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The Third Generation of Peace-keeping Operations: Is There a Need for Reform of the United Nations System?

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1. New developments in peace-keeping: challenges and problems – 2. The relationship between the use of force and peace-keeping – 3. The need for clearly-defined concepts – 4. Proposals for UN reform.

1. *New developments in peace-keeping: challenges and problems*

During these past three years, if one had asked the «man in the street» what the UN was for, what the UN «did», the answer would most probably have been: peace-keeping.

This is a real paradox, since peace-keeping is nowhere to be found in the UN Charter, so much so that many have said that peace-keeping lies somewhere between Chapter VI and Chapter VII of the Charter², meaning of course that it is in neither of them. Peace-keeping is the product of pragmatic response to conflict situations, from the Suez crisis in 1956 onwards – a response that has been shaped by the evolving nature of the challenge. And yet, even the most pragmatic tools need to be somehow defined conceptually and, in particular, institutionally justified. Otherwise, the risk is that of running into contradictions that can be harmful, if not devastating.

Only three years ago, when people were still thinking in terms of a possible «new world order», peace-keeping appeared as a flexible, multipurpose tool capable of combining diplomacy with military force in the pursuit of stability and peace. The idea in itself was and is sound. If we have learned anything from the experience of the last half century, it is that

a) diplomacy is not a denial of nor an alternative to the reality of the correlation of military forces, but a way of «factoring in» such reality and of translating it into negotiated political outcomes;

¹ The views presented here are of the author only and do not necessarily reflect those of the Italian Ministry of Foreign Affairs.

² Boutros Boutros-Ghali, Address to the Shanghai Academy of Social Science and Fudan University September 17, 1994, (SG/SM/94/149, September 17, 1994); B. Urquhart, «Between Peace-keeping and Force To Fill the Fatal Gap», *Work in Progress of the United Nations University (Tokyo)*, n. 3, June 1995, p. 3.

b) equating the military component of diplomacy to war is theoretically unsound and politically self-defeating. In other words, we should know that peace without force is as non-existent, in the real world, as war without politics.

Boutros-Ghali's *Agenda for Peace*, a document published in 1992³, represented, in this context, an effective, positive effort to spell out the great potential of peace-keeping, a specific tool clearly set within a *continuum* of measures ranging from the prevention of conflict to re-establishing the material conditions of peace once a conflict is over.

The most innovative concept in the *Agenda* was without any doubt that of «peace enforcement». In the de-constructed world of the post-Cold War period, a world of internal turmoil and fragmentation rather than of international tensions, it seemed indeed naïve to postulate the possibility of conflicts that would neatly lead to stable cease-fires, of conflicting parties that would mutually agree on the desirability of external interference in the conflict (the two basic requisites of «classical» peace-keeping). The idea was that of putting «teeth» into peace-keeping and filling the gap between, on the one hand, a deployment of forces based on an unlikely and fragile consensus and an all-out enforcement action, seen as a last resort to be averted, if at all possible, on the other.

Three years later the *Supplement to the Agenda for Peace*⁴, a follow-up report by the Secretary-General, should rather have been called «Agenda for Peace Revisited» if not «Agenda for Peace Revised». Beyond the specific conceptual differences, the two texts are radically different in what could be called their spirit: the first, optimistic and sanguine about the possibility of UN action; the second, modest and almost subdued.

What happened in those three years? Basically, Somalia and Yugoslavia. Let's quote in full two paragraphs from Boutros-Ghali's *Supplement*:

«34 There are three aspects of recent mandates that, in particular, have led peace-keeping operations to forfeit the consent of the parties, to behave in a way that was perceived to be partial and/or to use force other than in self-defense. These have been the tasks of protecting humanitarian operations during continuing warfare, protecting civilian populations in designated safe areas and pressing the parties to achieve national reconciliation at a pace faster than they were ready to accept. The cases of Somalia and Bosnia-Herzegovina are instructive in this respect.

