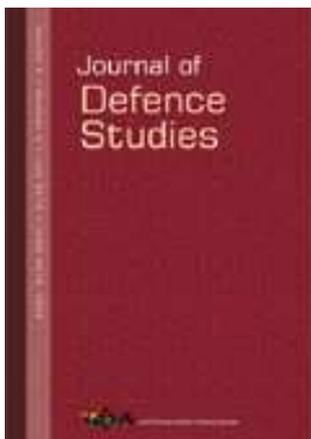


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# United Nations Peacekeeping Operations Causes for Failure and Continuing Relevance

*A.K. Bardalai\**

*Decades after the deployment of the first peacekeeping operation (PKO)—United Nations Truce Supervision Organization (UNTSO)—in 1948, the United Nations (UN) cannot boast of too many successes. The continued relevance of UN PKOs has thus come under criticism. In order to determine whether UN PKOs are still relevant, it is necessary to obtain a clear understanding of the reasons/factors for their success and failure, and thereafter assess their performance. Based on the author's personal experience of peacekeeping and prior research, this article seeks to highlight a few factors that have an overriding influence on the outcome of a PKO. The article also attempts to provide a perspective on the relevance of the PKO in context of the challenges they face regarding planning, deployment and execution of such operations.*

## INTRODUCTION

Since the inception of the first PKO in 1948 there have been 70 PKOs till date. There are currently 15 operations in place with more than 94,000 uniformed personnel from across the world.<sup>1</sup> Unfortunately, barring a few instances, the UN cannot boast of too many successes. Most of these operations have been characterised by late deployment, weak mandate, inadequate resources, and ill-equipped and untrained

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peacekeeping troops. Several UN reports and various experts have also talked about the lack of commitment of troop contributing countries (TCCs).<sup>2</sup> Given such a track record, there is now a question mark on the continued relevance of UN PKOs, or, putting it differently, on its ability to implement the mandate. At the same time, there is no fixed standard to evaluate whether a PKO has been successful or not. As stated by Bratt, except for a very few, most scholars have not been able to identify and specify the criteria for evaluation of a PKO.<sup>3</sup> Moreover, the criteria used for past evaluations were identified based on the individual perception of the scholars and with help of the knowledge gained from study of literature. Hence, such evaluations are likely to be subjective. Even though the knowledge gained from books is also necessary, unless such knowledge is applied along with the practical experience, the learning process will not be complete. One can obtain knowledge by reading but cannot be knowledgeable without practical experience.

In order to determine whether the PKOs have succeeded or not, the identification of a conceptual framework for their evaluation is a prerequisite. However, to develop either the conceptual framework or identify standard criteria, a good comprehension of the causes for success and failure of PKO is a priority. Most discussions related to performance of PKOs, including the Brahimi Report, attribute failure to a vague mandate, inadequate troops, and lack of equipment and training.<sup>4</sup> While a PKO may fail to implement the mandate because of its own weaknesses, there are numerous conceptual, organisational and conflict-specific variables on which both the peacekeeping mission and the peacekeepers have little control that directly impact on the outcome of the PKO. Therefore, it will be unfair to blame the PKOs simply for not being able to implement the mandate without understanding the reasons for their failure. There is also a huge gap between the conceptual thinking on the UN PKO and how it is construed for its implementation. Thus, to make an objective assessment of the relevance of PKOs, there is need to study the causes for success and failure, including the conflict-specific variables, as well as development of a conceptual framework for evaluation, followed by an assessment of the PKOs. However, such a study is lengthy and therefore beyond the scope of this article.

It is not my intent to either to elaborate on all the possible reasons for failure, or develop a conceptual framework for assessment of PKO in order to determine its relevance of PKOs. Accordingly, the thrust of this article is on a few important but less-talked-about factors that have

an overriding influence on the outcome of the PKO. The article also aims to provide a perspective on the relevance of PKOs in the context of its challenges in conceptualising, planning, deployment and execution. These are the principle of peacekeeping, mandate, peace agreement and the UN Security Council (UNSC) and budgetary support.

The UN PKOs can be deployed only after the approval of the UNSC. The budget for the operation is approved by the UN General Assembly (UNGA) once the Council adopts the resolution for its deployment. Before and after its deployment, the three interrelated principles of peacekeeping—consent, impartiality and use of force only in self-defence—become the guiding factors for all PKOs. There is, however, no direct reference to the principles in the UN Charter. These principles were evolved and adopted after UN experiences in Gaza. It is in reference to the principle of consent that if a peace agreement indicating the consent for deployment of a PKO is concluded by the parties to the conflict even before the UNSC approves the deployment, the PKO stands a better chance to survive.

The role of the UNSC does not end with approving the deployment of a PKO. It is the highest organ of the UN that not only approves but also has the responsibility to ensure that the peacekeeping mission continues to receive the required support in order to implement the mandate. Similarly, if there is inadequate budgetary support, the peacekeeping mission will be either understaffed and understrength or will have to be closed down prematurely. I argue herein that a mission's performance is affected by the following: (1) lack of understanding of the peacekeeping principles and the mandate; (2) absence of a comprehensive and inclusive peace agreement; (3) lack of continued support from the UNSC; and (4) inadequate budgetary support. The argument is based on my academic knowledge and direct experiences/observations as I combine an intellectual approach with practical experiences on the field. This is done by analysing the literature on the subject in context of illustrations from a few past and current PKOs. However, before discussing these specific factors, a general narrative on the causes for success and failure of peacekeeping will help to get a better grasp on the subject.

