

THE EFFECTIVENESS OF PEACEKEEPING AND PEACE ENFORCEMENT OPERATIONS IN RELATION TO INTERNATIONAL HUMANITARIAN LAW



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The effectiveness of peacekeeping and peace enforcement operations in relation to International Humanitarian Law

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Page 1 of 42

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ABSTRACT

Conflicts have changed and the United Nations, nation states and international humanitarian law have adapted to these changes. Usually these adaptations have come about retrospectively, after perceived failures, criticism and lessons learned.

Even though there has been progress there still seems to be gaps in the effectiveness of an intervention and these gaps can be seen in how International Humanitarian Law (IHL) is interpreted and adhered to.

Peacekeeping and Peace Enforcement Operations are constrained by their own mandates and principles but they each have their own advantages for the contexts in which they operate. With a changing world though which type of mission is the most effective within its own context. Which leads to a more sustainable peace; diplomacy and peacebuilding or a decisive battlefield victory?

CONTENTS PAGE

• INTRODUCTION		4
• Hypothesis		
• Methodology		
• CHAPTER 1 DIFFERENT IDEAS		6
1.1 • Peacekeeping and Peace Enforcement Chapter VII		
1.2 • Goal and Aims		
1.3 • Mandates		
• CHAPTER 2 KEY International Humanitarian Law Concepts		15
2.1 • Military Advantage		
2.2 • Proportionality and Precautions		
2.3 • The Use of Force		
2.4 • Rules of Engagement		
2.5 • Other Organisations – Unilateral and Multilateral		
2.6 • Troop Contributing Countries		
2.7 • Capacity and Capability to Implement		
• CHAPTER 3 EXAMPLES		30
3.1 • UN Mission in Sierra Leone		
3.2 • 1992 United Nations Operation Somalia		
3.3 • United Nations Organisation Mission in the Democratic Republic of Congo		
3.4 • Responsibility to Protect – Humanitarian Aim		
• CONCLUSION		36
• BIBLIOGRAPHY		39

INTRODUCTION

The goal and purpose of this paper is to obtain a better understanding of the effectiveness of Peacekeeping Operations (PKOps) and Peace Enforcement Operations (PEOps), especially in complex humanitarian crises, by comparing and contrasting a number of International Humanitarian Law (IHL) concepts including the anticipated military advantage and rules of engagement.

A way to measure the effectiveness of a mission is to look at the objectives and principles of a mission against its intended short and long term outputs and outcomes.

Other questions for analysis include:

- The effectiveness of operating to the limits of IHL by unilateral, multilateral and United Nations (UN) Peace Enforcement Operations?
- Is it detrimental to the success of a mission to operate too far below International Humanitarian Law standards?
- Are the UNs principles of consent and impartiality compatible with PEOps?
- Do UN PEOps differ from unilateral or regional interventions in their approach and effectiveness of enforcing, maintaining and building peace?

Hypothesis

The world and conflicts have changed but it is questionable if the UN has kept pace with these changes to be an effective implementer of peace.

For an effective sustainable peace the UN regarded 'softly softly' approach may be more effective in slow-burning conflicts than a sharp violent intervention in which a side may be backed and endorsed. However if there is no real commitment to peace by the warring parties then a long drawn out conflict with multiple broken peace accords and ongoing civilian casualties will make wounds harder to reconcile.

An aggressive peace-enforcement operation is probably more effective in the short term but not in the long term compared to more consensual missions. This may be because

aggressive missions have higher risks and are more negative consequences due to collateral damage and this impacts on how interveners are perceived and interact with the local community.

Methodology

Without condoning more violence and not looking at mandates per se, I am questioning if Peace Operations are more effective if they operate closer to the limits of IHL, within the grey areas (collateral damage). During unilateral and multilateral (regional) interventions sides are usually chosen and the missions have the appropriate technology weapons to enforce their will. UN led missions usually do not have this capacity and capability but are willing to stay the course if they are resourced and permitted to do so.

To assess the qualitative effectiveness of missions I need to distinguish this to the context of the operation; the effectiveness of the Troop Contributing Countries (TCCs) capacity and capability; how the mandate is interpreted and implemented; the aims of the mission and the perceived outcome of the mission.

1. CHAPTER 1 - DIFFERENT IDEAS

There are a number of ideas to explore around sustainable peace and successful intervention and these help us to understand how different organisations approach conflict.

Must one side win a conflict for sustainable peace and should the UN back a side to ensure a victor? Peacekeeping missions with lip service peace accords can lead to long drawn out conflicts.

The idea to 'Give War a Chance' advocates that if a side decisively wins a war then peace can be more sustainable and this shortens the length of the war and its destructive impact. This argument is based on that although war is evil it can resolve political conflicts and lead to peace if there is a decisive winner. Ongoing negotiations without real sanctions undermines peace and leads to false expressions of the political will for peace and this allows conflicts to drag on which causes more casualties and destruction (Luttwak, 1999). Warring parties will not wish to back down if they believe that they can win and when it is so difficult to defeat insurgencies in today's new conflicts this means that conflicts continue until one side is defeated politically, economically, militarily or they choose peace.

Arguments for inaction though may depend on who outsiders are backing to win and there could be covert action to help one side win over the other. I think that giving a war a chance may have been more relevant for conventional wars as opposed to today's new conflicts where civilians are caught up in the middle. Today's internal wars are more about grievances than geopolitics. If neither side can deliver a decisive blow then external actors choosing sides becomes more important in determining the outcome (Luttwak, 1999).

In whose interests do the UN principles of impartiality and neutrality work for? In a complex emergency it seems to be in the interests of the sovereign state over those of the civilians caught in the middle of the crisis. This dilemma was one of the reasons

behind the concept of the Responsibility to Protect (R2P) which I will discuss later in this report.

1.1 Peacekeeping and Peace Enforcement Chapter VII

The focus of this paper is on peace enforcement missions so first I will discuss the history of peace support operations and how this has impacted on events today as mandates and aims have evolved.

A Peace Support Operation (PSO) is a relatively new and comprehensive term that covers a wide range of activities (Cowdrey, 1994). The scale and type of tasks differ from conflict prevention; peacebuilding; peacekeeping; peacemaking; peace enforcement, the maintenance of law and order, the repatriation of refugees, disarmament, demobilisation and reintegration (DDR), the direct administration of a whole territory to providing security to aid convoys all conducted in support of efforts to establish or maintain peace (Sanremo, 2009 and Sanremo, 2008).

All Peace Support Operations should have at their root the objective to improve the lives of those who are suffering in a crisis (Peace Support Operations, 2000). Peace missions try to ensure the implementation of a peace agreement and that all parties comply with it and this requires political action not just force (Findlay, 2002).

