Matching robust ambitions with robust action in UN peace operations

– towards a conceptual overstretch?

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English summary

Dilemmas concerning the use of force in UN peace operations have triggered debates ever since the UN first deployed armed peacekeepers to Sinai after the Suez Crisis in 1956. This report takes a broad and critical view on current UN peace operations with the aim of analyzing conceptual, military, and political gaps in the UN's approach to the use of force. It presents critical conceptual developments that have been influential in shaping the UN's approach to the use of force and gives an overview of current characteristics of UN peace operations. In addition it discusses the limitations of the UN as a military enforcer and touches upon dilemmas concerning legitimacy and the use of force under UN auspices.

The vantage point of the analysis is the observation that even though core principles, concepts, and practices of UN peacekeeping have developed significantly since the crisis in the mid-to late 90s, the organization still struggles with how to bridge gaps in its approach to the use of force. Based on this observation and the following analysis the report ultimately asks the question whether UN peace operations are heading towards a state of *conceptual overstretch* and finds that the UN now indeed finds itself at a tipping point, where robust ambitions clearly outweigh actual capacity for robust action.

Multinational Experiment (MNE)

Multinational Experiment is a multinational concept development and experimentation (CD & E) series which started in 2001 on the initiative of the United States. US Joint Forces Command (US JFCOM) is in lead of the overall planning, execution and analysis, in close collaboration with partner nations, as well as NATO ACT.

The current phase, MNE 6, began in 2008 and is a two-year effort focusing on *The Irregular Challenge: A Comprehensive Approach to a Complex Problem.*

Norway is a partner nation to MNE 6. The Norwegian effort is organized through collaboration between the Norwegian Defence Research Establishment (FFI), the Norwegian Institute of International Affairs (NUPI) and the Norwegian Defence Command and Staff College (FSTS) on behalf of the Joint Headquarters Command (FOHK) and the Norwegian Ministry of Defence (FD).

This report is part of FFI's contribution to MNE.

Sammendrag

FNs bruk av makt i fredsoperasjoner har vært debattert siden FN sendte bevæpnede fredsbevarere til Sinai etter Suezkrisen i 1956. Denne rapporten ser nærmere på FNs pågående fredsoperasjoner for å identifisere og analysere konseptuelle, militære og politiske svakheter i FNs nåværende tilnærming til bruk av makt. Rapporten presenterer konseptuelle utviklingstrekk som har vært sentrale i å forme FNs tilnærming til militær maktbruk og gir en oversikt over hva som kjennetegner dagens fredsoperasjoner. I tillegg diskuterer den de begrensninger FN har som militær maktutøver og ser på dilemmaer knyttet til legitimitet.

Utgangspunktet for analysen er en observasjon av at til tross for den betydelige utviklingen av grunnprinsipper, konsepter og praksis relatert til FNs fredsoperasjoner, så sliter organisasjonen fortsatt med hvordan den skal forbedre sin tilnærming til militær maktbruk. Basert på denne observasjonen og den påfølgende analysen stiller rapporten til slutt spørsmålet om FNs fredsoperasjoner nå nærmer seg en tilstand av *conceptual overstretch* og finner at FN nå befinner seg på et vippepunkt der robuste ambisjoner klart overgår den faktiske kapasiteten for robuste handlinger i dagens fredsoperasjoner.

Contents

1   Introduction

> Fighting for peace is like making love for chastity.
> *Erwin A. Schmidl, 1997*

With an ever growing demand for UN peacekeeping capabilities, it is essential to identify and understand major challenges the UN is facing in current complex and violent conflicts (Schmidl, 1997). Dilemmas concerning the use of force in UN peace operations have triggered debates ever since the UN first deployed armed peacekeepers to Sinai after the Suez Crisis in 1956. Secretary-General Dag Hammarskjöld's comments on the UN Emergency Force (UNEF) show the ambivalence regarding the nature of UNEF:

> It would be more than an observers' corps, but in no way a military force temporarily controlling the territory in which it was stationed; nor, moreover, should the Force have military functions exceding [sic] those necessary to secure peaceful conditions (Durch, 1993).

Core principles, concepts, and practices of UN peacekeeping have developed significantly since Hammarskjöld's days, but the organization still struggles with how to bridge major gaps in its approach to the use of force. This continuous dilemma is supported by Thierry Tardy's observation that "[...] the UN has, since its inception, suffered from the gap between the theoretical aspects of its mandate regarding the use of force and the reality of international politics" (Tardy, 2007).

Based on an analysis of the UN's concepts and current practices of peace operations, this report aims at identifying and analyzing political and military gaps in the UN's current approach to the use of force, and ultimately asks the question whether UN peace operations are heading towards a state of *conceptual overstretch*.[1]

The report is structured as follows: After defining central terms in chapter 2, chapter 3 will present critical conceptual developments that have been influential in shaping the UN's approach to the use of force and give an overview of current characteristics of UN peace operations. This will provide a general understanding of the UN's current approach to robust peacekeeping, and point towards the organization's ambitions with regards to robustness. Chapter 3 also serves as the backdrop for the analysis in chapter 4, which starts out by presenting the historical roots which influence the way the UN relates to the use of force, but more importantly discusses political and military limitations, or gaps, of the UN as a military enforcer. This chapter will also touch upon dilemmas concerning legitimacy and the use of force under UN auspices, which has some unique characteristics compared to other international actors. Based on the observations and analysis of the two previous chapters, and the growing sense that the UN's ambitions by far

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[1] With the term *conceptual overstretch* this report refers to a perceived gap between increasingly ambitious UN concepts and the organization's lack of political and military capacity to operationalize and implement these concepts.

exceed its capacity for complex peace operations, Chapter 5 sets out by asking whether UN peace operations are heading towards a state of conceptual overstretch. Finally, the concluding chapter will consolidate the main findings and glance towards the future of UN peace operations.

Case studies of MONUC (United Nations Mission in the Democratic Republic of the Congo) and MINUSTAH (United Nations Stabilization Mission in Haiti) will be made available in separate publications

2   Definitions of Peace Operations and the Use of Force

Today the term 'peace operation' is often used to encompass the entire spectrum of civilian and military UN activities in relation to the operationalization and implementation of a UN Security Council mandate. However, many continue to relate to the more 'classic' term of 'peacekeeping'. The UN will use both terms in a rather inconsistent manner. The UN Department of Peacekeeping Operations (DPKO) observes that there is some resistance against moving away from the term 'peacekeeping' due to "tradition, brand recognition and funding implications" (Ahmed et al., 2007). However, the activities and concepts linked to current UN involvement in post-conflict societies have evolved far beyond traditional peacekeeping. The term 'peace operation' is a more exact description of this complex undertaking.

Since the term 'peace operation' is more of a general catch-phrase, one need to take a closer look at the UN's attempts at defining its own activities. In the 'Principles and Guidelines for United Nations Peacekeeping Operations', or *Capstone Doctrine*, the DPKO divides the 'Spectrum of Peace Operations' into: Conflict Prevention, Peacemaking, Peacekeeping, Peace enforcement, and Peacebuilding, while it underlines the inherent linkages and grey areas between the different categories (see Fig.1) (United Nations, 2008b).

This report relates to the complexity of the entire spectrum of peace operations as put forward by the DPKO, but will rely on the term 'UN peace operations', recognizing that more detailed definitions have been presented. The linkages and grey areas are where one will find the major dilemmas of current peace operations; in particular when it comes to the use of force. It will not be meaningful to leave out any part of the spectrum, while the discussions naturally will center on UN activities falling under and between the categories of 'Peace enforcement' and 'Peacekeeping'.
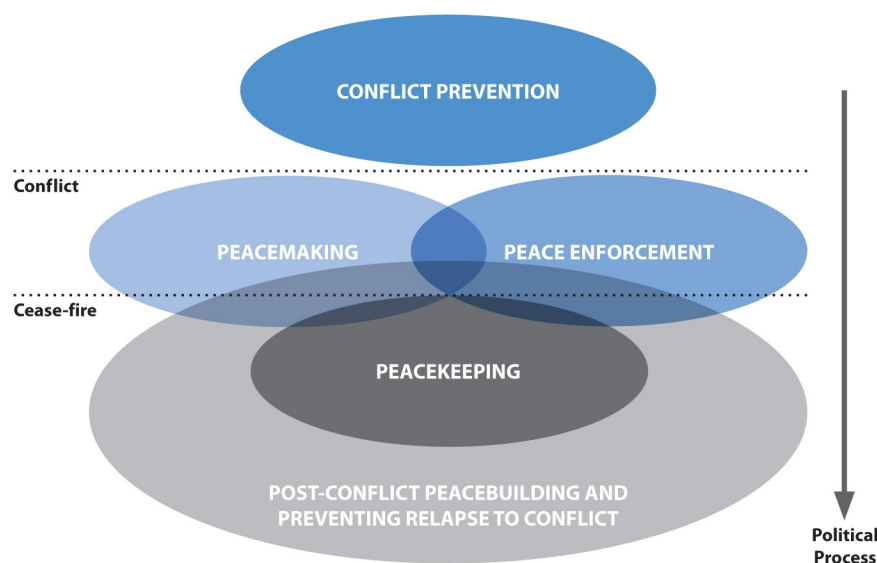
Figure 1   The spectrum of UN peace and security activities from the Capstone Doctrine – the figure depicts linkages and grey areas between the various activities as defined by the UN (United Nations, 2008b).

'Use of force' is most commonly understood as violent means applied by a politically controlled military system. Rupert Smith defines force as "[...] the basis of any military activity [and] it is both the physical means of destruction – the bullet, the bayonet – and the body that applies it. It has been so since the beginning of time" (Smith, 2006). Acknowledging Smith's description, this report will widen the definition by including situations where violent measures are applied to either: a) dissuade another party from a particular course of action, or b) physically intervene to stop them. This definition adds an element of relevance to the UN, where threats to use force are often seen as a measure to deter a counterpart, not first and foremost by direct forceful action.

The Capstone Doctrine makes an important distinction regarding the UN's use of force:

> While robust peacekeeping involves the use of force at the tactical level with the consent of the host authorities and/or the main parties to the conflict, peace enforcement may involve the use of force at the strategic or international level, which is normally prohibited for Member States under Article 2 (4) of the Charter unless authorized by the Security Council (United Nations, 2008b).

Here the UN has attempted to make a *conceptual* distinction between robust peacekeeping and peace enforcement. However, this seems to be a 'lowest common denominator' approach in order to appease some of the member states generally weary of the thought of the UN using force at all except from the clearest cases of self defense. The definition opens up for an important discussion linked to the core question of 'whose consent' it is necessary to obtain to be able to legitimately apply force under UN command. Finally, Capstone does not address the dilemma of *how* to implement the use of force under Chapter VII mandates. Both robust peacekeeping missions and

peace enforcement operations, as described by the UN, will meet similar challenges once forces are deployed and forceful means are employed. This report will focus on the dilemmas and consequences related to politically controlled military force administered or granted by the UN, and sees no compelling reason to make a clear distinction between robust peacekeeping and peace enforcement.