#### WHY DOES PEACEKEEPING FAIL?

Owing to a series of failures in the 1990s, the UN ordered a comprehensive review of UN PKOs. The Brahimi Report concluded that 'the UN has repeatedly failed to meet the challenges.'<sup>5</sup> The same remains true even

today. As observed by Jacobson, ‘The primary successes of the UN have been in the areas of elections and communications (after peace agreement), diplomacy and hindsight analysis of failures.’<sup>6</sup> A number of authors have written on the success and failure of PKOs. Barring a few, most of the researchers have touched upon only individual factors impacting on the outcome of the PKOs. However, most comprehensive works in this field are by Diehl, Jett, Howard and Pepra.<sup>7</sup> In addition, even though Bratt and Diehl and Druckman have also reported on success and failure, their main thrust has been on identifying the success criteria for evaluation of PKO.<sup>8</sup> Diehl, Jett, Howard and Pepra, however, have been able to analytically identify a number of factors/causes after detailed analysis of a few selected PKOs. For ease of understanding and to avoid confusion, the same can be grouped under strategic and operational and tactical factors/causes. Strategic factors are derived from the doctrine or conceptual thinking on the management of PKO. For example, factors relating to the peace agreement and the UNSC can be termed as strategic. Similarly, different standards of operational capability and varying interpretation of principles/rules of peacekeeping impact the PKOs at the operational level. Since the factors/causes impacting the actual implementation of the mandate are generally the manifestation of the operational factors at tactical level, these are best clubbed with the operational factors. It is, however, difficult to draw a clear dividing line separating these two different clusters. For instance, discussion on use of force, which is one of the basic principles of peacekeeping, can transcend from the strategic to the tactical level.

Based on research by various scholars, some of the important strategic and operational factors impacting on the success and failure of UN PKOs are as follows:

#### *Strategic Factors*

1. Irrelevance of principle of neutrality and its replacement by the principle of impartiality but with resultant confusion over its interpretation in field.
2. Absence of a comprehensive peace agreement.
3. Lack of consensus in the international community, most importantly among the permanent members of the UNSC, in defining the problem and inability to comprehend the real motive of the warring parties agreeing for UN mediation and lack of sincerity and commitment.

4. Ill-defined, vague, incorrect and politically compromised mandate.
5. Inadequate resources and ill-equipped and untrained peacekeepers.
6. Lack of clarity in method for implementation of the mandate.
7. Consent from host government which is not in effective control, is temporary and lacks cooperation from the warring groups/parties.
8. Influence of external powers and internal/subnational actors in continuation of the conflict.
9. Lack of understanding of the root cause of the conflict and deploying PKO with poor chances of success.
10. Systemic failure to learn from the best practices.
11. Absence of peacekeepers from developed countries.

#### *Operational Factors*

1. Late deployment of the peacekeeping force—substantial time lag between the ceasefire agreement and arrival of the peacekeepers.
2. Capability deficiency of the PKO—inadequate, ill-equipped and ill-trained peacekeepers.
3. Lack of adequate budgetary support—smaller and truncated missions.
4. Mismatch between mandated task and resources.
5. Influence of external and internal/subnational actors.
6. Ineffective mission leaders (Head of Mission [HoM] and the Force Commander [FC])—lacking vision and resolve for conflict management.
7. Not using force even for legitimate reasons because of fear of retaliation.
8. Varying interpretation of principles of peacekeeping.
9. Lack of sensitivity to the local culture and tradition.
10. Challenges of operational interoperability and integration of multinational peacekeeping contingents due to cultural divide, different training standards and operational philosophy and undue emphasis on national identity.

The list of factors/causes for success or failure is not exhaustive since these will vary from conflict to conflict. According to Rikhye, 'Each conflict is different; each requires its own diagnosis and treatment'.<sup>9</sup> The outcome of the PKO can be affected by either one or more, or a

combination, of the above-listed strategic and operational factors. For instance, the UN spent a whopping amount of \$1.68 billion only for United Nations Operation in Somalia (UNOSOM) I and II from 1992 to 1995. Yet, its effort in Somalia ended in disaster.<sup>10</sup> Also, depending on the dynamics of the conflict, either the strategic or operational factors can have overriding influence on the performance of a PKO. For example, the PKO in the former Yugoslavia was doomed from the very beginning: despite having all the resources in hand, there was no peace agreement between the parties to the conflict or any consensus among the powerful nations in defining the actual problem or a workable strategy to restore peace. As a result, the international community could not decide on a common plan to provide protection to the safe areas. The mission did not use force even in self-defence. Similarly, the failure of the PKO in Rwanda can be attributed to a combination of strategic and operational reasons. Even though a peace agreement was signed before deployment of the PKO, decision-makers were unaware of the presence of the strong undercurrent amongst the Hutu community, which was against any political reconciliation. At the operational level, the mission was understrength and some of the contingents lacked the will to intervene to protect the civilians from the wrath of the Hutu militias when the genocide began in April 1994.

#### PRINCIPLES OF PEACEKEEPING

*Consent, impartiality, and use of minimum force* are the three principles of peacekeeping, which at times are referred to as the 'holy trinity'. The UN PKOs are deployed with the consent of the main parties to the conflict. This signifies commitment by the parties to the political process and their acceptance of the UN PKO, with the necessary freedom of action, both political and physical, to carry out its mandated tasks. Regarding impartiality, UN PKOs are expected to remain impartial in their dealings and not take sides. Failure to adhere to this principle may undermine their credibility, followed by withdrawal of consent. Use of minimum force means that the force will be used only as a last resort and that too in self-defence unless it is an enforcement action. Adherence to these three principles is crucial because it provides legitimacy to the PKOs. However, these principles have their own limitations in terms of their interpretations by the TCCs, thus creating confusion in the field and, many times, resulting in inaction on part of the peacekeepers. The often talked of inability of the peacekeepers to implement the mandate,

more specifically when it comes to saving human lives, is because of a combination of lack of clarity in understanding the principles of peacekeeping and lack of will and less due to inadequate capability.

Consent at the strategic level for deployment of the PKO does not necessarily mean that there will be consent at the tactical level. As a matter of fact, availability of consent at strategic and operational and tactical levels is rare. More often than not, consent given is out of compulsion, either due to threat or some other incentive. And when any of these is diluted, consent is recanted. Withdrawal of consent at the tactical level does not necessarily mean withdrawal of consent at strategic level (number of smaller groups being more in intra-state conflicts, the orders originating at the apex level need not necessarily be strictly complied with at the lowest level). However, withdrawal of consent at strategic level is bound to affect the PKO at the operational and tactical levels. In Cambodia, the Khmer Rouge earlier consented to the peace process but later withdrew. It was a case of withdrawal of consent at the tactical level. However, due to the maturity and ability of the senior mission leaders to understand the bigger picture of the peace process, the PKO was able to fulfil the better part of the mandate. Although, according to Sanderson, the FC of United Nations Transitional Authority in Cambodia (UNTAC), it could have been better if only the mission was better planned.<sup>11</sup>

