

Critically assess the United Nations’ ability to provide for and uphold international peace and security

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Abstract

This paper presents the degree to which the “United Nations” (UN) is able to provide and uphold international peace and security. Given the evolving role of security and peace operations since the founding of the Organization, it is required to use the “*United Nations Charter*” as a theoretical platform, which will form the primary literature of this essay, in order to gain a comprehension of the change in their doctrine. Great emphasis will be laid on “*Chapter VI and VII*” of the Charter as their contradicting principles surrounding the aspect of “consent”, “impartiality” and “non–use of force” build a basis of critique towards the various facets of institutional ineffectiveness. To understand the limits of UN’s legal basis, the principles of “*Chapter VI and VII*” will be applied within the context of multiple successful and failed security and peace activities in the “post–War” and “post–Cold War” system. A combination of both primary literature, consisting of UN resolutions, with secondary literature, on the analysis of the limits of security and peace activities, will be used. The rationale behind this is to later evaluate the degree of their effectiveness in selected case studies and assess the short and long–term sustainability of peacekeeping operations (PKOs) for establishing peace agreements and building local capacities without external interference from non–consensual intervention. The paper postulates the necessity of a UN–wide reform that legally constrains non–consensual interventions, expands the reactionary efficiency of PKOs in crises and creates a framework which can implement sustainable international security and peace in the new millennium.

1. Introduction

The aim of this essay is to critically evaluate the extent to which the “United Nations” (UN) is able to provide for and maintain international security and peace. The paper contends that, despite the UN creating a foundation upon which international security and peace can be provided and upheld, there is overwhelming evidence in the “post–Cold War era” of security and peace activities that have failed due to contradictory mandates, limited internal effectiveness and inability of establishing environments of self–sustainable peace. Within the conceptual background, this paper will outline the legal basis of “peacekeeping” operations (PKOs) and also the changing doctrine of security and peace activities to evaluate in the following section their applicability in conducted operations during the “post–War” and “post–Cold War” system. For the purposes of this paper, only “*Chapter VI and VII*” of the “*UN Charter*” will be discussed given their contradicting principles that lead to institutional inefficiencies. The rationale for choosing multiple peace and security activities as case studies has been to draw comparisons between them to observe the evolution from traditional PKOs to peace–enforcement operations in our post–Westphalian environment. Ultimately, an analysis will be performed to identify the degree of compatibility of PKOs with the principles of “consent”, “impartiality” and “non–use of force”, their effectiveness when considering variables of “situational difficulties”, “political will” and “organizational dysfunction” and finally assess the long–term sustainability of peace and security operations given their potential limitations. The paper concludes with the advancement of the idea that the UN should undergo a series of institutional reforms to constrain non–consensual interventions, increase the ability to respond to conflicts and create a framework of long–term and sustainable peace and security.

2. Conceptual Background: Normative Framework for United Nations Peacekeeping Operations

2.1. Principles of Peace & Security Activities under the United Nations Charter

On the 26th of June 1945, the “*United Nations Charter*” was signed as a foundation document for the creation of the *UN* as an international organization that intends to “save succeeding generations from the scourge of war”¹ and preserve “international peace and security”². The “United Nations Security Council” (UNSC) was conferred by Members of the UN the responsibility under “*Article 24*” of the Charter to fulfil this purpose.³ Consisting of five permanent Members, France, United States, China, United Kingdom and Russia, and six biannually elected non-permanent members, under “*Article 27*” each of these 11 Members has one vote with decisions on all matters being made with an affirmative vote of seven.⁴ In order to discharge these duties under the given framework of operation, the UNSC undertakes a wide spectrum of security and peace activities. While “peacekeeping” was not explicitly mentioned in the “*United Nations Charter*”, it has evolved as the principal tool for the UN to preserve peace regardless how fragile it is, being key for peacemakers in the implementation of agreements. Within the Charter, the “*Chapters VI and VII*” form the legal grounds of PKOs. Traditionally there has been an association of PKOs with “*Chapter VI*” of the Charter that deals with “Pacific Settlement of Disputes”. This Chapter seeks under “*Article 33*” that warring parties should engage in peaceful means of settling their disputes, such as through conciliation, negotiation, enquiry, arbitration, or judicial settlement that may pose a risk to the preservation of international security and peace.⁵ Under “*Article 36*” the UNSC can also adjust its methods outlined in *Article 33* of preserving security and peace depending on the nature of the conflict.⁶ It is obvious that the principle of “consent” can be drawn from “*Chapter VI*” which entails that the main parties involved in the conflict agree to the deployment of PKOs to accomplish their mandated tasks. This “consent” gives the UNSC the ability to intervene in the domestic affairs of the parties and investigate any disputes, asking them to settle their differences according to the way it deems necessary in terms of the nature of the conflict. With regards to “*Chapter VII*”, it has been used by the UNSC to undertake action against threats to the “peace, breaches of the peace and acts of aggression”⁷ with PKOs being

¹ *Charter of the United Nations and Statute of the International Court of Justice 1945*, San Francisco, 26 June, United Nations Treaty Series, Preamble, available at: <https://treaties.un.org/doc/publication/ctc/uncharter.pdf>.

