
THE CRISIS IN UN PEACEKEEPING

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Peacekeeping operations under United Nations auspices have achieved notable results in recent years, in countries as far apart as Namibia, Cambodia, El Salvador and Bosnia. At the same time, UN peacekeeping is in crisis, because of a host of factors: tried and tested principles and practices of UN peacekeeping have had to be modified or abandoned; there have been repeated difficulties in the control and management of UN operations; the distinction between peacekeeping and enforcement has become blurred; states have imposed numerous conditions on their participation in operations; the many proposals to place forces at the general disposal of the UN have failed; peacekeeping finance remains a nightmare; some operations, as in Angola, have been followed by a resumption of war; the range of conflicts around the world far exceeds the UN's capacity to address them; and there have been accusations of bias in the choice of which conflicts to address, and the manner of doing so. There has been a bewildering variety of diagnoses, and of prescriptions for improvement.

1. *CAN UN PEACEKEEPING BE SEEN AS PART OF A COLLECTIVE SECURITY SYSTEM?*

Peacekeeping operations are only one part of the response of the international community to situations of international and internal conflict. By common consent, even if there is some overlap in practice, they are distinct from many other types of action under UN auspices, including enforcement actions.

In the post-Cold War era, the problems of peacekeeping have often been discussed in a broader context of seeing an opportunity to establish a new system of peace and security based on the UN. In 1993 Brian Urquhart asked the key question: «Are we trying to establish a comprehensive *system*

of international peace and security based on the resources and the political will of the membership of the United Nations (1)? In my submission there are grounds for doubt as to whether the aim should be set quite so high. Is such a system actually attainable, and what it would actually look like?

Four principal considerations make me pessimistic about the chances of establishing a substantially new system of peace and security, of which peacekeeping would be one part:

- a. The idea of a fundamentally new security system involves, in addition to peacekeeping, heavy reliance on «collective security»: this term refers to a system in which an attack on one member of the international community is treated as an attack on all, and leads to a strong and decisive response by the community. The idea of collective security is a very old one, which has perennially run into difficulties; and much present advocacy of it does not take into account the past history and problems of the idea (2).
- b. On the more specific topic of peacekeeping — the central concern of this paper — nothing the past record or present performance of UN peacekeeping operations entitles us to see these activities as a viable response to more than a limited, albeit somewhat expanding, range of situations.
- c. The genius of the UN system, and a key to its modest but still remarkable success in the past half century, is its relatively successful combination of, on the one hand, acceptance of sovereign states which retain their military power and their right to individual and collective self-defence; and, on the other hand, establishment of the rudiments of a structure for co-operative decision-making and multilateral military action in a UN framework in at least a substantial range of situations.

(1) Brian Urquhart, «The Future of Peace-keeping», paper at the June 1993 Oslo Symposium on Collective Responses to Common Threats, p. 3.

(2) The difficulties of the idea of collective security are outlined in the introductory chapter in Adam Roberts and Benedict Kingsbury (eds.), *United Nations, Divided World: The UN's Roles in International Relations*, 2nd edn., Oxford University Press, 1993, pp. 29-31. For a succinct survey and assessment of the history of UN peacekeeping, see Sally Morphet's chapter in the same book, pp. 183-239.

This dual aspect of the UN system can be found in the Charter itself. Many of its provisions contain much more generous allowance for the continued role of states, and even continued state control of military power, than did the League of Nations Covenant. Particular Charter provisions illustrating this point include Article 51, with its famous passage on «individual or collective self-defence»; Article 2 (7) on domestic jurisdictions; and the extreme caution of the references to disarmament in Article 11 (1), 26, and 47 (1).

- d. The Cold War was not the only factor which prevented the UN system from managing security issues on the largely cooperative basis which might seem to have been envisaged in the Charter. As is now rapidly becoming apparent, there are other and more enduring factors in international politics which make difficult or impossible the realization of the dream of all major security problems being handled in a UN framework. In particular, states seem to guard their power over their own armed forces jealously. It is significant that in almost half a century since the UN was founded, not one state has concluded an agreement making forces available to the UN in the manner provided for in Article 43 of the UN Charter. We have to draw serious conclusions from this about the viability of supra-national visions of a UN security system.

These four reasons for pessimism may well be ignored in this period in which there are high expectations of what the UN can achieve. Yet ignoring these factors, and holding out excessively high hopes for the UN, is liable to lead to disappointment and recrimination. Indeed, if the UN is seen as in some way supplanting existing functions of states, there is a strong likelihood that the sovereign state, which is far from dead, will reassert its existence and vitality at the expense of the UN, with serious consequences for the latter.

Despite the grounds for pessimism, there are in fact elements of a system of international security. This system encompasses a wide range of measures of arms limitation, including in the field of nuclear nonproliferation. There is also a strong emphasis on force only being used for defensive purposes. There are also many elements which are different from what was laid down in the UN Charter: the pattern of certain uses of force by coalitions being authorized by the UN Security Council — as in Korea in 1950,

over Kuwait in 1990-91, and in Somalia in 1992-93; the emergence of an impressive practice of mediation and good offices within a UN framework; and, of course, UN peacekeeping.

2. ESSENTIAL FEATURES OF UN PEACEKEEPING UP TO 1987

Peacekeeping operations were not foreseen in the UN Charter, and emerged on an *ad hoc* basis in response to urgent problems.

In the period up to the end of 1987, there were thirteen UN peacekeeping operations, all but one of which were concerned with conflicts that had arisen following European descolonization: many other problems, including more directly East-West conflicts, were addressed through other mechanisms, mainly outside a UN framework.

The traditional tasks of UN peacekeeping operations, as they evolved from the 1950s to the 1970s, included monitoring and enforcement of cease-fires; observation of frontier lines; and interposition between belligerents. These tasks were generally carried out on the basis of three key principles: the consent of the parties, impartiality of the peacekeepers, and non-use of force in most circumstances. These three principles were seen as being interlinked, and as being fundamental to the effectiveness of peacekeeping operations.

Non-use of force, though not an absolute principle, was central to the practice of UN peace keeping for many years. As Marrack Goulding has said:

More than half the organization's peacekeeping operations before 1988 had consisted only of unarmed military observers. But when operations were armed, it had become an established principle that they should use force only to the minimum extent necessary and that normally fire should be opened only in self-defence.

On the basis of the principles established during the first four decades, he went on to define UN peacekeeping as follows:

Field operations established by the United Nations, with the consent of the parties concerned, to help control and resolve conflicts

between them, under United Nations command and control, at the expense collectively of the member states, and with military and other personnel and equipment provided voluntarily by them, acting impartially between the parties and using force to the minimum extent necessary ⁽³⁾.

In the first decades of UN peacekeeping operations, the requirement of impartiality and disinterestedness was among the factors leading to the general practice of not using certain countries' troops. In particular, the UN for the most part avoided use of contingents from the permanent five (especially China and the two superpowers); and it also avoided relying on forces from neighbouring powers. The merits of these practices were obvious: local conflicts were insulated from Cold War rivalry and regional hegemony. The weaknesses of the practice were equally obvious: UN forces sometimes lacked the authority and strength that a great power presence could have provided; or they lacked the local knowledge, interest, and staying power that forces from a neighbouring power might have had.

There was no shortage of problems in the first thirteen UN peacekeeping operations. The weakness of depending on the consent of the host state was cruelly exposed by the expulsion of the United Nations Emergency Force (UNEF I) from Egypt in 1967, and the subsequent outbreak of war between Israel and a number of Arab states including Egypt. Sometimes in practice the performance of the original mandate led on to additional tasks which did not sit easily with the three principles outlined above. In the Congo in 1960-64 the tasks of the UN force came to include assisting in the maintenance of government and public order, and the use of military force to achieve these ends against a variety of challenges: this early case of peacekeeping turning into enforcement succeeded, but at a huge price. In Cyprus in 1974, and in Lebanon in 1982, the presence of UN peacekeeping forces could not prevent breakdowns of order including major foreign invasions and seizures of territory.

