

“MILITARIZATION OF PEACE-BUILDING: MOVE TOWARDS PEACE ENFORCEMENT BY THE UNITED NATIONS”

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Peace Enforcement: Conceptual Background

Peace enforcement can be most simply defined as the use of military force to compel peace in a conflict, generally against the will of those combatants. To do this, it generally requires more military force than peacekeeping operations, and is authorized under Chapter VII of the UN Charter.

All peace operations can be generally termed under an umbrella term called Peace Support Operations that is a relatively new term in the public discourse. The scale and type of tasks differ from conflict prevention; peacebuilding; peacekeeping; peacemaking; peace enforcement, the maintenance of law and order, the repatriation of refugees, disarmament, demobilisation and reintegration (DDR), the direct administration of a whole territory to providing security to aid convoys all conducted in support of efforts to establish or maintain peace.

The different types of PSOs include¹:

- Peacekeeping - operations using military forces at the request of parties to help supervise a ceasefire and or to separate parties. Both sides agree to the deployment so that in theory there are

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¹ The Effectiveness of Peacekeeping and Peace Enforcement Operations in Relation to International Humanitarian Law by Paul Waller (Peace Operations Training Institute)

no enemies to the mission. The three key characteristics of peacekeeping are considered to be: (a) the more or less voluntary consent of all parties to the presence and activities of the mission; (b) the peacekeepers' impartiality in their relationships with the parties; and (c) the minimum use of force, only as a last resort and only in self-defence. Peacekeeping is a tool of conflict prevention, management and resolution. Peacekeepers are intended to be enablers rather than enforcers. They have no enemies and are not there to win. Their effectiveness depends on voluntary cooperation.

- Peace Enforcement – PEOps or simply PE are forcible military interventions by one or more states into a third country with the express objective of maintaining or restoring international, regional or local peace and security by ending a violent conflict within that country. As per the British Field Manual, PE is an operation carried out to restore peace between belligerent parties who do not all consent to interventions and who may be engaged in combat activities
- Peacemaking - diplomatic process or military actions to gain an end to disputes usually by establishing a cease-fire.
- Peacebuilding - actions that support political, economic, social and military measures. Peacebuilding describes the effort to rebuild and reform societies that have been torn by internal conflict.

A report by the UN secretary General's High-Level Independent Panel in 2015 argues that the UN's large-scale operations increasingly blur the lines between political mediation and classical peace-keeping on the one hand, and peace-building, peace enforcement and state-building on the other. As is well known, peacekeeping missions have operated in increasingly hostile environments since the end of the Cold War. Beginning with the Balkans, Rwanda and Somalia in the 1990s, peacekeepers have often been deployed to areas with little or no peace to keep, while taking on a continuously expanding set of peace-building tasks. This trend has only intensified in the last few years, starting with the UN's longstanding mission in the Democratic Republic of Congo (MONUSCO), its revamped mission in South Sudan (UNMISS), as well as

newly established missions in Mali (MINUSMA) and in the Central African Republic (MINUSCA).

Arguments for Peace Enforcement

Current thinking on responses to conflict reflects a trend towards wanting to establish peace and democracy in a war-torn society in one fell swoop. States are reluctant to intervene in third party conflicts unless a ceasefire is in place, and the warring parties have agreed to a comprehensive 'peace' plan which begins with the voluntary assembly, disarmament and demobilization of belligerents, and ends soon thereafter with the staging of free and fair government elections. Such conflict resolution initiatives have come to be known as 'wider peacekeeping' or 'multifunctional peacekeeping'. According to the principles and doctrine that have guided such interventions, there is no place for the use of force by the multinational military forces deployed to support the peace process.