² Ibid.

³ Ibid., Article 24

⁴ Ibid., Article 27.

⁵ Ibid., Article 33.

⁶ Ibid., Article 36.

⁷ Ibid., Article 39.

authorized into post–conflict settings in which a state is not able to maintain public order and security. With this authorization under “*Article 39*”, the UNSC can determine threats and call upon concerned parties under “*Article 40*” to comply with provisional measures without prejudice to their “rights, claims, or position”⁸. Within “*Article 40*” the principle of “impartiality” becomes apparent which underlines the necessity of PKOs to implement their mandate without taking sides of parties involved in the conflict. By deciding on which measures to undertake the UNSC can act under “*Article 41*”, through non–military measures such as the interruption of economic and diplomatic relations or “*Article 42*”, which necessitates the deployment of air, sea or land forces. From this, the principle of “non–use of force” is evident in this Chapter as the UNSC can deploy PKOs at a tactical level for the self–defence and defence of the mandate with or without the use of armed troops. It should be noted that the use of force in PKOs should only take place as a last resort when there are no other alternatives of persuasion. The scope is to use the minimum force needed to de–escalate any conflict which could go against the peace process or harm any civilians and then return to non–violent ways of persuasion.

2.2. Changing Doctrine of Peace & Security Activities: Towards a Post–Westphalian Environment

While the interrelated and self–enforcing principles of “consent” of parties, “impartiality” and “non–use of force” have traditionally remained the same, over the last six decades, three generations of “peacekeeping” have evolved in terms of the applicability of the principles in security and peace activities. The first generation of “peacekeeping” included activities, which under “*Chapter VI*” called for the interference of a force under the “consent” of warring parties that contributes to the establishment of a peace agreement between them. This has been reflective of the action undertaken by traditional PKOs which have aimed to separate parties in a dispute not through coercion with military means but with their “consent” and cooperation.⁹ The second generation of “peacekeeping” also relies on the “consent” of the parties engaging in activities, such as monitoring elections, which would belong to their domestic jurisdiction. “Peacemaking operations” exemplify this as they address conflicts which are in progress with diplomatic action to foster an environment of cooperation between hostile parties in order to reach through peaceful means of judicial settlement and negotiations under “*Chapter VI*” a negotiated agreement.¹⁰ Both of these generations underline the importance of reaching “consent” in a PKO at the tactical level with the “consent” being derived from events within the field operations, which may

⁸ Ibid., Article 40.

⁹ United Nations, *United Nations Peacekeeping Operations: Principles and Guidelines*. 19 January 2008, 1–99, accessed 30 April, available at: https://peacekeeping.un.org/sites/default/files/capstone_eng_0.pdf.

¹⁰ Ibid., 18–30.

influence and shape the opinion of the locals being prone to change, or at the operational level, which is established through stable formal agreements. The focus on the “consent” of two belligerent parties is similar to the Westphalian principles of sovereignty, being a core component of the “*United Nations Charter*” under “*Article 2*”, Paragraph 7, which underlines that “nothing should authorise intervention in matters essentially within the domestic jurisdiction of any state”¹¹. In essence, no external powers can intervene in the domestic affairs of another state. The third, and currently last, generation of peacekeeping is defined by operations being authorized under “*Chapter VII*” with or without the “consent” of the warring parties. This can be noticed with “peace enforcement” operations, which focus on coercive measures that include the deployment of military force to restore international security and peace.¹² This has been noticeable with the end of the “Cold War” which has marked the erosion of the Westphalian sovereignty as the UNSC was able to intervene in conflicts without the “consent” of belligerent parties with the scope of preventing human rights abuses against the people of a respective country.¹³ This has marked the start of the “post–Westphalian” period in which the UN is experiencing a shift towards more supranational authority.¹⁴

¹¹ *Charter of the United Nations and Statute of the International Court of Justice 1945*, Article 2.

¹² United Nations, *United Nations Peacekeeping Operations: Principles and Guidelines*, 18–43.

¹³ Michael J. Matheson, *Council Unbound: The Growth of UN Decision Making on Conflict and Postconflict Issues After the Cold War* (Washington, DC: United States Institute of Peace Press, 2006), 43.

¹⁴ Bruce Cronin and Ian F. Hurd, *The UN Security Council and the Politics of International Authority*, (Abingdon: Routledge, 2008), 41–105.