The achievements of UN peacekeeping, although modest, were real: they included the effective freezing of certain conflicts; some reduction of the risk, or extent, of competitive interventions by neighbouring or major

⁽³⁾ Goulding, «The Evolution of Peacekeeping», p. 455.

powers; and isolation of some local conflicts from the East-West struggle, so that they did not exacerbate the latter. In short, some wars were prevented from spreading, and some missions effectively accomplished. While the development of UN peacekeeping before the end of the Cold War was impressive, it would be wrong to depict it as a golden era.

5. HOW HAS THE CHARACTER OF UN PEACEKEEPING CHANGED?

In the past six years there has been a dramatic expansion of the number of UN peacekeeping and observer forces. The often repeated, constantly changing, and ever more impressive litany of statistics shows just how remarkable the expansion has been. From 1948 to 1978, thirteen peacekeeping and observer forces were set up. Then for ten years no new ones were established. Since early 1988 a further twenty have been created (*).

Now peacekeeping is in a new era, tackling a vast array of new problems. However, many of the new commitments involve peacekeeping forces in performing a bewildering variety of tasks with an unusually complex set of mandates. In both Somalia and Yugoslavia, as discussed later, these mandates involved authorization of force by or on behalf of peacekeeping forces: a step towards a type of action — namely enforcement — that has traditionally been viewed as distinct from peacekeeping.

Reasons for the Expansion of Peacekeeping Activities

A main reason for this expansion in the number of peacekeeping and observer missions has been, simply, the increased capacity of the Security Council to reach agreement on action in particular crises once it was no longer hamstrung by the previously heavy use of the veto by four of the Permanent Five members. The last-ever Soviet veto was on 29 February 1984, on a resolution proposing an extension in the Beirut area of what was at that time the last UN peacekeeping force to have been created (UNIFIL in Lebanon). Then from June 1990 to 11 May 1993 there was not a single

(*) For a list of the 33 UN Peacekeeping and Observer Forces established to date, see the Appendix to this paper.

use of the veto, though of course its very existence still powerfully influenced decisions. On 11 May 1993 Russia broke the record three-year period of non-use when it vetoed a resolution on the financing of the long — established peacekeeping force in Cyprus. It is significant that it was on a peacekeeping issue that use of the veto resumed: Russia had reason to resent being asked to bear the financial burden of UN peacekeeping in the apparently stable island of Cyprus, at a time when the UN was hardly making a notable contribution to the much more urgent crises faced by Russia both internally and on its borders. Despite this use of the veto by Russia in 1993, which may be a harbinger of things to come, the new-found capacity of the Security Council to reach agreement has more or less survived, and constitutes a key part of the explanation of the increase in the number of peacekeeping operations ⁽⁵⁾.

A further factor leading to the expansion of peacekeeping has been a widespread mood of optimism that the UN can have a much more central role in international security matters, and that peacekeeping can take on a very wide range of urgent problems. National governments as well as the UN itself shared this mood to a surprising degree. The heads of government at the Security Council summit at the end of January 1992, and Secretary-General Boutros-Ghali in his *An Agenda for Peace* published in June 1992, reflected and for a period reinforced this optimism ⁽⁶⁾.

Finally, the end of the Cold War, and in particular the circumstances in a number of countries undergoing severe conflicts, created an increased need for international peacekeeping forces. In particular: (1) The peace agreements (all with an East-West dimension) ending foreign interventions and/or conflicts — in Afghanistan, Angola, Namibia, Central America, and Cambodia — created a demand for impartial international forces to assist in implementing their provisions on such matters as monitoring cease-fires,

⁽⁵⁾ Statistics on the use of the veto to date may be found in Adam Roberts and Benedict Kinsbury (eds.), *United Nations, Divided World*, 2nd edn., pp. 10-11. China has been far the most abstemious power, having only used the veto three times: once in 1955 (when it was represented at the UN by the regime in Taiwan), and twice in 1972.

⁽⁶⁾ Boutros-Ghali, *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-keeping*, United Nations, New York, 1992. For a challenging article of the same period, calling for the major powers to give «unconditional subordination of an appropriate element of their effective military assets to an integrated UN command system», see John Mackinlay and Jarat Chopra, Second Generation Multinational Operations, *The Washington Quarterly*, Summer 1992, pp. 113-31.

troop withdrawals, and elections. (2) The decline and collapse of Communist systems resulted, in some cases, in new conflicts: and some of these (especially in former Yugoslavia) led to strong calls for action under UN auspices. (3) Following the end of the Cold War, the major powers were less likely than before to see a conflict in a distant country in geostrategic terms as part of a challenge to them from their major global adversary which required them to make an essentially unilateral military riposte: they were therefore more willing to see a response emerge from within a UN framework.

New Types of Task for UN Peacekeeping

Since the late 1980s UN peacekeeping operations have involved a remarkably wide variety of activities.

Some tasks assigned to peacekeeping operations since 1988 have been partly or wholly new for them:

- monitoring and even running elections (as in Namibia, El Salvador, Angola, Cambodia, and Mozambique).
- protecting inhabitants of a region, whether the majority or minorities from the threat or use of force— including by the government of the region and/or country (part of the function in the three United Nations Protected Areas, or UNPAs, in Croatia).
- assuring delivery of humanitarian relief, and the performance of a wide range of other humanitarian tasks, during conflicts (especially in former Yugoslavia and Somalia).
- assisting in the reconstruction of certain governmental or police functions after civil war (including in El Salvador and Cambodia).

There should be no objection in principle to developing and expanding the tasks of peacekeeping. New circumstances have required new forms of action, and have presented some opportunities that had to be seized. Indeed, some of the developments since the late 1980s are extremely promising. Election-monitoring under UN auspices has had many successes. Sometimes, as in Nicaragua and Haiti, UN election verification was conducted on its own, not as part of a peacekeeping mission. However, several agreements in the late 1980s and early 1990s seeking to end internal con-

flicts, including in their international aspects, provided both for elections as an acceptable means of determining who was to rule, and also for a peacekeeping force whose tasks included monitoring or even helping organize the elections. Such outside assistance failed to prevent a renewed outbreak of civil war in Angola in 1992 (just as verification had been unable to prevent a coup in Haiti in September 1991). However, the picture elsewhere looks more hopeful. This function is particularly significant, for two reasons. First, it associates the UN with the idea of multi-party democracy. Second, it enables peacekeeping forces to be involved in something more than the mere freezing of conflicts: in some countries (though not in all), UN forces can achieve more by assisting in ballots than by interposing themselves between belligerents.

However, assisting democracy, like other aspects of UN peacekeeping, depends powerfully on local cooperation. Where this is denied or withdrawn, problems begin. The nature of post-conflict societies can make the realization of democracy a distant goal. A United Nations which concerns itself with the type of government in member states may find itself involved in a wide range of complex and dangerous disputes. Sometimes, as in the *débâcle* over Haiti in 1993, the UN may be powerless, apart from use of sanctions, in face of even a small and weakly armed sovereign state.

Many other aspects of the expanded character of UN peacekeeping have been problematical. «Humanitarian relief» is a case in point. Too often, the natural emphasis on such relief has been accompanied by a failure to think through the broader questions raised by an involvement. It may be necessary, but it is never enough, to say that the UN's role in a crisis is essentially humanitarian. There is also a need for tough analysis of the problems and crises which created the need for aid, and of policies for tackling them.

The central difficulty in the expansion of tasks of UN peacekeeping has been in the blurring of the lines between peacekeeping and coercive action. This is intimately linked to a tendency to down-grade the requirement of consent of the parties as a pre-condition for setting up and maintaining a peacekeeping operation. There is a much more interventionist element in peacekeeping today, and this is at the heart of the crisis.

Consent as a Basis for Peacekeeping

The down-grading of the consent of the parties as a requirement for UN action occurred in three important crises in 1991-93, and was accompanied by a change in doctrine regarding peacekeeping operations.

The establishment of the Kurd-inhabited «safe havens» areas in northern Iraq in April 1991 was achieved, not by any formal UN peacekeeping force, but by US, British and French forces. These were subsequently replaced by a small group of UN guards, who were entirely distinct from peacekeeping forces. This experience did, however, mark a decisive crossing of an important line about the requirements for action under UN auspices. There was no Iraqi consent to the initial incursion of coalition forces; and although there were subsequently Iraqi-UN agreements under which the UN guards were sent to northern Iraq, clearly Iraq's consent was in some measure the outcome of the earlier forcible incursion (?). This action under UN auspices, because it both saved large numbers of lives and showed some degree of ability to act against the wishes of a sovereign state, strongly influenced subsequent UN action in other crises.

