatement of President Aristide at an emergency meeting convened immediately after the coup d'état in Haiti. In November 1991, the OAS imposed trade sanctions against the military government of Haiti. The U.S. Bush administration followed in the footsteps of the OAS and called for a return to the democratic process that Haiti had finally begun to follow since the presidential elections. Secretary of State James Baker condemned the military regime in Haiti at an emergency OAS meeting.

At the beginning of the civil war, the U.S. showed leadership in economic sanctions and a cooperative attitude; it became more reluctant to respond as the refugee exodus worsened. Many of the refugees drifted off the coast of Florida as boat people and applied for refugee status, citing political repression in their home country of Haiti. The United Nations High Commissioner for Refugees (UNHCR) reported that 38,000 refugees arrived in the U.S. from Haiti between January and July 1992.

The Haitian refugee issue was a contentious issue in the 1992 presidential election. In May 1992, the Bush administration ordered that Haitian refugees bound for the U.S. be detained on the high seas and repatriated directly to their home countries. Although President George H. W. Bush was said to be strong in diplomacy, he was accused of weakness in not hunting down Hussein after the Gulf War and was outspent in the presidential race. Democratic candidate Bill Clinton made overly aggressive and hard-line pledges to counter President Bush, such as preventing aggression, preventing nuclear proliferation, promoting human rights and democracy, and providing relief for

humanitarian disasters. While President Bush dealt with the Haitian refugee problem through measures such as deportation, candidate Clinton condemned this as an inhumane act and called for the tolerant acceptance of refugees and the reinstatement of President Aristide. As a result, Clinton defeated George H. W. Bush and Ross Perot in the presidential election and was elected the 42nd President of the United States.

However, "President" Clinton would soon learn that the acceptance of Haitian refugees, which he had campaigned on as a "candidate," was not a realistic policy. The Clinton administration's foreign policy principles included the strategy of "engagement and enlargement" as outlined by Anthony Lake, Assistant Secretary of State for National Security Affairs. The policy of engagement and enlargement was aimed at improving the human rights situation in failing and fragile states such as Bosnia, Somalia, and Haiti by patiently working to root democracy and a market economy in those states whose human rights situation had not improved<sup>2</sup>. This foreign policy has raised expectations for the next Clinton administration's acceptance of Haitian refugees, and immediately after his election in November, Florida was flooded with a large number of boat people. In the face of this reality, Clinton was forced to change course before taking office in January 1993 and announce that he would continue the deportation policy of the Bush administration.

### ***Consensus among P5***

At the UN, UN Secretary-General Ghali, in conjunction with the OAS, called on General Cédras, Supreme Commander of the Haitian Armed Forces, to return President Aristide and restore the legitimate government. Secretary-General Ghali appointed former Argentine Foreign Minister Dante Caputo as Special Envoy of the Secretary-General in the fall of 1992, and soon after the OAS also appointed Caputo as Special Envoy of the OAS Secretary-General, and a joint OAS-UN mission tried to mediate peace with the

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<sup>2</sup> "National Security Advisor Anthony Lake's speech at Johns Hopkins University, September 21, 1993" *Foreign Policy Bulletin*, Vol.4, No.3 (November/December 1993), pp.39-46.

military regime<sup>3</sup>. On April 10, 1993, pursuant to a UN General Assembly resolution, the UN and OAS deployed a joint Mission Civile Internationale en Haiti/International Civilian Mission in Haiti (MICIVIH) to report on the human rights situation.

In coordination with sanctions already imposed by the OAS due to concerns about the human rights situation, the UN Security Council adopted Resolution 841 on June 16, 1993, to impose economic sanctions as an action under Chapter VII of the UN Charter, imposing an oil and arms embargo on the military regime. The joint UN-OAS economic sanctions put pressure on the military regime and led General Cédras to negotiate with President Aristide through the mediation of Special Envoy Caputo<sup>4</sup>.

Then, on July 3, General Cédras and President Aristide signed "the Governors Island Accord" in New York, to resolve the conflict and begin the national reconciliation process. With the Agreement, General Cédras agreed to reinstate President Aristide's legitimate government.

Soon after, the Governors Island Accord was in jeopardy of being implemented. As President Aristide's return to power neared, terrorism and riots by anti-Aristide factions intensified in Haiti. The Security Council issued a presidential statement calling on General Cédras to fulfill his security responsibilities and decided to deploy the United Nations Mission in Haiti (UNMIH). However, on October 5, a mob of about 200 people attacked the prime minister's office, and on October 7, groups of citizens forced stores to close and intimidated passersby, paralyzing the entire capital city of Port-au-Prince. Then, on October 11, when the U.S. military ship Harlan County, carrying military personnel of UNMIH, attempted to dock at the Port of Port-au-Prince, an incident occurred. A military-related organization named FRAPH (Front Révolutionnaire pour l'Avancement et le Progrès d'Haiti, Revolutionary Front for the Advancement and Progress of Haiti) chanted "Somalia! Somalia!" and prevented the landing in Harlan

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<sup>3</sup> Chetan Kumar, *Building Peace in Haiti*, Lynne Rienner Publishers, 1998, p.41.