3. Comparative Case Study: Evolution of United Nations Peace & Security Activities

3.1. Peacekeeping Operations during the “Post–War” System

It is worth examining how these principles have been implemented in different PKOs with the changing doctrines of peace and security activities. It becomes evident that the “*United Nations Charter*”, being created after World War II, was designed for interstate wars as from 1900 until 1941 around 80 percent of wars were interstate and conducted by armies. Moreover, from 1945 to 1976 85 percent of all wars were within the territory of one state being internally oriented.¹⁵ For this reason, PKOs were traditionally created to react to crises between states by having lightly armed or unarmed UN troops between warring parties to monitor a truce, the withdrawal of troops or a buffer zone while peace negotiations continued using force only in the case of self–defence. The principles of “consent”, “neutrality” and “non–use of force” were prominent in this period as UN remained impartial not wanting to take a side in the conflict in order to acquire the “consent” of the parties making it, therefore, easier and enabling peacekeepers only to use force in the case of self–defence.¹⁶ The period of 1946–1956 can be described as the “nascent period”¹⁷ of “peacekeeping” with the creation of observation operations, which were the precursor of “peacekeeping” missions. It is officially agreed that the first PKO has been the UN observation team in Indonesia in 1947 with the purpose of reporting the various stages of independence achieved from the process of decolonization. Further observation missions which have followed have been the “United Nations Observer Group In India and Pakistan” (UNMOGIP)¹⁸, that continues to depend on the cooperation of both parties during the conflict in Kashmir, and the “United Nations Truce Supervision Organizations” (UNTSO), which until today has observed several cease–fires, truces and armistices between warring parties in the Middle East.¹⁹ These early operations were small in scale and had a limited capacity of using force focusing with its less extensive mandate on the observation and reporting of ceasefires to the UNSC. With the creation of the “United Nations Emergency Force” (UNEF) in 1956 the “first armed United Nations force”²⁰ emerged being mandated to supervise the termination of

¹⁵ Michael W. Doyle and Nicholas Sambanis, “Peacekeeping Operations,” in Sam Daws and Thomas G. Weiss (eds.), *The Oxford Handbook on the United Nations* (Oxford: Oxford University Press, 2008), 323–349.

¹⁶ Trevor Findlay. *The Use of Force In UN Peace Operations* (Oxford: Oxford University Press, 2002), 1–16.

¹⁷ Henry Wiseman. *Peacekeeping: Appraisals and Proposals* (Oxford: Pergamon Press, 1983), 1.

¹⁸ United Nations Security Council, *The India–Pakistan Question*, 30 March 1951, S/RES/91, accessed 30 April, available at: [https://undocs.org/S/RES/91\(1951\)](https://undocs.org/S/RES/91(1951)).

¹⁹ United Nations Security Council, *The Palestine Question*. 5 March 1948, S/RES/42, accessed 30 April, available at: [https://undocs.org/S/RES/42\(1948\)](https://undocs.org/S/RES/42(1948)).

²⁰ United Nations Security Council, *UN Security Council Resolution 997 on Suez*, 30 October 1956, S/RES/997, accessed 30 April, available at: <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/037/42/IMG/NR003742.pdf?OpenElement>.

hostilities and the removal of foreign troops from the Suez crisis. This period can be called the “assertive period”²¹ which concluded with the withdrawal of UNEF I in 1967, signifying a shift from the principle of the “non–use of force” with force being used in the situation of self–defence. The concept of the ‘self’ entailed the mandate and the “peacekeeping” mission, which was carried out. This operation had a comprehensive mandate and a large number of troops when compared to previous “peacekeeping” missions, such as UNTSO, that was observation–focused. These principles were very influential for subsequent PKOs, which allowed the use of force for defending the mandate. Forceful operations were, therefore, rare and only used as a last resort in desperate situations when the UNSC tried to save failing PKOs.

3.2. Peace enforcement Operations in the “Post–Cold War” Years

The “Cold War” period has made the deployment of PKOs increasingly difficult which has led to them being frozen for an entire decade marking a “dormant period”²². Nevertheless, with the reconciliation between both superpowers in the late 1980s PKOs entered a period of revival. During this phase, four “peacekeeping” forces have been established amongst which the “United Nations Transition Assistance Group” (UNTAG) stands out the most as it combined “peacekeeping”, by separating guerilla forces, with peacemaking with the goal of supervising and policing the elections, which ultimately have led to Namibia's independence in the 1990s.²³ This new integrated approach has continued with similar “peacekeeping” forces being deployed in Western Sahara²⁴, Central America²⁵, El Salvador²⁶, and Cambodia²⁷ reflecting a trend towards democracy after the collapse of communism and the resurfacing of inter–ethnic violence. This period signified a stark departure from the involvement in interstate wars with observational tasks generally performed by “peacekeeping” forces, to a focus on domestic civil wars with the personnel expanding beyond military including electoral observers and humanitarian workers being deployed in multidimensional operations. These missions were mandated with the implementation of

²¹ Wiseman. *Peacekeeping: Appraisals and Proposals*, 1.

²² Ibid.

²³ United Nations Security Council, *UN Security Council Resolution 435 on Namibia*, 29 September 1978, S/RES/435, accessed 30 April, available at: <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/368/80/IMG/NR036880.pdf?OpenElement>.

²⁴ United Nations Security Council, *The Situation concerning Western Sahara*, 29 April 1991, S/RES/690, accessed 30 April, available at: [https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/690\(1991\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/690(1991)).

²⁵ United Nations Security Council, *Central America*. 5 November 1990. S/RES/675, accessed 30 April, available at: [https://undocs.org/S/RES/675\(1990\)](https://undocs.org/S/RES/675(1990)).