Somalia can be cited as an opposite example of how the mission leader managed to persuade the rebel leader to give his consent—a consent which was initially denied, then given and later again withdrawn, with catastrophic results for the mission. There was an institutional collapse by the time the PKO was to deploy in Somalia.<sup>12</sup> Given the events leading to the civil war, in the wake of overthrow of Mohamed Siad Barre who had ruled the country for more than two decades, there was no leader who could give consent. Between two primary disputants who were fighting for power, Ali Mahdi consented. But Aideed had to be persuaded by Mohamed Sahnoun, the Special Representative of the Secretary General (SRSG), to accept deployment of 500 peacekeepers for protection of humanitarian convoy. However, Aideed withdrew his consent when Secretary General Butros Butros-Ghali suggested to the Security Council to deploy 3,000 peacekeepers without consulting either Sahnoun or Aideed. This enraged Aideed, who considered this as a breach of faith. What followed immediately was escalation of violence. The first catastrophic event took place in June 1993 in which 24 Pakistani troops were killed and 56 were injured while trying to inspect a

weapon storage site belonging to Aideed. Later, in October 1993, during the United States (US) Army Rangers' raid on Aideed's compound, 18 Rangers were taken as hostage and killed, and one dragged through the streets of Mogadishu. Withdrawal of consent by Aideed was the turning point for the PKO in Somalia.<sup>13</sup> The initial consent for deployment of a PKO in Somalia was possibly influenced by the personal motives of the main parties to the conflict. On the one hand, the main rivals—Ali Mahdi and Mohammed Aideed—considered the presence of the mission and the task for protecting the personnel, installations and equipment of the UN and its agencies as a clear threat and obstruction to their power struggle.<sup>14</sup> On the other hand, these two leaders desperately needed the UN for obtaining economic aid even though remaining sceptical of the international body's likely hidden agenda.<sup>15</sup> What followed thereafter in Somalia, and its consequent effect on the subsequent missions elsewhere (for example, in Rwanda), is a sad commentary on UN's peacekeeping history.<sup>16</sup>

Impartiality, the second principle, is either not understood or is confused or deliberately misinterpreted. It was the Dag Hammarskjöld's study of peacekeeping, which was presented to the UNGA after deployment of United Nations Emergency Force (UNEF) in 1958, that led to the identification of certain basic principles which would later provide an acceptable framework for the subsequent PKOs.<sup>17</sup> One of the three principles identified by him was neutrality of the peacekeepers. Hammarskjöld reported: 'In case of UNEF, the policy has been to exclude military personnel belonging to any of the permanent members of the Security Council or any country which for geographical or other reasons might have a special interest in the conflict.'<sup>18</sup> Hammarskjöld believed that PKO did not involve use of force as envisaged under Chapter VII of the UN Charter, drafted in the Cold War era when conflicts were generally inter-state and not intra-state. To this extent, he advocated the policy of local ownership and suggested that an African solution for an African problem was the way forward.

However, given the complex internal conflicts where extreme violence has become the norm, reining in war mongers (multiple parties to the conflict) requires well-trained and well-equipped military peacekeepers, who have always been at a premium, except for the permanent members of the UNSC Council and a few other developed nations. Therefore, the very rationale of neutral troops does not make any sense. Over a period of time as UN PKOs have become more practical alternatives for conflict

resolution, impartiality, rather than neutrality, has assumed greater importance. Even the UN official document mentions impartiality as the key principle.<sup>19</sup> The shift in conceptual thinking from neutrality to impartiality took place around 1998, after debacles in Srebrenica and Rwanda. Even then, neutrality and impartiality are often confused; these have different meanings and significance: neutrality usually means not taking sides with warring parties; and impartiality refers to non-discrimination and proportionality. Describing this as ‘the neutrality–impartiality dilemma’, Malito has questioned the very concept of possibility of peace in a neutral space.<sup>20</sup>

However, to some, impartiality is synonymous with neutrality, and not taking action against perpetrators of violence because of lack of understanding of the mandate is considered being impartial. Impartiality is not limited to the deeds but also to the way the stakeholders look at the peacekeepers’ impartial status. There is no better example to understand this relationship than what happened when Hutu militias came down on the Tutsis in Rwanda on 6 April 1994 and killed the Prime Minister, Agathe Uwilingiyimana, who was a Hutu as well as 10 Belgian peacekeepers.<sup>21</sup> Even though General Dallaire, the FC of United Nations Assistance Mission for Rwanda (UNAMIR), tried his best to protect the civilians with whatever little means the mission had, one of the military contingents stood by silently as mute spectators to what was happening, possibly waiting for orders from their national capital. France, Italy, Belgium and the US instructed their contingents to evacuate only their own nationals.<sup>22</sup> These nations probably wanted to remain neutral by not taking action against the perpetrators of violence. According to General Dallaire, it was ‘cynical manoeuvring by France, Belgium and the United States.’<sup>23</sup> As for Belgium’s impartial status, being the former colonial master of Rwanda it was always doubted by the Government of Rwanda from the time the Belgium contingent of 450 para commandos landed in Rwanda in November 1993. Their arrogant attitude further vitiated the atmosphere. Most of the soldiers had joined UNAMIR after their tour of duty in Somalia, which was a Chapter VII mission. Describing the aggressive attitude of the Belgium soldiers, General Dallaire quoted his staff officers: ‘My staff soon caught some of them bragging at the local bars that their troops had killed over two hundred Somalis and that they knew how to kick the “nigger” arse in Africa.’<sup>24</sup> On the other hand, France had a good relationship with the Hutu government. Therefore, when the Tutsi regained power and slowly

recovered ground, they did not see France's role in Operation Turquoise as impartial. General Dallaire noted that the inertia and interference from the nations contributing the peacekeepers cost many innocent lives in Rwanda.<sup>25</sup> Loss of impartial status of the peacekeeper, whether on account of the term's deliberate/unintentional misinterpretation, past history of the peacekeepers/contingent, or political manoeuvring by powerful nations, once lost is difficult to get back. Therefore, the need to deal with humanitarian crisis has necessitated revisiting 'neutrality' and replace it by with 'impartiality'.