Less than a year later, in the exceptionally difficult circumstances of the wars in former Yugoslavia, a second case arose in which the issue of consent was in practice more complex and nuanced than in the theory: and this time, a UN peacekeeping force was involved. The original Security Council resolution of February 1992 authorizing the United Nations Protection Force (UNPROFOR) in former Yugoslavia, while containing evidence of elements of consent, also specified that the Council was acting under its responsibility «for the maintenance of international peace and security» — a coded reference to Chapter VII of the Charter; and, by referring to Article 25 of the Charter, reminded states of their formal obligation to accept and carry out the decisions of the Security Council. Further, this resolution set UNPROFOR up for a definite term which was a matter for decision by the Security Council (8). All of this implied, at the very least,

(?) The texts of the agreements between the UN and Iraq are in UN doc. S/22663 of 31 May 1991. See also Lawrence Freedman and David Boren, «Safe Havens» for Kurds in Post-War Iraq, in Nigel Rodley (ed.), *To Loose the Bands of Wickedness: International Intervention in Defense of Human Rights*, Brassey's, London, 1992, pp. 43-92.

(8) Security Council Resolution 743 of 21 Feb. 1992, preamble and para. 3.

that although the operation began with a degree of consent of the parties, it might continue even without that consent. Subsequent resolutions have continued along similar lines.

Within a few months of the establishment of UNPROFOR, the downgrading of consent as an absolute requirement for peacekeeping was also apparent in Boutros-Ghali's *An Agenda for Peace*, published in June 1992. This famously defined peacekeeping as follows:

Peace-keeping is the deployment of a United Nations presence in the field, hitherto with the consent of all the parties concerned, normally involving United Nations military and/or police personnel and frequently civilians as well. Peace-keeping is a technique that expands the possibilities for both the prevention of conflict and the making of peace ⁽⁹⁾.

The «hitherto» in that definition became the subject of much comment from individuals and states. There were two main grounds for concern. First, that tried and tested principles of UN peacekeeping were being changed, and perhaps fatally weakened, without full discussion of all the implications; and second, many individuals and states (mainly small and/or developing ones) feared a new interventionism.

In Somalia, especially from December 1992 onwards, the criterion of consent has been further downgraded. There was no functioning government there to give or refuse consent. Also, as in Yugoslavia, the number of parties to the conflict and the disputes about their status made consent of all the parties hard to obtain and impossible to maintain. The UN Security Council explicitly referred to its powers under Chapter VII of the UN Charter when it made its decisions to establish the two principal forces in Somalia:

- a. *The US-led Unified Task Force (UNITAF)*, the multi-state force under US command which operated in Somalia from December 1992 to May 1993 ⁽¹⁰⁾. This is not generally regarded as a UN force, nor as a pure peacekeeping force, but rather as a UN-ortho-

⁽⁹⁾ *An Agenda for Peace*, para. 20.

⁽¹⁰⁾ UNITAF was authorized by SC Res. 794 of 3 Dec. 1992. This explicitly bases it on Chapter VII of the UN Charter.

alized force roughly comparable, so far as its legal basis and command system is concerned, to the US-led coalition forces in Korea in 1950-53 and in the Kuwait crisis in 1990-91. It had some liaison with the UN, and with the United Nations Operation in Somalia (UNOSOM I), the UN peacekeeping force which had been set up earlier in 1992, and whose inability to fulfil its mandate had led to the creation of UNITAF.

- b. The United Nations Operation in Somalia II (UNOSOM II)*, which took over responsibilities and personnel from UNITAF in May 1993. Although this is designated as a UN peacekeeping force, it was from the start a most unusual one. Its authorizing resolution departs in a number of ways from the traditional mandate of peacekeeping forces. It explicitly refers to Chapter VII, and clearly leaves room for a greater use of force than was typical for UN peacekeeping operations.

Thus in the post-Cold War era to UN peacekeeping forces, UNPROFOR and UNOSOM II, have been set up largely in the framework of Chapter VII of the UN Charter, and without relying on consent of the parties to quite the same extent as in earlier cases. This marks a very significant watershed in the history of the organization.

This reduction in the emphasis on consent has happened for good reasons, which include a desire to overcome the past weaknesses of peacekeeping, as in the Middle East in 1967. There has also been a need for a new approach to the issue of consent because in situations of chaos such as the UN has encountered recently a peacekeeping force cannot be allowed to have its entire continued existence dependent on the whim of every local leader.

Yet down-grading the consent of the parties as a key criterion for action takes peacekeeping into dangerous territory, involving it in a series of tasks for which it was hardly ready. The very lack of a formal Charter framework for all peacekeeping operations may have facilitated a tendency, evident in these cases, to regard peacekeeping as a flexible technique which can be radically adapted as regards its legal basis, its purposes, and its mode of operating; and to apply it to situations of great difficulty, where it is not necessarily appropriate.

Use of Force

Directly associated with the issue of consent is the issue of readiness to use force. In the past, UN forces had been empowered to use force when directly threatened, or when their central activities were being openly opposed: but they had seldom actually resorted to major uses of force. In connection with some peacekeeping operations in recent years there have been unprecedented threats and uses of force. Security Council resolution 836 of 4 June 1993, authorizing force in defence of UN safe areas in Bosnia, is a landmark in this regard.

In Namibia in April 1989, UN representatives authorized, or at least tolerated, a South African use of force against infiltrators from SWAPO (the South West Africa People's Organization): this was a necessary precondition for the success of the UN peacekeeping and election-monitoring operation.

Events in a number of recent conflicts, particularly those in Bosnia-Herzegovina and Somalia, have been seen as reinforcing the need to peacekeeping to have teeth. There has been proper revulsion over a situation in which parties to a conflict can, at will, stop the distribution of aid, prevent the rotation of UN peacekeeping troops, bombard cities, maintain cruel sieges, and commit war crimes: all with UN forces looking on, and seemingly powerless to act. The calls for action have been made stronger by the fact that UN forces frequently assist the passage of journalists, whose reports on what they have seen inevitably lead to demands to put things right.

An increased willingness to use force in support of UN purposes was apparent in certain passages of *An Agenda for Peace*. Enforcement was presented as an activity which would be likely to require separate and distinct forces:

Cease-fires have often been agreed to but not complied with, and the United Nations has sometimes been called upon to send forces to restore and maintain the cease-fire. This task can on occasion exceed the mission of peace-keeping forces and the expectations of peace-keeping force contributors. I recommend that the Council consider the utilization of peace-enforcement units in clearly defi-

ned circumstances and with their terms of reference specified in advance ⁽¹⁾.

In practice, what has happened has been different. The new breed of UN «peace-enforcement units» envisaged in *An Agenda for Peace* has not been created. Instead, the functions envisaged for it have been assigned in an *ad hoc* manner to national forces (as in Namibia, and with certain US actions in Somalia), to NATO forces (as in the air exclusion zone over Bosnia and also in the Sarajevo exclusion zone), and to UN peacekeeping forces themselves (as with certain aspects of the operations in former Yugoslavia and Somalia).

One form of association of peacekeeping with a readiness to use force in preventive deployment. Since December 1992, part of UNPROFOR in former Yugoslavia has been stationed in Macedonia to discourage possible attacks on that former Yugoslav republic. This kind of preventive deployment may have considerable potential, and is one of the most interesting new uses of peacekeeping forces. However, it is a much more directly military function than past peacekeeping efforts. It is not certain that the label «peacekeeping» is appropriate in such a case.

The main practical problems arising from the greater willingness to use force in connection with peacekeeping operations have arisen, not in the context of preventive deployments, but rather in cases of continuing conflict where action needs to be taken. When, as in Somalia and Bosnia, local parties defy existing agreements, and also the Security Council's pronouncements, the demand for action becomes strong, but the dilemmas involved are difficult.

The first dilemma is that any strong use of force, by or on behalf of peacekeepers, may help restore their credibility, but it may also increase the risks to lightly-armed peacekeepers in vulnerable positions. As events in Somalia have suggested, they may be more exposed to attack, robbery, or being taken hostage than they were before. Regarding Bosnia, this fear led to repeated discussion of the possibility that peacekeepers might have to be withdrawn before any military action was taken: in which case, the much-discussed «peacekeeping with muscles» would have involved a signi-

⁽¹⁾ *An Agenda for Peace*, para. 44.

ficant diminution in the range of activities which peacekeepers could undertake.

