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THE SECURITY COUNCIL AND TROOP CONTRIBUTING COUNTRIES

Richard Gowan *

On 19 December 2013, Dharmesh Sangwan, an Indian peacekeeper and former professional athlete, tried to talk to members of a mob surrounding his base in South Sudan. The country was in the first days of a bloody civil war that had exploded unexpectedly. Sangwan and his comrades were trying to protect 36 members of the Dinka tribe from 2,000 members of their Nuer enemies. When he went to reason with the attackers, they shot and killed him. A second Indian soldier, Kanwan Pal Singh, was also murdered. “Half my heart is broken, but the other half is swelling with pride,” Sangwan’s father told the *New York Times* a few days later. “He has not only made India’s name shine in our own country but in the world.”¹

Yet in the months that followed, Indian officials and their Western counterparts engaged in increasingly bitter debates over the UN Mission in South Sudan (UNMISS) in South Sudan. UN officials complained that Indian units refused to patrol outside their bases as the civil war rumbled on. India, by contrast, accused the Security Council of leaving its personnel to “bear the brunt” of the conflict with insufficient resources.² Their disputes were indicative of far broader tensions between the countries that deploy troops to UN missions and the Security Council.

United Nations peacekeeping has become a large-scale multinational industry, deploying tens of thousands of uniformed personnel around the world. There are currently over 100,000 soldiers and police officers serving in UN missions worldwide, compared to just over 10,000 in the late 1990s. While the Security Council provides the mandates for these forces and defines the number of blue helmets to be deployed in each operation, it does not have full control over their actions. UN contingents are frequently accused of failing to fulfill their mandates, especially concerning the protection of vulnerable civilians, while lapses in discipline are commonplace. In addition, reports of sexual abuse and exploitation by peacekeepers are sadly common, and do the UN’s reputation severe damage.

Yet debates between members of the Security Council and the main personnel contributors to UN missions also have strong geopolitical and ideological overtones. The main architects of peace operations inside the Security Council continue to be its three permanent Western members: Britain, France and the United States. The majority of troop and police contributors come from Africa, Latin and America and South Asia. As of July

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¹ Betwa Sharma, “Indian Deaths Underscore Risks in UN Peacekeeping Missions,” *The New York Times* (blog) 27 December 2013: http://india.blogs.nytimes.com/2013/12/27/indian-deaths-underscore-risks-in-u-n-peacekeeping-missions/?_r=0

² Lauren Hutton, *Prolonging the Agony of UNMISS: The Implementation Challenges of a New Mandate during a Civil War* (The Hague: Clingendael, 2014), p20, n58.

2015, France contributed 906 soldiers and police officers to UN missions, Britain deployed 286 personnel and the US just 78.³ By contrast, the top five contributors were Bangladesh (9,398 personnel), Ethiopia (8,309), India (7,960), Pakistan (7,655) and Rwanda (5,600). The imbalance between the powers that write UN mandates and those that implement (or fail to implement) them raises questions about the fairness and political legitimacy of Council's decision-making.

These questions become especially sensitive when and where the Security Council directs peacekeepers to use force and put themselves at risk, as in South Sudan. This chapter explores both the operational and political aspects of tensions between the Western members of the Security Council and non-Western troop contributors, and reviews recent attempts to alleviate them. The Council has pushed peacekeepers to take greater risks to bring conflicts under control and protect civilians. But many troop contributors have pushed back, insisting that their personnel should not be put in unreasonable danger. If this debate involves case-by-case operational calculations, it is also linked to broader political questions about the Council's ability to set the terms of international crisis management. The Council's primacy in international peace and security is of course embedded in the UN Charter. Yet in reality, its authority is circumscribed by the willingness of states to take its directions seriously in actual crises. As we will see, many troop contributors disregard key elements concerning the use of force in the UN mandates they are meant to implement, demonstrating the limits of the Council's authority.