After the genocide in Rwanda, Kofi Annan stated that 'Impartiality does not—and must not—mean neutrality in the face of evil; impartiality means strict and unbiased adherence to the principles of the Charter—nothing more, and nothing less.'<sup>26</sup> Similarly, the Report of the Panel on United Nations Peace Operations in 2000 also stated that 'Impartiality for the United Nations must mean adherence to the principles of the Charter and to the objectives of a mandate that is rooted in those Charter principles.'<sup>27</sup> The same was endorsed by the General Assembly's Special Committee on Peacekeeping Operations.<sup>28</sup> The necessity of adhering to the principle of impartiality must, however, not be restricted to the implementation of the mandate alone. It must begin with the formulation of the mandates by the UNSC. But whenever the UNSC mandate has a clear political objective, it is no longer possible for the UN to remain impartial. The principle of impartiality is also intrinsically connected to the third principle—use of force—which is the most controversial of the three when it comes to its use.

Even though Hammarskjöld believed that PKO did not involve use of force as envisaged under Chapter VII of the UN Charter, a PKO under Chapter VI can also use force in self-defence. There is, however, intentional or perceived misunderstanding that force can be used only under Chapter VII of the UN Charter. Guidelines for use of force come in the form of rules of engagement (RoE), which are approved at the level of UN Headquarters (HQs). The RoE, though exhaustive, are only generic guidelines to the commanders for their intelligent interpretation on a case-by-case basis. There have been many instances in the past when the peacekeepers have been found wanting in the use of force even in self-defence either because of self-created obsession with strict adherence to the principles of peacekeeping and fear of loss of legitimacy or fear of sustaining casualty as a result of retaliation from the rogue elements. In reality, the truth that every time force is used it leads to retaliation

resulting in fatality, is probably the primary factor dwelled upon by the commander whether to use force or not. Such was the case in Bosnia when, between 7–11 July 1995, Bosnian Serbs attacked Srebrenica, killed innocent civilians and took 50 Dutch peacekeepers as hostage. Repeated request for North Atlantic Treaty Organization (NATO) air strikes by the Dutch battalion against the attacking Bosnian Serbs went unheeded until 11 July 1995. Barnett and Finnemore related this incident to Akashi's, the HoM, and French General Bernard Janvier's obsession with the UN's commitment to the rule of neutrality, that is, not to use force, which eventually resulted in the UN's failure to protect the safe havens.<sup>29</sup> According to a Human Rights Watch report, had the air strikes come on time the fate of Srebrenica would have been different.<sup>30</sup> Quoting from the UN inquiry by the UN official David Harland, Porter stated that request for air strike by the Dutch contingent commander, Colonel Ton Karremans, was deliberately delayed by Janvier. According to Porter, 'He was of course playing for time, doing anything rather than taking direct action, which he believed would inflame the Serbs.'<sup>31</sup> In other words, both Yasushi Akashi and General Janvier, fearing retaliation from the Serbs, chose to stringently adhere to the principle of peacekeeping, namely, minimum use of force only in self-defence, rather than using force to save thousands of innocent lives.

Novosseloff also attributed such inaction on part of the senior leaders to their fear of loss of status of impartiality and fear of retaliation coming in the way of taking decision to use force even if it was a just and fit case.<sup>32</sup> Whether it was the case of abdicating moral responsibility to save human lives or it was the notion of getting legitimacy by not using force that could have influenced the decision of Akashi and Janvier is not known. In this regard, quoting what Tripodi had to observe—'When peacekeepers are placed in a position to prevent moral catastrophes, they cannot step aside and "allow" the killing of those who believed the soldiers were there to protect them'—both Akashi and Janvier did not fulfil their moral obligation.<sup>33</sup> Instances of United Nations Protection Force (UNPROFOR) and UNAMIR clearly illustrate failure on part of senior leaders as well peacekeepers to save innocent lives. Legitimacy, nevertheless, is a subjective perception that varies depending on how the outcome of an operation affects different stakeholders, including the local population. The opinion of locals, since they suffer the most and are also the primary beneficiary of a positive peace, should be central to the way effectiveness of a PKO is measured. Hence, the peace process must take

into account the views of the local population. Simply because a PKO is a multinational force that is either led or authorised by the UN does not mean that the same will be viewed as legitimate by the local population.<sup>34</sup> In Bosnia, to the poor Bosnian Muslim population, the UN operation failed to protect their lives. Therefore, contrary to Howard stating that 'the UN gains enormous moral and ethical legitimacy in the field by not using force', not using force in Bosnia, while technically legitimate, was both morally and ethically wrong, and ethically illegitimate.<sup>35</sup>

#### IMPLEMENTATION OF MANDATE

Different interpretations of the peacekeeping principles directly impact mandate implementation. Very often, a vague mandate has been quoted as the root cause of the problem. Failure of PKOs in former Yugoslavia, Somalia and Rwanda is often attributed to the mandate, which was flawed and unachievable. Even though a perfect mandate would help to improve the chances of success of an operation, it is very difficult to formulate a flawless mandate because of political compulsions. Such was the case even during UN operation in Katanga. On 12 July 1960, the President and Prime Minister of the Republic of Congo accused Belgium of inciting and helping a secessionist movement in Katanga for colonial benefit. Stating Belgium's action as a threat to international peace and security, they requested the UN for military assistance to protect the national territory of Congo against this external aggression. This created a dilemma in the Security Council because any discussion on the accusation itself would imply first having to ascertain if Belgium had committed an act of aggression or not. Consequently, positive determination of Belgium's involvement in the secessionist movement would have meant adopting a resolution for enforcement action against Belgium under Chapter VII, which would have been definitely blocked by one of the Western powers. It would have then compelled the UNSC to deny any assistance to Congo. Therefore, on the initiative of the Secretary General, a compromise was made in terms of taking up the issue under Article 99 of Chapter XV, enabling the UNSC to authorise the Secretary General to provide the necessary assistance.<sup>36</sup> This was a case of political compromise even though it was for the benefit of Congo.