²⁶ United Nations Security Council. *UN Observer Mission in El Salvador*, 28 April 1995, S/RES/990, accessed 30 April, available at: [https://undocs.org/S/RES/990\(1995\)](https://undocs.org/S/RES/990(1995)).

²⁷ United Nations Security Council. *Cambodia*. 4 November 1993. S/RES/880, accessed 30 April, available at: [https://undocs.org/S/RES/880\(1993\)](https://undocs.org/S/RES/880(1993)).

“comprehensive peace agreements”²⁸ and building “foundations for sustainable peace”²⁹. Besides UNTAG in Namibia being a successful mission, other notable PKOs have been the “UN Angola Verification Mission” (UNAVEM)³⁰ in Angola which was mandated to implement “complex peace agreements” by being involved in aspect such as the stabilization of the security situation, the reorganization of the police and the formation of democratic institutions with new governments being elected. Nonetheless, the success of these earlier missions has raised the expectations beyond the ability of the UNSC to deliver in terms of authorizing mandates that are sufficiently robust and have adequate resources provided. The three most criticised “peacekeeping” missions have been “UN Protection Force” (UNPROFOR)³¹ in Yugoslavia, “UN Assistance Mission for Rwanda” (UNAMIR)³² in Rwanda and “UN Operation in Somalia II” (UNOSOM II)³³ in Somalia as peace agreements between warring parties were not established and the peacekeepers did not receive adequate political support and resources. This has been evident in UNSOM II when the U.S. has pledged over “\$2 billion to the effort”³⁴, however, with the increase of the fatalities of American troops, the UNSC became disinterested funding the operation in Somalia and in UNAMIR and UNPROFOR when the lack of funding or troops resulted in the slaughter of thousands of people.³⁵ With these setbacks taken into consideration, the UNSC has limited the number of “peacekeeping” missions to have failures like these prevented from happening. Currently, with the “*Brahimi Report*” in 2000, PKOs reached their current form being reinvented to emphasize on the protection of civilians. This report has played a major role in the use of force in PKOs, with the UNSC invoking “*Chapter VII*” from the start of the majority of missions.³⁶ This approach in which peacekeepers are allowed to use force under “*Chapter VII*” shows that the UNSC does not envision “peacekeeping” as a non-forceful security and peace activity anymore.

²⁸ United Nations. “Our History,” *United Nations Peacekeeping*, accessed 30 April 2019, available at: <https://peacekeeping.un.org/en/our-history>.

²⁹ Ibid.

³⁰ United Nations Security Council, *Angola*, 20 December 1988, S/RES/626, accessed 30 April, available at: [https://undocs.org/S/RES/626\(1988\)](https://undocs.org/S/RES/626(1988)).

³¹ United Nations Security Council, *Bosnia and Herzegovina*, 18 June 1993, S/RES/844, accessed 30 April, available at: [https://undocs.org/S/RES/844\(1993\)](https://undocs.org/S/RES/844(1993)).

³² United Nations Security Council, *Rwanda*, 5 October 1993, S/RES/872, accessed 30 April, available at: [https://undocs.org/S/RES/872\(1993\)](https://undocs.org/S/RES/872(1993)).

³³ United Nations Security Council, *Somalia*. 26 March 1993, S/RES/814, accessed 30 April, available at: [https://undocs.org/S/RES/814\(1993\)](https://undocs.org/S/RES/814(1993)).

³⁴ Lise Morje Howard, *UN Peacekeeping in Civil Wars*. (Cambridge: Cambridge University Press, 2008), 22.

³⁵ Sabrina Stein, “The UN and Genocide: A Comparative Analysis of Rwanda and the Former Yugoslavia,” in Fulvio Attina (ed.), *The Politics and Policies of Relief, Aid and Reconstruction: Contrasting Approaches to Disasters and Emergencies* (New York: Palgrave MacMillan, 2012), 173–190

³⁶ General Assembly and Security Council, *Comprehensive review of the whole question of peacekeeping operations in all their aspects*, 21 August 2000, A/55/305–S/2000/809, accessed 30 April, available at: <https://undocs.org/A/55/305>.

4. Analysis: Limits to the United Nations ability in providing for and upholding peace and security

4.1. Contradicting United Nations Peacekeeping Principles

With regards to the aforementioned PKOs, the degree of their legitimacy is questioned given that they are not explicitly mentioned in the Charter. When considering the principle of “consent” its use is contradicting in theory and practice. This contradiction is evident within “*Article 2*”, Paragraph 7, of the “*UN Charter*” that on one hand bans the interference of the UN in essential matters which are within the domestic jurisdiction of states, and on the other grants the UNSC to authorize enforcement measures. A blurry boundary is created when examining these principles in the evolution of “peacekeeping” as a noticeable change of the doctrine from not relying on the use of force in the early missions to the explicit invocation of “*Chapter VII*” in most operations becomes evident. Indeed the UNSC has previously relied on force in the case of self-defence and afterwards using it as a last resort, in the cases of a crisis occurring on the ground, however, with the “*Brahimi Report*” “*Chapter VII*” has been invoked from the outset of the majority of their PKOs. From this, contradictions arise between “*Chapter VI and VII*”. While “*Chapter VI*” requires force to be employed in PKOs only in self-defence in a neutral, conciliatory and pacific manner, “*Chapter VII*” is conflicting with the principle of “consent” as it intervenes in the conflict area without the permission of parties. Ultimately without “consent”, these operations become part of the conflict shifting away from the aim of maintaining security and peace and moving towards the enforcement of action. If trust is not established between the main parties of the conflict, “consent” becomes unreliable and uncertain which eventually restricts the freedom of the operation to act. In the case of the PKOs in Rwanda, Somalia and Yugoslavia it can be argued that contradictory mandates were given under “*Chapter VI and VII*”. With everything taken into consideration, these current peace operations intrude in various aspects that were considered part of the domestic sovereignty and beyond the scope of UN activities