3   The UN and the Use of Force – Concepts and Characteristics

Traditional peacekeeping was based on the bedrock principles of impartiality, consent and the non-use of force except in self-defense. However, these principles have been regularly challenged. The infamous cases of Rwanda, Srebrenica and Somalia are the most telling examples. In Rwanda and Srebrenica, the UN was criticized for being too restrictive in using force, and in Somalia, some UN forces were accused of excessive use of force.

In practice, the principles are no longer rock solid. UN peace operations now more commonly take sides in complex intra-state conflicts, without the consent of spoilers of the peace processes. They are usually mandated under Chapter VII of the UN Charter, and are often given complex tasks such as protection of civilians, securing 'humanitarian space' for civilian actors and protection of the mandate. There is clearly an increased reliance on using military force to support the transitions to peace.

Adding to this complexity is the increased focus on integration and civilian-military cooperation within the UN system. More complex conflicts and tasks have led to a realization that the UN must become a more coherent actor to be able to meet current challenges. The UN is currently in the process of refining the *Integrated Missions* concept as its approach to peace operations (Eide et al., 2005). In an integrated mission, the civilian and military components aim for a high level of coordination, and when possible and desirable, increased interaction and cooperation. Finally, a wide variety of non-UN actors are also involved in current peace and stability operations, NATO, EU and the AU being the most prominent among these, in addition to various IOs and NGOs.

The moment use of force is applied, increased cooperation and cohesion in the civilian-military dimension of peace operations becomes more demanding. The following will trace the conceptual developments regarding the UN and the use of force since the end of the Cold War, starting with a look at how general perceptions regarding legitimacy and military force have changed since the era of nuclear deterrence. The chapter then moves on to look more closely at the current characteristics of UN peace operations.

3.1   From MAD to the Democratic Peace Thesis

Dominant Cold War thinking saw massive military force, nuclear and conventional, as essential tools in deterring potential aggressors. Deterrence theories became the basis of national security doctrines of the great powers and gave birth to ominous-sounding strategies such as 'mutual

assured destruction', with the fitting acronym MAD.[2] Despite the avoidance of another major war after WWII, there were several military interventions during the Cold War. The Western military support during the Korean War and the UN mission to the Congo in the early 1960s, which both involved the use of force under a UN mandate, illustrate that a Cold War divide can be somewhat misleading when it comes to the practice of international interventions (Bellamy et al., 2004). However, there has clearly been a pivotal change in strategic military thinking on the use of force (Kjølberg, 2008).

The strong belief in that liberal democracies do not fight wars among themselves has had a major impact on the practice of international interventions. Thomas G. Weiss observes that "A remarkable development of the post-Cold War era has been the routine use of military force to protect human beings trapped in the throes of wars" (Weiss, 2007:I). The increased focus on 'human security' has led to military force being used to actively promote liberal foreign policy agendas of powerful Western states and multinational coalitions. From the arguably successful first Gulf War in 1990-91 to the highly controversial war in Iraq from 2003, military operations based on strategies linked to ideas of the democratic peace thesis have proven to be extremely difficult exercises, producing many unexpected and counterintuitive consequences (Coning et al., 2007). Observers keep reminding us that young democracies can be among the most violent forms of statehood (Snyder, 2000:320). Still, international organizations such as the UN and powerful Western states and coalitions still stick to democratization efforts in failing or failed states.

Between 1988 and 1993 the UN "conducted more peacekeeping operations than it had undertaken in the previous forty years" (Bellamy et al., 2004:75). The quantitative transformation brought with it qualitative changes with implications for the conduct of peace operations. More and more peacekeeping missions were broadly mandated to include complex tasks of state-building and promoting the rule of law, including Security Sector Reform (SSR), Disarmament, Demobilization and Reintegration of former combatants (DDR), running elections, and providing political training. Providing a safe and secure environment, partly by using military force, is now seen as a fundamental precondition for attempts to build stable democracies and sustainable economies, and improve social well-being in struggling states.

3.2 Critical Conceptual Developments

To understand how the UN relates to the use of force in current peace operations, one must consider how the concepts of peacekeeping have evolved. The principles of consent, impartiality, and non-use of force except in self-defense have been supplemented by new conceptions of state sovereignty and a re-interpretation of the meaning of 'consent' in complex intra-state wars, and have fundamentally altered UN peace operations.

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[2] For more on Cold War nuclear deterrence theories and strategies see e.g. Thomas C. Schelling, *Arms and Influence* (Yale University Press, 1967), Bernard Brodie, *Strategy in the Missile Age* (Princeton University Press, 1965) and Richard Smoke and Alexander George, *Deterrence in American Foreign Policy* (Columbia University Press, 1973)

The UN has often been criticized for its *ad hoc* approach to conflict resolution and peacekeeping. However, faced with a crisis, the organization has usually made serious attempts at analyzing and grasping the challenges of peacekeeping as they occur. Phrases such as the *Responsibility to Protect* (R2P), *humanitarian intervention* and the *light footprint-approac*h to operations stand out as milestones in the path of the ever evolving concept of peacekeeping. The main conceptual developments with direct impact on UN peace operations that will be treated below are; *An Agenda for Peace* from 1992 and its *Supplement* from 1995, former Secretary-General Kofi Annan's influential articles from the late 1990s; *Walking the international tightrope* and *Two concepts of sovereignty*, the so-called *Brahimi-report* of 2000, the *Responsibility to Protect* report a year later, the *Report of the High-Level Panel on Threats, Challenges and Change* from 2004 and *United Nations Peacekeeping Operations Principles and Guidelines*, or the Capstone Doctrine from 2008 (Hansen, 2009). All made recommendations on how to plan and run peace operations. The following will introduce the critical debates that have formed much of our current thinking on the use of force in peacekeeping.

The Agenda and its Supplement

Former Secretary-General Boutros Boutros-Ghali's report *An Agenda for Peace* (1992) was the first real attempt of categorizing various forms of peace operations under UN auspices. The report presented four types of peace operations; 1) preventive diplomacy, 2) peacemaking, 3) peacekeeping, and 4) post-conflict peacebuilding (Boutros-Ghali, 1992). Peacekeeping was seen as "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. [...]"(Boutros-Ghali, 1992:para.20). The Secretary-General foresaw a more pro-active role for the UN and opened up for a broader interpretation of the principle of consent. His report can be seen as an expression of the ideas resulting from the emergence of 'the new world order', where there were fewer perceived limitations to UN activities in the field of peace and security than had been the case in previous decades.

The use of military force was briefly treated in *The Agenda* (Boutros-Ghali, 1992:para.42, 43). Boutros-Ghali called to mind that the Charter states that military force could be used to maintain or restore international peace and security. He was specific in his view that the UN should use force when all peaceful means had failed; in fact the credibility of the UN was at stake if it did not. On the more practical side, in line with the hope of a more pro-active stance, Boutros-Ghali was looking for troops on high alert for international missions:

> The ready availability of armed forces on call could serve, in itself, as a means of deterring breaches of the peace since a potential aggressor would know that the Council had at its disposal a means of response (para.43)

In hindsight this suggestion was overly optimistic, but shows that there existed a belief that the UN in fact could obtain a role as a deterrent. The emergence of the 'new wars' in fact created room for a re-interpretation of the UN's approach to peace operations (Hansen, 2009). *The Agenda* identified gaps between ambitious UNSC mandates and the lack of resources made available to peace operations. Although highly ambitious, the report quite bluntly put forth

practical issues relating to UN planning processes, rapid reaction capabilities, recruitment of personnel, and security for UN personnel in the field. The categorization was by many member states seen as a useful tool to clarify the complexity on the ground. However, the real-life complexity and horrors of Bosnia, Somalia, and Rwanda went far beyond anything the recommendations in the report could possibly cover.

Partly in response to these disasters, Boutros-Ghali came out with his *Supplement to an Agenda for Peace* in 1995 (Buotros-Ghali, 1995). The author of the *Supplement* was clearly humbled by the UN's failure to live up to the heightened expectations reflected in *The Agenda*. Boutros-Ghali was less aggressive in his views on the use of force in peace operations and underlined the need for consent in order to succeed. Despite the "pull-back" from a more pro-active and potentially more forceful UN, the *Agenda* had set the tone for following debates revolving around the core principles of UN peacekeeping. The debates following *The Agenda* and its supplement focused on two closely related issues; the UN's use of force and humanitarian interventions. The core principles of peacekeeping were frequently challenged. Adam Roberts commented on this 'awkward' situation in 1993:

> 'Humanitarian war' is an oxymoron which may yet become reality. The recent practice of states, and of the United Nations, has involved major uses of armed force in the name of humanitarianism: especially in northern Iraq, in Somalia and in Former Yugoslavia. These humanitarian activities in situations of conflict raise many awkward questions (Roberts, 1993).

Traditionally, belligerent actors often accepted deployment of peacekeepers if they were guaranteed that the Blue Helmets would not side with any of the parties, and by that potentially tipping the balance of power. This meant that by accepting a peacekeeping force there would only be a minor change of the realities on the ground and sovereignty would be kept intact. In addition, the self-defense principle implied that UN forces were moderately equipped, and would not in any way constitute a military threat to any of the belligerents. In the *Supplement* Boutros-Ghali touched upon these issues:

> Even though the use of force is authorized under Chapter VII of the Charter, the United Nations remains neutral and impartial between the warring parties, without a mandate to stop the aggressor (if one can be identified) or impose a cessation of hostilities (Buotros-Ghali, 1995:para. 19).

It was not entirely true that the UN had always remained true to the principles of impartiality and non-use of force. In the Congo (former Zaire, now the Democratic Republic of the Congo) in the early 1960s, the UN was very much involved in offensive military operations directed towards neutralizing some of the 'spoilers', or secessionists, in the Katanga province. As it turned out ONUC (United Nations Operation in the Congo) almost bankrupted the world organization, and the UN became highly reluctant to use force thereafter (Durch, 1993). ONUC proved to be a 'significant outlier' in the history of peacekeeping since few subsequent missions during the Cold War shared the same characteristics.

The Influence of Kofi Annan

Boutros-Ghali's successor Kofi Annan played a central role in initiating debate on peacekeeping principles and guidelines. Annan's articles *Walking the international tightrope* and *Two concepts of sovereignty*, both published in 1999, had broad impact on the debates regarding UN peace operations (Annan, 1999b, Annan, 1999a). Both were written against the backdrop of the crisis unfolding in Kosovo. In the first article Annan described the harsh reality the organization and he as its leader were facing at the end of the 20th century in a world filled with conflict and war:

> [...] I must deal with the world not as I would wish it to be, but as it is. I must confront it with a sense of reality about how far a leader can be pushed by peaceful means, and how long it will take to bring peace where a state of war exists (Annan, 1999b).