<sup>4</sup> David Malone, *Decision-Making in the UN Security Council: The Case of Haiti, 1990-1997*, Oxford University Press, 1999, p.86, p.160.



County. The FRAPH was made up of personnel from the former “Tonton Macoute,” the secret police force that supported the Duvalier regime, and its successor organization “Atache,” police officers, and soldiers.

Seeing Harlan County turn back, FRAPH members gathered at the harbor to sing and dance, a scene that was reported throughout the United States. Just around a week before this incident, shocking images of the Mogadishu had been reported from Somalia, where U.S. forces had failed to capture General Mohamed Farah Aideed and the bodies of American soldiers were dragged away. As soon as the humiliating failure of the Harlan County port call was reported, it sent shockwaves through the United States and the UN Security Council.

***Commitment to peaceful resolution of disputes***

To this point, the U.S. has led the Security Council debate on the Haitian conflict. It is notable that at a time when the U.S. military was suffering painful failures in Mogadishu, there was still a strong U.S. commitment to resolving the conflict in Haiti. Because a large number of boat people kept pouring into the U.S. from Haiti, and solving the refugee problem was in line with the U.S. national interest, as well as the Presidential Decision Directive 25 (PDD-25) issued in May 1994.

The Clinton administration continued to take measures to deport the boat people, but domestic and international criticism gradually led to political pressure. UNHCR urged the U.S. government to accept refugees. Sadako Ogata, the UN High Commissioner for Refugees, has criticized U.S. deportation measures since the Bush administration. Criticism of the Clinton administration also grew in Florida. Florida was struggling with a furious influx of boat people, and the political clamor was becoming more and more bitter as the response load increased. But the Harlan County incident, which occurred just a week after the Somali tragedy, had further increased Congressional and American public aversion to military intervention.

As the refugee problem became more serious, pressure from African American organizations in the United States gradually increased. The most powerful pressure on the Clinton administration's policy decisions came from influential organizations such as the Congressional Black Caucus and TransAfrica<sup>5</sup>. TransAfrica Chairman Randall Robinson went on a hunger strike on April 12, 1994, criticizing the Clinton administration's deportation measures as racist. Criticism as racist from TransAfrica, a powerful voice of black American power, proved fatal to the Clinton administration, and on April 21 President Aristide likewise denounced the Clinton administration's policy toward Haiti as racist. In response, U.S. Ambassador to the UN Madeleine Albright reacted immediately, informing the UN Secretariat that she was prepared to cooperate with a resolution calling for the resignation of General Cédras and sanctions<sup>6</sup>.

The Clinton administration responded immediately to the scathing criticism of its measure as racist. Accepting Chairman Robinson's criticism, the Clinton administration finally eased deportation measures for Haitian refugees on May 8.

As a natural consequence, this policy relaxation led to a surge in Haitian refugees. Ironically, it was a factor that drove the Clinton administration to opt for military intervention.

Nevertheless, with Congress and public opinion forcefully opposing military intervention, it was impossible for the Clinton administration to choose the use of force by the U.S. alone. To intervene in the Haitian military regime, it was necessary to suppress the opposition of Congress and public opinion, and to do so, a UN Security Council resolution was necessary.

The Security Council members, with the exception of the United States, believed that

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<sup>5</sup> Elizabeth M. Cousens, Chetan Kumar, and Karin Wermester, ed., *Peacebuilding As Politics: Cultivating Peace in Fragile Societies*, Lynne, Rienner Pub, 2000: pp.31-33.

<sup>6</sup> Chinmaya R Gharekhan, *The Horseshoe Table: An Inside View of the UN Security Council*, Longman, 2006, p.217.

the Haitian conflict was solely a domestic matter for Haiti and not a threat to "international peace and security." Chinmaya Gharekhan, who was a senior advisor to the UN Secretary-General, recalls that most Council members wanted to stay out of this mess as much as possible, and that if the adoption of the Security Council resolution had been a secret vote, most countries would have opposed it<sup>7</sup>.

Then, on July 11, the Cédras military regime ordered MICIVIH, which had been monitoring human rights in Haiti, to leave the country within 48 hours. This led to an immediate increase in tensions in the Security Council and increased momentum for peace enforcement.

### ***Stalemate by political pain***

Given the lack of progress in resolving the conflict in Haiti, the UN Security Council decides to impose further economic sanctions. However, the situation did not improve. Between the 1991 coup and the restoration of Aristide in 1994, the Security Council adopted 12 resolutions in response to the Haitian conflict.

The economic sanctions caused great harm in the lives of ordinary citizens. However, Haiti is known as a transit point for drug trafficking from Latin America to the United States, and the military regime was reportedly generating continuous income from the drug trade.