However, unlike pre-2000, mandates of most of the contemporary peacekeeping missions have become more clear and stronger, with detailed and multifarious tasking for the peacekeepers. But *how to implement this* has not been defined. Whether it is to provide some space either to

the field commanders to use their discretion or to the main disputants in exchange of their consent is not known. No matter what the exact intention might be, it does impact on the mandate implementation. For instance, in the context of the mandate of protecting civilians inside a camp, is it to be done simply by providing a perimeter defence waiting for the perpetrators of the violence to come closer to the camp? Or moving out of the camp to deter them at a distance by patrolling, or, for that matter, laying ambushes would be a better option? What happened in the civilian camp in Malaka in South Sudan in February 2016 amplifies such a predicament.<sup>37</sup>

Further, how does one provide protection when one of the parties responsible for the violence is state sponsored? Such was the story on 11 July 2016 when about 80–100 government soldiers from the Sudan People's Liberation Army (SPLA) stormed Terrain Hotel compound. They singled out the Americans, abused and beat them and thereafter shot dead the South Sudanese reporter, John Gatluk, who worked for *Internews* (a US-funded media development organisation) right in front of the foreign aid workers, gang raped several foreign women, and carried out mock executions. Desperate pleas to the UN peacekeeping mission, located less than a mile away, went unheeded.<sup>38</sup> It is still not clear if the peacekeeping contingent/s, located not very far away, apparently was/were either incapable of or unwilling to respond to the calls for help in order to avoid putting the business interest of its/their TCCs in South Sudan at risk. The United Nations Interim Force in Lebanon (UNIFIL) aptly amplifies the other reason—providing space to the disputants—for lack of clarity in the mandate. For example, without Hezbollah's unwritten consent, the current mandate could not have been adopted and hence, any action against this outfit would not be acceptable to them.<sup>39</sup> Consequently, any retaliation consequent to use of force by UNIFIL will not be acceptable to even to the TCCs. Accordingly, UNSC Resolution (UNSCR) 1701 is silent on both Hezbollah's role in Lebanon and role of both UNIFIL and Lebanese Armed Forces (LAF) in disarming the outfit.

Despite being a core objective of the UN, protection of civilian mandate has become increasingly challenging. In an International Peace Institute (IPI) issue brief titled 'Protection of Civilians and Political Strategy', Mamiya pointed out the tension between politics and the urgent need for protection of civilians. According to him, such a strain can prevent creating consensus in the UNSC for taking important decisions like protection of civilians. However, it is still possible for the

peacekeeping contingents to honour the commitment made to themselves, which can be presumed to have been understood before getting deployed in the conflict zone.<sup>40</sup> While UNPROFOR and UNAMIR generally get quoted for their failure to save innocent lives, there were also examples in the same missions—dating back to as early as in 1990s, much before protection of civilian had become the core issue for the UN—when the peacekeepers held their ground, including a case of making the supreme sacrifice in order to protect civilian lives disregarding the orders from their political superiors. In Srebrenica, in December 1993, one NORDBAT (contingent from the Netherland) platoon, despite being heavily outnumbered by a Croatian battalion-size force, refused to hand over two Muslim nurses to the Croats for more than 12 hours. Ingesson has defined such resolve to achieve the mission objective disregarding the highest political authority and without worrying for one's future career as culture of mission command which takes decades to grow and develop.<sup>41</sup> Similarly, during the genocide in Rwanda, the actions of Captain Mbaye Diagne, a Senegalese unarmed military observer, were a rare example of commitment and dedication to protect civilian lives when others were running away from the battlefield. Finally, on 31 May 1994, he was killed by the shrapnel attack of the Hutu militias.<sup>42</sup> Therefore, rather than the very idea of a vague mandate, it is the lack of resolve on part of the senior leaders as well as the peacekeepers that seems to be the primary reason for failure of PKOs. A clear mandate does help to provide a clear direction to the peacekeepers. But unless there is a will to honour the commitment, no amount of clarity can help to protect innocent lives.

#### PEACE AGREEMENT

A peace agreement is essentially a contract between the disputants to end the conflict. In the context of UN PKO, a ceasefire agreement is a type of peace agreement, which, however, varies from conflict to conflict. In general, a peace agreement indicates the willingness of the parties to the conflict to restore peace by means other than violence, hence making it a moral obligation for the disputants to honour their commitment made in the peace agreement. To this end, UN PKO is one of the institutions or organisational tools to monitor the implementation of the peace agreement.<sup>43</sup> Even though the signing of a peace agreement does not guarantee peace, a PKO that is deployed post conclusion of an agreement after negotiations—an agreement which displays sincere change in the positions of the disputants—has better chances of success. Hence, such

negotiation must include the major disputants as well as the external powers that have the power to influence the peace process. For instance, in Cambodia, when China and Vietnam withdrew their support to the parties they were backing, the peace process fell into place.<sup>44</sup>

Angola was a case of pronounced external involvement in supporting the warring groups even after signing of the Bicesse Accord in 1991.<sup>45</sup> The United Nations Angola Verification Mission (UNAVEM) II was deployed in May 1991 but the main disputants—Movimento Popular de Libertacao de Angola (MPLA) and United Nacional para Independencia Total de Angola (UNITA)—continued to be supported by outside powers. The violence recurred when Savimbi, leader of UNITA, lost the election. Resumption of the violence, which cost around 300,000 lives, was primarily due to number of reasons. First, the Bicesse Accord did not include any provision of third-party guarantee to ensure that the disputants adhere to the accord. Second, the international community could not determine what exactly was in Savimbi's mind. Third, the election was held even when the security situation was not conducive. Fourth, since the US always supported UNITA and was only looking at it coming to power, the PKO was grossly understrength.

The Lusaka Protocol is the second agreement that was signed in November 1994 but at a time when Savimbi was losing territory and was under pressure to buy time. Just before signing the agreement, the US did a volte-face by supporting sanctions on its protégé, UNITA. Moreover, since the agreement considered UNITA as illegitimate, UNITA had to disarm itself, but this was not so for the government forces. Further, as there was no mention of prevention of importing arms by any party in the protocol, the earlier sanction that was imposed on UNITA ahead of signing of the agreement still remained, thus making it biased towards the sitting government of MPLA. Finally, when the MPLA launched an attack on UNITA soon after the agreement was reached, Savimbi withdrew his consent and again picked up arms, which were carefully cached deep inside the jungle.<sup>46</sup> In Angola, both Bicesse and Lusaka agreements were inconclusive, favoured only one party and powerful nations like the US were not interested in the peace process. According to Howard: 'While the Lusaka Peace Accord was very detailed, and both sides consented to it, and to UN's oversight, these otherwise favourable situational conditions were tinged with ambiguity as to the depth of consent.'<sup>47</sup>