The principle of “impartiality” can also be met with criticism as peacekeepers have not remained fully impartial during PKOs. Traditionally the mandates of PKOs, which monitor peace agreements or agreed upon cease-fires can be seen as impartial as they act without any prejudice only overseeing the terms or arrangements that have already been agreed between two parties. Nevertheless, at an operational level, the implementation of the mandate has changed in the “post-Cold War era” with mandates becoming increasingly complex having grey areas that include impartial and partial elements. This has been evident in Somalia, Yugoslavia and Rwanda as their mandates were not based on preexisting peace agreements affecting, thus, the position of the conflicting parties. The result of this is that impartial PKOs

have their credibility and legitimacy undermined which may lead to one of the parties involved in the conflict to withdraw its “consent”.

The principle which can be mostly contested is the use of force. While there has been a clear distinction during the “Cold War” between the traditional PKOs conducted under “*Chapter VI*” and the use of “*Chapter VII*” for enforcement action, in the “post–Cold War era” a hybrid form of “peace enforcement” has been utilized. It can be debated that the UNSC has extensively used “*Chapter VII*” as an excuse for addressing matters that may not necessarily be a risk to international security and peace as it could have used alternative provisions of the Charter that are more suitable. This issue clearly stems from the shifting doctrine in the use of force, from using the minimum degree to it being used from the outset with the UNSC having the authority under “*Article 39*” to establish the “existence of any threat to peace, breach of peace, or act of aggression”³⁷, interpreting, therefore, the matter at hand before deciding what measures to take under “*Article 41 and 42*”. With the “*Brahimi Report*” the UNSC has entered an “exceptional” phase of action, which is governed by a “limited form of law”³⁸, undermining with the interchangeable use of enforcement measures the viability of future PKOs.

4.2. Limits to the effectiveness of Peacekeeping Operations

Without a doubt, the blurry line between “peacekeeping” and “peace enforcement” operations has led to the inefficiency of the international community to respond to crises, making as a result sustainable long–term peace difficult to accomplish. It is interesting to examine why so few UN PKOs in the “post–Cold War” environment have succeeded and most have failed when intervening in civil wars. With a total of 35 “peacekeeping” missions being sponsored by the UN during this period³⁹, it is necessary to understand whether widely considered unsuccessful UN “peacekeeping” missions, such as Somalia, Rwanda and Yugoslavia, inevitably failed due to circumstances on the ground or the competence of the PKO. Most of the times the “situational difficulty” of civil wars involved the degree of “consent” from the warring parties for PKOs which can fuel or end the ongoing conflict. It is evident that all three cases were riddled with situational difficulties given the absence of centralization and ongoing inter–ethnic disputes for authority within the country, however, Somalia stands out the most as an international intervention took place without the “consent” of the belligerent parties. While there was a lack of

³⁷ *Charter of the United Nations and Statute of the International Court of Justice 1945*, Article 39.

³⁸ Devon Whittle, “The Limits of Legality and the United Nations Security Council: Applying the Extra–Legal Measures Model to Chapter VII Action,” *The European Journal of International Law*, vol. 26, no. 3 (2015), 686.

³⁹ United Nations, “List of Peacekeeping Operations: 1948–2017,” *Peacekeeping*, accessed 30 April, available at: https://peacekeeping.un.org/sites/default/files/unpeacekeeping-operationlist_1.pdf.

legitimacy in leadership that could have granted “consent”, the UNSC had no right to interfere in its domestic affairs.⁴⁰

Another important success factor for PKOs in civil wars is the degree of “political will” arising from the consensual support of UNSC’s five permanent members.⁴¹ Given the competing interests of the permanent five members, the UNSC is unable to respond effectively in a timely manner when it comes to the authorization of enforcement action to prevent international wars from breaking out. Their veto power halts any action from being taken as evidenced by the consecutive failures of protecting the most vulnerable people from the Balkans and Africa. This process of decision-making is not only ineffective but also undemocratic, with its elitist approach of the most powerful nations representing the interests of the entire world. Moreover, it is clear that PKOs have been reliant on the leadership of the U.S. in the UNSC, the effectiveness of which depended on its shifting interests. This demonstrates that the present approach to international politics is outdated and Western-centric with the permanent members acting outside the scope of the mandate and ignoring their responsibility to uphold international norms. From this, it can be asserted that the shifting interests of the P5 undermine the legitimacy and credibility of the UNSC.