However, there is a minority viewpoint that is less concerned with the risks involved and more concerned with humanity. One such thinker is Sir Brian Urquhart, a man who made a great contribution to 'classical' UN peacekeeping. Urquhart has admitted that "... *the inability of the Security Council to enforce its decisions in less conventional military situations] is the most serious setback for the world organization since the end of the cold war.*" He adds that the "*capacity to deploy credible and effective peace enforcement units ... could make a decisive difference in the early stages of a crisis.*"²

Such pro-intervention arguments are almost always based on ethics. In a humanitarian emergency, it is morally reprehensible to stand by and do nothing, even if the only way to intervene effectively requires lethal force. On the other hand, the anti-intervention argument is based on pragmatism, focusing as it does on what is possible and effective, rather than what is

² Urquhart, Brian. *The United Nations Capacity for Peace Enforcement*, at 'An International Agenda for the 21st Century: the Role of Canada', Winnipeg, 12-14 May, 1994

right. The way to move forward is clearly to unify these positions by focusing on what is both right and effective.³

The UN developed the concept of peace enforcement in 1992-93 due to the perceived failure of UN peacekeeping forces to prevent massacres that showed both the limitations of peacekeeping methods and the need for enforcement operations that can impose a peace on an on-going conflict. The UN realized that it needed peace enforcement operations to manage broken cease-fires that are not able to fulfill their object. Forces need to be better trained, armed more heavily, and under direct command of the UN Secretary-General. Peace operations today are also dawn more robust mandates with a wider range of responsibilities, and increasingly even new players are joining hands in these missions.

An excerpt from Trevor Findley's book titled 'Use of Force in UN Peace Operations' states,

"In contrast to peacekeeping, the use of military force by the UN for enforcement purposes is seen as deriving its legality from Chapter VII of the UN Charter, 'action with respect to threats to the peace, breaches of the peace, and acts of aggression'. This is the chapter under which the Security Council makes decisions that are enforceable, including the imposition of economic sanctions and the taking of military action. A Chapter VII operation, in contrast to a Chapter VI operation, may therefore be authorized to use force beyond self-defense for enforcement purposes. This understanding was confirmed by the International Court of Justice (ICJ) in July 1962 when it ruled that, while the UN has an inherent capacity to establish, assume command over and employ military forces, these may only exercise 'belligerent rights' when authorized to do so by the Security Council acting under Chapter VII. This ruling suggests that the use of force by a Chapter VI peacekeeping operation beyond self-defense is illegal under the UN Charter. Along with impartiality and the consent of the parties, the self-defence rule may thus be seen as a key criterion that distinguishes peacekeeping from peace enforcement.

³ 'Peace Enforcement': The Real Peace Support Challenge in Africa, Mark Malan, Institute for Security Studies

*Despite these conventions, Security Council resolutions that envisage the use of force never specifically mention it. Usually they mandate a mission simply to use 'all necessary means' to accomplish its mandate. Hence they refrain from specifying in advance the appropriate level of force to be used. While the mandate for UNPROFOR in Bosnia authorized 'all measures necessary' and that for UNOSOM II in Somalia authorized 'all necessary means', the ways in which force was used in the two theatres were quite different."*⁴

Peace Enforcement vs. Peacekeeping

Peacekeeping ideologies of the UN relate to an era of inter-State war and were solely strategized to hold up and supervise the terms of the ceasefire between warring parties. They have substantially become less effective in dealing with internalized conflicts that one witnesses in the late 20th and early 21st century, where it is civilians who are caught in the midst of the conflict. Accordingly, the UN and its peacekeeping missions have also undergone transformation to meet the change, sometimes well planned and sometimes purely reactionary.

Even though both aim to achieve the same end, ie. a secure environment and sustainable positive peace, the difference lies in the means it uses to achieve the same as well as the context where one type of operation is chosen over another. Enforcement measures involving interventions using force on one hand, and peacekeeping operations on the other, have different methods to reach a settlement of disputed interests. Peace enforcement differs from peacekeeping as peace enforcement activities are generally used to create a peace from a broken ceasefire or to enforce a peace demanded by the United Nations. Compared to peacekeeping, peace enforcement requires more military force and is thereby best done by heavily armed forces. However, it is generally unable to create lasting peace, as it does nothing to deal with the underlying problems that caused the conflict itself.