The UNAMIR was deployed in Rwanda after conclusion of the Arusha Accords in August 1993.<sup>48</sup> The Arusha Accord was fraught with challenges from the very beginning. According to Willard, political impasse, lack of strategy for reintegration of demobilised soldiers, turf battle between different agencies on funding to support demobilisation programme, and above all, lack of sincerity on part of the UNSC were some of the main causes of failure to implement the accord.<sup>49</sup> Howard also observed that even though the warring parties—the Hutus and the Tutsis—signed the Arusha Accord before deployment of the mission, the Hutu majority, which had been dominated by the Tutsi minority in the past, always held it against the Tutsis. She further observed that during the peace process, unknown to the UN and the Rwandan government, a Hutu power centre had emerged, which was against any political reconciliation. Therefore, consent by the Hutus was symbolic and it needed an incident like the death of the Hutu General Habyarimana on 6 April 1994 to trigger the violence.<sup>50</sup> The international community was either oblivious or refused to see the gaps in the agreement and had pinned too much of hope on the success of the agreement, which was flawed from the very beginning. As a result, the requirement of a peacekeeping force of a reasonable size was neither supported nor approved by the decision makers at the UN HQs.

On the other hand, the situation obtained in Bosnia and Herzegovina was different from the other three conflicts.<sup>51</sup> There was neither a peace agreement nor a stalemate in the battlefield, and the mission also did not enjoy full consent from all the parties (specially the Bosnian Serbs). Therefore, the mission began on a wrong footing.<sup>52</sup> Even General Satish Nambiar—the first HoM and FC of UNPROFOR—attributed the failure of UNPROFOR in Bosnia largely to lack of a peace agreement, inadequacy in the mandate, interference by influential nations, including the US, and inadequacy of troops. According to him, an agreement like the Dayton Peace Agreement of 14 December 1995 should have been concluded before the decision to establish a PKO was taken.<sup>53</sup>

The case of the Democratic Republic of Congo (DRC) is more complicated because of the distinct involvement of Angola, Rwanda and Uganda in the internal affairs of DRC from the very beginning of the First Congo War in 1996. Alignment and the number of foreign actors as well as the internal armed groups continued to change as the war progressed. The five different agreements—the Lusaka Ceasefire Agreement (1999),

the Sun City Agreement (April 2002), the Pretoria Agreement (July 2002), the Luanda Agreement (July 2002) and, finally, the Global and Inclusive Agreement of December 2002—never helped to end the conflict because they did not sufficiently address the grievances of all the armed groups. The latest comprehensive agreement of 31 December 2017 that stipulated the end of the two terms of the current President Kabila (according to the DRC Constitution), who agreed not to contest in the next election, appears to be quite an achievement. Kabila has proposed his former Interior Minister Emmanuel Ramazani Shadary, who has a dubious distinction of being one of the individuals internationally sanctioned in 2017, to succeed him. This way, Kabila will continue to rule DRC by proxy even after he relinquished his power, possibly his reward for the significant concessions that he made.<sup>54</sup> No matter how robust the United Nations Organization Stabilization Mission (MONUSCO), conflict in DRC is not likely to be over as long as the peace agreements are not comprehensive to address the grievances of all the actors. In fact, on the contrary, lack of honesty in these agreements has only helped to reignite the conflict that has been fuelled by various multinational corporations (MNC) in order to get access to the rich natural resources of the country.<sup>55</sup>

Similarly, the Comprehensive Peace Agreement (CPA) that marked the end of two decades of the civil conflict in Sudan, followed by the establishment of the United Nations Mission in South Sudan (UNMISS) on 9 July 2011, fell short of an inclusive agreement. This agreement is a collection of documents negotiated and signed over two years in Kenya on 9 January 2005.<sup>56</sup> Amongst others, the CPA required holding a referendum at the end of six years, that is, in January 2011, to allow the people of southern Sudan to decide whether they wanted to remain with Sudan or be part of an independent sovereign state in the south. They chose independence, but only to be engulfed by their own internal problems. If the provision for an independent South Sudan was already part of the CPA, the drafters should also have catered for a smooth transition and made provisions for the necessary assistance for subsequent governance of a new state. According to Ottaway and Hamzawy, ‘the signing of the agreement was due to skilful international mediation and diplomacy, rather than a sincere change in the position of the two states.’<sup>57</sup> In yet another attempt to give a chance to peace, the President of South Sudan, Salva Kiir, and his former Vice President, Riek Machar, signed a peace deal in Khartoum on 27 June 2018.<sup>58</sup> The

talks were mediated by President Omar al-Bashir of Sudan and President Yoweri Museveni of Uganda. This agreement is a welcome change to the ongoing conflict. However, as *The New York Times* reported, the country has already suffered a lot with approximately 2.5 million citizens fleeing the country and hundreds of thousands internally displaced. At the time of publishing this article, according to *Reuters*, there are complaints from main rebel groups of fighting already breaking out.<sup>59</sup> A peace deal like this, which looks elite, is not going to succeed if the same issues are perpetuated again and those who have suffered the most are not taken on board.<sup>60</sup> Another reason why this agreement could fall apart is because it is not inclusive. ‘The United Nations’ “sustaining peace” agenda recognises that peace is a process that builds a common vision of society that ensures all segments of the population’s needs are considered. This inclusivity is both an objective and a principle. Inclusivity is defined as the extent to which the views and needs of parties to the conflict and other stakeholders are represented, heard and integrated into peace processes. It is important throughout the peace process—from mediation to institution building.<sup>61</sup>

Even though the final revitalised agreement of resolution of the conflict in South Sudan was signed at a regional summit in Addis Ababa on 12 September 2018, one wonders how peace will return. The agreement is not broad-based, does not include all the stakeholders, and does not cater for a workable demobilisation programme. Most importantly, it lacks a strategy to address the root cause of the conflict—race for the natural resources and interference by outside powers in pursuit of their economic interests.<sup>62</sup>

Therefore, unless there is a comprehensive peace agreement before the UNSC approves a PKO, continuance of the PKO will be purely out of a political necessity and without an exit strategy. For instance, UNIFIL was established without a peace agreement and in a hurry. Goulding described the background to establishing UNIFIL as follows:

It is an operation about whose viability the then Secretary General and his senior advisers had doubts. It was nevertheless pushed through the Security Council by the United States for pressing, if passing, political reasons. President Carter was launching the negotiations which were to lead to the Camp David Accords, and did not want the process derailed by the Israeli invasion of Lebanon which had just taken place.<sup>63</sup>

### UNSC AND BUDGETARY SUPPORT

The UNSC has the sole authority to approve the deployment of a new PKO. Even after a PKO is deployed, its mandate has to be renewed every six months. In addition to the difficulties of formulation of a mandate, the entire period—from the time of its deployment until a mission closes down—the UNSC faces a number of challenges. To begin with, the decision to mount a PKO itself is not always under the assumption that chances of success are better than failure. There may be times when the UNSC may come under the influence of international media and domestic pressure even if chances of success are poor.