In the search to "find new ways to defeat the age-old enemies of peace and prosperity" the Secretary-General now more than ever had to balance the peaceful and forceful means at the disposal of the organization (Annan, 1999b). Annan was in particular looking for a new interpretation of the principle of impartiality when dealing with mass atrocities. The conflict between idealism and realism is evident in Annan's article. Annan came to a bottom-line conclusion that "impartiality does not – and must not – mean neutrality in the face of evil." This finding was heavily influenced by the fact that the failures of the UN in Bosnia and Rwanda had happened on his watch, when Annan was head of the UN DPKO (Dallaire, 2003). The article shows that his thinking to a large degree focused on the notion that doing nothing was no alternative when faced with mass atrocities against civilians, which had inevitable and far-reaching implications for the principle of state sovereignty and the use of force for the protection of civilians.

In *Two concepts of sovereignty* Annan wrote about the dilemmas inherent in the concepts of human security and humanitarian intervention. "State sovereignty, in its most basic sense, is being redefined", the Secretary-General bluntly stated. In the article he presented his thoughts on "the need for timely intervention by the international community when death and suffering are being inflicted on large numbers of people, and when the state nominally in charge is unable or unwilling to stop it" (Annan, 1999a). He focused on the emergence of individual rights on a formerly unprecedented scale. The rights of individuals now equaled or even outweighed those of the state. This represented a shift in emphasis from 'rights of states' to 'obligations of states.' The historical role of states and their subjects were thus being overturned, in his view, leading us to look at states as "instruments at the service of their peoples."

On the issue of humanitarian interventions and the lack of UNSC-mandates, Annan used the case of Rwanda to put the Kosovo-case into context:

> Imagine for one moment that, in those dark days and hours leading up to the genocide, there had been a coalition of states ready and willing to act in defence of the Tutsi population, but the council had refused or delayed giving the green light. Should such a coalition then have stood idly by while the horror unfolded? (Annan, 1999a).

The concepts and practices of UN peace operations had been on a rollercoaster ride from the progressive *Agenda*, to the failures in Rwanda and Srebrenica leading to the sobering *Supplement*, ending up with the generally considered successful international interventions at the time in Kosovo and East Timor and the emergence of Kofi Annan's pro-intervention stance. The end of the Cold War had brought a period of increased belief in the ability of the UN to maintain international peace and security. 'World peace', 'democracy for all' and 'universal implementation of human rights' were phrases that no longer seemed so utopian. These positive vibes had trickled into the mandates of the UNSC where heightened ambitions now increasingly led to the inclusion of stronger language of protection of civilians in armed conflict. An ideal had developed implying that the UN was morally obliged to assist where states failed to protect their own people. However, the Secretary-General was well aware of the paradox he was confronted with. On the one hand he recognized that the world could not remain aloof when mass atrocities occurred. On the other hand he clearly understood that for the UN to keep its unique position, interventions had to be based on universally accepted principles.

At a conceptual level the emerging concepts of human security and humanitarian interventions were difficult to combine with the long standing principles of non-intervention and sovereignty. Despite attempts to fully grasp the impact of the emerging trends, observers often ended up in a balancing act between idealism and *realpolitik*. The idea of protecting civilians against violence on the one hand was quite easily aligned with the existing idealistic principles of the UN, but military interventions to address internal conflict and unrest in sovereign states on the other, humanitarian in its objective or not, was by many seen as a highly politicized action. Other observers, such as Simon Chesterman, have pointed to the fact that national interests in fact have been essential in bringing forward the possibility of performing humanitarian interventions and using force in peace operations (Chesterman, 2005). Bottom line, as Annika Hansen rightly has observed, the use of force in most settings can not be said to be apolitical, nor impartial, and thus the principle of impartiality is meaningless in the context of humanitarian interventions and human security (Hansen, 2009).

The Brahimi-report

The next major development within UN peace operations came in preparation for the Millennium Summit in New York in 2000 with the *Report of the Panel on United Nations Peace Operations*, better known as the 'Brahimi-report', named after former Algerian Foreign Minister Lakhdar Brahimi who led the commission (United Nations, 2000). The purpose of the commission was "to assess the United Nations ability to conduct peace operations effectively, and to offer frank, specific and realistic recommendations for ways in which to enhance that capacity" (United Nations, 2000). In part, the report also aimed to assess the developments since *An Agenda for Peace*. It came up with a wide range of recommendations and encouraged member states to:

> [...] adopt clearer mandates for peacekeepers; improve the DPKO's capabilities; create Integrated Mission Task Forces to improve planning, by bringing together key staff from the different components of a new mission; reform financing, by paying for peacekeeping through the regular budget; devise new logistics arrangements; and further enhance the UN's rapid deployment capabilities (Bellamy et al., 2004:53-54).

On the issue of use of force in peace operations, Brahimi focused on the need for more robust rules of engagement. According to his team of experts UN missions had to be able to defend "against those who renege on their commitments to a peace accord or otherwise seek to undermine it by violence"(United Nations, 2000:Summary of Recommendations, para. 3). Even though the commission reiterated the bedrock principles of peacekeeping operations it stated that the principle of consent could not be absolute. "No failure did more to damage the standing and credibility of United Nations peacekeeping in the 1990s than its reluctance to distinguish victim from aggressor", the commission wrote. It argued that in intra-state wars there was an inherent danger that warring parties would manipulate consent, increasing the possibility that UN forces would be seen as ineffective or even partly to blame for atrocities committed. The suggestion that UN member states should be encouraged to form "several coherent brigade-size forces, with necessary enabling forces, ready for effective deployment within 30 days of the adoption of a Security Council resolution establishing a traditional peacekeeping operation and within 90 days for complex peacekeeping operations" was quite an ambitious goal considering earlier experience with UN member states' lack of appetite for reform (United Nations, 2000:para. 9 a)). Despite the high ambitions, the Brahimi-report was seen as an honest attempt to address the practical and political shortfalls of the UN system, and has clearly been one of the most influential reports within the practice of peacekeeping (Hansen, 2009).

The Responsibility to Protect

These developments culminated in the study *Responsibility to Protect* (R2P), initiated by Canada and published in December of 2001 (ICISS, 2001). It set out to answer the questions of if and when there is a responsibility to intervene; how and when this right should be acted upon; and under whose authority. When it comes to international involvement in intra-state conflicts the R2P study is considered a milestone document and a conceptual break-through. Several of the ideas presented in the report have played a major role in reshaping our thinking about the role of the UN, even though the principle has struggled to become operationalized, and still does (The Economist, 2009). The core of the principle is:

> the idea that sovereign states have a responsibility to protect their own citizens from avoidable catastrophe, but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states (ICISS, 2001).

This idea is of course closely related to Annan's thoughts from 1999. Emerging from the report was the idea that state sovereignty implied certain core responsibilities as well as rights. Failure to uphold these responsibilities could lead to a loss of sovereignty, i.e. a potential outside intervention, as a last resort. Heads of states and governments accepted the concept of R2P at the UN World Summit in September 2005 (United Nations, 2005:para. 138-139). Since then the process of institutionalizing the principle and making it operational has slowed down. The immensely slow international response to the crisis in Darfur clearly displays the limitations of the R2P principle as it stands today.

A More Secure World

The report of the High-level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility*, was supposed to help define the role of the UN in facing the security challenges of the future (United Nations, 2004). In finding ways of making R2P operational it endorsed the acceptance of the principle as an emerging norm and recommended criteria for international military intervention (United Nations, 2004:para. 203). The panel found five criteria for consideration when the Security Council makes decisions on the use of force: seriousness of threats, proper purpose, last resort, proportional means, and balance of consequences. The High-Level Panel pointed to the possibility that the Security Council would have to become more proactive in the future, "taking decisive action earlier." Events in Iraq, Afghanistan and Darfur formed the backdrop for the work of the panel, and in particular the invasion of Iraq. It is still too early to say in what way the report has made an impact, if any.

The Capstone Doctrine

Two years ago, Salman Ahmed et al stated that:

> [...] the UN, its Member States and the Secretariat alike must give equal attention to doctrinal review and development, so as not to repeat the mistakes of the 1990s, when the quantitative growth in activity far outpaced qualitative reflection on and adherence to the principles and concepts governing [peacekeeping's] use (Ahmed et al., 2007:12).

Early in 2008 the DPKO and the Department of Field Support (DFS) issued its Guidelines and Principles for Peacekeeping Operations, also known as the Capstone Doctrine, or just Capstone (United Nations, 2008b). The document is an attempt at creating a set of common guidelines for UN planners and practitioners. Capstone attempts to "define the scope, nature and core business of contemporary United Nations peacekeeping operations [...]," and it "[...] recognizes the need for a clearer articulation of the doctrinal foundations of United Nations peacekeeping operations [...]." However, when it comes to the use of force the document struggles to articulate clear guidelines. On the one hand it claims that peace operations still adheres to the principle of the non-use of force except in self-defense and defense of the mandate and states that "UN peacekeeping operations are not 'an enforcement tool.'" On the other it elaborates on 'robust' mandates, where UN peacekeeping operations are authorized to use "all necessary means to deter forceful attempts to disrupt the political process, protect civilians under imminent threat of physical attack, and/or assist the national authorities in maintaining law and order." The Capstone tries to make a distinction between robust peacekeeping, involving use of force at the tactical level, and peace enforcement at the strategic or international level, which is normally prohibited for UN Member States. On a conceptual level this might make sense, but it seems quite counterintuitive to claim that UN peace operations are principally only using force in self-defense and defense of the mandate, while at the same time underlining the fact that peace operations can use force proactively to defend their mandate and protect civilians under threat. It seems like the drafters of the document are well aware of these conceptual difficulties when they state that "although on the ground they may sometimes appear similar, robust peacekeeping should not be confused with peace enforcement, as envisaged under Chapter VII of the Charter." Capstone states that force should only be used as a last resort, and with restraint, with the ultimate aim to

"influence and deter spoilers working against the peace process or seeking to harm civilians; and not to seek their military defeat." For military commanders and field practitioners, the sum of these elaborations on the use of force hardly represents a clear guideline. Are UN peace operations mandated under Chapter VII supposed to be robust and pro-active or will they only use force as a last resort in self-defense? How do you deter and influence spoilers while focusing on the minimum use of force? How can anyone really see the difference between enforcement action under Chapter VII and 'robust' peacekeeping, given that both implies violent means by either Blue Helmets or UN-mandated troops from other organizations? These questions remain unanswered. It is important to recall, though, that the Capstone is a first attempt at creating a document that can function as a strategic guiding document for the subsequent work of creating a functional doctrine for UN peace operations.

To round of these discussions; ideas revolving around international peacekeeping, interventions and the use of force have evolved and fluctuated quite dramatically since the early 90s. Still there is no consensus on how the UN best can fulfill its purpose of maintaining international peace and security, especially when it comes to the use of force. There is a general acceptance of the increased complexity of today's intra-state conflicts, and reform efforts within the UN clearly aim at improving the organization's approaches be able to deal with these complexities. However, there are no 'quick fixes', and many inherent dilemmas remain.