If a peace enforcement operation is successful it becomes a peacekeeping one, but getting to this stage is difficult. An operation must either use force or have the perceived capacity and capability to use force as a deterrent to both parties and force them to agree to and be bound to peace for as long as it takes. It is therefore harder for a peacekeeping force to evolve into or take

⁴ Findlay, Trevor. *The Use Of Force In UN Peace Operations*. Solna, Sweden: SIPRI, 2002. Print. p 8.

up the role of peace enforcement, as it is ‘cheaper, easier and quicker to downscale than to scale up’.⁵

Donald M. Snow (1993), in a study by the US Army War College, examines the American military involvement in Third World activities under the wide array of peacekeeping and peace enforcement. He says (text modified):

“Peacekeeping, a role the U.N. has played over the years, is relatively straightforward and, despite its difficulties, comparatively easy. Peacekeeping involves monitoring and enforcing a cease-fire agreed to by two or more former combatants. It proceeds in an atmosphere where peace exists and where the former combatants minimally prefer peace to continued war. Peace-enforcement, as military personnel use it usually entails the physical interposition of armed forces to separate ongoing combatants to create a cease-fire that does not exist. Boutros-Ghali, on the other hand, used the term to refer to actions to keep a cease-fire from being violated or to reinstate a failed cease-fire. By definition, in a situation for which peace-enforcement is a potentially appropriate response, war and not peace describes the situation, and one or more of the combatants prefer it that way. This means that, unlike peacekeepers, peace enforcers are often not welcomed by one or either side(s). Rather, they are active fighters who must impose a cease-fire that is opposed by one or both combatants; in the process, the neutrality that distinguishes peacekeepers will most likely be lost.”⁶

Historical Development

Even though the UN was empowered by the UN Charter to enforce its will and take effective action under Chapter VII, it was only occasionally used until 1990s when activities sanctioned under this chapter increased drastically, be in Somalia or Haiti.

⁵ Cowdrey, Christian B. *Shoot? Don't Shoot? Rules Of Engagement In Peacekeeping Operations*. Ft. Belvoir: Defense Technical Information Center, 1994. Print.

6. Snow, Donald M. *Peacekeeping, Peacemaking, And Peace-Enforcement*. Carlisle Barracks, PA: Strategic Studies Institute, U.S. Army War College, 1993. Print.

There is a surprising incident that sparked this trend from avoiding peace enforcement to embracing it in totality. In 1994, Belgian peacekeepers in Rwanda who were given the task to watch the genocidal acts were killed, as they weren't allowed to engage. The world community realized that the traditional cornerstones of peacekeeping including consent, impartiality and non-use of force wouldn't bear results anymore. There was a stark unwillingness to enter peacekeeping by nations who weren't allowed to use force suddenly after this incident.

This incident only popularized the concept of enforcement, not formed it in the first place. Rather while peace enforcement in concept was deliberated in the League of Nations, and later mentioned by Hammarskjold as well, it is the UN Organization in the Congo that is considered to be the first attempt by the international community at peace enforcement between two warring states. Although ONUC's involvement in the Congo Crisis between 1960 and 1964 would nearly bankrupt the United Nations and fail to prevent violence amidst covert US and Soviet involvement in the conflict, the precedent set by ONUC would ultimately plant the seeds for peace enforcement's revival in the aftermath of the Cold War.⁷ Resolution 161 (1961), paragraph 2 stated:

“Authorizes the Secretary-General to take vigorous action, including the use of the requisite measure of force, if necessary, for the immediate apprehension, detention pending legal action and/or deportation of all foreign military and paramilitary personnel and political advisers not under the United Nations Command, and mercenaries.”⁸

Secretary-General Ghali described his vision for peace enforcement operations in clarification to the Agenda for Peace as:

“The purpose of peace enforcement units (perhaps they should be called “ceasefire enforcement units”) would be to enable the United Nations to deploy troops quickly to enforce a ceasefire by taking coercive action against either party, or both, if they violate it...The concept goes beyond

⁷ Greene, Shawn H., "Making War and Securing Peace: The Viability of Peace Enforcement as a Mechanism for Promoting and Securing Civil War Termination" (2013). Honors Projects. Paper 43