The second dilemma, closely related to the first, is that the use of force in complex civil wars frequently involves killing and injuring civilians as well as armed adversaries. If such things happen, as they did in Somalia in 1993, accusations of acting in a brutal or colonial manner are bound to be made: neither the UN nor its leading members are immune from such accusations. Military disasters may result from air strikes, from naval artillery bombardments, and from actions by ground forces. If such dangers are to be minimized, there is a need for local knowledge, first-class intelligence, good decision-making, and skilled performance of military tasks. Not all UN forces and procedures are notably strong in all these respects.

The third dilemma is that some (though not all) uses of force risk undermining perceptions of the impartiality of the particular peacekeeping force involved. Such forces often have grave difficulties in maintaining their impartiality anyway, especially if, as in Bosnia, humanitarian aid is needed more by one side than by another. A peacekeeping force, like any other force in an alien land, needs local allies and supporters, and will need them even more if it is engaged in hostilities. In such circumstances, impartiality must be a casualty. There may even be some risk that the impartiality of UN peacekeeping forces generally, and indeed of the UN itself, may be undermined.

The fourth dilemma is that, while the UN system of decision-making is not well geared to controlling major uses of force, there must be a reluctance to leave the decision to others when the lives of peacekeepers and the reputation of the UN are at stake. Hence the long and complex discussions over the authority to use force in Bosnia — a matter in which national governments, NATO collectively, the UN Secretary-General, the UN Security Council, and the commanders of UNPROFOR in former Yugoslavia and Bosnia, all felt entitled to have a key role, or even veto. The UN's lack of serious institutional machinery for long-term strategic planning of particular operations only reinforced the weakness of this process.

Despite all these dilemmas, the need for some intelligent means of using force in support of peacekeeping operations remains. If such means cannot be found, those operations will inevitably suffer a decline in credibility. Indeed, this already happened in 1993. The travails of the UN, and

of the Western powers generally, in Bosnia and Somalia led to a decline in their credibility in certain other situations, including Haiti.

Some attempts have been made to work out a new strategic role for the UN. Kofi Annan, UN Under-Secretary-General for Peacekeeping Operations, said in an article in late 1993:

Today's conflicts in Somalia and Bosnia have fundamentally redrawn the parameters. It is no longer enough to implement agreements or separate antagonists; the international community now wants the United Nations to demarcate boundaries, control and eliminate heavy weapons, quell anarchy, and guarantee the delivery of humanitarian aid in war zones. These are clearly tasks that call for «teeth» and «muscle», in addition to less tangible qualities that we have sought in the past. In other words, there are increasing demands that the United Nations now enforce the peace, as originally envisaged in the Charter ⁽¹²⁾.

Kofi Annan suggested that NATO could have a key role in the «peacekeeping with teeth» he was advocating. He saw the involvement of NATO in peacekeeping operations as a major way past the main obstacle to success which he identified in the article — namely the reluctance of member states to translate commitment into action through supply of funds and forces. His article foreshadowed the discriminate and effective uses of air power in February 1994 in Bosnia, both to enforce the controls on artillery in the Sarajevo exclusion zone, and to stop military flights by belligerents. Yet this use of the threat and reality of air power, although it contributed to decisions to send additional Russian and British troops to Bosnia, has not totally transformed the general reluctance of states to commit ground forces in Bosnia while the risks there remain high. This reluctance is the product of factors which are enduring and not necessarily discreditable: a worry that the aims of an operation may be uncertain, mistaken, or the subject of disagreement between major powers; a nervousness about risking lives in a conflict in which national interests do not seem to be directly

⁽¹²⁾ Kofi A. Annan, «UN Peacekeeping Operations and Cooperation with NATO», *NATO Review*, vol. 41, no. 5 (October 1993), p. 4.

engaged; and a fear that major uses of force by peacekeepers could simply drag the UN down to the level of the belligerents.

Force, and the threat of force, have a role in the new peacekeeping. However, any applications of force has to be discriminate both in the choice of situations in which it is brought to bear, and in the timing and manner of its application. To rush into a generalized advocacy of the use of force, on a misguided assumption that the UN can succeed where so many states and empires have failed, is to invite disaster. The risks in the expansion of the concept of peacekeeping which we are currently witnessing, and of proposals for increased willingness to use force, are obvious. Major military activities in the name of peacekeeping may get mired in controversy, and tainted by failure. In the process, it is possible that traditional peacekeeping could suffer — with serious effects both on the willingness of states to agree to the presence of such forces, and the willingness of donor countries to provide the desperately needed funds and forces without which no peacekeeping operation can get off the ground.

Involvement of the Permanent Five and Other Powers

Since 1992, peacekeeping operations have involved participation by military units from all five permanent members of the Security Council, and from neighbours or near-neighbours (such as Thais and Chinese in Cambodia). They have also involved participation from powers which had hitherto been constitutionally prevented from sending their armed forces into action abroad (Japan and Germany, in Cambodia and Somalia respectively). These developments suggest that peacekeeping operations have become a symbol of the determination of the international community to see its decisions implemented. They constitute additional evidence that peacekeeping has a more coercive aspect than hitherto. They also pose problems: major powers are naturally anxious to keep a degree of control over their forces, and there are inevitably concerns that their forces may reflect national military styles, and may serve national as well as international purposes.. The US participation in UNOSOM II in Somalia from May 1993 to March 1994 provided a vivid and at times tragic illustration of such problems.

4. IN WHAT TYPES OF CRISIS CAN UN PEACEKEEPING USEFULLY BE INVOLVED?

In face of the crises which have now arisen, especially in Angola, Bosnia, and Somalia, a crucial issue to address is: in which types of situation is peacekeeping appropriate, and in which not?

For its first several decades, virtually all UN peacekeeping was in areas which had experienced European colonialism and subsequent decolonization. In these areas, common problems of decolonization were encountered. New states emerged which lacked legitimate borders, regimes, and institutions; and in some cases lacked a notion of civic identity. In many parts of the post-colonial world the great powers could agree on keeping out of such conflicts, and trying to prevent their internationalization. In these circumstances, handling the matter through UN peacekeeping was usually a convenient, and sometimes an effective, approach.

It is notorious that the interposition of lightly-armed UN peacekeeping forces only really had an effect locally when there was already some willingness on the part of warring states or groups to stick to a cease-fire: as there was, at various times, in Cyprus, and also between Israel and some of its neighbours. True, UN peacekeepers did also eventually succeed in what turned out to be a thoroughly interventionist military mission in the Congo in the 1960s. But that experience, which was traumatic for the UN, illustrated the difficulties and well as the possibilities of a more direct military role.

The use of UN forces in civil wars has increased markedly in recent years, including in Angola, Cambodia, El Salvador, Georgia, Mozambique, Rwanda, Somalia, and former Yugoslavia. Tragic circumstances have led to persuasive calls for intervention, to which the UN has in many cases responded. This vastly increased use of UN peacekeeping and observer forces in bitter intra-state as well as inter-state conflicts raises serious problems⁽¹³⁾.

In many of these cases there has not been an effective cease-fire, nor even any clear front lines; and the problems confronting UN forces have challenged many traditional assumptions of peacekeeping, including the

⁽¹³⁾ For thoughtful recent analyses, see Goulding, «The Evolution of UN Peacekeeping», pp. 451-64; and Alan James, «Internal Peace-keeping: A Dead End for the UN?», *Security Dialogue*, vol. 24, no. 4 (December 1993), pp. 359-68.

principles of operating on the basis of consent, impartiality between the parties, and non-use of force except in self-defence. These recent interventions also raise a deeper question. Is such a pattern of intervention justified, or is the UN, at least in some cases, taking on problems which it is in fact incapable of solving?

Some of the challenges now faced by the UN are not in themselves of a wholly new character: there have been some bitter civil and international wars in earlier decades (for example, in China before the 1949 revolution, in Vietnam for thirty years after 1946, and in Nigeria in the late 1960s) in which the UN did not get directly involved. What is new is not so much the number of conflicts, but rather the Security Council's ability to reach a decision to act in many (though by no means all) cases.