3.3   Current Characteristics of UN Peace Operations

> [...] while the UN was tragically ill-resourced in Rwanda [...] MONUC boasts sixteen infantry battalions with over three hundred combat vehicles and seventy helicopters.
>
> *Richard Gowan, 2007*

After the short quell in activities of UN peace operations in the mid to late 90s, the belief in their usefulness was restored towards the turn of the century. Today, the number of peacekeepers deployed is as high as ever and growing.[3] In October 2008 the total number of military personnel deployed by the UN, i.e. troops and observers, was over 78 000, in addition to over 12 000 police personnel as well as over 20 000 international and local civilian staff (Center on International Cooperation, 2009). In mid-2009 the number over military and police personnel had reached over 93 000. Bellamy, Williams and Griffin present six principal factors that accounted for the 'rebirth of peacekeeping' towards the end of last century (Bellamy et al., 2004:85-88):

- Western governments became concerned with humanitarian problems in their own neighborhoods.
- Western countries assumed the role of pivotal states working both inside and outside the UN.

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[3] According to the Center on International Cooperation's Annual Review of Global Peace Operations 2008 (Lynne Rienner, 2008), the UN experienced a "substantial growth" in the total number of peacekeepers deployed, even though the growth rate was down compared to the last six years. The growth rate "was at 10 % in 2007, while it has been at a steady 20% in each of the last six years."

- In Africa, states such as Nigeria and South Africa became more active on the issues of peacekeeping and the development of regional capacities was supported by Western states.
- Increased interest in humanitarianism in the latter half of the 1990s and the merging of international development and security agendas.
- The development of new peacekeeping practices made the activity more palatable to key states like the US.
- Lessons were finally learned from past mistakes and new doctrines, institutions and procedures were developed.

Most of these factors are still valid, a decade after the rebirth of peacekeeping, while new trends have emerged. What follows is an overview over the most dominating trends in current UN peace operations, seen against a backdrop of these six factors.

3.3.1 Neighborhood Policing and Regional Patterns

The 'neighborhood factor' has evolved significantly, especially since the events of 9/11. The increase of the international presence in Central Asia and Africa are telling examples. For Europe, the focus on closer neighbors, such as Kosovo and Bosnia, still persists. Even though the crisis in Kosovo has moved towards the political realm and is only secondarily a humanitarian or security problem, a significant number of NATO security forces are still deployed in Kosovo. The UN is still present through UNMIK and in early 2008 the EU established its police and justice support mission in Kosovo.

However, the 'centers of gravity' for current peace operations are to be found in Africa, the wider Middle East and south central Asia. The Annual Review of Global Peace Operations 2008 identifies three main patterns of deployment for international peace operations (Center on International Cooperation, 2008). Firstly, Asian and African troops are predominant in African missions. Secondly, with regards to the Middle East, European troops are predominant. Thirdly, the Review finds that there is a current trend of regionally specialized contributions to peace operations. Latin American countries are predominant in Haiti, where Brazil is close to fulfilling a role as a lead nation. In Timor Leste, troops from Australia and New Zealand are the dominant presence; and in the Balkans, Europeans continue to be the main contributors. Similarly, in Somalia and Darfur, the African Union is predominant.

3.3.2 Broader Mandates and New Tasks

One of the most significant trends within contemporary UN peace operations is that they are becoming increasingly broad in scope (United Nations, 2008b:Capstone Doctrine). Earlier UN peace operations mostly dealt with separation of forces and cease-fire observation. Today such operations are deeply involved in complex state building efforts. This is closely linked with the evolution of international authority, where the UN at times temporarily has taken on executive powers such as in Kosovo and Timor Leste. Now, in addition to its traditional humanitarian and development tasks, the UN regularly organizes and observes elections, provides political training, plans and implements Disarmament, Demobilization and Reintegration (DDR) and Security

Sector Reform (SSR) programs to promote the rule of law (United Nations, 2008a). Thus, the merger of international development and security agendas, as observed by Bellamy et al, has continued, and brought with it unprecedented challenges for the UN. The ongoing parallel developments of comprehensive or integrated approaches to peace operations within NATO, the UN and the EU underlines the increased focus on optimizing inter-organizational, inter-departmental and cross-functional approaches to peace operations, humanitarian assistance, development, and state-building. There is a growing recognition of the complex issues emerging from failing and failed states, which in turn demands more coordination, cooperation and communication between international, regional and local actors with both military and civilian tasks.

Of all current UN peace operations, MONUC (United Nations Organization Mission in the Democratic Republic of the Congo) is the largest and most expensive. This is one of the few UN peace operations that can be described as an integrated mission (Eide et al., 2005). MONUC, besides its peacekeeping duties, has taken on tasks related to the DRC's "political, economic, and social transition" (Center on International Cooperation, 2006). The list of MONUC's responsibilities is vast (United Nations Security Council, 2008:resolution 1797);

- Protection of civilians, humanitarian personnel and United Nations personnel and facilities;
- Disarmament, demobilization, monitoring of resources of foreign and Congolese armed groups;
- Training and mentoring of FARDC (The Armed Forces of the Democratic Republic of the Congo) in support for security sector reform;
- Territorial security of the Democratic Republic of the Congo;
- Provide advice to strengthen democratic institutions and processes;
- Promote national reconciliation and internal political dialogue;
- Assist in the promotion and protection of human rights;
- Investigate human rights violations;
- Assist in the development and implementation of a transitional justice strategy;
- Cooperate in national and international efforts to bring to justice perpetrators of grave violations of human rights and international humanitarian law;
- Provide assistance to the Congolese authorities [...] in the organization, preparation and conduct of local elections;
- Assist in the establishment of a secure and peaceful environment for the holding of free and transparent local elections;
- Contribute to the promotion of good governance and respect for the principle of accountability;
- Advise the Government of the Democratic Republic of the Congo in strengthening the capacity of the judicial and correctional systems, including the military justice system.

This gives us an indication of the broadening of tasks in current operations. The complexity of the issues is daunting, especially when considering the often non-permissive environment in the eastern parts of the DRC.

3.3.3   New Actors, New Constellations and Increased Cooperation

Among the factors leading to the renewed belief in peacekeeping a decade ago was increased activism by security actors other than the UN. Today the total spectrum of actors in the field of peacekeeping is more diverse than ever, which makes "it even more difficult to draw general conclusions about what peacekeeping is, or should be" (Center on International Cooperation, 2006:88). NATO, the EU, the AU as well as other regional and functional organizations are now frequently involved in planning, financing, managing and implementing peace operations alongside or together with the UN. There are important distinctions to be made however, since each organization relates differently to the UN. Some organizations will not deploy without a UN mandate. Some organizations are willing to divide the labor through co-deployment, while others can offer supporting roles such as providing military entry, but not contribute to state-building. With regard to the trend of certain countries, not only Western, acting as pivotal states working inside and outside the UN has continued and been further developed. Brazil on Haiti, Australia and New Zealand in Timor Leste, are some examples. The US led invasions of Afghanistan and Iraq are the telling examples of a pivotal state acting as part of a coalition, but due to their predominantly unilateral nature they are not part of this analysis of UN trends. However, the UN now contribute to legitimize the international presence in Iraq by keeping a political mission there (UNAMI) and by authorizing the Multinational Force in Iraq (MNF-I), upon request from the Iraqi government and the US.

These developments often are the result of *ad hoc* cooperation between the UN and regional actors to counter a specific threat to international peace and security rather than being long term strategic choices. Several questions come to mind; will the UN's unique position as a legitimate actor be weakened by these developments? Will other organizations get increased influence over the development of the concepts of peace operations? Is there a danger of loss of legitimacy for the UN by transferring more responsibility to other less proven actors in the field of peace and security? On the other hand, will it help increase the efficacy and thus the legitimacy of the UN by using the strengths of other organizations to fill the gaps of the UN approach? What does this broadened field of actors and extended cooperation imply for the UN when it comes to military enforcement and the use of force? This report will not provide full answers to these complex questions, each one requiring in-depth studies in themselves.

3.3.4   Increased Robustness

> Historically [...] the Security Council has been more willing to define the ends of policy than to authorize military means for attaining those ends.
>
> *Adam Roberts, 2004*

As discussed earlier, as a multidimensional actor the UN is faced with quite unique challenges and tasks. The use of force is only one among its wide variety of tools, but has the potential of severely complicating other aspects of the organization's work. The question of how the use of force fits into the developing Integrated Missions concept will not be treated in depth in this report, as it will the focus of two forthcoming case studies on MONUC and MINUSTAH. However, it is important to have in mind the inherent dilemma of bringing a system of controlled violence into an international organization that mainly relies on its perceived legitimacy as an agent of peace.

The Security Council now routinely mandates more 'robust' peace operations through the UN Charter's Chapter VII, which ultimately allows and expects UN missions to use all necessary means to fulfill mandates, including as a last resort, the use of force. Many mandates remain vague and ambiguous, and it does not seem like the Council is moving away from mostly focusing on the ends of policy rather than the means to get there. Political flexibility in the mandates is of course useful in the political arena, but not necessarily so for the operational commanders on the ground set to implement the mandates. There is clearly a tension between the need for political 'wiggle room' and clarity for commanders and soldiers when it comes to the use of force.

Recently, in the DRC and Haiti, the UN has been using force to protect civilians, disarm spoilers of the fragile peace processes and arrest and disperse criminal elements and insurgents. It seems like 'increased robustness' has become an established phrase for most UN peace operations, but as recent developments in the eastern DRC vividly has shown, there is a wide gap between UN rhetoric and the actual will and capacity to be robust on the ground. In fact, few people study what this robust stance actually entails for the UN. It is far from obvious that it is an overall positive development. What are the consequences of this increased potential to threaten or in indeed use force? The organization, its individual member states, the troops on the ground, the civilian population in recipient countries, as well as other actors within the field of international peace and security, are all influenced by these developments.

One main question is what increased robustness will do to the legitimacy of the UN in the field of peace and security. The situation in the DRC illustrates this dilemma. There are indications that MONUC over time has experienced a loss of legitimacy among the civilian population in the DRC, partly because of its failed 'robust' stance (Allen, 2007). As part of the robust stance MONUC supports DRC government's military planning, logistical tasks and even provide direct fire support in offensive military operations (MONUC, 2007). One main challenge is how UN forces should relate to the way certain elements of FARDC act in joint FARDC-UN operations. Accusations towards FARDC range from various forms of mistreatment of the local population to outright atrocities in areas of operations such as rape, plunder and even murder. FARDC is clearly an unpredictable and so rather undisciplined security force, and an extremely difficult actor to partner with for the UN. On the one hand, MONUC must continue to support the government it has helped establish. On the other hand, this support may come at an excessively high price if FARDC's record does not improve significantly.

While the perception of MONUC has been tarnished by the link to the government forces and its failure to protect civilians, UN forces in Haiti are more readily accepted by the civilian population since they rooted out hundreds of criminal elements from the slums of Cité Soleil in 2006/2007 (Perito, 2007). The combined military and police operations in the urban slums also led to civilian casualties, but the preliminary result appears to be an improved security situation in the poorest areas of the capital, benefitting the civilians living there. The Haitian National Police (HNP), on the other hand, still struggles to be perceived as a legitimate security actor, mainly because of the perception that the state security forces have been a tool of oppression for whoever is in control of the state apparatus. In many areas of Haiti today the HNP can not patrol alone, and is more commonly seen in joint patrols with UN police and UN military troops.