Lastly, the lack of consensus on the respective problems of failed “peacekeeping” missions led to the drafting of contradictory UNSC resolutions which made them impossible to implement causing the Secretariat to become dysfunctional on an organizational level. From the start of these PKOs “organizational dysfunction” has plagued their efficiency. Their mandates could have been successful if divisions would not have existed between the UN headquarters and the field missions. The main issue that arises from contradicting decision-making of the UNSC is that it can limit the ability of these PKOs to systematically gather, analyze and dismantle information. The consequence of this is that warring parties may misperceive “peacekeeping” troops as hostile groups wanting to “invade the country”⁴² taking, therefore, part in conflicts these operations were meant to end. Moreover, intelligence mismanagement can lead to inaction as evidenced by the situation in Rwanda when the Secretariat defined the issue as a “chaotic civil war”⁴³ instead of a “well-planned genocide”⁴⁴, justifying, therefore, the withdrawal of international actors as they had little to do in a situation of such chaos. The last point worth mentioning is that the contradicting decision-making of the UNSC does not allow PKOs to engage in a constructive

⁴⁰ Ramesh Thakur, “From Peacekeeping to Peace Enforcement: The UN Operation in Somalia,” *The Journal of Modern African Studies*, vol. 32, iss. 3 (1994), 387–410.

⁴¹ Wolfgang Biermann and Martin Vadse, *UN Peacekeeping in Trouble: Lessons Learned from the Former Yugoslavia: Peacekeepers’ Views on the Limits and Possibilities of the United Nation in a Civil War-Like Conflict*, (Farnham: Ashgate Publishing Limited, 1999), 125–186.

⁴² Micheal Wesley, *Casualties of the New World Order: The Causes and Failures of UN Missions to Civil Wars*. (New York: St. Martin’s Press: 1997), 73.

⁴³ Howard, *UN Peacekeeping in Civil Wars*, 33.

⁴⁴ *Ibid.*

way with warring parties, as noticed in the case of UNPROFOR which was neither able to form a basis of cooperation with the Bosnian Muslims nor with the Bosnian Serbs.

4.3. Long Term Sustainability of Peacekeeping Operations

Peace can be seen as a continuum which consists of no peace, in the case of war, negative peace when war is absent and social harmony⁴⁵. As social harmony is an elusive goal, a standard of peace needs to be set after a civil war. Four interrelated variables can be proposed that can achieve a strict standard for peace: ‘end to the war’; ‘no major residual violence’, an ‘undivided sovereignty’ and ‘political openness’. In an ideal scenario, PKOs would engage in a post–conflict reconstruction with economic and social cooperation being fostered to build confidence among the former warring parties with the scope of developing the social, economic and political infrastructure which will stop future violence from occurring, laying a basis for sustainable long–term peace. Indeed, there have been scholars that have argued that “peacekeeping” interventions have a positive influence on the chances of peace occurring after civil wars⁴⁶, as it helps warring parties to overcome problems of enforcing peace agreements through the monitoring of their behaviour. As noticed with traditional “peacekeeping” missions, combatants have complied with peace agreements given the need of filling a gap within a transitional period after a civil war until trust is reestablished and domestic political institutions are able to take over. While in the short term robust evidence shows that “peacekeeping” missions contribute to the quality of peace by implementing peace agreements when peace relies on the participation of both parties, in the long–term sustainable peace is more difficult to be established after the civil war as it means that the possibility for war needs to be absent. The failed “peacekeeping” missions in Somalia, Yugoslavia and Rwanda have demonstrated that the complexity of the mandate, lack of funding and resources and also organizational deficiencies due to overly bureaucratic procedures are the causes for the limits in the effectiveness of these operations. The consequence of these inefficiencies has led to no peace agreements being concluded which signifies that hostilities have been prolonged indefinitely. While combat has been suspended the lack of a visible path for peace has shifted the priority of parties to prepare for the eventuality of a future war instead of reconstructing devastated economies and damaged societies. For this reason, negative peace with the absence of war, is not reflective of what is needed for peace to be self–sustaining in unstable societies.

Once peacekeepers have left countries after civil wars the ultimate goal is for peace to be sustainable with sovereign states being capable to resolve their natural conflicts besides the war that all societies can

⁴⁵ Kenneth Boulding, “Toward a Theory of Peace,” in Fisher, Roger (ed.). *International Conflict and Behavioral Science* (New York: Basic Books, 1964), 70–87.