The different types of PSOs include:

- **Peacekeeping** - operations using military forces at the request of parties to help supervise a ceasefire and or to separate parties. Both sides agree to the deployment so that in theory there are no enemies to the mission.
- **Peace Enforcement** – PEOps are forcible military interventions by one or more states into a third country with the express objective of maintaining or restoring international, regional or local peace and security by ending a violent conflict within that country (Coleman, 2007).

- British Field Manual - PE is an operation carried out to restore peace between belligerent parties who do not all consent to interventions and who may be engaged in combat activities (Oliver, 2002).
- **Peacemaking** - diplomatic process or military actions to gain an end to disputes usually by establishing a cease fire.
- **Peacebuilding** - actions that support political, economic, social and military measures. Peacebuilding describes the effort to rebuild and reform societies that have been torn by internal conflict (Cowdrey, 1994).

PSOs have also had to change due to a changing world. In today's wars it is harder to distinguish between combatants and non combatants. The UN has only sanctioned PEOps twice: Korea 1950 and Operation Desert Storm 1991 (Cowdrey, 1994). When the Cold war ended Peace operations remained peacekeeping rather than peace enforcement missions: they did not envision using military force to pursue their mandates and impose a settlement on warring factions (Coleman, 2007).

UNSG developed the concept of peace enforcement in 1992-3 due to the perceived failure of UN peacekeeping forces to prevent massacres which showed both the limitations of peacekeeping methods and the need for enforcement operations that can impose a peace on an on-going conflict (Coleman, 2007)

The UN has avoided discussions on PE; they do not want to open discussions which could lead to an escalation that may undermine the impartiality of an ongoing PKOp. It has let others discuss this and this has led to a trend for regional organisations to conduct PE (Oliver, 2002).

PEOps are required to manage broken or ineffective cease fires. Forces need to be more heavily armed than peacekeepers and undergo extensive training and be under the command of United Nations Secretary General (UNSG). Today's missions have more extensive range of duties, more robust mandates and they are increasing need with new players (regional) joining interventions (Oliver, 2002).

PEOps do not overtly seek to alter the political or geographical status quo to the invaders benefit, they aim to enforce peace without militarily defeat the party concerned (Coleman, 2007 and Findlay, 2002). Peace support operations should not designate an enemy (Peace Support Operations, 2000).

The formal legal basis for PEOps is under Chapter VII of the United Nations Charter. Article 42 allows United Nations Security council (UNSC) to take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security (Coleman, 2007).

For the purpose of clarity, there is a clear distinction between “peace enforcement” or “peace enforcement operation” and “to enforce peace.” “To enforce peace” requires the use of military force and falls under Chapter VII. The United Nations capability in this respect is, however, largely undeveloped. The United Nations does not have a standing force of its own (Coleman, 2007).

It is difficult to distinguish between enforcement and an act of aggression. Both involve substantial and often unsolicited movements of combat-ready troops across international borders. All intervening states have a strong incentive to portray their activity as benign peace enforcement (Coleman, 2007). The consequences of not resorting to force to prevent violence such as ethnic cleansing or genocide should also be taken into consideration when considering intervention (Sanremo, 2008).

The main UN peacekeeping principles are impartiality; consent of conflicting parties and the minimum use of force. How do the principles of UN Peacekeeping work with PEOps?

Even under Chapter VII the UN needs to remain neutral and impartial between warring parties (Oliver, 2002). Perceptions of the peacekeepers are important, especially during an enforcement operation. If an intervention is to protect a specific socio-economic

group then to do this effectively you may have to confront another group. If you are an ally to one force then you are an enemy to another (Cowdrey, 1994).

Local actors play an important role in determining the sustainability of peace. Alliances need to be formed and you need buy-in from locals. It is hard to get buy-in when peace is enforced externally without consent. Consent is hard to measure. Consent agreements can be signed by leaders but the population may not accept these leaders. If consent is low then the risk to peacekeepers is high (Oliver, 2002).

It is hard not to choose a side during a humanitarian operation but it is crucial to maintain the consent and cooperation of the main parties. This impartiality should not be confused with neutrality or inactivity. The execution of a mandate though may not be neutral. A peace enforcement mission should be prepared for the likelihood that if it confronts one party then that party will accuse the international force of being biased (Switzerland Federal Department of Foreign Affairs (FDFA), 2007).

This is the big difference between unilateral peace enforcement and UN enforcement missions. Unilateral missions have an additional option to UN missions in that to meet their objectives they have the option of defeating one of the parties to a conflict.

1.2 Goals and Aims

UN peacekeeping strategies were crafted for an era of war between states and designed to monitor and reinforce ceasefires agreed between belligerents. These have become less suitable in new internal conflicts where civilians are caught in the middle so the UN and its missions has had to change, sometimes this has been planned and other times it has been reactive, but then justified and a precedent set (The International Coalition for the Responsibility to Protect (ICRtoP), 2001).

PKOps and PEOps are designed to achieve the same end-state, a secure environment and self-sustaining peace (Peace Support Operations, 2000). The move to expanded peace support operations means that you must seek just and lasting solutions and this

requires having the right people in power for good governance and democracy (political cohesion) (Findlay, 2002). This is difficult though as most of today's conflicts are located in the third world, where the process of state-making is incomplete (Talentino, 2004).

A PKOp requires a peace to be kept and this is what differentiates them from a PEOp whose immediate goal is to create space between parties so cessation of hostilities (United Nations Department of Peacekeeping Operations (UNDPKO), 2003).

Most PEOps are expressed through a military effective, credible and coherent force. This means neutralising the opposing forces while having a more flexible approach based on security operations and dialogue (win hearts and minds). This is difficult as soldiers are associated with war fighting and yet are being asked to restore or create peace. So as more civilians have become the casualties of war, more civilians have also been brought in to help to manage peace (Sanremo, 2008).

So how can you measure success the success of a mission? In peace operations, settlement, not victory is often the measure of success. Forceful enforcement interventions and PKOps have different methods to reach a settlement. The long term effects of the use of force may prove substantially different from the short term ones; a tactical success resulting from the use of force may lead to a long term strategic failure (Cowdrey, 1994).

Some sort of political end state is required. Both PKOps and PEOps aim to ensure an environment of security, justice, reconciliation and other development programmes necessary to create a self-sustaining peace (Peace Support Operations, 2000).

If a PEOp is successful it becomes a PKOp but getting to this stage is difficult. An operation must either use force or have the perceived capacity and capability to use force as a deterrent to both parties and force them to agree to and be bound to peace for as long as it takes. It is more difficult for a PKOp to evolve into a PEOp as it is cheaper, easier and quicker to downscale than to scale up (Cowdrey, 1994).