35. In both cases, existing peace-keeping operations were given additional mandates that required the use of force and therefore could not be combined with existing mandates requiring the consent of the parties, impartiality and the non-use of force. It was

³ *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-keeping*, (A/47/277 – S/24111, January 31, 1992).

⁴ *Supplement to an Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations*, (A/50/60 – S/1995/1, January 3, 1995)

also not possible for them to be executed without much stronger military capabilities than had been made available, as is the case in the former Yugoslavia. In reality, nothing is more dangerous for a peace-keeping operation than to ask it to use force when its existing composition, armament, logistic support and deployment deny it the capacity to do so. The logic of peace-keeping flows from political and military premises that are quite distinct from those of enforcement; and the dynamics of the latter are incompatible with the political process that peace-keeping is intended to facilitate. To blur the distinction between the two can undermine the viability of the peace-keeping operation and endanger its personnel»

To sum up, in those three years we (and not only Boutros-Ghali) have discovered that operating between two Chapters of the Charter is like sitting between two chairs: uncomfortable and dangerous

2. *The relationship between the use of force and peace-keeping*

One thing should be very clear. The problem, both in Somalia and Yugoslavia, has never been the legitimacy of the use of force. One should question the demagogic and rhetorical statement according to which keeping the peace excludes using military force.

In the first place, even «classical» peace-keeping units are authorized to use force not only in self-defence, but also, to quote standard UN doctrine dating back to the 1970's, in order to counter armed interference with the carrying out of the peace-keeping mission⁵.

Secondly, in the specific instances of Somalia and the former Yugoslavia, Chapter VII is clearly and abundantly evoked in the mandates. One can question the political wisdom of using force (I am thinking especially of the case of Somalia), but definitely not its legitimacy.

What happened was that behind Chapter VII, ominously brandished against recalcitrant parties to a conflict, there was neither the necessary political will nor the adequate military means. The result was ... what we are all familiar with.

We should be very clear on this point: it would be unfair and incorrect to say that UN action was «useless». People were indeed saved, conflict was somewhat limited, humanitarian action was somewhat protected. And yet the main stated purpose, that of placating armed conflict and opening up spaces for peacemaking (*i.e.* negotiated solutions of the underlying political problems), was not achieved. Worse still, in the face of world opinion, UN troops were turned from passive and helpless hostages (at a certain point literally so) to

⁵ R. Toscano, «Peacekeeping in the New International Situation» *The International Spectator*, January-March 1993, p. 51.

ruthless, undeterred purveyors of violence.

Over and over again, in these last months, the Secretary-General has publicly underlined that, when addressing the issue of peace-keeping, one should move away from the quicksands of No-man's land lying between Chapter VI and Chapter VII of the Charter.

Moving away from the logic underlying the *Agenda for Peace*, the Secretary-General now states that «peace-keeping and enforcement are not complementary points on a continuum, they must be understood as alternative techniques»⁶.

But this is not the whole story. The 1995 revision of 1992 doctrine does not only relate to the institutional framework for peace operations (peace-keeping firmly in Chapter VI, peace enforcement in Chapter VII, and nothing in between), but also to the subjects that are supposed to carry out such actions.

After the «lessons of Yugoslavia and Somalia» the Secretary-General says (and I feel everybody, or almost everybody, agrees) that, whereas peace-keeping can be performed by UN contingents, peace enforcement should be carried out by «a multinational force outside the United Nations»⁷.

It is not a matter of theory here. One of the central elements of the peace agreement that is being negotiated in Dayton is something that will not be called a peace-keeping force, nor will it be a UN force, but rather a multinational «Peace implementation force». We should note that, though the controversial term of «enforcement» is not used, «implementation» seems to mean exactly the same thing. And US clarifications about the nature of the Force («the meanest dog in town», as the US Secretary of Defense has said) appear to lay to rest the idea that the Force could be a replay of UNPROFOR.

3. *The need for clearly-defined concepts*

All is well and all is clear, then? Have we finally reached clarity and definition after a deplorable period of confusion? I do not believe we would be justified in holding this optimistic view.