⁸ United Nations, Security Council. S/4741. Accessible at <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/171/68/IMG/NR017168.pdf?OpenElement>

peacekeeping to the extent that the operation would be deployed without the express consent of the two parties...UN troops would be authorized to use force to ensure respect for the cease-fire.”⁹

Around 20 new UN missions were launched between 1988 and 1993, almost as if only to seize the opportunity to capitalize on the now widening limits of peacekeeping. This included two missions that can be termed as peace enforcement, UNOSOM (both I and II) for Somalia and UNPROFOR (Bosnia). UNPROFOR in fact is called the first modern peace enforcement operation was actually carried out in 1995 by NATO, as the UNPROFOR proved not adequately empowered or armed to protect the ‘safe areas’ designated by the UN.

The Brahimi Report (2000)¹⁰ was a substantial step in outlining the UN’s approach to peacekeeping and articulated the resolve not to deploy any peacekeepers in the field without a broad and wide mandate for using force and civilian protection. It served as the sanction for robust mandates in UN operations to follow. Following this report, up until 2004, UN peacekeeping missions revitalized with expanded mandates, like those in Kosovo, Democratic Republic of Congo, East Timor, and Sierra Leone. Non-UN actors also followed NATO’s footsteps in launching their own operations that resembled enforcement to a large extent, and also featured provisions for long-term stabilization.¹¹

One can also understand the developments in Peacekeeping Mandates through the analysis of different waves/generations of peacekeeping:

- Traditional peacekeeping (or first-generation) usually is mandated under Chapter VI. These operations are lightly armed and have to operate strictly under limited rules of engagement. The ‘holy trinity’ of peacekeeping¹² was consent of the host nation, impartiality (or

⁹ Boutros Boutros-Ghali, “Empowering the United Nations”, *Foreign Affairs* 71 (Winter 1992-93): 93

¹⁰ The Panel on United Nations Peace Operations, chaired by Lakhdar Brahimi, reported to the U.N. Secretary-General on 17 August 2000: *U.N. Doc. A/55/305*.

¹¹ Greene, Shawn H., *Supra* at pp. 33

¹² As termed by Bellamy and Williams in 2010

equal treatment without discrimination) between conflicting factions, and non-use of force by the deployed troops.

- Second-generation peacekeeping (operations with civilian activities) was developed in response to increasing demands for peace operations as the support for proxy wars in Africa and Asia was revoked, which required the support and aid of the global community for political transition so caused. At the same time, disintegration of the USSR also created waves of unfettered ethnic impulses and civil war, called for more and diversified peacekeeping. However, ending bi-polarity helped in effectively removing deadlocks from the SC that led to increasing sanctioning of effective actions by the Council and increasing supply of Peace Operations. In addition to traditional peacekeeping mandated acts, these missions also include organization of elections, humanitarian assistance, promoting human rights and protection of internally displaced persons, DDR, capacity building (including security sector reform), including other tasks listed in the Supplement to the Agenda for Peace released in 1995.

- Third-generation peacekeeping operations can be best described as peace enforcement operations. They are characterized by an extended mandate to use force to achieve the objects of the mandate, usually under Chapter VII. Many allege that these extended mandates were given in the aftermath of the horror of inaction that resulted in huge losses in Rwanda (UNAMIR), Bosnia (PROFOR), and Somalia (UNOSOM). After the formulation of the concept of Responsibility to Protect or R2P, the Organization progressively started using humanitarian grounds as cause for taking action. The distinctive feature of interventions that come within the meaning of third-generation are those that possess limited mandates of using force in order to restore a peaceful context in which the UN can carry out civilian reconstruction activities, and most of such operations are carried on by regional organizations or temporary coalitions of nations. Examples include NATO Operations in Kosovo (1999) and International Force for East Timor (INTERFET, 1999) by Australia.

- The fourth generation peace operations are robust operations targeting larger peace-building. They combine extended mandates for using force with increased civilian responsibilities, resulting in more intrusive operations on the local autonomy as compared to

previous generation operations. More common terminology in academic and popular forums for these missions is ‘Peace Support Operations’. At the extreme end of the spectrum of operations lie those that include transitional administrations, where the sovereignty and effective control, including executive, legislative and judicial of the territory is given to the UN Operation. Examples include UNMIK and UNTAET.