The PEOp aim is not to impose its will and defeat enemy in battle but rather to coerce and persuade the parties to comply with particular course of action (Findlay, 2002). Only a force prepared for combat can operate in a fragile environment and create a secure environment in which civilian agencies can redress the underlying causes of conflict and address the requirements of peacebuilding (Peace Support Operations, 2000).

1.3 Mandates

UN PKOps are regarded as legitimate as they are derived from a UNSC mandate. A mandate from an international organisation is crucial to establishing the international legitimacy of a military intervention (Coleman, 2007). All military operations are conducted with a degree of restraint, be that only an adherence to the Law of Armed Conflict or the Geneva Conventions (Peace Support Operations, 2000).

The mandate will determine the degree of force that can be used to execute the mission and provide for the self-defence of individuals, protected personnel and the units deployed in the operation to implement peace agreements or to enforce peace (Boss, 2006). A clear and unambiguous mandate is required but so is the political will to see intervention through to successful conclusion, and this may be a long time after the fighting.

A mandate is only as good as it is interpreted and implemented. MONUC was authorised under Chapter VII to use force to prevent civil war, prevent inter-tribal warfare and expel mercenaries. By some this was regarded as a strong mandate but the mission was regarded as ineffective for a long time. This disparity was regarded by some as poor implementation but also by a lack of resources to match the mandate's objectives (Findlay, 2002).

Since the 1990s mandates have been expanding to include reform, rehabilitation, political and social development. These missions did not just try to stop conflict but also

tried to address its root causes. An increase in internal conflicts led to an expansion of focus on enforcement and the implementation of peace agreements (Talentino, 2004).

In peace enforcement, the mission requires enough resources to enforce compliance with the mandate; no matter how much the parties may object (Peace Support Operations, 2000). The warring parties do not need to agree with the mandate. A PEOp must avoid becoming a party to a conflict but this is difficult if one party is regarded as the threat to the civilian population.

Mandates need to match requirements of the situation on the ground. Volatile situations require robust mandates along with all necessary means to deter forceful attempts to disrupt the political process and protect civilians under imminent threat of physical attack (FDFA, 2007).

Donor support is usually less than UNDPKO recommends and becomes more about what can be delivered from current provisions as opposed to the need on the ground. The mandate is a function of what member states are likely to bear and what troop-donating countries are willing to commit (Bernath and Edgerton, 2003). Resources provided to a mission usually depend on national and regional interests.

There have been cases where the UN had weak mandates and this led to calls for more robust UN mandates and the responsibility to intervene, protect and rebuild (Hanlon, 2006). It is sometimes difficult to obtain agreement for a mandate. This is usually due to a lack of agreement in UNSC due to vested interests and finding troops from Troop Contributing Countries for robust mandates. If the mandate does not reflect the real problem at hand, then it is more likely that mission creep will take place and this may then make it more difficult to agree mandates in the future (Centre for Strategic Communications (CSC), 1996).

Sometimes interveners won't wait for a mandate. Kosovo is an example of a rapid and forceful intervention as what was going on was too close for comfort for the Europeans

and its NATO allies. There was no guarantee that UNSC would support an intervention and the only alternative was to use force. NATO took lead and conducted a massive air campaign to force the Serbs back to the bargaining table (United Nations Peacekeeping Operations (UNPKO), 2013).

Even though a peace enforcement operation does not require consent if one or more of the party's involved does consent it will strengthen the mandate but perhaps at the expense of impartiality and neutrality (Findlay, 2002 and FDFA, 2007). The parties to the conflict must make peace; a peace mission can only facilitate and perhaps change the balance of power.

2 CHAPTER 2 – KEY INTERNATIONAL HUMANITARIAN LAW CONCEPTS

There has been a cause and effect relationship between the types of war since the end of the Cold War and challenges to sovereignty which has led to the enforcement of the UN Charter and a widening of UN roles and responsibilities. Traditional interpretations of sovereignty and non-intervention have faded. The changing definitions of sovereignty have led to new perspectives on peace operations. Two chapters of the Charter which challenge and protect sovereignty are Chapter VI Pacific Settlement of Disputes and Chapter VII Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression. There are examples (Somalia and Rwanda) from the 1990s that suggest that the UN did not control Chapter VII interventions and that these were implemented by a single country or group of countries (Barry, 2002).

The UN has expanded and become more mobile and has been given more resources and funding to enhance its peacemaking capabilities (Gambari, 2006). With the incorporation of war into the development discourse as part of an emerging global system the UN has been placed at the forefront of responding to conflict, even if it was not fully equipped to do so (Duffield, 2001).

The ultimate goal of a mission is the protection of civilians. Civilians have increasingly become the victims of armed conflict. So UNSC has mandated a number of PKOps to protect civilians from physical violence. It is an unrealistic expectation that they will be able to protect all civilians at all times. Civilians have also become more engaged in wars through the local war economy and it being harder to distinguish between combatants and non-combatants.

Where missions are part of an internationally armed conflict they are governed by the International Humanitarian Laws. All combatants are legitimate targets not because of what they are doing but because of who they are and the threat they pose. It has become more difficult to distinguish between combatants and non-combatants (Sanremo, 2008).

International Humanitarian Law or the Law of Armed Conflict has many concepts which can be assessed to see how effective a UN mission performs. First I shall look at the Military Advantage concept and how this relates to peace support operations.

2.1 Military Advantage

The military advantage concept is the anticipated advantage from an attack considered as a whole and not only from isolated or particular parts of the attack. The advantage in question must be military in character. Military advantage includes a broad range of issues extending from force protection to diverting the attention of the enemy from an intended site of invasion (Sanremo, 2006).

The concrete and direct overall military advantage refers to a military advantage that is foreseeable by the perpetrator at the relevant time. The advantage may or may not be temporally or geographically related to the object (military target) of the attack. A military target is an object that contributes effectively to the military operation (Benjamin, 2007). It is not enough that an attack is carried out against fighters or military objectives. ICC Statute states that the collateral damage to civilian objects and incidental injury to civilians must not be excessive in relation to the concrete and direct military advantage anticipated (Sanremo, 2006).

All feasible precautions must be taken by all parties to minimise both injuries to civilians and damage to civilian objects and precautions must be taken when planning and carrying out attacks (Sanremo, 2006).