For civilian actors it is often quite difficult to accept that parts of the UN will use force to fulfill the mandate. This goes as much for NGOs outside the UN system as well as some civilian agencies within the system, such as the UNDP, UN OCHA, UNHCR, and others. Some organizations outside the system have taken a clear stance against being linked to any military effort, while others try to balance their approach and will accept some level of cooperation. Some civilian actors inside the system even lobby for a more robust stance of UN peace operations in order to protect civilians in imminent danger.

These different aspects were meant to highlight parts of the complexity surrounding the UN's use of force, acting alone or in partnership with local actors. Challenges emanating from increased robustness can create, and already do in current missions, unintended consequences. The use of force, or the failure to use force, will impact the civilian population, civilian and military partners in the area of operations and the broader international community (Coning et al., 2007). It should be underlined that protecting vulnerable populations or deterring or disarming spoilers, which may be the two main reasons behind increased robustness, is extremely difficult. Often the UN missions are deployed to inaccessible areas in conflict ridden regions, and with limited military means at their disposal. In addition, as we have seen, dubious, but necessary partnerships may harm the perception of the UN as a credible and legitimate actor.

4   The Limitations of the UN as a Military Enforcer

> Bashir has opposed non-African troops, delayed allocating land to the force, demanded the right to disable the mission's communications during "security operations" and refused night flights.
>
> *Reuters AlertNet, January 2008*

The struggle of getting UNAMID (African Union/United Nations Hybrid Operation in Darfur) fully deployed and operational in Darfur illustrates some of the limitations of the UN system. Even though UNAMID has been given a 'robust' Chapter VII mandate, it is not a humanitarian intervention *per se* (United Nations Security Council, 2007a). UN member states did not exactly rush forward to protect a civilian population which in fact was, and still is, in acute peril. The Darfur crisis had already been on the table for years. The atrocities committed by the *Janjaweed* were well documented. The Sudanese government's involvement in the abuses was no longer in doubt. Already in 2004 the US termed the atrocities committed in Darfur as genocide.

The international community has been stuck in a self-imposed deadlock in dealing with the situation. Due to the lack of political will, and the possibility of a veto from one of the permanent members in the Security Council, the UN as a whole, has neither been willing nor able to push for a forceful response to the Darfur crisis. In addition, even after the mission was mandated, it has been extremely difficult to reach consent from the host authorities. It has been clear from the beginning of this process that Khartoum and President Hassan al-Bashir were not interested in the hybrid peace operation succeeding. As the initial quote indicates, Khartoum has been able to micromanage most key aspects relating to the deployment of the operation, giving the capital substantial leverage in its attempts to control the situation.

Despite the focus on increased robustness and emerging concepts such as the Responsibility to Protect, the UN struggles with defining its role as a military enforcer on all levels; strategic, operational as well as tactical. The following will look more closely at some of the main political and military limitations which hamper UN efforts.

4.1   The Foundations of the Organization and the UN Charter

In 1945, clearly aware of the failure of the League of Nations to avoid another world war, the founding members of the UN decided that the new organization's primary purpose was "to save succeeding generations from the scourge of war "(United Nations, 1945:UN Charter: Preamble). The UN Charter gave the Security Council primary responsibility for maintaining international peace and security. Key victorious nations of WWII granted themselves great influence in the Council, including veto-power to the five permanent members, or P-5 (China, France, Russia, the UK, and the US). Granting this right to the permanent five members of the Council was meant to secure the military and political participation of the great powers when any future crisis was to threaten international peace and security.

The Council was given a broad range of means short of the use of force to achieve its main goal. Some of the proposed means can be found in Chapter VI, such as; "[...] negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means [...]" (Chapter VI, article 33, para.1). Chapter VI is also where traditional peacekeeping has its foundation in the Charter. However, not mentioned specifically as a tool, the concept of peacekeeping owes more to personal initiatives from individuals such as Canadian Lester B. Pearson and Swedish Dag Hammarskjöld, than to the initial ideas of the founding members.

As described in Article 2, para. 4, the baseline of the UN Charter when it comes to the use of force is that "member states shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state." However, the Charter also included two exceptions for when forceful means could be applied. Article 51 and Article 39 reads that use of force could be employed in cases of self-defense (Art. 51) and when the Security Council has determined the existence of a threat to international peace and security (Art. 39) (Tardy, 2007:49).

Today most UN peace operations are mandated through Chapter VII, and 'robust peacekeeping' has become a staple phrase when talking about these missions. The Chapter states that:

> the Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security (Chapter VII: article 39).

Article 41 relates to sanctions while Article 42 relates to the potential use of military forces. In the actual text of current mandates it has become the norm for the Council to underline that it is "acting under Chapter VII of the UN Charter."[4] Article 42 in Chapter VII provides the Council access to the 'bluntest' tool, and by specifically referring to the chapter, according to the Capstone Doctrine, the Council is "denoting the legal basis for its action" and can also be seen as "a statement of firm political resolve and a means of reminding the parties to a conflict and the wider UN membership to their obligation to give effect to Security Council decisions" (United Nations, 2008b:14). In addition, robust mandates often underline the UN's intention to defend its mandate, its personnel, humanitarian actors and civilians under threat from physical harm.

As shown above, the Charter encompasses a wide range of approaches, from peaceful means to the use of force, to enable the organization to strive towards its ambitious goals. Although founded at a moment in history when hope for a more peaceful and stable future were predominant among some of the main international actors, the founding principles of the UN Charter show that despite the idealistic baseline, the very foundation of the organization is obviously influenced by *realpolitik* and pragmatism.

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[4] See for example page 4 of S/RES/1861 (14 January 2009) on the situation in Chad, the Central African Republic and the subregion.

4.2 Political Limitations

> [...] one of the basic principles of the use of armed force is its inscription in a political framework; the use of force within peace operations is often disconnected from any political project.
>
> *Thierry Tardy, 2007*

Thierry Tardy's argument points to one of the main limitations of the UN's use of force. Tardy's statement echoes Prussian military strategist Carl von Clausewitz (1780-1831) whose well known words read that war is a continuation of politics by other means and "in no sense autonomous"(Clausewitz in Paret et al., 1989:605). Although his thoughts on military strategy and war were born in an era of emerging inter-state total wars, they continue to make sense even when projected onto current low-intensity intra-state conflicts.

To balance Tardy's comment that the use of force within peace operations is disconnected from any political project, this report argues that we are now at least witnessing an ongoing discussion of *how* language concerning use of force should be included in mandates and guidelines concerning UN's approach to peace operations. Whether or not UN peace operations can be regarded as a political project in a Clausewitzian or Tardyan sense could be a topic for further discussion, but what remains clear is that mandates as well as guidelines are the result of a plethora of political processes, and despite the UN's continuous reference to the core principles of UN peace operations, these operations, once mandated and deployed, must be considered by and large as a political endeavor.

Tardy observes correctly that the non-intervention principle and reluctance to accept the use of force by the UN still has a strong standing among some member states, including some of the permanent five members of the Security Council. However, in contrast to the Cold War era, member states strongly adhering to the non-intervention principle now often find themselves regularly challenged by a conglomerate of influential states with a strong belief in the democratic peace thesis, humanitarian interventions and the responsibility to protect civilians from atrocities. This fault line runs through the highest level of the UN's political leadership. It influences the language used by the UN in official documents and often leads to attempts to depoliticize outcomes. Despite this tension, all member states now have to relate to the fact that the UN is expected to take a more assertive stance to protect civilians or when facing armed opposition to the fulfillment of the mandate. Since the World Summit of 2005 and the collective subscription to the Responsibility to Protect principle, non-interventionist members are now more likely to be criticized for inaction when civilian populations are in peril from genocide, war crimes, ethnic cleansing, and crimes against humanity.

The difficulties of deploying the hybrid operation UNAMID to Darfur is a case in point, which illustrates just how tense the relationship is between emerging norms for intervention and robustness and political realities. This indicates that the UN, despite the increased focus on 'robustness' in mandates and guidelines, still is highly dependent on broad consent from the main warring fractions to be a credible, robust and effective intervener. China has been under

significant pressure during the Darfur process and can no longer avoid relating to the dilemmas of dealing with Khartoum when atrocities are ongoing in Darfur. The fact that UNAMID has been established, supported by the Security Council, with a mandate of protecting civilians, despite the close ties between Khartoum and Beijing, indicate that peer-pressure and evolving international norms has some impact on the ways states chose to act.

Looking at the political limitations from another angle, we find in the DRC a case which can help illustrate the fact that support from the Council and a robust mandate is not enough to achieve robustness. MONUC, currently the world's largest and most expensive UN peace operation is deployed in the DRC with the unanimous support of the Security Council, and is given a robust Chapter VII mandate. MONUC has been regarded as one of the few operations where the UN from time to time has actually delivered on its promises to act robustly (Kjeksrud, forthcoming 2009). As mentioned earlier, MONUC has sided with the elected Congolese government and officially stated that it will provide all necessary support to government forces in disarming spoilers and armed militias, including fire support, as well as protecting the civilian population from atrocities and imminent physical danger (Bavier, 2007:Reuters AlertNet). On several occasions, and maybe most visible during the fall of 2008, when the rebel forces of Laurent Nkunda almost unhindered rolled towards Goma in North Kivu and jeopardized the entire peace process, the situation in the DRC has proved to be too challenging for MONUC to handle. The scenario which unfolded last fall did not only imply that the UN forces deployed are not able to respond militarily to challenges from rebel groups. The immensely slow response from the Council to act decisively on such a clear threat to its mandate underlined that robustness only can be achieved when the Council follows through and delivers on its promises, especially when missions are under fire.

The trend of referring to increased robustness of UN peace operations does not imply that the UN has mastered the challenge of how best to include language concerning the use of force into its political framework of peace operations. UNSC resolution 1794 (21 December 2007) reads:

> [The Security Council] encourages MONUC, in accordance with its mandate and emphasizing that the protection of civilians must be given priority in decisions about the use of available capacity and resources, to use all necessary means, within the limits of its capacity and in the areas where its units are deployed, to support the FARDC integrated brigades with a view to disarming the recalcitrant foreign and Congolese armed groups, in particular the FDLR, ex-FAR/Interahamwe and the dissident militia of Laurent Nkunda, in order to ensure their participation in the disarmament, demobilization, repatriation, resettlement and reintegration processes, as appropriate (United Nations Security Council, 2007b).

The language used relating to the use of force in the mandate remains shrouded in mystery. The phrase 'all necessary means' is what the Council prefers to use to circumscribe the mandated use of force. Obviously, what the Council implies is that if necessary, the use of force, up to and including lethal force, can and will be used to fulfill the mandate, but the judgment of when, where and how is up to the mission leadership, the individual commander or even the soldier on the ground to decide.