A second, and equally serious, set of challenges of the post-Cold War era are those posed by the process of fission in the collapsed states of former Yugoslavia and the former Soviet Union. The crises arising from the disintegration of these federal states have proved in some respects no less difficult than the crises following European decolonization a generation earlier. They have raised questions about the appropriateness of asserting the instant and undifferentiated applicability of certain vital principles derived from the somewhat different context of inter-state relations. The principle that the changing of frontiers by force can never be accepted is fundamental in contemporary international relations, and was immediately invoked by the international community in connection with the Yugoslav crisis (¹⁴). It was held to be applicable both because of the characterization of the crisis as a conflict between states, and because dangerous precedents could be set by successful grabs for territory on largely ethnic grounds. Yet there must be a question as to whether it was wise to express this legal principle so forcefully in the special context of the disintegration of federal states where, as in this case, some of the existing «frontiers» have no physical existence and lack both logic and legitimacy, where there are such deepseated ethnic problems, and where almost any imaginable out-

(¹⁴) See e. g. the Declaration of 3 Sept. 1991 of the CSCE states; SC Res. 713 of 25 Sept. 1991, and numerous subsequent Security Council resolutions; the Statement on the Situation in Yugoslavia, issued by the North Atlantic Council meeting in Rome, 7-8 Nov. 1991, para. 2; and the Statement of Principles adopted on 26 Aug 1992 by the London Conference on the Former Socialist Federal Republic of Yugoslavia, para. II.

come short of massive conflagration involves some *de facto* success for those who have sought to change frontiers by force.

It is sobering to reflect that following European decolonization the taboo against changing frontiers by force operated more or less effectively for decades: whereas in parts of former Yugoslavia and the former Soviet Union, it broke down within weeks or months of the achievement of independence. There remain many problems in these areas which may yet draw in the UN, and risk involving it in deep and unrewarding entanglements. In former Yugoslavia, as if there were not already crises and conflicts enough, there is the possibility of a deeper UN involvement in Bosnia, Croatia, and Macedonia; not to mention within Serbia, where the vulnerable position of Albanians in Kosovo, and Hungarians in Vojvodina, may yet lead to pressures to intervene. In the former Soviet Union, there are already several major wars within and between successor republics.

There is no reason, apart from prudence and exhaustion, why the UN should not involve itself directly in the post-Soviet conflicts — or at any rate in the ones which can be considered inter-state in character. In fact, however, the UN as an institution, and its leading member states, have been nervous about getting involved in these conflicts in the ex-URSS. There have been many UN missions there, but no serious UN peacekeeping operations apart from the very small and near-irrelevant UN Observer Mission in Georgia (UNOMIG). This reluctance of outside powers, and of the UN, to get involved in peacekeeping in the former Soviet Union poses an awkward problem. Those who advocate a universal and consistent system of UN peacekeeping need to take account of the understandable weariness of institutions and states when faced with so daunting an array of conflicts. A regional approach may be required.

The Russian government clearly realises that the international community is not about to launch into a major series of peacekeeping operations in the former Soviet Union. Instead, it is seeking some kind of international association with actions that may be taken in the «near abroad». On 4 February 1994, Russian defence minister Pavel Grachev appealed for a strong UN mandate to carry out peacekeeping missions in the former Soviet republics. He was quoted as saying: «Some Western countries reproach us for sending too few peacekeepers to Bosnia, but we have already allocated more than 16 000 servicemen to carry out peacekeeping missions in the former Soviet Union. We carry out an important task and deserve

a stonger UN mandate to accomplish it ⁽¹⁵⁾. Needless to say, the government of many former Soviet republics view such statements as evidence of a sinister attempt to recreate a collapsed empire. It is certainly true that any interventions are bound to have a different character from any known form of UN peacekeeping. However, this is not a reason to reject the Russian appeal out of hand: the international community could engage in a serious dialogue with Russia about the circumstances, legal basis, national composition, and functions of future peacekeeping missions in the former Soviet Union.

The problems involved in any such missions are vast. The situations which the post-Cold War order has thrown up — Somalia, former Yugoslavia, and the former Soviet Union providing the clearest examples — are in many cases peculiarly difficult to tackle by means of UN peacekeeping. In particular:

- There is no reliable cease-fire between the parties, so fighting continues.
- The bewildering array of non-state and state entities involved, and of regular and guerrilla forces, mean that it is unclear which individual leaders actually have the capacity to reach agreements and implement them.
- There is no single, stable or clear front line between the parties of a kind which a peacekeeping force might be able to patrol.
- Peacekeeping troops dispatched to these countries are in a situation of great danger, and protecting themselves may well find that they have to lean toward, or against, particular parties to a dispute, thus endangering their much-valued impartiality.

One could conclude from all this that the UN must confine its activities rigidly to situations in which it can stick safely to what is seen (rightly or wrongly) as the classic approach to peacekeeping: operating with consent of the parties, avoiding the use of force except in immediate self-defence, and maintaining impartiality between the parties to a conflict. Whether or not there ever was a pure golden age of peacekeeping, such a simple return to the old approach seems inadequate. Peacekeeping has changed

⁽¹⁵⁾ Reuter report from Moscow, *International Herald Tribune*, London, 5-6 February 1994, p. 4.

because its old incarnations had faults, and also because the challenges it faces have changed. New approaches are certainly needed in face of new challenges.

Yet new approaches will be of no use whatsoever if those involved in UN decision-making adopt an unimaginative and mechanical approach to their implementation. There is a strong tendency in UN circles to talk of «preventive diplomacy», «preventive deployment», «peacekeeping», «peace makin», and «peace-enforcement», as if between them these techniques constituted a full set of UN tools for addressing virtually any problem. They do not. There are many problems, of many types, which have eluded the best efforts of statesmen to address them over centuries, and will do so again. If we are to grasp the real opportunities which the present moment in international history offers, we need to temper our enthusiasm with a sense of tragedy, an awareness of the sheer difficulty of problems now being faced, and a recognition that every crisis is unique. There are no reach-me-down tool-kits or all-purpose answers.

The pressures on an international organization to tackle all problems impartially, in accord with agreed criteria, are very great. Unlike states, the UN cannot simply proclaim lack of direct interest in a conflict as a reason for non-involvement. Hence *An Agenda for Peace* becomes, only too easily, an agenda for endless involvement. This agenda — with its unpalatable consequences in terms of burdens undertaken, peacekeepers' lives lost, heavy expense, and political fall-out — inevitably produces its own reaction. All sorts of agendas appear on how *not* to get involved in distant conflicts.

It is sometimes suggested that the UN should simply steer clear of civil wars. It was not designed to tackle them, its Charter does not deal with them and many involvements in civil wars have been costly and unrewarding. However, such a rule of thumb, saving the UN from involvement in one major class of trouble, could hardly work in practice. Many, even most, civil wars are also at the same time international wars, or at least have a large and potentially dangerous international dimension. Further, the UN has had some notable successes in helping end certain largely internal conflicts, including in El Salvador and Cambodia ⁽¹⁶⁾.

⁽¹⁶⁾ For a balanced discussion of the difficulty of tackling civil wars, see Alan James, «Internal Peace-keeping: A Dead End for the UN?».

An attempt to devise an even more radical rule of thumb for avoiding foreign involvement is the division of the world into «zones of peace» and «zones of turmoil». In this view, 85 per cent of the world is assigned to the latter category, and there is little to be done about it ⁽¹⁷⁾. This pessimistic approach, reminiscent of ancient divisions of the world into «civilized nations» and «barbarians», is hardly a complete description of the world, the troubles of which are not neatly parcelled into zones. Yet it has strengths, including in its appeal to an understandable isolationist instinct in the USA following periods of heavy overseas involvement and numerous disappointments.

Other attempts to devise criteria to limit UN activities have included President Clinton's speech at the United Nations General Assembly on 27 September 1993, in which he warned against the UN's reach exceeding its grasp, and suggested conditions for US participation in new missions, including:

- Is there a real threat to international peace?
- Does the proposed mission have clear objectives?
- Can an end point to UN participation be seen?
- How much does it cost?