While economic sanctions have failed to lead to implementation of the Governors Island Accord, the Cédras military regime's call for civilian MICIVIH withdrawal prompted the UN Security Council to take strong action. On July 31, the Security Council adopted Resolution 940 authorizing military enforcement measures by multinational forces to enforce peace enforcement against the Haitian military regime. Haiti became the first case in UN history in which the Security Council authorized the deployment of troops as

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<sup>7</sup> Gharekhan, *op.cit.*, p.223.

peace enforcement to return a civil war country to a democratic regime.

Following the adoption of Resolution 940 by the Security Council, President Clinton delivered an ultimatum speech to General Cédras.

### ***Initiative***

Immediately after President Clinton gave General Cédras an ultimatum, former President Jimmy Carter made a proposal to the White House. The proposal was that Carter personally go to Haiti to negotiate with General Cédras. President Clinton decided to send Carter and others as special envoys to Haiti to seek a way to resolve the situation through peace negotiations, while proceeding with the deployment of a multinational force.

On September 17, a delegation consisting of former President Carter, former Chairman of the Joint Chiefs of Staff Colin Powell, and Senator Sam Nunn traveled to Haiti for final peace talks. Unbeknown to the negotiating team that went to Haiti, the Clinton administration planned to begin using force on September 19. The negotiating team had only 36 hours left. Carter, Powell, and the rest of the team met with General Cédras. Initial negotiations did not go well. Then, Powell told the coup regime how overwhelming the military force that would be deployed in Haiti would be. In his memoir, Powell noted "I began ticking off on my fingers: two aircraft carriers, 2.5 infantry divisions, 20,000 troops, helicopter gunships, tanks, artillery. I kept it up, watching the Haitians' spirits sink under the weight of the power I was describing." At that time, 82nd Airborne Division of XVIII Airborne Corps has already launched from Fort Bragg, North Carolina. Powell showed General Cédras a video of the departing airborne and pressed the general for a decision. Finally, Cédras followed the decision of Émile Jonassaint, the civilian "president" under the Cédras dictatorship, that the president Jonassaint would sign an agreement prepared by Carter. As a result of skillful negotiations, the use of force was ultimately avoided. Then, on September 18, a multinational force led by the U.S. military deployed peacefully to Haiti.

The "Carter Agreement" that Carter signed with General Cédras included a certain recognition of the military's political authority and the condition that they not be completely ousted politically<sup>8</sup>. A generous pardon was to be guaranteed to General Cédras and others.

General Cédras defected to Panama and Police Commissioner François fled to the Dominican Republic. Over the next six months, a U.S.-led multinational force proceeded to disarm Haiti and train the police, and in March 1995, the UN Mission in Haiti (UNMIH) took over operations from the multinational force. The UNMIH was to mobilize more than 6,000 troops, 900 police officers, and dozens of civilian experts to govern Haiti until a new president took office in February 1996.

Former Secretary General Ghali described Aristide's personality as infuriatingly stubborn and insensitive, and obsessed with death<sup>9</sup>. However, when it came to addressing the masses, he was known to become instantly eloquent and was a typical populist politician. This populist aspect made strong skepticism about Aristide's personality in the U.S. Aristide did not hesitate to mobilize gangs to drive out opponents in the slums, persecute, intimidate, and even assassinate them, just as Duvalier had mobilized the Tonton Macoutes to enforce human rights repression. Yet Aristide's "liberation theology" was immensely popular in Haiti. On October 15, President Aristide returned to Port-au-Prince in a U.S. military helicopter, landing in the courtyard of the Palais Nationales. Aristide's return was greeted with enthusiasm by tens of thousands of people, especially his supporters.

A moment of peace came to Haiti.

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<sup>8</sup> Agreement Signed by Jimmy Carter and Emile Jonassaint, the Military-Appointed President of Haiti, in Port-au-Prince, on 18 September 1994  
<https://www.peaceagreements.org/view/1805>.

<sup>9</sup> Boutros Boutros-Ghali, *Unvanquished: A U.S.-U.N. saga*, Random House, 1999, p.64.

### ***Conclusion***

This paper presented the NCPMI as minimum requirements for conflict resolution. The 1994 Carter Agreement in Haiti is considered as a case in which this NCPMI conditions were met and the conflict was resolved through the initiative of coercive diplomacy.

We know, however, that this peace in Haiti did not last long. The reinstated President Aristide attempted to dismantle the military, violating the amnesty for the military that was provided for in the Carter Accords. General Cédras, who was supposed to have been granted amnesty, was arrested and imprisoned for life in November 2000 on charges of coup d'état. The recovery of firearms that had gone to civilians during the military regime was not progressed. The police apparatus was weak, and the "Chimères" (monsters), a pro-Aristide gang, threatened security. Eventually, in 2004, the opposition democratic unions and the former military and police forces staged a coup d'état, and President Aristide was forced to flee Haiti once again.

The lack of NCPMI led to the outbreak of another civil war in Haiti.