Howard and Stark pointed to the lack of consensus in defining the actual problem as another major weakness of the UNSC that affects the mandate, structure, the budget to support the operation and the exit strategy of the PKO. For example, in the case of former Republic of Yugoslavia, the US perceived it as an instance of ethnic hatred and hence intervention would be futile. France considered this as the tension between the elites and the public; and for China, it was an internal problem. Only a few European nations like Germany and the Non-Aligned group, considering the problem an external aggression by the Serbs, recommended military intervention. As a whole, the UNSC was completely confused. The military, on the other hand, had a totally different perspective on how to protect the safe areas.<sup>64</sup> The net result was establishment of a PKO that lacked a strategy, and the required strength and clarity in the mandate. It was also a PKO that was doomed to fail from the very beginning. Sitkowski commented that to expect the UNSC to manage the security function of the world is an illusion dreamt in 1945 at the time of adoption of the UN Charter at San Francisco. It is primarily because the big powers did not consider the UNSC anything else other than an extension of their national diplomacy. He further noted that except for the intervention in Korea in the 1950s and in the Gulf in 1991, the UNSC has never performed its functions as per the Charter.<sup>65</sup> Therefore, it is not enough for a resolution to be adopted by it to deploy a PKO. It must be accompanied by a consensus amongst all the permanent members on the correct definition of the problem, along with a comprehensive strategy to move forward the peace process. William observed that the permanent members, who influence the decision of the UNSC, generally do not participate in PKOs with troops. Consequently, the non-powerful nations who participate with troops in complex operations are unable to resolve the instability in their theatres

of operation because they lack the leverage over the conflicting parties and the host nations to alter the security situation.<sup>66</sup>

Appointment of senior leaders is another area where the UNSC has a poor track record. For instance, the appointment of the Secretary General, who has enormous responsibility to bring to the attention of the UNSC any matter that threatens international peace and security, is political. By and large, this appointment is decided by the support of the permanent members of the council. Rikhye comments that Secretary General has an important role to play because he is the one who is ultimately responsible for effective management of the PKO.<sup>67</sup> Brahimi states: 'Effective dynamic leadership can make the difference between a cohesive mission with high morale and effectiveness and one that struggles to maintain any of these attributes.'<sup>68</sup> However, the process of appointment of the Secretary General, and also the appointment of the HoM, is not without interference from a few members of the UNSC. Chesterman and Franck observe that the permanent members of the Council are always interfering in his appointment and functioning, thereby reducing him to a figurehead.<sup>69</sup> The debacles in Somalia, Rwanda, and Bosnia and Herzegovina amplify how ineffective leaders can negatively contribute to failures of PKOs.

Additionally, PKOs are expensive and therefore must have adequate budgetary support. For 2018–19, the budget for UN PKOs stands approved at \$6.69 billion for the peace operations and the UN logistical support operation in Somalia. This is nearly \$580 million less than the amount requested by the Secretary General.<sup>70</sup> The aspect of the budgetary support remains in the domain of the UNGA. The budget for PKOs is sourced from the member states' annual contribution, with their share calculated based on a formula taking into consideration the economic health of the member states. The permanent members of the UNSC have to pay larger share because of their special responsibility for maintenance of international peace and security. Currently, the US tops the list of first 10 maximum contributor with 28.40 per cent of the budget, followed by China (10.25 per cent), Japan (9.68 per cent), Germany (6.39 per cent), France (6.28 per cent), the United Kingdom (UK) (5.77 per cent), Russian Federation (3.99 per cent), Italy (3.75 per cent), Canada (2.92 per cent) and Spain (2.44 per cent).<sup>71</sup>

For establishing a new PKO, the report of the Secretary General on the need to establish a PKO is attached with a document, called 'Outline Financial Implication', as an important input to the Security Council

while deciding on a PKO. Once the UNSC approves the PKO, the advance mission HQ (which should have been established soon) prepares the detailed budget and submits it to the UN HQs. The Secretary General thereafter forwards the budget proposal to the Advisory Committee on Administrative and Budgetary Questions (ACABQ) of the UNGA for its review, and its further recommendations to the Assembly's Fifth Committee for its review and final approval. Dissension among the members of the UNSC and the tension between the Security Council and the Fifth Committee eventually result in a truncated PKO ab initio or midway, or a premature closure of the mission. For example, in Rwanda, even months after the UNSC approved the deployment of UNAMIR II in May 1994, the member states who voted in favour of the deployment found one excuse after another not to send their troops. As for the US, it argued that the African problems can be best solved by the Africans.<sup>72</sup> There was also a mismatch between the task and the resources. Against the requirement of 35,000 troops, UNSCR 836 approved only 7,500 troops. Rwanda was a victim of the consequences of the suffering in Somalia. Howard noted that there were differences of opinion between the Secretariat and the field. She observed that the UNSC neither wanted to abandon nor approve a large peacekeeping force to control the genocide that commenced on 6 April 1994, so much so that the '[t]hey defined the problem not as systematic, well planned genocide but a chaotic civil war and ethnic massacres.'<sup>73</sup> Such definitions justified their inaction in face of the genocide. Eventually when UNAMIR II was authorised after 31 May 1994, though '...the council did not endorse a mandate with adequate support, it did pass many resolutions on that matter.'<sup>74</sup>

Since the Fifth Committee is the final authority for the approval of the budget and the committee's members also come from the same countries who are members of the UNSC (and a few others), the clout of the Council in the budgetary process is inevitable. Therefore, the number and intensity of peacekeeping-related discussions and debates that take place in the UNSC reflect the seriousness/lack of it, and the commitment of the permanent members to face new and complex challenges that may threaten international peace and security. However, greater number of discussions or debates do not guarantee a sincere commitment of the members of the UNSC. However, such discussions do help in bringing clarity in formulating the mandate and garnering support for the required budget. According to Howard, even though there will always be the problem of consensus, the degree of interest shown by the UNSC

in the form of debates, whether the resolutions are unanimous and whether their interests changed during the peace negotiations or during implementation contribute to the fate and success of the mission.<sup>75</sup>