How many civilian casualties are acceptable and how is collateral damage perceived and how does it impact on the success of a mission? The macabre calculus is computed by most armed forces: 'how many dead civilians is an acceptable collateral cost when striking a militarily important target in an armed conflict'. Collateral damage estimators must decide if the benefits of the strike outweigh the cost in innocent civilian lives (Benjamin, 2007). Alternatively you can compare enemy civilian deaths associated with the attack against compatriot lives saved (Gross, 2008). The

death of civilians is legal, as long as the deaths are the result of a strike at a legitimate military target.

This balancing is difficult because it requires quantifying and comparing two different values: civilian suffering, injuries and deaths against the value of military advantage of a target. The "value" of an object depends on many factors including the circumstances of the conflict, culture, nationality, history and knowledge about the perceived real threat (Schmitt, 2002). UN PEOps place a much higher value on life with more rigid Rules of Engagement (RoE) than countries at war.

Anticipating civilian losses associated with the target is also based upon many factors including: intelligence, identifying numbers at the time of day in a certain type and size of building or vehicle which is used for what purpose and so forth. This is where there may be a difference in capacity and capability between unilateral, regional and PEOps definitions of military advantage. However different interpretations of military advantage also link to different goals.

The decision to attack a target may be a spur of the moment decision made on the ground during a fire fight and calling in air support or, if you are lucky, a planned operation which allowed time to calculate, mitigate and anticipate civilian losses (Herold, 2002). The UN does not usually have the luxury to call in air support or the equipment and intel to plan special strike operations at short notice. The UN is in a position of protection, on the back foot, not actively seeking out those who are detrimental to their mandate. This has become more important in regards to certain wars in the past few decades which have had more of an urban focus. It has become less feasible to attack the enemy without any calculations and justifications in regards to the loss of civilian lives.

Military objectives (legitimate military target) are objectives which by their nature, location, purpose, or use make an effective contribution to military action and whose

total or partial destruction, capture, or neutralisation, in the circumstances at the time, offers a definite military advantage (Sanremo, 2006).

In practice and theory all military personnel, equipment, locations should add some sort of effective military contribution. Therefore if they are destroyed you have gained an advantage by reducing the number of assets the enemy has to effectively contribute to military action no matter how big or small the target was. Unnecessary harm occurs when trying to pursue unrealistic military aims.

There are differences between national interpretations of the concept of military advantage and this makes it difficult to agree definitions for troop contributing countries.

2.2 Proportionality and Precautions

Another related but important concept is that of Proportionality: the amount of force used, which is reasonable in intensity, duration and magnitude to achieve an authorised objective (UNDPKO, 2003).

Proportionality requires the need to consider the result of attack (civilian casualties and damage to civilian buildings) not just the military advantage anticipated. Additional Protocol I does not refer to proportionality it refers to 'incidental loss of life' which is 'excessive.' Article 57 'Those who plan an attack shall refrain from launching any attack which may be expected to cause incidental loss of civilian life, which would be excessive in relation to the concrete and military advantage anticipated' (Gross, 2008).

The UN lacks many of the heavy weapons associated with war which have a real deterrent effect. This could be a blessing as this could be interpreted as a precautionary measure to limit collateral damage; however it could also be interpreted as a precautionary measure to avoid confrontation and means that the UN has fewer options to escalate the use of force. If the UN had its own well-equipped army and was forced

into so many fragile situations it would also then need to restraint to resorting to force too quickly (ICRtoP, 2011).

The law of armed conflict only makes room for unavoidable, unintentional, and militarily necessary non-combatant casualties. The UN approach has been interpreted as, cannot avoid casualties so cannot attack. This is fair as it is proportional to protect combatants and innocent civilians, however during a conflict, perceptions and expectations of the local population mean that if you are here to protect us then you must be willing to kill and die for us (Gross, 2008 and Schmitt, 2002).

Whenever civilians are present, the parties to an armed conflict must: take precaution during military operations to spare the civilian population and civilian objects (Article 57 of API); Take precaution to protect the civilian population and civilian objects, which is under their own control, against the effects of military attacks (Article 58 of API). This is done by the choice of weapons, location and distance from the military target, timing, and if credible warnings could be given to the civilians of impending attacks. The latter depends on trust between the two sides; due to propaganda wars and real threats and evidence of violence, civilians may be too scared to come under the control of their perceived enemies (Schmitt, 2002).

These decisions will also be affected by the value of the target in regards to the intended end use after the attack i.e. total or partial destruction, capture or neutralization. If the aim is for total destruction it is highly probable that there will be higher civilian casualties but a lower risk to the attacking forces. Partial destruction may reduce the number of casualties in the initial attack and then forces can move in to totally destroy or capture the target. If the forces see value in obtaining the target and/or want to minimise civilian casualties, trying to capture the target offers the higher risk to your own forces to achieve this objective.

The above has led to some changes in the conventional weapons of developed countries to try to comply with IHL and limiting collateral damage and its negative

consequences. New weapons allow more accurate targeting which are able to target and limit the destructive effects to fewer people. When using these weapons though, decisions and calculations are still made to estimate the number of civilians expected to die in the attack. These are not accidental civilian deaths, but calculated deaths in relation to the value of a legitimate military target. The UN does not have these weapons so have higher targeting risks so therefore cannot take on the enemy.

The military comes under more pressure to utilise these more expensive accurate targeting weapons. It is advantageous to the military to use these weapons not only in regards to its humanitarian reputation and instilling fear and constraining the enemy but also by keeping one's own troops far away from harm during attacks, such as drone attacks (Mayer, 2009).

It has been impossible to quantify a life against the value of military advantage from attacking a military target. This has set precedents in regards to collateral damage because the potential of a target can always be over-estimated. Condemnation and action over punishments for war crimes has occurred when the means (chemical and biological weapons) have been outlawed but less so for collateral damage incidents which cause the most deaths. This suggests that there is some sort of an agreement or low expectations in regards to these incidences.

Today the value of a civilian life versus the military advantage anticipated seems be based upon ensuring the military threat is correct and keeping the number of casualties at a minimum to avoid unnecessary negative attention. A precedent has been set that a few civilian casualties do not matter if the target was justified. The value of a life today depends upon a retrospective process of transparency and pressure placed upon a force for an independent investigation to punish publicly known controversial attacks. It seems that with so many examples of collateral damage, and so much negative press surrounding them, that those planning and carrying out attacks must still see advantages which outweigh the damage. The UN does not have this option, it cannot

take the risk of collateral damage because the UN is not just a peacekeeping or enforcement force, and it has longer term objectives. Those deployed by the UN wear the same badge and colours as those who give food and medicine to civilians.

