
Beth DiFelice

Ross-Blakley Law Library, Arizona State University

Follow this and additional works at: http://scholarship.law.cornell.edu/ijli
The International Journal of Legal Information is produced by The International Association of Law Libraries.

Recommended Citation
Available at: http://scholarship.law.cornell.edu/ijli/vol35/iss1/7

This Article is brought to you for free and open access by the Journals at Scholarship@Cornell Law: A Digital Repository. It has been accepted for inclusion in International Journal of Legal Information by an authorized administrator of Scholarship@Cornell Law: A Digital Repository. For more information, please contact jmp8@cornell.edu.

BETH DIFELICE∗

Between 1995 and 1999, the United Nations established transitional administrations over four war-torn territories -- East Timor, Bosnia-Herzegovina, Eastern Slavonia, and Kosovo. These transitional civil administrations began as part of a peace agreement and have or will end with either independence of the territory, as with East Timor, or the reuniting of a war-torn state, as with Eastern Slavonia’s return to Croatia. As of this writing, the United Nations’ mission in Kosovo has not ended.

Much has been written about these U.N. missions. This bibliography lists English-language articles, books, and reports that discuss the United Nations’ transitional administrations of these four territories. I have attempted to include everything that discusses this particular aspect of the United Nations’ peacekeeping missions in depth. The following indexes were used:

- Columbia International Affairs Online;
- Index to Foreign Legal Periodicals;
- Index to Legal Periodicals and Books;
- International Political Science Abstracts;
- LegalTrac;
- PAIS International;
- WorldCat; and
- Worldwide Political Science Abstracts.

Research was concluded February 2007. Preceding the bibliography is a brief overview of the United Nations’ administrations of each of the four territories. In the bibliography, sources discussing United Nations’ transitional

∗ Beth DiFelice is Assistant Director and Head of Public Services at the Ross-Blakley Law Library, Arizona State University, Tempe, Arizona.
administrations in general are listed first, followed by sources discussing a particular U.N. administration, organized by territory.  

**East Timor**

East Timor is half of an island in the Indonesian archipelago. From the 16th century until 1974, East Timor was a Portuguese colony. Shortly after Portugal withdrew in 1974, Indonesia invaded East Timor and occupied it until 1999. Although Indonesia claimed East Timor as its own, the United Nations did not recognize East Timor as being part of Indonesia. In 1999, Indonesian President Bacharuddin J. Habibie declared that East Timor could have its independence if the East Timorese voted for independence over autonomy within Indonesia.

Indonesia, Portugal, and the United Nations entered into a three-part agreement regarding East Timor on May 5, 1999. This agreement called for a popular consultation of the East Timorese on the issue of their independence. Under the agreement, the United Nations would conduct the consultation and Indonesia would be in charge of security during the referendum. On June 11, 1999, the United Nations Security Council issued resolution 1246, creating the United Nations Mission in East Timor (“UNAMET”). UNAMET’s function was to organize and conduct the popular consultation, which was held in August 1999. Approximately 98% of the East Timorese voted, and 78.5% of those voted for independence.

---

218 Further information on the four transitional administrations covered in this bibliography can be found on the web sites of each of the missions:


*Office of the High Representative in Bosnia and Herzegovina* - http://www.ohr.int/


The violence in East Timor that began before the referendum escalated afterwards, prompting the Security Council to pass resolution 1264 on September 15, 1999, creating the Australian-led International Force East Timor. Shortly thereafter, a transitional civilian administration was created by Security Council resolution 1272 (October 25, 1999). The United Nations Transitional Authority for East Timor ("UNTAET") was “to be endowed with overall responsibility for the administration of East Timor and … be empowered to exercise all legislative and executive authority, including the administration of justice.” East Timor achieved independence on May 20, 2002, and UNTAET was disbanded.

**Bosnia-Herzegovina**

As part of the break-up of the former Yugoslavia, a civil war erupted in Bosnia between Serbs, Croats, and Muslims. The war lasted from 1992 until 1995 and ended with a peace agreement, The General Framework Agreement for Peace in Bosnia and Herzegovina (the “Dayton Agreement”). The Dayton Agreement was signed in December 1995, by the Republic of Bosnia and Herzegovina, the Republic of Croatia, and the Federal Republic of Yugoslavia. It created the nation of Bosnia and Herzegovina containing two entities, Republika Srpska, which is Serb, and the Federation of Bosnia and Herzegovina, which is Croat and Muslim.

Annex 10 of the Dayton Agreement established the Office of the High Representative “to facilitate… mobilize… and, as appropriate coordinate the activities of the organisations and agencies involved in the civilian aspects of the peace settlement.” These organizations included the United Nations Mission in Bosnia and Herzegovina (“UNMIBH”). The High Representative was appointed by a group called the Peace Implementation Council, which continues to guide the High Representative today. The powers of the High Representative have expanded since the Dayton Agreement to include the power to enact legislation and the power to dismiss government officials. The Office of High Representative is scheduled to close later this year.

---

225 UNMIBH was created by Security Council resolution 1035 on December 21, 1995, and is comprised of the United Nations International Police Task Force and a United Nations civilian office. UNMIBH was terminated on December 31, 2002.
Eastern Slavonia

After Croatia declared its independence from Yugoslavia in 1991, civil war erupted between the Croats and the Croatian Serbs. The Serbs took control of the regions of Eastern Slavonia, Baranja, and Western Sirmium, approximately one-third of Croatia. A peace agreement signed in November 1995 ended the civil war and called upon the United Nations to create a transitional administration to govern the disputed regions.227

That same month, the Security Council asked the Secretary-General to report on the establishment of a transitional administration. His report became an outline for the creation of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (“UNTAES”), which was created by Security Council resolution 1037 on January 15, 1996.228 UNTAES was disbanded on January 15, 1998, and this region was returned to Croatia.

Kosovo

Kosovo is a region in southern Serbia that is largely ethnic Albanian. In 1998, conflict erupted between Serbia and the Kosovar Albanians over the Kosovar Albanians’ desire for independence from Serbia. On June 9, 1999, NATO and the Federal Republic of Yugoslavia (which is now the countries of Serbia and Montenegro) signed an agreement for the withdrawal of Yugoslav forces from Kosovo.229 On June 10th, the Security Council passed resolution 1244, creating the United Nations Interim Administration Mission in Kosovo “to provide an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, and … provide transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions.”230

As of this writing, Kosovo is still legally a part of Serbia and is still being administered by the United Nations. Negotiations are underway to determine whether Kosovo shall become independent or stay a part of Serbia. It is anticipated that the decision will be made within the next year.

U.N. Transitional Administration in General


East Timor


Bosnia-Herzegovina


**Eastern Slavonia**


Kosovo


Lane, Dennison and Keith Brown, “Who’s in Charge? Reflections on the UN Administration in Kosovo.” In *Transacting Transition: The*