These suggested conditions are hardly new, or are they problem-free. In particular, the characteristic and understandable US anxiety to work out in advance an end-point to an operation, coupled with the equally understandable US worry about casualties, can actually encourage local leaders in a course of obstinacy, knowing that they can outlast an embattled peacekeeping force. Problems such as these — as well as difficulties over sensitive issues of funding, and also subjecting US troops to foreign command — help to explain the repeated delays in 1993 and early 1994 in finalising President Clinton's long-awaited policy document, or Presidential Decision Directive, on the subject of peacekeeping and peace-enforcement.

⁽¹⁷⁾ Max Singer and Aaron Wildavsky, *The Real World Order: Zones of Peace, Zones of Turmoil*, Chatham House Publishers, Chatham, New Jersey, 1993.

There is simply no substitute for the exercise of judgement about involvement or non-involvement in particular conflicts. Above all, in the post-Cold War era, the members of the Security Council need to be discriminating both in which problems they tackle, and the manner in which they do so. They need to be discriminating in two ways: (1) There is sometimes a case for deciding not to tackle a problem, even if it is desperately serious, and even if it constitutes a threat to international peace and security. If there is insufficient will to stay the course, or no clear idea of what solution the UN seeks to bring about, or no adequate local basis for seeing to the implementation of a settlement, it may be best for the UN to avoid undertaking a burden which is likely to end with a humiliating exit. (2) In cases where the UN does decide to set up a peacekeeping operation, it needs to have a clear overall strategic purpose, and an operation geared to the particular needs of the country. Yet the UN is not always good at long-term strategic thinking. One of the reasons for this is inherent in the whole process of multilateral diplomacy. It is very difficult to get all the members of the Security Council to agree on the terms of resolutions dealing with immediate crises, without worrying about long-term goals, consideration of which can always wait.

5. WHAT KEY ISSUES NOW NEED TO BE ADDRESSED?

Despite its current difficulties, UN peacekeeping still has some solid qualities which it should not lose in the new era. UN peacekeeping is still, in many parts of the world, acceptable in a way that a purely national or even regional military presence would not be. Further, UN peacekeeping has an impressive record of achievement in isolating some conflicts from regional or great power rivalry.

The UN has been compelled to confront the severe problems of peacekeeping in situations of endemic conflict, but is bound to have grave difficulty in coming up with answers. The problem is not just that the UN lacks a satisfactory command system capable of taking quick decisions and able to coordinate effectively the many different types of force and national contingents deployed. There is as yet little sign of the emergence of a satisfactory doctrine or practice regarding operations which have an essentially hybrid character, involving elements of both peacekeeping and enforcement.

An important question of terminology follows. It must be doubtful whether it is right to hijack the respected term «peacekeeping» and apply it to actions which are not based on the full consent of all the parties, and which involve extensive use of force. Is there not something Orwellian about this, as also in such terms as «peace-enforcement»? Turning a familiar saying on its head, one could comment on much recent action and discussion in the field of peacekeeping: «C'est magnifique, mais c'est la guerre.» And yet what has happened undoubtedly represents an evolution of peacekeeping, has preserved some of its characteristics, and has overcome some of its earlier weaknesses. It would be politically impractical, and doctrinally unwise, to try to give current UN multi-national military operations a new name.

The extent of UN control over peacekeeping operations remains inevitably unclear. The experience of peacekeeping operations in several countries, particularly Yugoslavia and Somalia, has exposed the problematic relation between UN command and national command. States supplying forces, and their commanders in the field, have remained independent decision-makers, reluctant to defer to UN command, especially in matters relating to the safety of their troops, or to the use of air power or other advanced weaponry. Indeed, the simple proposition could be advanced: the greater the elements of military risk in an operation, the more will governments be nervous about handing over control of their forces to the UN.

If peacekeeping is to adapt successfully to even some of the difficult problems it is asked to tackle, the following issues must be addressed.

a. *Criteria for Involvement in Particular Conflicts*

As disappointment with the idea of a universal system of peacekeeping grows, there is an urgent need for reconsideration of the criteria to be used by national governments, and by the UN, in discussions about whether peacekeeping forces are an appropriate response to particular conflicts. There are signs that states are retreating from the idea of universal obligations in defence of international norms into a reliance on the familiar, and sometimes extremely limited, concept of national interest. While such a reaction is inevitable, there is a need to consider other criteria as well.

The most important is whether a given conflict is of such a type that the UN has a significant comparative advantage in addressing it.

b. Management by the Security Council and Secretariat

The methods of decision-making and management in respect of UN peacekeeping operations are odd and are likely to come under increasing scrutiny ⁽¹⁸⁾. Indeed, the more the UN has to be discriminating about its involvements, the more important it will be that its decisions are seen to be the work of bodies whose composition is accepted as legitimate, and whose work is procedurally fair.

Defects in the actual management of peacekeeping forces are commonly said to be the result of «UN bureaucracy», but that broadbrush accusation often misses the mark. The so-called bureaucracy is actually quite small, and among its numerous problems are the need to follow procedural arrangements established by the General Assembly; and to abide by rules and regulations which result from attempts to ensure financial efficiency. The requirements for competitive bidding for materials needed by forces in the field, imposing as they do terrible delays, are a notorious case in point.

One central problem so far as management is concerned is the lack of a serious acceptance of responsibility by any one individual or country for the efficient running of an operation. When things go wrong, the UN system provides far too many possibilities of buck-passing, not only within the organization, but more importantly between member states on the one hand and the organization on the other. Many things are going wrong in peacekeeping at the moment—so much so that the Security Council and the Secretariat may come to be seen as thoroughly fillible bodies. The question is bound to arise: what realistically can be done to prevent the recurrence of mistakes and disasters? There will only be a real interest in the important cause of improving the UN management of peacekeeping forces if there is also confidence in the judgements made at the UN. The answer from national capitals may well be the dismal one that states will become more, not less, cautious about contributing money and forces for UN operations.

⁽¹⁸⁾ For a fine survey, see Mats R. Berdal, *Whither UN Peacekeeping?*, Adelphi Paper 281, International Institute for Strategic Studies, London, 1993.

c. Intelligence, Command and Control

In difficult and dangerous operations, officers naturally want the best systems of intelligence, and the best forms of command and control, that they can get. They need quick decisions, and ones in which they can have some trust. Inevitably, at present they tend to fall back onto the resources of their own countries in these matters. Thus a multi-national peacekeeping force may have different contingents pulling in different directions. Any answer to this problem needs to go well beyond the action taken in 1993 — the creation of the «situation room» at UN Headquarters in New York, intended to keep lines open to all ongoing peacekeeping operations at the same time. Among other actions needed is the appointment, for each operation, of a better equipped directing group, with more resources at its disposal. There is a very strong case for setting up an integrated task force at UN Headquarters for each peacekeeping operation.

It remains an open question whether such a directing group might sometimes be best created on a national basis, and answerable to its country's institutions, rather than on an international basis, answerable to the Secretary-General and the Security Council. It may be that the demands of peacekeeping in situations of great danger will lead to peacekeeping — like the authorization of force in Korea and the Gulf — being «subcontracted» to a particular country or regional organization, which would play a lead role in a given operation. Despite obvious failings, such as those of the US in Somalia, states may sometimes be better at long-term management of operations than is the UN. Syria's role in Lebanon has in some respects been more effective than those of either the UN or the multi-national peacekeeping forces which have operated there.

d. Use of Force by or on Behalf of Peacekeeping Forces

Peacekeepers in contemporary conflicts have been under intense pressure to use force for various purposes, including of humanitarian relief, punishment of attacks on UN personnel, prevention of atrocities or flagrant aggression, and compelling parties who have agreed to a peace settlement to comply with it. Such pressure to take military action has raised several problems. UN troops may have to choose between losing credibility and losing impartiality. They risk being perceived simply as one additional

belligerent party. They may readily become targets for retaliation. In many situations, UN peacekeeping forces must of necessity avoid major uses of force. They may be of insufficient size, lacking in major armaments, restricted by their mandates and the views of their national governments, and lacking the popular political support to engage in major offensive operations.