Peace Enforcement Methods

A classic example of the uncomfortable and uncertain understanding of the peacekeeping doctrine and ideology, perhaps due to the absence of any Charter provision for it, is reflected in the dichotomy between deciding the first peacekeeping operation itself. Understood as an ad-hoc measure when conflicting parties agree to the deployment of neutral parties to uphold ceasefire terms and provide space for diplomatic negotiation, UN Truce Supervision Organization (UNTSO) can be termed as the first peacekeeping operation, launched in 1948 to monitor the ceasefire between Israel and bordering Arab States. Due to its unarmed nature, some believe that the first operation by the UN was in fact the UN Emergency Force (UNEF, 1956) following the Suez Crisis to support and rather encourage disengagement between Britain, France and Israel in Egypt. Thus, the UNEF, a multilateral armed force was stationed, on Canadian diplomat Lester Pearson’s advice.

It is however after the Cold War that one notices the number of the UN peacekeeping operations rising manifold with 50 new operations launched between 1988 and 2010. The growth in the number of peacekeeping operations was accompanied by an expansion in the mandated tasks that UN peacekeepers were expected to perform.¹³ Hence peacekeeping operations now might have mandates ranging from supporting dispersion of humanitarian aid, indulging in larger DDR, assisting and sometimes supervising political elections, protecting civilian spaces and population, repatriation and resettlement of displaced persons, training police and other forces (security sector reform), strengthen rule and respect of law, avoiding and reporting violations of human rights etc. Referred to as complex, multi-dimensional (or multi-functional) peacekeeping operations, these expanded operations are now easily distinguished from traditional operations.

¹³ *Peacekeeping/Peace Enforcement*, The Princeton Encyclopedia of Self-Determination, accessible at <https://pesd.princeton.edu/?q=node/259>

In a few exceptional cases (e.g., UNMIK in Kosovo and UNTAET in East Timor), the United Nations has even served as the *de facto* governing authority of a state or territory. There has also been a limited proactive use of UN peacekeeping forces for the purpose of preventing the eruption of armed conflict (e.g., UNPREDEP in Macedonia).¹⁴

Even though there have been some successes, most operations with such mandates for peace enforcement has been rather problematic. Peacekeepers have to sometimes operate in hostile environments where the consent of the conflicting parties is dicey or worse, not present at all. Requiring peacekeepers to take actions that resemble enforcement operations has caused the efficiency and success of the operations to falter. The cornerstones of this shift in peace operations are the crises in Former Yugoslavia and Rwanda, where the world community realized the shortcomings of the traditional concept of peacekeeping.

This caused UN Secretary-General Ghali in 1992 to call for setting up of ‘peace-enforcement units’ to deal with such challenges that would overpower the existing peacekeeping doctrine, and even though the units were never created, it seems as if the world community got inspired by this novel conception and started supporting more peace enforcement operations overtly, even if not identified by that very term. As support for this new understanding of peacekeeping grew during the end of the 20th century, the number of uniformed personnel on the ground rocketed to around 100,000, making the UN second to the US in deployed armed forces.

Countries by means of military/humanitarian intervention or through processes neoliberal action have employed several types of methods. Some of the main ones have been enlisted and explained below:

1. **Forced Interventions**: Forced interventions involve use of military assets to secure (or enforce) peace, even if against the will of the warring parties, in situations where there is no mutual hurting stalemate or initiative to induce a ceasefire, or in cases where the ceasefire is broken. It includes necessarily the deployment of heavily armed forces.