Power politics among the permanent five members of the Council always seep into UN dynamics. In addition, the guidance from the Security Council in the form of mandates and presidential statements are often based on *ad hoc* approaches to specific events that constitute a threat to international peace and security. Combined with the fluctuating influence coming from ten non-permanent member states with limited two-year representations this often results in a process of finding the lowest common denominator among all voting seats in the Council. Rather than optimal solutions to counter threats to international peace and security political compromises between a wide array of actors colors the outcome This has been the nature of the UN system since its foundation, and will obviously not easily be changed.

Even though mandates now most commonly include a reference to Chapter VII, the Council is not obliged to do so. For traditional peacekeeping operations this routine was never established, and Chapter VI was never invoked (United Nations, 2008b). Vague expressions provided political 'wiggle-room' for Council deliberations once the missions were deployed. This organizational culture has lived on within the Council. Now that peacekeeping has become an established tool of the Security Council and language concerning the use of force is included in the mandates, vaguely phrased paragraphs are often seen as a possible way of helping the Council to stay united on the most important decisions of getting operations mandated and deployed. Most observers and Council members are aware of the fact that a divided Council does not have the same leverage on a crisis situation as a unanimous Council. The down side is that ambiguous or vague language allows for Council members to avoid dealing with the underlying frictions between member states, which can have direct impact on the way a peace operation will operate. It opens up for different interpretations of the mandate and how it should be fulfilled. Member states can more easily form their stance to suit their domestic agendas, and still be able to agree with other members of the Council, despite the 'muddy waters' it often creates for those set to implement the mandate.

As we have seen, due to its internal composition and established routines the Council usually decides to remain vague and somewhat apolitical on the issue of the use of force. But still; current trends of more 'robust' peacekeeping mandates have led the Council to at least include a reference to Chapter VII. However, to lend the words of International Crisis Group's (ICG) François Grignon and Daniela Kroslak; "the military component of a peacekeeping mission is only as effective as the mission's political masters make it"(Grignon and Kroslak, 2008). The use of force most definitely is linked to the UN's political framework. The difficult *implementation* of forceful means is left to the Secretariat under the Secretary-general, heads of missions, operational commanders and the individual soldiers. They must evaluate and decide when to use force as one of the means to fulfill multi-dimensional mandates. The level of ambiguity and vagueness in mandates and guidelines does not make these decisions any easier.

4.3 Military Limitations

> Our system for launching operations has sometimes been compared to a volunteer fire department, but that description is too generous. Every time there is a fire, we must first find fire engines and the funds to run them before we can start dousing any flames.
>
> *Kofi Annan, 2000*

In 2000, former Secretary-General Kofi Annan vividly described some of the main limitations of the UN system in his report on the role of the UN in the 21st Century (Annan, 2000). Today, nine years later, and more than sixty years since the first peacekeeping operation was authorized, troops are still scrambled together on a case-by-case basis. Insufficient funding, materiel and logistics are still hampering UN peace operations around the globe. It appears that the UN will have to live with many of these limitations for the foreseeable future when staging peace operations. Several reform efforts are underway, though, and more on the reform processes and improvements will follow later on in the report. When compared to most national military forces and multinational alliances with a military focus such as NATO, the UN is considered to have severe military limitations. This section identifies some of the reasons why.

To improve the UN's military capacity and capability, the idea of establishing a UN 'rapid deployment standard' has been suggested on several occasions. The Brahimi-report was very specific in its recommendations on this issue (United Nations, 2000:xi). However, member states have never mustered the necessary political will to make it happen. The lack of a deployable pool of personnel obviously hampers the military capacity of an organization responsible for deploying close to 100 000 uniformed personnel throughout the globe. UNAMID is yet again a telling example. Around 26 000 military and police personnel were mandated to UNAMID in July 2007, but two years later, the UN has only managed to deploy around 13 000 troops and 3000 police officers (as of 31 May 2009) (United Nations, 2009). Many of these troops had already been operating in Darfur under AU command. Thailand, Nepal, Sweden and Norway offered to send specialized troop contributions to critical support functions in UNAMID, but this was effectively stopped by Khartoum. The UN still struggles to scramble together enough logistics capacities and air lift assets to compose a credible mission there. Additionally, compared to organizations such as NATO, the Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS) clearly suffers from a severe lack of military planning capacity (Durch, 2006:582). Especially this last point contributes to a general reluctance among Western nations to commit troops to UN peace operations.

The ambiguity found at the political level, in Security Council mandates and guidelines, themes discussed in the former chapter, is mirrored in the fact that the UN lacks a functional military doctrine. As mentioned, the DPKO and DFS recently developed the Capstone Doctrine as a first step towards alleviating this gap (United Nations, 2008b). However, the following analysis of the document will show that the UN struggles to relate comprehensively to its role as a military enforcer.

First of all, the Capstone Doctrine underlines that it does not seek to "override the national military doctrines of individual member states" (p.9). From a military standpoint this statement stumbles on its own logic. How can a doctrine be deemed steering, sufficient or effective if there are numerous national doctrines that in fact override it? Instead of providing a coherent UN doctrine, this statement only underlines the observation that the UN still lacks functional military guidelines. The authors are clearly aware of the limitations and admit that "[...] this document is unable to resolve many of these issues [...]" (p.9). Important questions remain, though; as operations become more dangerous and complex, should the UN really seek to override national doctrine and training? It might just be that guidelines such as the Capstone will be suited for 'extraordinary' tasks such as complex peacekeeping but the closer operations get to 'war fighting' national doctrines may be better suited to guide the approach.

Multinational and multidimensional operations with increased civ-mil cooperation, hybrids, bilateral solutions and co-deployment, although intended to be methods of alleviating gaps in the UN's response to crisis and instability, they can also weaken chains of command. UNAMID in Sudan has struggled with this question ever since it became clear that an integrated UN-AU command was to be in lead of the hybrid mission. Although the UN has made attempts at creating functional command and control structures in its integrated missions approach, practice shows that it still suffers from a rather weak C2 structure. This is obviously a major challenge in operations mandated to use force. Modern military commanders know that complex and violent military operations demand a high level of control and oversight to be able to lead military forces effectively. Each contributing nation in UN missions follows a national approach to how it specifically structures its forces, command and control functions included. This is not a unique challenge just for the UN, as organizations such as NATO also suffer some from the multinational composition of its forces. However, NATO's C2 structure is still a lot more coherent and streamlined compared to the UN's, mainly due to NATO's more narrow military focus. In some instances the UN's dilemma is alleviated by the use of smaller national units to perform more kinetic operations. This has been the case in the eastern parts of the DRC and in Haiti. Although these attempts have not always been successful, national units could have the potential of making specific operations more coherent and solid at the tactical level. This approach might undermine the multinational idea behind UN peace operations, but can work as an *ad hoc* approach in more extreme cases. It still does not solve the question of how the UN should proceed to establish functional C2 structures to support its role as a military enforcer.

The UN's planning approach to peace operations is often based on 'best-case' scenarios. Combined with the ambitious guidelines from robust mandates this often leads to gaps between what the operations are expected to do and their actual capacity in terms of manpower, basic military equipment and weapons systems, logistics, and air-lift capabilities. Roméo Dallaire of Canada, former Force Commander of UNAMIR (Rwanda), once stated that the UN is a 'pull' and not a 'push' system. In a push system basic resources needed by a certain number of personnel will automatically be provided, such as food, fuel, ammunition, etc. In a pull system, such as the UN, you have to apply for everything, regardless of size and type of mission (Dallaire, 2003:99-

100). UNAMID and MONUC are strenuous tests of the UN system and its ability to keep massive civilian-military endeavors operational in harsh environments.

Despite the limitations described above, participation in UN peace operations can have several positive effects for contributors when seen from a military perspective. First of all, participation can provide valuable operational experience in low-intensity conflict environments. National units, officers and soldiers can be given opportunity to practice their skills through the practical application of military tactics in an active theater of operations. The presence of other UN member states within the same mission can have a positive synergy effect on national troops, since the multinational environment creates unique possibilities for exchange of experiences, approaches and skills. Also, troop contributing countries (TCCs) are often given a central position when the UN is planning each operation. This can provide a seat at the table for countries that are otherwise not too influential in the UN system. A more problematic effect is the economic incentive created by participation in UN peace operations. Some countries tend to use participation in peace operations as a way of creating national revenues, leading them to keep contingents standing for years on end. This of course may have several negative effects, not just for the individual soldier from the contributing nation, but also for troops from other UN member states and for the effect of the UN peace operation as a whole.

4.4 A Question of Legitimacy

> There is no such thing as risk free soldiering.[5]
> *Sir Michael Jackson,*
> *former UK general, 2008*

The current global scenario arguably lacks existential threats as experienced during the Cold War. International conflict management and interventionism now balance between idealism and focus on human security on the one hand and, on the other, handling limited threats to international security. Paradoxically, 'saving the world' may involve using military force. In addition, meeting security threats now often involves the use of 'softer' tools such as humanitarian aid and development assistance. When UN personnel are mandated to use force as part of an integrated mission, how can the UN maintain legitimacy as a whole? The organization is first and foremost perceived as a multidimensional and legitimate agent of *peace*, where the use of force is marginal and highly disputed part of its total activities. The moment forceful means are utilized in a UN peace operation, maintaining legitimacy among local populations and member states becomes a core issue.

4.4.1 Challenges of Maintaining Domestic Support

Public opinion in many Western liberal democracies indicate that current threats are perceived as less imminent or existential than they did a few decades ago. In many countries, a majority of the population doubts the viability of using of force to promote peace and stability. Military involvement in regions of the world that only arguably *could* represent a future threat is of course

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[5] General Sir Michael Jackson, *The Use of Force – General Reflections*, IFS Seminar, (Institute for Defence Studies, Oslo), 05 February 2008

harder to sell to a critical mass of the population than the overhanging threat of nuclear annihilation. Towards the end of the 1990s the use of force in Kosovo was also hotly debated, despite the clear picture of ongoing ethnic cleansing and possible further destabilization of the Balkans. The events of 9/11 momentarily changed this and created massive domestic support in the US and most Western states for the initial invasion that toppled the Taliban in Afghanistan. However, even the serious threat emanating from al-Qaeda and global jihad may in the end not be enough to sustain a level of popular support for the continued use of force. Domestic debates all over the Western world continuously challenge the legitimacy of the use of force in Afghanistan and Iraq. Perceived legitimacy determines whether a democracy is able to stay committed to support peace operations in violent conflicts.

Linked to this, but another aspect, is a general lack of willingness to accept casualties while fighting non-existential threats. As General Jackson observed earlier this year, sending soldiers to regions of war and conflict will inevitably risk their lives. Democratic governments, always in need of votes to remain in office, must balance between their loyalty to international organizations and how to maintain domestic support for their national agendas. Even in a time when instability can emanate from the territories of distant failed states e.g. in the form of global jihad waged against Western targets and values, most states can only conditionally support international efforts in complex peace operations. National approaches to peace operations will often fluctuate with the perceived legitimacy of the international efforts, particularly when it comes to the use of force.