2.3 The Use of Force

The use of force is a key concept in analysing the effectiveness of a mission. The use of force is interrelated to rules of engagement and self-defence. The response to crises in Sierra Leone, East Timor, DRC and Haiti during 2000-2005 were characterised by peacekeeping missions that were increasingly mandated to use force to protect both themselves and civilians to implement peace agreements, and, where state capability and legitimacy were deteriorating, to safeguard governments and extend state authority (Centre on International Cooperation, 2011).

Two critical factors will determine what kind of force to use are consent and risk to peacekeepers. There needs to be Reasonable Belief in the Conditions and circumstances which lead a commander or individual to conclude that a threat exists (Oliver, 2002).

Force can be a verbal command or physical action to gain subject control. There are various degrees of the use of force (UN Peacekeeping PDT Standards, 2009).

- **Force** – The use of, or threat to use, physical means to achieve an authorised objective
- **Armed force** – The use of weapons, including firearms and bayonets
- **Deadly force** – The level of force which is intended or likely to cause death regardless of whether death actually results. This is the ultimate degree of force.

The use of force should be (UN Peacekeeping PDT Standards, 2009):

- Minimum force consistent with the threat should be used;
- Proportionate - unavoidable, minimized, and a range of means explored;
- Ceased when the hostile acts are stopped;

- Used as part of escalation procedures; only when necessary, non-violent means first, restraint;
- Controlled by leaders (Force Commander) on the ground and the leaders should be accountable (reported and reviewed) and be held responsible;
- Minimised to avoid collateral damage;
- Aiming to positively identify targets;
- Legal, only for lawful reasons, no exceptions

Minimum Force is the minimum degree of authorised force which is necessary and reasonable in the circumstances. A minimum degree of force is applicable whenever force is used. Minimum force can be deadly force if appropriate. In PKOps, force will not be used to carry out the mandate. Minimum use of force does not exclude self-defence of United Nations personnel and property. The use of force must be clearly defined in the Rules of Engagement (ROE) (UN Peacekeeping PDT Standards, 2009).

There are different scenarios when deadly force may be used by the UN and these include; to defend oneself and other UN personnel and other international personnel against a hostile act or a hostile intent, is authorised; to resist attempts to abduct or detain oneself and other UN personnel is authorised; to protect UN installations against a hostile act; to protect key installations, against a hostile act; against any person and/or group that limits or intends to limit freedom of movement (Sanremo, 2009).

When the use of force is not justified by self defence but is nonetheless necessary for accomplishment of an assigned military mission, reasonable force may be exercised within the constraints of the relevant national and international law (Sanremo, 2009). Commanders don't want to exacerbate a situation and damage the consent of parties or become part of the problem. The failure of UN troops to use force even to defend themselves leads to a loss of credibility for UN and its peace operations (Findlay, 2002).

Military intervention operations require the use of as much force as is necessary. In war, fighting by contrast, the neutralisation of an opponent's military or industrial capabilities

is often the instrument to force surrender (ICRtoP, 2011). PEOps are close to war and it takes a well-trained equipped military organisation to force peace when the parties to the conflict are intent on prosecuting a war. It is problematic to deploy a traditional peacekeeping force operating in a conflict zone (Cowdrey, 1994). This puts contributing troops in danger especially if Force commanders on the ground do not have the authority to use force (Centre on International Cooperation, 2011).

An effective projection of force by peacekeeping mission requires a consensus among the international community on how tactical force is best utilised. There are risks of using force, it can be perceived as trying to accomplish political aims this undermines unilateral interventions but also UN PEOps. Winning a battle may undermine the mission (Centre on International Cooperation, 2011).

Quick success in military operations can best be achieved by surprise, by applying overwhelming force. However in interventions for human protection purposes it will be virtually impossible to rely on secrecy and surprise or to make maximum use of the full devastation power of modern weapons. It becomes necessary to try to persuade the target state to comply before the resort to force is required. However the UN does not have the deterrent capacity to resort to force if required (ICRtoP, 2011). Effective conduct of the use of force requires better intelligence, quick reaction capabilities and force enablers all of which the UN lacks (Centre on International Cooperation, 2011).

2.4 Rules of Engagement

Rules of Engagement (RoE) are directives that a government may establish to delineate the circumstances and limitations under which its own naval, ground and air forces will initiate and or continue combat engagement with enemy forces they help delineate the boundaries of military action (Cowdrey, 1994). Factors that influence RoE are: The law of armed conflict, domestic law, operational factors, political factors, diplomatic factors and the values of the nation (CSC, 1996).

RoE authorise and assist military personnel when force may be used in the conduct of a mission or operation by codifying and quantifying the use of force. The legal purpose is to give the commander operational guidance to achieve his/her mission within the constraints of national and international law (CSC, 1996). RoE are not absolute and are issued as guidance (action to be taken if judged to be necessary) and as a prohibition (order not to take specific actions). ROE are one of the key documents in any UNPKO. It is essential that they are unambiguous and easy to use (Sanremo, 2009). RoE are criticised for causing delays in actions when the use of force was required (CSC, 1996).

RoE are important but like mandates their interpretation and implementation are more important and this is linked to will and interests (Sanremo, 2009). There is a strong desire to limit the use of military force to prevent an escalation of the situation beyond a politically acceptable means. Limiting force also limits collateral damage. Collateral damage is the incidental loss of civilian life, injury to civilians, or damage to civilian property while engaging an authorised target (CSC, 1996).

In PKOps the RoE are primarily aimed at force protection and preventing an unprovoked use of force that could initiate a crisis. The 5 basic UN RoE are:

- Use of force
- Use of weapons systems
- Authority to carry weapons
- Authority to detain search and disarm
- Reactions to civil action/unrest

Mission accomplishment in a crisis may actually mean that forces make themselves vulnerable to attack while operating under strict rules of engagement. In crisis containment a visible presence is an asset, in combat it is a liability unless it is an overwhelming deterrent (Cowdrey, 1994).

In today's' new wars RoE Considerations have become more important as the enemy is likely to be more difficult to discern. RoE cannot cover all possibilities they must fit the

operational concept and be appropriate for the type of military action that peacekeeping would clearly be inappropriate and inadequate for a peace enforcement action (ICRtoP, 2011). RoE must change to meet emerging circumstances of a crisis, for example when political negotiations fail (Cowdrey, 1994).

Missions have the right to use force in self defence, this arises in response to a hostile act, an attack intended to cause death, bodily harm or destruction and or demonstrated hostile intent, a threat of imminent attack which appears to be preparatory to a hostile act (CSC, 1996). Only a reasonable belief of a capable hostile intent is required, before the use of force is authorised. Whether or not hostile intent is being demonstrated must be judged by the on-scene commander, on the basis of one or a combination of factors. Intent could be aiming weapons, adopting an attack profile; being within range and the laying mines (Sanremo, 2009).