¹⁴ Supra

Case: Croatia, Bosnia and Herzegovina and former Yugoslavia

In 1991, tensions rose in the former republics of Yugoslavia, and there was no peace agreement signed on account of the complete unwillingness of the parties to resolve the conflicting interests. Regardless, the UN Security Council in Resolution 743 established the UN Protection Force (UNPROFOR). Its task was to establish United Nations Protected Areas (UNPA), demilitarize these UNPAs, and protect persons.¹⁵

Despite the initial deployment (April 1992) of almost 8,000 military personnel, the civil war raged on with peaks and lulls in the fighting. In the course of three years (1992-1995) the UN Security Council passed 72 resolutions regarding the war in the former republics of Yugoslavia. UN forces continued to grow to meet the challenges of the mission. The mission was expanded thirteen times and by November 1994 the military strength was 38,810.¹⁶

The force was tasked to protect the delivery of humanitarian supplies and provide protection to civilians in the UN protection zones. Negotiators tried to find a solution to the growing civil war, but were unsuccessful. Finally, under the pressure of the North Atlantic Treaty Organization (NATO), whose nations provided the bulk of the UN force, a plan was developed where a UN force commander could call for NATO air attacks to force the Serbs to back down on their attacks against Bosnian Muslims.¹⁷

There were many issues in coordination between NATO and the UN on the terms of strike and hence not successful in having intended impacts. The pivotal moment was in July 1995 when the Serb Army surrounded a Dutch force, forcing it to leave the area and thereafter collected civilians in a large space (soccer stadium) causing over 7,000 casualties. The Srebrenica massacre therefore caused the end of UNPROFOR, which led to intensified diplomatic efforts. By the end of 1995, the Dayton Accords were brokered, and under Chapter VII, the Security

¹⁵ United Nations, Security Council. S/RES/743 (1992)

¹⁶ Oliver, George F. "The Other Side of Peacekeeping: Peace Enforcement and Who Should Do it?" Harvey Langholtz, Boris Kondoch, Alan Wells (Eds.), *International Peacekeeping: The Yearbook of International Peace Operations*, Volume 8, 2002, Netherlands: Koninklijke Brill N.V. p. 99-117

¹⁷ United Nations, Security Council. *Report of the Secretary-General on the Situation in Bosnia and Herzegovina*. S/24540 (10 September 1992)

Council approved deployment of over 60,000 troops from NATO and non-NATO nations for peace enforcement.

This NATO military force came from best trained armies in the world and armed with heavy weaponry including tanks, attack helicopters etc. This actually prevented and deterred any further outbreaks of violence. Later, the operation was scaled down to one consisting of over 20,000 troops and with majority post-conflict functions especially those focusing on rebuilding the security sector of the nation.

2. **Consensual Interventions**: These refer to all those interventions that have taken place in a country by means of invitation by host government or in agreement with them.

Case: Afghanistan

After the US-led airstrike campaign against Al-Qaeda, the world community looked up to the UN to provide a peacekeeping force to provide security in the volatile region and support the novice new government. Amb. Brahimi, then Special Representative to Afghanistan, refused to provide a UN peacekeeping force for this purpose, probably in view of the extremely tenuous situation in the region. In late-2001, the US launched, in association with the UK and later joined by other nations, an operation using force to drive out Taliban, and carry out the Bonn Agreement that called for establishment of an Afghan Interim Administration under Hamid Karzai. This opened doors for the involvement of regional alliances like the NATO to enter the scene, which was approved by the SC and hence an International Security and Assistance Force was created for Afghanistan.

Established at the request of the government of Afghanistan, the UN Assistance Mission in Afghanistan or UNAMA was established for assisting in establishing sustaining peace in the nation, which had otherwise gone through years of turmoil. UN Security Council Resolution 1401¹⁸ was adopted in 2002 with the original mandate to only assist in implementing the Bonn Agreement of 2001. As compared to the operations involving NATO, UNAMA has a more peace

¹⁸ United Nations, Security Council. S/RES/1401 (2002)

building focus. Thereafter, its mandate has been continuously altered to keep in sync with changes, and was even recently extended for another year in 2015 by Resolution 2210.¹⁹

3. **Extended Mandates**: Often, after situational assessments of conflict zones, the nature of external presence can change in pertinence to the needs of the same. Peace enforcement missions can become peacekeeping missions and vice-versa.