### CONCLUSION

In the absence of a conceptual framework, it is very difficult to objectively evaluate the performance of PKOs. Consequently, commenting on the relevance of PKOs is problematic. For instance, after assessing 17 peacekeeping missions between 1945 and 1998, Pushkina classified them as 'successful', 'partially successful', and 'failed'.<sup>76</sup> Other scholars may, however, differ from Pushkina's assessment. Different scholars have identified different causes for success and failure of PKOs. All of these are relevant and have impacted on the outcome of the PKOs one way or the other. The situation surrounding the conflict and circumstances leading to the peace agreement, availability of the consent of the disputants, support of the international community, the decision-making process, and relevance of the principles of peacekeeping are the most common causes impacting the outcome of the peace process. Furthermore, factors like the support of the UNSC, intensity of the debate therein, and funding for the operation also affect the peace process. However, unless there is coherence between the mandate, strategies, plans, programme initiatives, structures, processes and networks, a PKO cannot be a success.

As indicated in my research, despite many studies undertaken to find ways to meet these challenges, nothing much has changed from Rwanda in 1994 to South Sudan in 2016.<sup>77</sup> This is because there is a huge gap between what is professed conceptually and how it is interpreted during its implementation. The way the basic principles of peacekeeping are interpreted is the biggest challenge impacting all PKOs and, most importantly, those nations who contribute with their peacekeepers in large numbers. What has also emerged after further study is that it was, or is, not always a lack of clarity in the mandate or understanding the principles of peacekeeping. In spite of clear tasking, there were instances when commanders on the spot succumbed to pressure of their political bosses, who were afraid of the domestic fallout of their military contingents using force to protect the innocent civilians, which was their mandate. Tripodi refers to this as soldiers' moral responsibility.<sup>78</sup> Instances of UNPROFOR and UNAMIR clearly illustrate the irony. On the other hand, there were instances in the same two missions when peacekeepers held their ground and even died protecting civilians, disregarding the orders from their political superiors.

The subject of success and failures will remain an enigma because, first, defining success itself is a problem. Second, while there are common causes for success and failure, these vary from conflict to conflict. According to Rikhye:

Each conflict is different; each requires its own diagnosis and treatment. UN peacekeeping forces can only prove effective if their mandate and resources are tailored to the needs of their missions for which they depend on the decision by the Security Council and mandates that it provided.<sup>79</sup>

Since there are no standard criteria for evaluation, most of the past assessments of PKOs have been made by scholars who develop their own success criteria based on individual perceptions. Hence, their conclusions are likely to be subjective and debatable. Despite this, there is some commonality in their deductions. The PKOs that have failed to protect innocent lives have generally been branded failures. In these cases, even though the evidence points towards failure, the peacekeepers' inability to deliver in field is due to the direct consequences of the conceptual thinking deficit, decision-making paralysis at the highest level, and lack of will on part of the peacekeepers to implement the mandate.

Ambiguity in the understanding of the peacekeeping principles is always exploited and interpreted to suit the national interests of a few TCCs. Even though peace agreements do not guarantee peace, they do improve the chances of success. At the same time, it is better to deploy a PKO without a peace agreement rather than concluding an agreement that is not inclusive and has loopholes. Peacekeepers find themselves unprepared to face the challenges of recurrence of violence when they pin false hopes on inconclusive and bad agreements. Such agreements, built on mistrust, also become an excuse for the disputants to derail the peace process. Angola and Rwanda are two such examples of minimal means to meet enormous challenges that the PKOs face. As for the mandate, even though these have become clearer and stronger, TCCs and the disputants will continue to take advantage of their inherent weaknesses.

Given the challenges and the slow progress in peacekeeping reform, the relevance of the PKOs will have to be examined in the context of availability of an alternate mechanism to restore normalcy in the conflict zone. Humans have, over the centuries, made discoveries, inventions and developed ideas, making it possible for the one-time fantasies to become reality. Simultaneously, there has been degradation in human values and personal and institutional ethics. Under such circumstances, the number

of conflicts triggered by greed for money and power have only grown, necessitating some kind of instrument to bring back normalcy. Global policing, like the US intervention in Iraq, Libya, Afghanistan, and more recently Syria, is coming under severe international criticism. This is forcing powerful nations to be more careful in exercising such an option. What, however, will not change is that it is national interest which will have an overriding influence on a country's decision for participation with troops in either UN PKOs or UN-authorized PKOs. Consequently, though powerful and capable nations will be more cautious and weigh the cost of participation in complex PKOs carefully, at the same time they will not shy away from participating with uniformed peacekeepers in non-UN operations even if such operations are far away from their homeland provided it is in the interests of their national security.

Owing to the lack of certainty in commitment from capable nations vis-à-vis their participation in military PKOs, the usefulness of UN PKOs will remain a challenge unless it is regionally biased and there is adequate incentive for increasing participation by non-Western nations. In addition, since there is a growing reluctance on the part of main donors like the US to fund UN PKOs, their size will gradually become smaller and will not be able to meet the complex challenges of the vicious conflicts of the future. Perforce, there will be dire need for a conceptual shift in restructuring the peacekeeping force relying more on technology and rapid response capability rather than heavy footprints. Finally, in the absence of any other, better, substitute, it is reasonable to believe that UN PKOs are going to stay as one of the main alternatives for restoring peace in conflict zones. Going by the words of former UN Secretary General Dag Hammarskjöld—'The UN was not created to take mankind into paradise, but, rather to save humanity from hell'—the UN is not a failure.<sup>80</sup>

#### NOTES

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47. Howard, *UN Peacekeeping in Civil Wars*, n. 7, p. 38.
48. The Arusha Accord was signed in Arusha, Tanzania, between the Rwandan government and Tutsi Rwandan Patriotic Front (RPF). The signing of the accord followed a ceasefire agreement which was reached in July 1992.
49. Emily Willard, *Rwanda: The Failure of Arusha Peace Accords*, National Security Archive Electronic Briefing Book No. 469, 21 May 1994, available at <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB469/>, accessed on 21 April 2018.
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