A peacekeeping force is reflected in the RoE, which will normally only allow for self-defence. Self-defence is the use of such necessary and reasonable force, including deadly force, by an individual or unit in order to protect you, your unit and all UN personnel against a hostile act or hostile intent. Force should not be used to punish or retaliate for previous incidents. The Commander has the authority to use all means necessary to defend the mandate and to defend the units and UN personnel. Self Defence is available in all situations including armed conflict (Findlay, 2002).

The relationship between self-defence and mission accomplishment is not always consistent it is not always clear in multinational force as to when the right to use force in self-defence ends and the use of force for mission accomplishment begins (Sanremo, 2009). There are many reasons why some argue that the UN should not conduct PEOps. One reason is the use of force in self-defence only, the bedrock of peace support mission principles. This is also a constraint in effectively enforcing peace (Oliver, 2002).

2.5 Other Organisations – Unilateral and Multilateral

The key concepts mentioned above apply to all interveners but are interpreted differently. The following points are linked more to the capacity and capability to intervene.

Virtually all contemporary PEOps are launched under the auspices of an international organisation. The UN is the most active international organisation in peace enforcement. Of the 18 interventions since 1945 which were classed as peace enforcements, all but one was after the end of the cold war (Congo 1961-1964). However the UN has had a limited role in these 18 interventions; it has not taken the command role. Operations have occurred under the direction of a lead state (Coleman, 2007).

The UN does not wage war. Where enforcement action is required it has consistently been entrusted to coalitions of willing states (ICRtoP, 2011). Military forces are normally committed only after other political, diplomatic or economic options have failed. The decision to commit forces is a decision based on the amount and type of force required. Getting willing states to work together to the same rules and standards is difficult. The planning and conduct of military operations must take into account differing national policy positions including political, military and legal contexts. Policy and legal differences lead to different RoE among members but multinational operations all need to operate under coherent RoE arrangements (Sanremo, 2009). In implementing RoE, commanders must consider the mission, mandate, unity of command and suitable force structure (CSC, 1996).

Status of Forces Agreement (SOFA) provides the key provisions to establish the status of the mission and its members and provides that forces remain responsible to their national laws. A SOFA is not required for Chapter VII (PEOps) and this allows for a speedier intervention but usually unilaterally or on a regional basis (Boss, 2006).

The wording of interventions has changed from a threat to international peace to regional peace (for example Syria). However this does not mean that there will be an intervention as some regions have limited assets to intervene or intervention could mean war or dividing one's own people.

No enforcement action shall be taken under regional arrangements or by regional agencies without the authorisation of the UNSC (Article 53 of the UN Charter). There have been more regional interventions as opposed to UN missions which are regarded as ineffective or too slow because a lack of consensus was reached in UNSC. This was not the case in Kosovo, when NATO went forward with the war despite not having UNSC approval to protect thousands of people. This was later given a retrospective stamp of approval by the UN (Oliver, 2002 and Sanremo, 2008).

Another criticism of UN led missions include that commanders may be appointed on the grounds of nationality but may lack military competence (Findlay, 2002). However the UN has recognised these deficiencies so conversely to protect civilians the UN has had to become more robust at protecting itself, and this has meant outsourcing peace enforcement to regional organisations whilst blue helmets undertake peacekeeping.

The UNs relationship with regional organisations is seen as a New Model for Peace Operations where lead nations or effective regional organisations carry out the difficult, combat-oriented task of peace enforcement while the UN is the best organisation to handle peacekeeping. Once a situation has stabilised and an effective peace agreement in place the mission can be transferred to the UN (Oliver, 2002).

2.6 Troop Contributing Countries (TCCs)

For high risk operations countries are usually unwilling to commit the lives of their own troops unless they have a significant interest to do so; there is a clear intention and chance of success and they have their own and the hosts country's support, however this means that forces are not impartial or neutral (Oliver, 2002 and Findlay, 2002). The absence of Western forces in many UN military deployments undermines and weakens

the message of universal support necessary for the success of such operations. Many western forces avoid providing troops due to perceptions of colonialism and in some cases there is limited interest to intervene except for on moral grounds. Another reason why western nations do not contribute troops is because they hope to build the capacity of other countries to prevent and solve their own problems (Centre on International Cooperation, 2011 and Cowdrey, 1994).

The key to mobilising international support is to mobilise domestic support, or at least neutralise the opposition. This can give legitimacy and authority to an intervention but interveners will never have the full support of the host country if the status quo of a perpetrating regime and its supporters remains (ICRtoP, 2011).

2.7 Capacity and Capability to Implement

The reluctance of western countries to provide troops has meant that other countries have provided troops. Like western countries other countries provide troops due to vested interests but also to build strategic alliances and sometimes for economic reasons (UN and AU salaries are attractive to many armed forces around the world) and to improve their own military's capability as opposed to fulfilling the mandate.

States have stubbornly resisted relinquishing their monopoly on the means of warfare by placing significant forces at the disposal of international organisations like the UN. There are obstacles to permit the UN to acquire the appropriate doctrine and planning capabilities to match those of a nation state. Potential UN intervention in a nation's own affairs means that many countries block developing the UN turning into a supranational authority. Therefore states remain the only actors capable of launching and executing PEOps (Coleman, 2007).

Many UN missions lack the capacity to overwhelm opponents and change the course of war. In Rwanda the UN did not have capability to deploy a force rapidly and no nation was willing to send in enough troops to solve an internal conflict (Oliver, 2002). UN

forces were present on ground in Rwanda but due to their lack of equipment and weak mandate they could do little and some of these troops were western.

So if UN capability was greater would the situation in Rwanda been different? Would a higher capability been a significant deterrent and could this capability have led to the use of force to protect civilians? I think it is unlikely; Rwanda, Bosnia and Somalia were turning points which have led to the many criticisms cited today, but they have also been lessons learned and led to changes and improvements in peace support operations. At the same time it is important to note that there are criticisms of a lack of resources from the armies' western powers to their respective governments even when they undertake interventions. For example the British Army was very vocal of their perceived lack of resources and limiting rules of engagement to meet their objectives in Iraq and Afghanistan.

3 CHAPTER 3 - EXAMPLES

There are different methods to meet enforcement objectives between unilateral and UN interventions and these can be seen clearly by the use of drone strikes. RoE on the ground are contested by western commanders but a drones target is decided 1000s of miles away, where the immediate threat is low, and these are becoming more common. The UN does not have and is unlikely to be given or develop this technological capacity to strike at a distance and avoid troop casualties. At the same time the UN may not be willing to accept the risk of collateral damage which is also associated with drone attacks.