In the first place, it is important to have clear ideas and clear definitions as a pre-requisite for effective action. The trouble is that reality is not «clean-cut». Especially the reality of inter-ethnic conflicts.

Even leaving aside the contrast between mandates and political will, mandates and military means, what remains is the objective contradiction of goals

⁶ Boutros Boutros-Ghali, Address to the Seminar on «Germany and International Security», Federal College for Security and Policy Studies, Bad Goldberg, Germany, January 19, 1995 (SG/SM/95/11)

⁷ Boutros Boutros-Ghali, «Ways to Improve the United Nations», *International Herald Tribune*, August 17, 1995.

that have to be simultaneously pursued in situations of complex conflicts and emergencies.

How does one preserve the impartiality that is essential for peace-keeping while enforcing a cease-fire against one of the sides, responsible for violating it? How does one pursue and protect humanitarian action, by definition apolitical, while at the same time carrying out the protection of human rights, an intrinsically political action? How does one maintain, for the sake of peace-making, channels open to the main interlocutors (*i.e.* the main actors in the conflict that has taken place so far), while supporting the judicial pursuit and punishment of those same individuals, responsible for genocidal acts and violations of humanitarian law and human rights?

To have defined the different types of action is necessary, but will not, by itself, solve the political and operational problems of a force intervening in a complex conflict, whether we call it a force for peace-keeping, peace enforcement or peace implementation.

And then there is another very serious issue to face. Legally speaking, it is true that the intervention of multinational forces also is subject to Security Council mandates. But politically we certainly cannot forget that multinational forces, employed under Chapter VII (dealing with collective security), are forces that are geared operationally, and I would say culturally, to a mode of collective defence. What I mean is that art 51 of the UN Charter is, so to speak, just around the corner.

Let me quote an American source:

«The United Nations is not capable of peace enforcement against well-armed adversaries. For the foreseeable future, the job of deterring and defeating aggression will have to be responsibility of individual UN members acting under UN authority as in Desert Storm or under their rights of individual or collective self-defense as confirmed in Article 51 of the Charter (emphasis added)»⁸.

In any case, the discussion on peace-keeping (and peace enforcement) is not over. Quite the contrary: we can expect further evolution, maybe even more radical than that which we have witnessed in the past three years. We should, of course, be well aware of the fact that no institutional device can replace political will (or rather the lack of it). And yet debates on UN reform have necessarily, if not an explicit «peace-keeping angle», at least definite «peace-keeping repercussions».

⁸ R.N. Gardner, «A Midlife Crisis, but the World Body Has a Lot Yet to Do», *International Herald Tribune*, June 28, 1995.

4. *Proposals for UN reform*

I will try to run quickly through a few reform proposals:

1. I will start with a very radical proposal, that cannot even be classified as a UN reform, but rather as a «UN replacement». Maurice Bertrand⁹ proposes, in fact, to substitute the United Nations with a «World Security Organisation». Such a new organisation would be operating only in preventing conflicts, moving away from what Bertrand calls «repression». He writes: «Repressive security would devolve to regional alliances and those great powers interested in maintaining peace in the area» In his view, in other words, the new «World Security Organisation» would not only, as is being suggested nowadays for the UN, renounce – and delegate – the carrying out of enforcement actions, but would simply move out of Chapter VII.

If I have quoted this approach, it is not because I think it has any chance of being put into practice, but because I feel it shows the implications of a logic that would lead to the dismantling of the global collective security aims that are one of the essential characteristics of the UN. We are not talking of regionalization, here. At least not of that regional dimension that (See Chapter VIII of the UN Charter) is fully compatible with the global role of the UN. We are talking of total fragmentation.

2. Another proposal for reform (embodied in a 1995 document, *Reforming the United Nations. A View from the South*, published by the South Center¹⁰) appears to be interesting in the context of discussion on peace-keeping ... for the reason that it practically does not mention it, and focuses almost exclusively on development.