4.4.2   Winning Hearts and Minds[6]

> To suggest that good intentions will cross fundamental cultural, social and religious differences and win over a damaged population is at best dangerous and wishful thinking. The image of winning a heart or a mind is almost ridiculous.
>
> *Lt. Gen. Graeme Lamb, 2008*
> *Former British Commander in Iraq*

Lamb's somewhat cynical statement given at an international security conference in Stockholm in March 2008 has the seasoned practitioner's pragmatic look at the prospect of 'winning hearts and minds'. He elaborated on the issue stating that among the domestic population in an intervened country there will be "some who need us, albeit for a short time, others that will accommodate us, albeit for a short time, and others that will hate us simply for all time" (Los Angeles Times, 2008). As mentioned already, public opinion in Western states some times views the use of force as a potential trigger of new threats and many doubt the general effectiveness and legitimacy of the use of force. The same dynamic makes itself felt in recipient countries. What kind of impact

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[6] The term "winning hearts and minds" - today often linked to military forces' humanitarian and development efforts to win the trust and support of local populations in conflict areas - might have originated from British military strategy during the 'Malayan Emergency' between 1948 and 1960. The British gave food and medical aid to the local population in an effort to 'win' them over to their side and avoid creating more sympathy among the locals for the Chinese side. The US also launched similar campaigns during the Vietnam War.

do forceful means have on civilian populations' perceptions in countries on the receiving end of peace operations?

'Winning hearts and minds' has been used time and again to describe attempts by interveners or occupants to gain the critical support of civilian populations. Earlier these efforts were linked to attempts at increasing the level of force protection for the interveners. In order to reduce the risks involved in being an intervener or an occupier, support from the local population was deemed essential. However, interveners have become more aware of the limits of a purely military approach to stabilization, and it has been realized that to achieve long-term success the local population must actually be convinced that they have a better future if the interveners prevail. There is no general agreement how to achieve that. Naturally, each case depends on specific circumstances and will be approached differently in each case, but it usually comes down to be able to understand the local population's hierarchy of needs, in which improved security always will be a priority.

Improving security while preserving legitimacy inevitably includes dealing with spoilers to peace processes. Stephen John Stedman has written influentially about spoiler problems and how international actors play an all important role in the success or failure of spoilers. He observed that:

> Custodians of peace processes confront several different spoiler problems that differ on the dimensions of the position of the spoiler (inside or outside of an agreement); number of spoilers; type of spoilers (limited, greedy, or total); and locus of the spoiler problem (leader or followers, or both) (Stedman, 1997).

Handling spoilers is among the UN's greatest challenges in current peace operations. Grey areas become obvious during the process of deciding whom among the local counterparts to support and whom to coerce. This is a complicated exercise in post-conflict environments that have seen years of shifting alliances and allegiances. Leading figures in societies suffering from the aftermath of intra-state war have often been an integral part of the conflict, maybe even as influential militia commanders. In many cases they still hold significant sway over armed groups outside state control after they are elected into office through UN supported elections. Staying impartial is very complicated for the UN's complex crisis management system, especially when it comes to dealing with spoilers.

When using force in peace operations there are basically three scenarios that may emerge. First, if too little force is used, the population can become frustrated by what they perceive to be a feeble international effort. Lack of protection from violence can further enhance this frustration. This has been the case in the DRC, where MONUC, even when they could, several times has failed to use force to protect the civilian population from indiscriminate attacks, leading to violent protests against the UN force. Second, the use of force can be perceived as being too indiscriminate or too heavy handed, as has been the case in Afghanistan, where the use of force has led to collateral damage on many occasions. The stabilization effort through aerial bombing has been a controversial issue, and NATO has tried several methods to counter the loss of legitimacy, for

example by establishing civilian-military Provincial Reconstruction Teams (PRTs). Third, if the use of force is done just right, one would expect that short-term stabilization efforts were successful.

Tellingly, to underline the difficulty of getting the use of force just right, there are not too many examples that can be described as 'best practices'. There are several examples of failed attempts though. Iraq is often used as a contemporary example where few hearts and minds have been won, although the tide has changed somewhat after the 'surge'. It remains to be seen, however, whether the efforts to achieve short term stability will counter long term stability efforts in the country. The case of Kosovo, where the Western forces initially experienced solid support and trust from the Albanians, showed that hearts and minds must be won continuously in order to avoid popular resistance against the military presence. Many Afghans initially saw the US invasion of Afghanistan as legitimate use of force. NATO and the UN quickly became more involved in the stabilization and democratization efforts, but the security situation in Afghanistan is still extremely fragile. It is not entirely obvious that most Afghans still support the Western presence.

To sum up, finding 'the right way' to apply force as part of a stabilization effort to gain the trust of the population is extremely difficult. When collateral damage is a fact, too much force has been applied, or at least in a way that can not be accepted. When peace operation forces fail to counter threats towards civilians from spoilers and insurgents the perception of their ability to protect them will weaken.

5   Towards a Conceptual Overstretch for UN Peace Operations?

> Mid-1990s peacekeeping had acquired a wholly negative connotation, widely associated in the public mind with failure and moral cowardice in the face of evil.
>
> *Mats Berdal, 2003*

As the world united to throw Iraq out of Kuwait in the beginning of the 1990s, there was a growing sense that the UN would finally be able to fulfill more of its broad mandate of maintaining international peace and security. Inspired by its early post-Cold War successes the UN got involved in increasingly complex conflicts, but the growing optimism was soon quelled by negative headlines as it became clear that new conflicts brought forth challenges the organization was not able to handle. Tragic events in Somalia, Rwanda and Srebrenica in the early to mid-90s weakened the faith in the UN's abilities and overshadowed subsequent debates on the future of the UN (Ramesh Thakur, 1995:317). Partly as a result of the UN's mismanagement of some of these conflicts, the number of forces deployed to UN missions decreased dramatically, and a general sense of crisis seeped into the entire concept and practice of UN peace operations (Roberts, 1994:52).

However, the reports of UN peace operations' demise proved greatly exaggerated. The sense of crisis did not last long. In the late 1990s, the UN took on executive authority in Kosovo and East Timor, and today, just over a decade later, the UN is deploying an unprecedented number of personnel to peace operations around the globe.[7] In addition, the complexity of the tasks is ever increasing. Reform efforts are evolving to make the UN more effective in tackling current conflicts and there is increasingly broad cooperation with regional actors such as the AU, NATO and the EU. Belief in the UN as the primary agent for peace is once again strong, despite a lack of success (Berdal, 2003).

On a less positive note, the reform processes are evolving but quite slowly. A lot of effort has been put into understanding the failures of the mid-90s, but it is not obvious that the UN has managed to coherently implement lessons drawn from former experiences in its current reform efforts and approach to peace operations. As the organization's capabilities are more sought after than ever before, the UN's limitations that were grimly highlighted in the 1990s largely remain the same.

The most significant change since the crisis in the mid-1990s is the increased focus on 'robustness' of current peace operations. By giving the UN forces wider and more robust mandates the traditional core principles of UN peacekeeping have been severely affected. Today, a Chapter VII mandate usually includes the right to use force to protect the mandate, property essential to the mission, and civilians (Penny, 2007). The focus on human security and protection of civilians has led to a new binding principle for the UN and its member states: the Responsibility to Protect (R2P) (United Nations, 2005:138-139). Although world leaders and heads of state signed on to this potentially far-reaching principle, little has yet been done to operationalize it. Implementing the R2P in full will have far-reaching implications for the strategic level of the UN as well as for the operational and tactical levels of peace operations.

While there is a growing consensus that the UN should apply force as a last resort to protect civilians, the principles of minimum use of force for self-defense and non-intervention in sovereign states still stand strong among many member states. That said the UN has been involved in several offensive operations where the degree of minimalism could be discussed. The practice of use of force today goes far beyond the principle use of force for self-defense. In the DRC attack helicopters and artillery have been used to counter armed opposition from spoilers to the peace process on several occasions, including operations during the summer of 2009 (Lewis, 2009). In 2005 there were reports of more than 50 rebels killed as a result of a single UN operation in Ituri in the eastern DRC (United Nations News Service, 2005).

The UN still claims to stick to the principle of impartiality; "Peacekeeping operations must implement their mandate without favor or prejudice to any party" (United Nations, 2008b:33).

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[7] Currently, as of 30 June 2009, there are 17 peace operations directed and supported by the DPKO. The total number of uniformed personnel (troops, police, and military observers) serving are approx. 93 000. In addition there are over 20 000 civilian personnel (international staff, local staff and UN volunteers) (DPKO Background Note: http://www.un.org/Depts/dpko/dpko/bnote.htm).

After the genocide in Rwanda in 1994 and the horrible events in Srebrenica in 1995 the UN has become very aware of the possible consequences of staying neutral or inactive. Today the UN routinely takes a clear political standpoint as to who it supports in a peace process and is thereby not impartial. Groups which are deemed to be spoilers might to some extent be treated impartially in relation to what is decided in a UN Security Council mandate, but due to politically sensitive processes both within the Council and in the recipient country, not every group will be treated equally.

Similar challenges arise when we look at the reasoning behind the principle of *consent* (United Nations, 2008b:31). The principle is no longer absolute. When traditional peacekeeping missions were deployed there was usually a peace to keep. Two or more parties had signed on to a ceasefire or a peace agreement, and the UN deployed only after consent had been secured from the involved parties. Often, this is no longer the case. Several recent peace operations have been deployed to regions where violent clashes continue to take place, and where there is an overhanging danger of the parties sliding back into full-blown conflict. To be able to operate in complex intra-state war environments at all the UN has modified the principle of consent to some degree, to say that "United Nations peacekeeping operations are deployed with the consent of the main parties to the conflict" (United Nations, 2008b:31). By relating only to the consent of the *main* actors the UN opens up for an interpretation of who the main actors are, and decides to relate to other actors differently. In the DRC, for example, it is not entirely obvious who the main actors are. There exists a wide variety of groups with their specific grievances, the political situation is continuously fluctuating, and several important groups have not given their consent to a UN presence in the country. The UN guidelines are obviously aware of the dangers of becoming a part to the conflict. However, by demanding consent from the main actors of the kaleidoscope of belligerents, i.e. not from all actors, the organization have increased the potential of becoming just that; a part of the conflict.