⁴⁶ Michal W. Doyle and Nicholas Sambanis, “International Peacebuilding: A Theoretical and Quantitative Analysis,” *American Political Science Association* (August 2000), 1–60.

face.⁴⁷ It can be therefore said that peace-building activities need to address existing sources of hostility and build local capacities for resolving conflicts after the negotiation or imposition of peace. In this case, the outcome of peacebuilding can be evaluated with external assistance being absent as the ability of countries to be self-sustaining is more valuable than the UN holding them together. Nevertheless, in the aforementioned failed PKOs the UN soon departed after the conclusion of the war or remained to manage the fragility of a peace process. There does not seem to be a clear *a priori* connection between the duration of and the outcome of a peace process. A long UN “peacekeeping” mission may indicate that the environment for building peace is more difficult and that the longer it stays the chances for it to fail increase. The same can be also said for the opposite as the longer peace is maintained, the higher are the chances for it to be stable with a stronger transition period being prepared during the stay of the operation. Notwithstanding, the categorical variable from the longevity of the stay of a “peacekeeping” mission depends on the degree of its impact through the implementation of its mandate. It is clear that the PKOs which have failed in the “post-Cold War era” have been transformational in nature seeking to transform a conflict instead of containing it. They have also been non-consensual, acting upon the blurry distinction between “*Chapter VI and VII*”, destabilizing the region of conflict more than creating an environment of self-sustaining peace.

⁴⁷ UN Security Council, *No exit without strategy: Security Council decision-making and the closure or transition of United Nations peacekeeping operations*, 20 April 2001, S/2001/394, accessed 30 April, available at: <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/PKO%20S%202001%20394.pdf>.

5. Conclusion

In conclusion, it can be argued that while the UN has been essential in providing an infrastructure for preserving international security and peace, the Organization remains limited in reaching this objective when considering that it is not only contradicting itself in the application of the “*United Nations Charter*” principles to practice but it is also lacking the effectiveness of implementing its “peacekeeping” mandates and also upholding sustainable peace. Without a doubt, since its inception, the UN has not entirely fulfilled its purpose stipulated in the Charter given the shifting responsibility of the UNSC under “*Article 24*” of upholding international security and peace. This has been especially evident with the changing role of peace and security activities, from being initially meant under “*Chapter VI*” for peacekeepers to engage with warring parties by settling their disputes through peace negotiations to gradually adopting more comprehensive mandates, which have amounted to the extensive use of “*Chapter VII*” for “peace enforcement” operations that enabled peacekeepers to use force. The consequence of this has been the creation of a blurry boundary between “*Chapter VI*” and “*Chapter VII*” which formed contradictions in the use of the principle of “consent”, with the former allowing PKOs to play a conciliatory role in peace negotiations under the consensus of the belligerent parties whereas the later allows the UNSC to intervene in the domestic sovereignty without their permissions. Non-consensual interventions have also led to the distortion of impartiality with the credibility and legitimacy of PKOs being undermined with parties withdrawing their “consent”. With regards to the principle of the “non-use of force” the arbitrary use of interventions shows that vague enforcement measures only create a situation of exceptionality of UNSC utilizing “*Chapter VII*” instead of using more suitable alternative provisions of the Charter in missions. These contradictory principles also lead to PKOs having a limited degree of effectiveness as observed in several failed missions. Indeed while situational difficulties are prone to happen in civil wars due to the lack of centralization, interventions without “consent” have severely undermined the legitimacy of PKOs on the ground. Furthermore, the undemocratic structure of the UNSC and the dependency on the U.S. leadership has only distorted the political will to respond effectively and impartially in preventing wars from breaking out. Moreover, the organizational dysfunction of the UN in terms of the division between the UN headquarters and field mission as well as information mismanagement has made PKOs being perceived as hostile rather than constructive. Ultimately the complexity of mandates, lack of funding and resources as well as organizational deficiencies have led to the inability of “peacekeeping” operations in the post-Westphalian era of upholding long term sustainable international peace and security. This is only emphasized by the transformational nature of PKOs in this period which did not create an environment of self-sustaining peace through the effective implementation of respective mandates but rather destabilized areas of conflict. As a result of contradictions, inefficiencies and lack of sustainability it is, therefore,

necessary for UN “peacekeeping” operations to be legally constrained from intervening without “consent” in conflicts, to act in a dynamic nature and create a long-term self-sustaining framework of peace and security after the conclusion of peace agreements in order to meet the international security and peace demands of the 21st century.

Bibliography

- Biermann, Wolfgang and Martin Vadset. *UN Peacekeeping in Trouble: Lessons Learned from the Former Yugoslavia: Peacekeepers' Views on the Limits and Possibilities of the United Nation in a Civil War-Like Conflict*. Farnham: Ashgate Publishing Limited, 1999.
- Boulding, Kenneth. "Toward a Theory of Peace." In Fisher, Roger (ed.). *International Conflict and Behavioral Science*. 70–87. New York: Basic Books, 1964.
- Cronin, Bruce and Ian F. Hurd. *The UN Security Council and the Politics of International Authority*. Abingdon: Routledge, 2008.
- Doyle, W. Michael and Nicholas Sambanis. "International Peacebuilding: A Theoretical and Quantitative Analysis." *American Political Science Association* (August 2000), 1–60.
- Doyle, W. Michael and Nicholas Sambanis. "Peacekeeping Operations." In Daws, Sam and Weiss, G. Thomas (eds.). *The Oxford Handbook on the United Nations*. 323–349. Oxford: Oxford University Press, 2008.
- General Assembly and Security Council. *Comprehensive review of the whole question of peacekeeping operations in all their aspects*. 21 August 2000. A/55/305–S/2000/809. Accessed 30 April. Available at: <https://undocs.org/A/55/305>.
- Howard, Morje Lise. *UN Peacekeeping in Civil Wars*. Cambridge: Cambridge University Press, 2008. <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/037/42/IMG/NR003742.pdf?OpenElement>.
- Matheson, J. Michael. *Council Unbound: The Growth of UN Decision Making on Conflict and Postconflict Issues After the Cold War*. Washington DC: United States Institute of Peace Press, 2006.
- Stein, Sabrina. "The UN and Genocide: A Comparative Analysis of Rwanda and the Former Yugoslavia." In Attina, Fulvio (ed.). *The Politics and Policies of Relief, Aid and Reconstruction: Contrasting Approaches to Disasters and Emergencies*. 173–190. New York: Palgrave MacMillan, 2012.