Yet the costs of military inaction by UN forces may be high. As in Yugoslavia, UN forces may be formally defined as a protection force, yet unable to protect beleaguered local communities. They may be unable to prevent or punish visible and continuing atrocities. The situations in Bosnia, until the developments of February 1994, exposed the stark problems of attempting a peacekeeping operation in a situation where there is no peace to keep. The Bosnian Muslims' perception of an ineffectual UN was compounded by its arms embargo on former Yugoslavia, which has affected them heavily: they argue that this deprived them of the right of self-defence at a time when the UN was unable to provide any other protection.

The UN Security Council will have to be willing to authorize certain uses of force in connection with peacekeeping operations, especially in situations of endemic civil war. US uses of force in Somalia in 1993, and NATO's uses of air power in Bosnia in February 1994, are illustrations of a significant trend in this direction. Yet ensuring that any use of force is geared to realizable objectives and remains controlled is astonishingly difficult. There is bound to be a risk of UN forces behaving like a beleaguered colonial garrison. It is very hard to achieve fairness and balance in the use of force within a country, as between the various parties to a conflict; and it is equally hard to achieve anything like fairness and balance in the choice of conflicts in which force is authorized. There are almost bound to be accusations of «double standards».

e. The Question of Privileging UN Forces

With peacekeeping troops in obvious danger in many contemporary conflicts, a peculiarly difficult question is emerging, or rather re-emerging. When UN peacekeeping forces are involved in hostilities, are they to be regarded (at least for the purposes of the operation of the laws of armed conflict) simply as belligerents, on an equal footing with other parties?

Or are they in some way in a superior position ⁽¹⁹⁾? In recent years there has been a revival of the idea that UN forces are entitled to receive assistance and cooperation from local parties, at least when carrying out such tasks as delivery of humanitarian aid. This can easily lead to the argument that those who oppose or threaten UN forces are in some way «outlaws». While it is natural to want to give UN forces a privileged status as against other parties, there are potential dangers in any doctrine or practice of this kind. It could lead to a new kind of colonial mentality, and to a general undermining of the laws of war because UN forces failed to treat their adversaries as legitimate belligerents.

UN peacekeeping and observer forces are inevitably involved in other complex issues connected with the laws of war, or what is now widely called international humanitarian law. For example, the conflicts in former Yugoslavia have forced them to confront the issue of how to respond to massive violations of the most basic rules of war by belligerents. Inasmuch as a clear answer has emerged, it appears to be that information on violations may be recorded and passed on, at least by some national contingents through their own national authorities; but UN peacekeepers have not yet been involved in actually arresting suspected war criminals and holding them for trial.

Quite apart from such international legal issues, the expansion of UN peacekeeping activities has highlighted a huge range of ethical and disciplinary issues: there have been reports of UN personnel being involved in the illicit sale of diesel oil, use of child prostitutes, and illegal smuggling. As well as better training (discussed below), such practices point to the need for a stronger and more uniform code of discipline.

J. The Changing Meaning of Impartiality

In UN peacekeeping, impartiality is no longer in practice interpreted to mean in every case impartiality between the parties to a conflict. In some conflicts there may, and perhaps should, be more toughness with one party than with another, or more aid to one than another. In several cases since 1988 in which UN peacekeeping has been involved, there have

⁽¹⁹⁾ For earlier discussions, see e. g. the 1971 Zagreb Resolution of the Institute of International Law on «Conditions of Application of Humanitarian Rules of Armed Conflict to Hostilities in which United Nations Forces May Be Engaged», reprinted in Adam Roberts and Richard Guelff (eds.), *Documents on the Laws of War*, 2nd edn., Oxford University Press, 1989, pp. 371-5.

also been economic sanctions against a particular state or party. There have also been some arms embargoes. Yet there are important elements in the notion of impartiality which should not be lost, including the idea that the UN represents a set of interests, values and tasks which are distinct in some respects from those of any one belligerent. In some operations, «impartiality» may have come to mean, not impartiality between the belligerents, but impartiality in carrying out Security Council decisions.

g. The Question of Permanent Armed Forces

The idea of a standing UN force comprised of professionals recruited on a voluntary basis has been advanced by Sir Brian Urquhart ⁽²⁰⁾. There has also been some discussion of having UN standing forces on some other basis — for example through the hitherto moribund Article 43 of the Charter. Such proposals are not limited to peacekeeping. A standing force along one or other of these lines would have the merit that it would give the Secretary-General and/or the Security Council a capacity for a fast military response in certain crises, for example in assisting a state threatened by external attack. However, the proposal faces problems. The sheer variety of tasks tackled by the UN make it improbable that a standing force could be ready for all of them. The proposal is of limited relevance to certain key challenges faced by the UN. Somalia and Bosnia have cast doubt on the capabilities of even quite large professional forces to carry out difficult tasks: in these cases it is more the fact of involvement, the specific mandates of the forces, and the decision-making procedures under which they operate, which are the main issues for debate. Further, the volunteer force proposal has run up against the familiar problem that governments seem resistant to the idea of endowing the UN with an independent military capacity, and to financing it.

h. Involvement in Administration and Trusteeship

In countries in which the UN has become involved in peacekeeping because of a general breakdown of government, the organization and its leading members are deeply reluctant to take over responsibility for govern-

⁽²⁰⁾ See Brian Urquhart, «For a UN Volunteer Military Force», *New York Review of Books*, 10 June 1993, pp. 2-4, and comments in subsequent issues.

ment. For the most part the UN role in government has been confined to administrative assistance, training, helping to hold or monitor elections, and generally giving advice. In some countries where government scarcely exists, such roles are inadequate, and the question of a more direct if hopefully temporary administration has to be addressed. Naturally it is not a popular subject to raise. We may be in an imperial situation today, but who are the imperialists? Except in cases of regional hegemony, old-fashioned forms of the direct exercise of dominance are out of fashion. No country is rushing to take up the White Man's Burden. In some circumstances there may be good reasons to establish a temporary externally-imposed administrative system, at least when such a proposal has the active support of all parties to a dispute. The absence of an administrative role may sometimes have the effect of restricting the options available to UN forces to primarily military ones.

i. *Language*

UN forces are often crippled by language problems, of two kinds. First, different contingents in the same force may have great difficulty in communicating with each other: there have been much-publicized cases of this in Bosnia. Second, the contingents may not be able to communicate effectively with the local population: this is particularly crippling where there is a need for intelligence, policing and administration.

j. *Training*

Troops involved in UN peacekeeping forces have been, and are, of extraordinarily uneven quality. Despite the UN's urgent need for such forces, there must be a higher basic standard which forces are required to meet before they can be dispatched in a peacekeeping mode. This is one matter which some states and their armed forces are already beginning to address.

k. *Finance*

Setting up a UN peacekeeping operation has been aptly called a «financial bungee jump». Peacekeeping is in a more or less continuous

state of financial crisis. The system of apportionment of peacekeeping costs among UN member states has caused problems with various major powers. The United States has long been expected to bear over 30 per cent of the costs and wants that figure reduced to 25 per cent. Russia is also concerned about the present system, partly because it faces heavy tasks maintaining order in its immediate environment. By contrast, over 150 states are apportioned for peacekeeping at either one tenth or one fifth of their regular UN dues: a situation which requires some modification.

In conclusion, the problems which peacekeeping now faces, and will go on facing in coming years, are such as to confirm that we are very far still from any form of global governance that involves a truly global capacity for peacekeeping. The system of UN peacekeeping is, and is likely to remain, patchy, *ad hoc*, and more appropriate to some situations than to others. It is vital that its achievements, its reputation, and its future possibilities should not be undermined by its application to too many conflicts, and by failure to address some of the hard questions it now faces.

Adam Roberts

APPENDIX: LIST OF UN PEACEKEEPING AND OBSERVER
FORCES (*)

This is a chronological list of the the thirty-three UN peacekeeping and observer forces whose composition includes military or police units contributed for the purpose by member states. This list does not refer to smaller special missions, investigatory panels, election monitors where there was no peacekeeping element, advisory groups, or deployments of UN guards. Nor does it include the UN authorized forces in Korea 1950-3 and in the Gulf 1990-1, nor the Unified Task Force (UNITAF) in Somalia in 1992-3.

Information is given in the form: *Name of force (acronym), location, years of operation, a principal authorizing resolution. Maximum strength Strenght on 31 March 1993 (if applicable)*. There are some variations on this format, especially as regards recently established forces.