3.1 United Nations Mission in Sierra Leone (UNAMSIL)

A good example of highlighting that the UN is only as good as what is put into it is the UN mission in Sierra Leone. Since 1998 UN forces were regularly attacked. In 2000 UNSC strengthened the UNAMSIL mandate. The following cease fire was weak and there was little consent for peace but dialogue continued. There was a push for Africa to resolve its own problems but the intervening troops had limited capability to manage or change the course of the conflict. The British army then committed troops, supporting the government and actively pursuing the rebels, as opposed to just protecting civilians like the UN. This dramatically changed the course of the conflict. The UK only deployed a small force but it had the capacity and capability to change the power balance. The UK did not pretend to be neutral and focused on offence as the best form of defence. This approach shortened this conflict and arguably saved lives over the long term (Oliver, 2002).

3.2 1992 United Nations Operation Somalia (UNOSOM)

A good example of the incompatibility and different objectives between UN mission's and nation states is UNOSOM. UNOSOM was in response to the UN Secretary General's recommendation that action under Chapter VII of the UN Charter should be taken to establish a secure environment for the humanitarian relief effort in Somalia (CSC, 1996). The Americans set up a central command to help in the humanitarian

intervention. The mission also provided airport security, seaport security, security assistance of food convoys and security at food distribution centres (Cowdrey, 1994).

However there was mission creep into Disarmament and Demobilisation along with the equipping and training of a guard force which caused tensions between the local clans. By June 1993 the goals had changed to include hunting down factional leaders. These objectives contradicted the peacebuilding objectives and the original mandate and the resources provided (a small force) was not equipped to deal with these challenges and consequences (Cowdrey, 1994).

The US responded to the requests for more troops by sending in a force of over 28,000 troops to conduct the mission and initially things were relatively under control (Oliver, 2002). The UN mission of rebuilding Somalia was regarded as ambitious but one of the main reasons it failed was because of escalation violence after a failed attempt to capture rebel leader which led to the US withdrawal (CSC, 1996). When the US pulled out, a key partner was lost and the implications of failure fell on the UN not the US.

3.3 United Nations Organisation Mission (MONUC and MONUSCO) in the Democratic Republic of Congo (DRC)

MONUC is one of the most criticised UN missions but it is operating across a very large area but at the same time limited to this area so it cannot address regional issues. Progress over a decade has been limited. MONUC and UNSC responded to a lack of progress by ramping up (increased force from 5000 troops in 2000 to 20,000 in 2010) and widening its roles. Due to external influences it is still debateable if the increase in troop numbers has meant that the mission is any closer to its desired end-state.

MONUC had a wide range of responsibilities including the implementation of the Ceasefire Agreement; DDR; release of prisoners of war; humanitarian assistance; human rights monitoring; governmental capacity building and elections monitoring and mine action. Under Chapter VII, UNSC decided that MONUC may take actions to

protect UN personnel and facilities and ensure the security and freedom of movement of its personnel and to protect civilians under threat of violence.

MONUC was criticised for not implementing its mandate but also for not having or been given the resources to carry out its mandate, especially the protection of the civilian population. The initial forces provided to MONUC were not infantry units. MONUC lacked an effective communications strategy to reach out to and manage the expectations of the civilian population. During a war people expect soldiers to die not civilians, especially when civilians are being attacked and soldiers are safe in their bases. MONUC troops were protecting UN staff more than civilians. However things would be much worse without MONUC, but without progress the UN will continue to be criticised (Bernath and Edgerton 2003).

The MONUC example demonstrates, for whatever reasons (financial or UNSC vetos), that a key crisis management concept was not followed. It is better to ramp up at the beginning of the crisis and then draw down, than to start with an inadequate resource. Perhaps if there was initial support it is better to start with the presence of a peace enforcement operation and then move to peacekeeping. This shows a real will and commitment to prevent or to stop a problem. Traditional peacekeeping missions were hardly a deterrent and over time perpetrators would test the appetite (rules of engagement and the interpretation of the mandate) of the UN mission. A mission needs to start prepared to sustain the operation and have the resources to do so. The level of resources committed sends a clear signal of resolve and intent to all concerned (ICRtoP, 2011).

3.4 Responsibility to Protect (R2P) Humanitarian Aim

UNSC has the primary responsibility for the maintenance of international peace and security. During the last two decades UNSC has increasingly directed its attention to the plight of civilians in situations of armed conflict, recognising that this is an important dimension of its responsibility to maintain international peace and security (Sanremo,

2008). However these are the most dangerous missions and the UN has not been best equipped to respond to these challenges to impose its mandate.

The need to do something effective to stop or prevent violence against civilians has led to the concept of the Responsibility to Protect (Sanremo, 2008). This need for action has become pertinent when one or more of the UNSC Permanent 5 have vital state interests involved and one is prepared to veto. In an increasingly interconnected world there are always vested interests.

R2P places the responsibility of intervention on the international community when a state is unwilling and/or unable to prevent or halt a humanitarian disaster. It is mainly associated with complex violent internal crises. The core principles of R2P are:

- State sovereignty implies responsibility and the primary responsibility for the protection of its people lies with the state itself.
- Responsibility to protect has three specific responsibilities: Prevent, React and Rebuild.

If humanitarian reasons are a key factor in launching peace enforcement missions the logic then is that the mission must be effective and respect human rights (Sanremo, 2008). Forceful intervention to provide humanitarian assistance when essential needs in an emergency are not being met is controversial. There is the contradiction of using force for humanitarian reasons; issues around sovereignty and consent if the host government is considered to be the violator and the possible consequences of doing more harm than good (Sanremo, 2006 and Sanremo, 2009).

The responsibility to protect should not be automatically equated to armed intervention when a country continues to fail to live up to its responsibilities (Sanremo, 2008). R2P has been associated with forceful intervention because other methods (diplomacy and sanctions) to respond in a timely manner to stop large scale loss of life, large scale ethnic cleansing has been deemed unsuccessful. Diplomacy is too slow and targeted sanctions take time to take effect.

Intervention in the domestic affairs of states can do more harm than good. It can destabilise the order of states, undermine the rule of law and may fan ethnic or civil strife. The rule against intervention in internal affairs is supposed to encourage states to solve their internal problems and prevent these from spilling over into a threat to international peace and security. However it can also lead to a denial that a problem exists and ongoing suffering. To prevent a humanitarian disaster a quick and decisive action is needed to stop or avert it (ICRtoP, 2011).