The slanted focus, the glaring omission of the peace and security aspects of the UN, are not to be dismissed as being the products of a partial and partisan approach. On the contrary, they point to a real problem. It is certain that one of the many (too many) divergent approaches between North and South deals exactly with the question mentioned at the beginning of this report: «What is the UN about?» Now, if in those same three years one had asked the same question in most countries of the South, the answer would not have been «peace-keeping», but rather «development» (and especially development assistance). The Secretary-General himself has insisted on many occasions on the fact that one should not forget that the UN is about peace *and* development.

But it would be absurd – and lethal for the UN – to oppose a Northern,

⁹ M Bertrand, *Working Paper on the Establishment of a «Charter-Objective». Project for a New World Organization*, 1995 (unpublished).

¹⁰ *Reforming the United Nations. A View from the South* Draft Paper by the South Center. Geneva March 1995.

peace and security-centered view of the UN to a Southern, development-centered view and this not only because the UN is for both peace and development (it is neither a «world security organisation» nor a «world development organisation»), but because a non-superficial examination of both peace and security reveals very strong linkages between these two dimensions.

Take peace-keeping itself. Having decided that peace-keepers (as distinct from peace enforcers) should steer clear of areas of open, unresolved military conflict, we necessarily identify the pre-conflict and post-conflict stages as those in which a global international action (with peace-keeping being an essential component) can and must play a role.

But what are the tools of both preventive diplomacy and post-conflict peace building? They are, of course, political: from the protection of human rights to confidence-building measures. But they are also economic: from relieving social tensions that are the natural breeding ground for violent nationalism to finding employment outlets for demobilized combatants. Symmetrically, if one tries to approach the issue of development in a comprehensive way, one immediately sees that economic factors cannot be considered in isolation from political ones, including peace and security¹¹.

The talk about different «generations» of peace-keeping is probably arbitrary, insofar as that which we are witnessing is an evolution rather than a succession of clear-cut stages.

I would prefer to talk about trends, perspectives. And this is exactly where I think the most promising future for peace-keeping lies: an integrated view, where society is seen as a whole, with its need of both peace and development, both security and governance. In the future peace-keeping should avoid new Somalias (and new Bosnias), and instead steer a course similar to the one which produced results in Cambodia and Mozambique.

The UN is not «about peace-keeping», but peace-keeping can and should contribute to the defence of the principles of the UN and the attainment of its goals.

A definition of targets, goals and mandates is, however, only a part of the whole story. Actually, the easiest part. The problem is mainly, as I said before, one of political will and of means.

And here it would be worthwhile concluding by mentioning Italy's proposal for the reform of the Security Council¹². This is not the context for a discussion on the proposal in its entirety, and yet I think that it has a very relevant

¹¹ See *An Agenda for Development. Report of the Secretary-General*, May 6, 1994 (A/48/935)

¹² *A Revised Proposal for the Enlargement of the Security Council of the United Nations*. (The Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council), May 15, 1995

connection to the issue of peace-keeping.

In the first place because one of the main criteria that is defined in the proposal for the identification of countries having a more frequent rotation within the Council, is, (I quote) «the capacity and willingness to contribute to peace-keeping operations with military personnel, equipment and financial resources»

More substantially, and more politically, the purpose of the proposal is that of addressing, with the aim of strengthening the UN, the harmful imbalance between «taxation» and «representation», and there is no doubt that participation in peace-keeping involves «taxation», not only in terms of financial resources, but also for the deployment of troops that, even in «classical» peace-keeping, run the risk of being harmed, a very touchy subject in democracies that cherish the life of every single one of their citizens.

So, having repeated several times that there is no substitute for political will, it can be said that institutional arrangements defining powers and responsibilities are definitely not irrelevant to the existence or non-existence of political will. The future of peace-keeping (as well as that of its twin but separated brother, peace enforcement) will depend on many factors – political, cultural, even ethical – but the UN reform will, no doubt, play a very important role.