Thakur, Ramesh. "From Peacekeeping to Peace Enforcement: The UN Operation in Somalia." *The Journal of Modern African Studies*, vol. 32, iss. 3 (1994): 387–410.

UN Security Council. *No exit without strategy: Security Council decision-making and the closure or transition of United Nations peacekeeping operations*. 20 April 2001, S/2001/394. Accessed 30 April. Available at: <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/PKO%20S%202001%20394.pdf>.

United Nations Security Council. *Angola*. 20 December 1988. S/RES/626. Accessed 30 April. Available at: [https://undocs.org/S/RES/626\(1988\)](https://undocs.org/S/RES/626(1988)).

United Nations Security Council. *Bosnia and Herzegovina*. 18 June 1993. S/RES/844. Accessed 30 April. Available at: [https://undocs.org/S/RES/844\(1993\)](https://undocs.org/S/RES/844(1993)).

United Nations Security Council. *Cambodia*. 4 November 1993. S/RES/880. Accessed 30 April. Available at: [https://undocs.org/S/RES/880\(1993\)](https://undocs.org/S/RES/880(1993)).

United Nations Security Council. *Central America*. 5 November 1990. S/RES/675. Accessed 30 April. Available at: [https://undocs.org/S/RES/675\(1990\)](https://undocs.org/S/RES/675(1990)).

United Nations Security Council. *Rwanda*. 5 October 1993. S/RES/872. Accessed 30 April. Available at: [https://undocs.org/S/RES/872\(1993\)](https://undocs.org/S/RES/872(1993)).

United Nations Security Council. *Somalia*. 26 March 1993. S/RES/814. Accessed 30 April. Available at: [https://undocs.org/S/RES/814\(1993\)](https://undocs.org/S/RES/814(1993)).

United Nations Security Council. *The India–Pakistan Question*. 30 March 1951. S/RES/91. Accessed 30 April. Available at: [https://undocs.org/S/RES/91\(1951\)](https://undocs.org/S/RES/91(1951)).

United Nations Security Council. *The Palestine Question*. 5 March 1948. S/RES/42. Accessed 30 April. Available at: [https://undocs.org/S/RES/42\(1948\)](https://undocs.org/S/RES/42(1948))

- United Nations Security Council. *The Situation concerning Western Sahara*. 29 April 1991. S/RES/690. Accessed 30 April Available at: [https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/690\(1991\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/690(1991))
- United Nations Security Council. *UN Observer Mission in El Salvador*. 28 April 1995. S/RES/990. Accessed 30 April. Available at: [https://undocs.org/S/RES/990\(1995\)](https://undocs.org/S/RES/990(1995)).
- United Nations Security Council. *UN Security Council Resolution 435 on Namibia*. 29 September 1978. S/RES/435. Accessed 30 April Available at: <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/368/80/IMG/NR036880.pdf?OpenElement>.
- United Nations Security Council. *UN Security Council Resolution 997 on Suez*. 30 October 1956. S/RES/997. Accessed 30 April. Available at: <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/037/42/IMG/NR003742.pdf?OpenElement>.
- United Nations. “List of Peacekeeping Operations: 1948–2017.” *Peacekeeping*. Accessed 30 April. Available at: https://peacekeeping.un.org/sites/default/files/unpeacekeeping-operationlist_1.pdf.
- United Nations. “Our History.” *United Nations Peacekeeping*. Accessed 30 April 2019. Available at: <https://peacekeeping.un.org/en/our-history>.
- United Nations. *Charter of the United Nations and Statute of the International Court of Justice 1945*. San Francisco, 26 June. *United Nations Treaty Series*. Available at: <https://treaties.un.org/doc/publication/ctc/uncharter.pdf>.
- Wesley, Michael. *Casualties of the New World Order: The Causes and Failures of UN Missions to Civil Wars*. New York: St. Martin’s Press, 1997.
- Whittle, Devon. “The Limits of Legality and the United Nations Security Council: Applying the Extra-Legal Measures Model to Chapter VII Action.” *The European Journal of International Law*, vol. 26, no. 3. (2015). 671–698.
- Wiseman, Henry. *Peacekeeping: Appraisals and Proposals*. Oxford: Pergamon Press, 1983.