Interveners consider a number of factors to help in their decision making process to intervene or not. Intervention by most is considered as a last resort. Wars are costly in regards to lives, reputation and costs. As the costs and risks are so high it needs to be more your own interests to intervene than not to intervene and you must be sure that your intervention has reasonable prospects. The last resort for interveners is not necessarily the last resort for those suffering. If we intervene too late we may force civilians to pick up arms and defend themselves which causes further bloodshed and changes the perception of the crisis from civilians being attacked to a civil war.

For politicians intervention is also risky as interventions can be divisive. You need the right intentions for intervention to obtain the support of the local people and your own people. The scale, duration and intensity of the planned military intervention should be the minimum necessary to secure the humanitarian objective in question (ICRtoP, 2011).

Interveners need to be a deterrent to prevent atrocities. To deter you need to be perceived as a threat and demonstrate a capability and will to use. A perceived soft approach and non-confrontational approach means that even when UN has the capability the perception is that it will not effectively intervene so it is not a deterrent.

The aim of a human protection operation is to enforce compliance with human rights and the rule of law as quickly and as comprehensively as possible. It is not the defeat of a state and this must properly be reflected in the application of force.

The recent Libya uprising may have set precedents and problems in regards to developing the responsibility to protect. A positive was that the intervention was quite quick; this may have been in part due to some of the history with and vested interests of some members of UNSC. However NATO stretched the UN mandate on Libya to the limit by attacking Gaddafi's palaces which were regarded as control and control centres and this helped to push regime change. This mission blurred the responsibility to protect. On the one hand it raised expectations that in complex humanitarian crises western powers could intervene to protect the people. However as there was so much mission creep it has led to mistrust within UNSC again about the real intentions of intervention and this prevented progress in Syria. The next big question to answer which further challenges sovereignty is; changing a regime which is regarded as the perpetrator of crimes the most effective way to protect civilians?

CONCLUSION

The United Nations (UN) looks set to participate directly or indirectly in Chapter VII missions. There is more pressure for the Security Council to reach a consensus and operationalize the Responsibility to Protect (R2P) especially when a state is unwilling or unable to protect its citizens from war crimes, crimes against humanity and genocide. The UN wants to further promote and be engaged in sustainable Peacebuilding and the creation of the Peacebuilding Commission in 2005 showed its members intent to allow this. The UN speaks of three interconnected pillars: peace; development and human rights and without one the other two cannot be sustained (Gambari, 2005). These along with the R2P allow for more grounds for intervention and more criticism if there is no intervention.

The UN approach to intervention may be better suited to the concept of do no harm, to ensure that the intervention does not do more harm than good. This may better help avoid antagonism between the warring parties and allow more uninhibited access to protect civilians. However this is secondary if non forceful intervention means prolonged human suffering (ICRtoP, 2011) and if the UN is not perceived by the warring parties to be a real deterrent, so continue fighting. An unwise military intervention even-though it may not address the root causes and triggers of a conflict can provide the initial space for real dialogue to begin.

The UN is better suited to crises where long term strategies are required as they are more likely to stay the course by leading peacebuilding activities. This is not the case for a military intervention where the primary goals are regime change and vested interests, not the needs of the civilian population. In these circumstances after an intervening state achieves its initial objectives its government looks for an early withdrawal of its military due to the high economic costs of maintaining its military in a conflict state and also the political costs from the loss of life (civilians and its own military).

The examples of Somalia, Sierra Leone and the DRC have shown the failings and successes of the UN and unilateral missions. These along with Rwanda and Kosovo,

have become the key lessons learned for other interventions. These case studies are examples of how timeliness; vested interests; capacity, capability and the interpretation and implementation of mandates may affect the outcome of an intervention. Interventions will always be divisive and have uncertain outcomes due to their complexity but there have been improvements in the preparation and implementation but most importantly in their military exit strategies and with civilians remaining to work with local actors to address the root causes for sustainable peace.

The success of an intervention is still very dependent upon having the consensus of at least one side. This one side is usually the one which is regarded by the international community to be the victim (socio-economic and/or human rights victims), and also represent the majority of the population. When this side becomes the victor there is usually some hope. Backing a perceived abused minority group without the consent of the majority is likely to lead to separatism as opposed to integration. If neither side backs an intervention, the interventions main role is to secure a buffer zone and to help innocent civilians before moving on to peacekeeping and building measures.

The move from peacekeeping, peace enforcement and now peacemaking has set new precedents in the field of Peacebuilding. The new emphasis on Peacebuilding and humanitarian intervention has in part been due to the enforcement of the UN Charter after the cold war with the financial backing of member states. The concepts are not new. In 1963 John F Kennedy spoke to UNGA about peace as we speak of Peacebuilding today. 'The winning of peace is not just dramatic victories. Peace is a daily, weekly process of gradually changing opinions, slowly eroding barriers, and quietly building new structures' (Annan, 1999). It has taken a long time for these principles to be put into practice.

From the perspective of a changed world since the end of the Cold War, with higher expectations, globalisation and new types of more violent and regional wars, sovereignty has not been challenged by UN interventions as member states had already agreed to this in principle. The end of the Cold War has released the potential of

the Charter and regional blocs have been created and grown. However, absolute morality interventions on the basis of domestic humanitarian and justice crises may require a new definition of sovereignty with more of an emphasis on people than governments (democratic and non-democratic) to militarily intervene on humanitarian grounds and these tests the key UN principles of impartiality, neutrality and independence. More importantly it tests how far the UN, or more importantly member states, is willing to go to build the UN's capacity and capability to protect civilians.

Conflicts are very dynamic and there is so much uncertainty in knowing the motives and capabilities of conflicting parties. The priority is to limit the number of civilian casualties and to reach a sustainable peace as quickly as possible without the intervention doing more harm than good. The main advantage of being at war is that you know that you are at war. Whilst when you are peacekeeping you are in limbo, trying to act in good faith, but you are never really in control unless you have the deterrent to back it up.

The ineffectiveness of direct military operations with stabilisation efforts to bring immediate peace to conflicts against insurgent attacks is a demonstration that force may only be effective if it is over whelming and with the objective to destroy not just to deter. But in the quest for an outright victory you are more likely to push more people to vengeance; people will not be deterred from what they believe to be justice. It is very hard to fight the enemy today as the enemy may be who you were protecting the day before.

The UN will be tested and pulled in more directions if it pursues R2P directly. If R2P is pursued indirectly (regional interventions) by the UN it may protect its core principles and its credibility but at the risk of not having the capacity or capability to intervene if there is no UNSC or regional consensus to intervene. During these situations the UN (UNSC) will be blamed for not doing anything.

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