Case: Republic of Congo

A UN Peacekeeping Force (called UNUC or United Nations Organization in the Congo) was established in 1960 pursuant to SC Res. 143²⁰ in response to the rapidly escalating crisis in Congo. Being the first UN peacekeeping mission with a significant force, the Secretary-General set up a force with peak strength of almost 20,000. In its four years of operation, the operation transformed from a peacekeeping unit to a military force. The primary goal stayed consistent from resolution to resolution, however each successive resolution elaborated the initial mandate. The goal of withdrawing Belgian military presence and providing assistance to ensure internal stability was the main objects.

Effectiveness and Drawbacks

The problems with enforcement of peace are plenty and differ according to a variety of factors including the type of enforcement, parties in enforcement, ripeness of conflict, nature of conflict, amongst other external and internal variables. Hence, a generalization as to judging enforcement of peace as either justified or not cannot be drawn and has to be determined from the case itself.

United Nations is an organization of states, and peacekeeping was initially employed to help resolve inter-state wars where either peace agreements or ceasefire agreements were in place. Impartiality reflected the expectation that the conflicting states would be treated equally in this context. Today, UN peace operations are deployed in complex conflicts that are largely intra-state, transnational or international. There may be no peace agreement or some of the parties to the conflict may not have signed existing agreements. Segments of combatant groups that are at

¹⁹ United Nations, Security Council. S/RES/2210 (2015)

²⁰ United Nations, Security Council. S/RES/143 (1960)

odds with the terms of the agreement may form new groups (often in a bid to obtain more of the spoils of peace). In short, states are sometimes no more than one of the many fighting parties. And yet, peace operations can still only realistically be deployed if national governments agree to allow them to operate on their territories.

In some cases (MONUSCO or MINUSMA, for example), mandates require collaboration between national security bodies and UN peacekeeping forces in order to meet certain mandate objectives, such as the protection of civilians. As a result there is an inherent unevenness in the way in which the parties to the conflict are dealt with from the outset. A consequence in terms of the use of force is that it remains highly unlikely that missions will ever use force against host security organizations engaged in the conflict, even if these commit atrocities or jeopardies the mandate.²¹ Put briefly, there appears to be too much strategic and operational variability in UN operations at the moment to make the use of force transparent and viable in the long term. The selective and limited way in which force is used appears inconsistent, making it more difficult to maintain a perception of impartiality. All of this is not to say that force should not be used, but it does suggest that UN missions are mostly able to apply force for selected ‘surgical’ interventions, where risks of troop casualties are low, and/or to address specific excesses or threats.

The Brahimi report already noted, *‘When complex peace operations do go into the field, it is the task of the operation’s peacekeepers to maintain a secure local environment for peacebuilding, and the peacebuilders’ task to support the political, social and economic changes that create a secure environment that is self-sustaining’*²² In other words, military intervention may be a necessary prelude or component, but must be embedded in a comprehensive conflict resolution strategy, in which non-military considerations are dominant (political, social and economic). Thus, one has to consider the ramifications of any action on the entire spectrum of peacebuilding

²¹ “Fighting for Peace: The Tricky Business of Using Greater Force in UN Peace Operations” by Nicole Ball, Erwin van Veen, Megan Price

²² Brahimi Report, Supra Para 28

efforts. In many circumstances, as explained before, the use of force complicates the post-conflict rehabilitation efforts.²³

In addition, a focus on military capability for greater use of force might be to the detriment of creating more effective and larger policing and intelligence capabilities that missions require to make a more sustainable difference. As transnational influences dominate many present-day conflicts, their resolution requires much greater insight into both regional and domestic power relations, smuggling routes, criminal incentives and the like. In addition, the use of force military style can significantly reduce domestic support and increase collateral damage.

The challenge is that expanding mandates endow missions with more tasks, such as electoral security and executive policing. This creates growing tension between mission stabilisation efforts and mission peacebuilding and statebuilding efforts. Implementation of these tasks under a Chapter VII mandate raises the likelihood that the mission at some point will need to resort to the use of force to implement one part of its mandate. And yet this may also make it more difficult to discharge other parts of the mission's mandate.

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²³ Ball, Veen and Price, Supra at p. 9

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