(a) *Established Up to 1978*

1. *United Nations Truce Supervision Organization (UNTSO)*, several areas in the Middle East, 1948-?, SC Res. 54 of 15 July 1948. Maximum strength: 572 (1948). Strength in March 1993: 239.
2. *United Nations Military Observer Group in India and Pakistan (UNMOGIP)*, Jammu and Kashmir, 1949-?, SC Res. 47 of 21 April 1948. Maximum strength: 102 (October 1965). Strength in March 1993: 38.
3. *United Nations Emergency Force (UNEF I)*, Suez Canal, Sinai, Gaza, 1956-67, GA Res. 1000 (ES-I) of 5 November 1956 and GA Res. 1001 (ES-I) of 7 November 1956. Maximum strength: 6073 (February 1957).
4. *United Nations Observer Group in Lebanon (UNOGIL)*, Lebanon, 1958, SC Res. 128 of 11 June 1958. Maximum strength: 591 (November 1958).

(*) This list is adapted from the one published in Roberts and Kingsbury (eds.), *United Nations, Divided World*, 2nd edn., 1993, pp. 538-41. Information on last four operations listed is from Foreign and Commonwealth Office.

5. *United Nations Operation in the Congo (Opération des Nations Unies pour le Congo=ONUC)*, Republic of the Congo, 1960-4, SC Res. 143 of 14 July 1960. Maximum strength: 19 828 (July 1961).
6. *United Nations Security Force in West New Guinea (UNSF)*, established to assist the *United Nations Temporary Executive Agency (UNTEA)*, West Irian, 1962-3, GA Res. 1752 (XVII) of 21 September 1962. Maximum strength: 1576.
7. *United Nations Yemen Observation Mission (UNYOM)*, Yemen, 1963-4, SC Res. 179 of 11 June 1963. Maximum strength: 189.
8. *United Nations Peacekeeping Force in Cyprus (UNIFICYP)*, Cyprus, 1964-?, SC Res. 186 of 4 March 1964. Maximum strength: 6411 (June 1964). Strength in March 1993: 1531.
9. *Mission of the Representative of the Secretary-General in the Dominican Republic (DOMREP)*, Dominican Republic, 1965-6, SC Res. 203 of 14 May 1965. Strength: 2.
10. *United Nations India-Pakistan Observation Mission (UNIPOM)*, India-Pakistan border, 1965-6, SC Res. 211 of 20 September 1965. Maximum strength: 96 (October 1965).
11. *United Nations Emergency Force II (UNEF II)*, Suez Canal, Sinai, 1973-9, SC Res. 340 of 25 October 1975. Maximum strength: 6975 (February 1974).
12. *United Nations Disengagement Observer Force (UNDOF)*, Golan Heights, 1974-?, SC Res. 350 of 31 May 1974. Authorized strength: 1450. Strength in March 1993: 1121.
13. *United Nations Interim Force in Lebanon (UNIFIL)*, southern Lebanon, 1978-?, SC Res. 425 and 426 of 19 March 1978. Authorized strength: 7000. Strength in March 1993: 5216.

(b) *Established Since 1988*

14. *United Nations Good Offices Mission in Afghanistan and Pakistan (UNGOMAP)*, Afghanistan and Pakistan, April 1988-March 1990, SC Res. 622 of 31 October 1988. Maximum strength: 50 (May 1988).
15. *United Nations Iran-Iraq Military Observer Group (UNIIMOG)*, Iran and Iraq, August 1988-February 1991, SC Res. 598 of 20 July 1987 and SC Res. 619 of 9 August 1988. Strength 399 (June 1990).
16. *United Nations Angola Verification Mission (UNAVEM I)*, Angola, January 1989-June 1991, SC Res. 626 of 20 December 1988. Maximum strength: 70 (April-December 1989).
17. *United Nations Transition Assistance Group (UNTAG)*, Namibia and Angola, April 1989-March 1990, SC Res. 435 of 29 September 1978 and SC Res. 632 of 16 February 1989. Maximum military strength: 4493 (November 1989).
18. *United Nations Observer Group in Central America (ONUCA)*, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, December 1989-January 1992, SC Res. 644 of 7 November 1989. Maximum strength: 1098 (May 1990).
19. *United Nations Iraq-Kuwait Observer Mission (UNIKOM)*, Kuwait-Iraq DMZ, April 1991-?, SC Res. 689 of 9 April 1991 and SC Res. 806 of 5 February 1993. Authorized strength: 500. Strength in March 1993: 71 troops, 247 military observers.
20. *United Nations Angola Verification Mission II (UNAVEM II)*, Angola, June 1991-?, SC Res. 696 of 30 May 1991. Maximum strength: 350 military observers, 126 police monitors, 400 electoral observers (September 1992). Strength in March 1993: 75 military observers, 30 police monitors.
21. *United Nations Observer Mission in El Salvador (ONUSAL)*, El Salvador, July 1991-?, SC Res. 693 of 20 May 1991 and SC Res. 729

- of 14 January 1992. Authorized strength: 1000 military and police, 146 international civilian staff (mainly human rights observers). Strength in March 1993: 286 civilian/police monitors, 94 military observers, 7 troops.
22. *United Nations Mission for the Referendum in Western Sahara (MINURSO)*, Western Sahara, September 1991-?, SC Res. 658 of 27 June 1990. Authorized strength: 1695 military observers and troops, 300 police, and up to 1000 civilians. Strength in March 1993: 224 military observers, 110 troops.
 23. *United Nations Advance Mission in Cambodia (UNAMIC)*, Cambodia, October 1991-March 1992, SC Res. 717 of 16 October 1991. Strength: 380. Absorbed by UNTAC.
 24. *United Nations Protection Force (UNPROFOR)*, Bosnia and Herzegovina, Croatia, Federal Republic of Yugoslavia (Serbia and Montenegro), the former Yugoslav Republic of Macedonia, March 1992-?, SC Res. 743 of 21 February 1992, SC Res. 761 of 29 June 1992, SC Res. 776 of 14 September 1992, SC Res. 795 of 11 December 1992, SC Res. 836 of 4 June 1993. Authorized strength: over 20 000. Strength in March 1993: 22 534 troops, 394 military observers, 621 civilians/police.
 25. *United Nations Transitional Authority in Cambodia (UNTAC)*, Cambodia, March 1992-December 1993, SC Res. 745 of 28 February 1992. Replaced and absorbed the United Nations Advance Mission in Cambodia (UNAMIC). Authorized strength: up to 20 000 (military; civilian police; electoral; civil administration; human rights; repatriation; rehabilitation). Strength in March 1993: 3578 civilians/police, 15 023 troops, 488 military observers.
 26. *United Nations Operation in Somalia (UNOSOM I)*, Somalia, April 1992-April 1993, SC Res. 751 of 24 April and SC Res. 775 of 28 August 1992. Strength in March 1993: 893 troops. Absorbed by UNOSOM II.
 27. *United Nations Operation in Mozambique (ONUMOZ)*, Mozambique, December 1992-?, SC Res. 797 of 16 December 1992. Authorized strength: 7000-8000. Strength in March 1993: 1082 troops, 153 observers.

28. *United Nations Operation in Somalia II (UNOSOM II)*, May 1993-?, SC Res. 814 of 26 March 1993: Authorized strength: aprox. 30 000.
29. *United Nations Observer Mission Uganda-Rwanda (UNOMUR)*, Uganda-Rwanda border, August 1993-?, SC Res. 846 of 22 June 1993. Authorized strength: 81 military observers.
30. *United Nations Observer Mission in Georgia (UNOMIG)*, Georgia, SC Res. 858 of 24 August 1993. Authorized strength: 88 military observers.
31. *United Nations Missions in Liberia (UNOMIL)*, Liberia, SC Res. 866 of 22 September 1993. Authorized strength: 303 military observers, 20 military medical personnel, 45 military engineers, 129 international and local staff.
32. *United Nations Mission in Haiti (UNMIH)*, Haiti, SC Res. 867 of 23 September 1993. The force was to comprise: 567 UN police monitors and a military construction unit with a strength of approximately 700.
33. *United Nations Assistance Mission for Rwanda (UNAMIR)*, Rwanda, SC Res. 872 of 5 October 1993. Strength by staged deployment, envisaged as consisting at its height of 2548 personnel.