Another aspect seems to be the assumption that by referring to Chapter VII in mandates a UN operation's robustness is assured. This does not necessarily pay heed to what is actually needed in order to follow through in terms of doctrine, troops, military equipment, and logistics to implement complex mandates, and to be able to protect UN forces and the civilian population in conflict areas. The fact is that the UN is currently operating in several conflicts that are similar in levels of violence and complexity to those which almost rendered the UN irrelevant as an agent of peace in the mid-90s. In late November 2007, MONUC established buffer zones and mobile bases in North Kivu which were meant to protect civilians from violence. This operational tactic seems quite similar to the failed concept of so-called *safe-areas* in Bosnia (United Nations, 1999). As the tragic events in Srebrenica unfolded, it became clear that the UN was neither willing nor able to protect thousands of vulnerable civilians from gruesome attacks. Despite the willingness to do something in the DRC it does not seem like the UN has changed its approach significantly to better be able to secure areas for civilians. However, the UN in Haiti has been conducting offensive armed operations in *Port-au-Prince* to root out criminal elements from certain neighborhoods of the city (Lacey, 2007). This last example shows that the UN, when both willing and able, can act robustly.

A theme central to the debates after Rwanda and Srebrenica was centering on the UN's ambivalence regarding the use of force. The debate concerning the difficult deployment of UNAMID has been under way for quite some time, but there is little debate about the possible unintended consequences of operating under a Chapter VII mandate in this violent region of the Sudan. However, it is still anticipated that the AU/UN force will be able to protect the civilian population and humanitarian workers, and as a last resort be able to enforce the mandate given. Forceful operations bring along many practical implications that are far from solved in the UN system, and far from solved in relation to UNAMID. At least it requires a fully operational logistics system, which already struggles with the challenges linked to transport of materiel and troops to the inaccessible region. The hybrid C2 structure also remains a major question mark in this regard, and it seems to be difficult to achieve consensus in the Security Council regarding the future of UNAMID (Security Council Report, 2009).

There seems to be an unprecedented awareness that critical reforms are essential at this time of massive expansion of the size and scope of peace operations, at least within certain parts of the UN system, and maybe especially within the DPKO. The ghosts of Rwanda and Srebrenica still haunt the organization, and a strong feeling of 'never again' has been instrumental in driving the reform processes forward. Since the dip in activities in the mid-90s several major reform efforts have been made to improve the UN approach to peace operations, such as the Brahimi report (2000), the Panel on Threats, Challenges and Change (2004), the Panel on System-Wide Coherence (2006) and the reform effort termed Peace Operations 2010 (United Nations, 2004, United Nations, 2000, United Nations, 2006a, United Nations, 2006b). Key objectives of the 2010 process are to:

> ensure that the growing numbers of United Nations peacekeeping personnel deployed in the field, as well as those serving at Headquarters, have access to clear, authoritative guidance on the multitude of tasks they are required to perform (United Nations, 2006b).

Bellamy, Williams and Griffin stated that one of the principal factors leading to the rebirth of peacekeeping stems from the fact that "lessons were finally learned from past mistakes and new doctrines, institutions and procedures were developed" (Bellamy et al., 2004). Although this factor may have been felt more keenly at the first period of the rebirth of peacekeeping, caution should be used when we look at the status of lessons learned for the UN system. Doctrine development and the establishment of new procedures take time to mature. This does not imply that lessons have not been learned since the rebirth of peacekeeping. In fact, the increasing array of peacekeeping tasks and the Integrated Missions concept can be seen as a response to earlier experience.

In addition, since there are few cases that can serve as precedents, no international actor can be said to possess the necessary experience and knowledge about how best to approach current complex conflicts. Learning by doing is still a necessity, always implying the need to expect unintended consequences of activities of peace operations. Again, UNAMID can serve as an example. If lessons had been fully learned and incorporated into the UN approach, it is highly doubtful that this massive mission had taken the form of a hybrid mission. The hybrid concept is

a new approach to peace operations, the establishment of which seems to have a lot more to do with an *ad hoc* approach to a dire humanitarian crisis than with a carefully calibrated UN mission based on lessons learned from earlier peacekeeping experiences. Yet, the fact that UNAMID finally was approved and now is in the process of deploying, shows the ability of the UN to overcome political deadlocks, despite the resistance displayed by the Government of Sudan.

There are many reasons why the use of force is difficult for the UN. In addition to the conceptual difficulties of matching principles and guidelines with the reality of complex crisis management, the UN is by default a rather weak enforcer, both politically and militarily. As one UN employee working in the DRC stated earlier this year while discussing some of these shortfalls, "the UN is not imperfect– it is perfectly designed for imperfection."[8] In light of current developments within the practice of peace operations it is not entirely obvious that increased 'robustness' will help mend the gaps and avoid new catastrophic events. Neither is it obvious that today's Chapter VII operations really are more robust than the failed attempts in Africa and the Balkans in the 90s.

Does all this indicate that UN peace operations are moving towards a conceptual overstretch? This report would answer yes. Compared to the robust ambitions in current mandates, concepts and guidelines, the UN's actual capacity for robust action suggests a severe mismatch. None of the existing doctrines, guidelines and reform efforts provides a viable solution to how the UN should relate to the use of force. Behind the impressive number of troops deployed world wide there are severe political, military, conceptual, doctrinal and logistical gaps which are not easily mended. This does not automatically imply that the UN is heading towards a new crisis, but if the organization continues to fail to live up to its own promises, chances are that robust peacekeeping will end up as an entirely hollow concept.

6   Conclusion – With a View towards the Future

> It will survive not because it performs so well or delivers so much, but because peoples and countries need the hope it provides for a better way.
>
> *Professor Edward C. Luck, 2006*

This report has taken a broad and critical view on current UN peace operations with the aim of analyzing conceptual, military, and political gaps in the UN's approach to the use of force. The vantage point was the observation that even though core principles, concepts, and practices of UN peacekeeping have developed significantly since the crisis in the mid-to late 90s, the organization still struggles with how to bridge gaps in its approach to the use of force. Based on this observation and the following analysis the report ultimately asked the question whether UN peace operations are heading towards a state of *conceptual overstretch.* As indicated towards the end of Chapter 5, the UN now indeed finds itself at a tipping point, where robust ambitions clearly outweigh actual capacity for robust action. Compared to the robust ambitions in current mandates, concepts and guidelines, the UN's actual capacity for robust action suggests a severe mismatch.

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[8] Conversation with UN staff member, Goma, May 2008

None of the existing doctrines, guidelines and reform efforts provides a viable solution to how the UN should relate to the use of force.

The situation at the end of the Cold War marked the beginning of a period with heightened expectations towards the UN and its newborn ability for complex crisis management. Somalia, Rwanda, and Srebrenica soon proved that the organization's ambitions to act robustly were not based on a realistic assessment of its ability for complex crisis management in highly non-permissive environments. These tragic events, which displayed serious shortfalls in the UN's approach to the use of force, have however been instrumental in driving forth reform processes. After the short quell in activities of UN peace operations in the mid to late 90s, the belief in their usefulness was restored towards the turn of the century and we witnessed a "rebirth of peacekeeping" (Bellamy et al., 2004). Today, the UN deploys an unprecedented number of troops, police personnel, military observers and civilian staff to complex conflicts around the globe, under robust Chapter VII mandates.

Demand for UN peacekeeping resources by far outweighs supply, but the political will of getting involved in complex crises under robust mandates shows few signs of waning. However, this report has shown that the use of force under UN auspices is very challenging due to a number of reasons. Some limitations can be traced back to the foundations of the organization and the UN Charter itself, but maybe more importantly; tensions created by power politics among the permanent members of the UN Security Council and other major actors play a significant role in the UN's ambiguous approach to the use of force. Core principles, concepts, and practices of UN peacekeeping have developed significantly since the crisis in the mid-to late 90s, but none of the existing doctrines, guidelines and reform efforts provides a viable solution to how the UN should relate to the use of force. Some of the military limitations of the global organization have been described, which continue to severely hamper UN efforts to become a credible military enforcer. Finally, the UN, maybe more than any other organization controlling forceful means, has an extremely challenging task to maintain its perceived legitimacy when this clearly is closely connected to its important role as an agent of peace.

Due to the complexity of the issues discussed in this report it is unavoidable that it raises more questions than it answers. One core question that will remain unanswered is: what is the 'right' use of force in a UN context? It is important to emphasize that the use of force is at best a complex undertaking for any nation or organization under any circumstance. The multinational and multidimensional composition of current UN peace operations unavoidably complicate matters further. In addition, the harsh reality often shows that UN forces are often stretched to the maximum even before there are any major incidents demanding robust responses. So far there have been few 'best practices' to build on to help develop a more coherent UN approach to the use of force. However, the UN can not continue to rely on 'best case' scenarios in its approach. This will backfire sooner or later. When shots are fired, all military actors must deal with the Clausewitzian 'fog of war'. Planning and execution should reflect that to avoid unintended consequences.

Hopefully, by highlighting some of the major shortfalls and challenges of the current approach to the UN's use of force, the report can provide a small contribution to help avoid another major crisis in peacekeeping. In following reports the author will look closer at specific UN operations in the DRC and Haiti where the UN at times has been more robust. If lessons have been learned, the organization should strive to provide answers to some of the most difficult questions before units of Blue Helmets on the ground once again are given the extremely challenging task of protecting civilians or themselves against imminent danger. Any critical view of the UN system will discover gaps, but as Professor Luck rightly observes; even though the organization suffers from many obvious shortfalls it still brings hope to millions of people around the globe. The UN is still largely considered a legitimate agent of peace. To maintain its legitimacy, reform efforts and doctrine development should increase focus on improving the UN's current approach to the use of force.

7 Acronyms

ACT	Allied Command Transformation
AU	African Union
CA	Comprehensive Approach
CD & E	Concept Development & Experimentation
CMCO	Civil-Military Coordination
DDR	Disarmament, Demobilization and Reintegration
DFS	Department of Field Support
DPKO	Department of Peacekeeping Operations
DRC	Democratic Republic of Congo
EU	European Union
FAR	Armed Forces of Rwanda
FARDC	The Armed Forces of the Democratic Republic of Congo
FD	Forsvarsdepartementet (Norwegian Ministry of Defense)
FDLR	Democratic Liberation Forces of Rwanda
FFI	Forsvarets forskningsinstitutt (Norwegian Defence Research Establishment)
FSTS	Forsvarets stabsskole (Norwegian Defence Command and Staff College)
HNP	Haiti National Police
ICG	International Crisis Group
IM	Integrated Mission
IO	International Organization
JFCOM	Joint Forces Command
MAD	Mutual Assured Destruction
MINUSTAH	United Nations Stabilization Mission in Haiti
MNE	Multinational Experiment
MNF	Multinational Force
MONUC	United Nations Organization Mission in the Democratic Republic of Congo
NATO	North Atlantic Treaty Organization
NGO	Non-governmental Organization
NUPI	Norsk Utenrikspolitisk Institutt (Norwegian Institute of International Affairs)

OCHA	Office for the Coordination of Humanitarian Affairs
ONUC	United Nations Operation in Congo
PRT	Provincial Reconstruction Team
R2P	Responsibility to Protect
SSR	Security Sector Reform
TCC	Troop Contributing Country
UN	United Nations
UNAMI	United Nations Assistance Mission for Iraq
UNAMID	African Union/United Nations Hybrid Operation in Darfur
UNDP	United Nations Development Programme
UNEF	United Nations Emergency Force
UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Mission in Kosovo
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution

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