This is such a significant problem that Bruce D. Jones, Jake Sherman and I argued in a paper commissioned by the UN's Department of Peacekeeping Operations (DPKO) in 2009 that "not only the Security Council but also troop contributors have an effective veto" over the conduct of UN operations in dangerous situations.⁴ The troop contributors' "veto" is not, of course, a formal legal instrument. It is, instead, their power to block or undermine the Council's will by controlling the supply and behavior of peacekeepers for individual missions. This was a particularly acute problem in late 2008 and early 2009, when the U.S. made a major push to authorize a blue helmet peace in Somalia despite bad memories of the organization's previous intervention there in the 1990s. Somalia was still in chaos and large parts of the country were under the control of Islamist extremists. While Britain, France and Russia all questioned the wisdom of the U.S. proposals, UN officials canvassed over sixty Member States to test their willingness to deploy troops. They received very few positive responses. As Jones, Sherman and I observed "the question of whether to authorize a UN force in Somalia is secondary; the primary reality is that no one will contribute forces."⁵ The U.S. relented and chose to back an expansion of the existing African Union force in Somalia instead.⁶

This was an unusually stark demonstration of troop contributors' leverage over the Security Council: In most cases, it is possible to scrape together forces for even high-risk UN operations. But, as we will see, once these contingents are on the ground, they have many smaller-scale ways to defy the Council's wishes. Many troop contributors place open or

³ Data from UN website: <http://www.un.org/en/peacekeeping/resources/statistics/contributors.shtml>

⁴ Bruce D. Jones, Richard Gowan and Jake Sherman, *Building on Brahimi: Peacekeeping in an Age of Strategic Uncertainty* (New York: Center on International Cooperation, 2009), p18.

⁵ *Ibid.*, p11.

⁶ The shift in U.S. policy coincided with the end of the Bush administration – the incoming Obama administration questioned the wisdom of a UN force.

unstated caveats on the use of their personnel, and officials in their capitals countermand any orders from UN force commanders that they disagree with. Many UN contingents are simply not equipped or trained to carry out high-intensity operations. This places huge impediments on what the UN can achieve on the ground, and is a recurrent source of frustration to the Council.

Facing this reality, policy-makers and scholars have given increasing attention to how to improve cooperation between the Council and troop contributors. We will note that this has involved initiatives to improve consultations over mission mandates and, more substantively, efforts to create financial incentives for troop contributors to be more active. In parallel, there have been a series of proposals to induce a wider range of countries – especially Western nations – to deploy more troops on UN missions, putting pressure on existing contributors to take more risks.

Nonetheless, as this chapter concludes, the struggle to discipline the troop contributors point to deeper flaws in the Council’s position in international affairs. Despite the Council’s preeminence in international law, it is not a “command post” capable of directing missions’ operational activities.⁷ While it tries to compensate for this by drafting more detailed mandates concerning military actions and civilian protection for peacekeeping forces, the gap between its directions and reality often only widens as a result. The study of troop contributors’ behavior thus highlights tensions between the Council’s theoretical authority and real-world weaknesses.

The troop contributors: a political bloc?

As of mid-2015, four-fifths of the personnel in UN missions came from Africa, Asia and Latin America. This represents a shift from the early decades of peacekeeping during the Cold War when, as Philip Cunliffe notes, “sending peacekeepers abroad was seen as characteristic attribute of middle powers” such as Canada and the Nordic countries.⁸ Today it has become “the preserve of poor, emerging countries”: “If we were to sharpen the focus, we might also note the predominance of ex-colonial countries, and particularly former British colonies and protectorates among the top peacekeeping nations – namely, India, Pakistan, Bangladesh, Nepal, Ghana, South Africa, Nigeria, Kenya, Jordan and Egypt”.⁹

This suggests that UN peace operations represent a twenty-first century update of old imperial military systems, under which imperial powers such Britain and France were able to deploy soldiers from their African and Asian colonies to fight their wars. This argument is naturally strengthened by the fact that the bulk of UN peacekeepers are also currently operating in former European colonies in Africa and the Middle East. The ghosts of the colonial era certainly creep into Security Council discussions of these forces. Cunliffe cites a particularly telling example from a debate on South Sudan before the 2013 conflict: British ambassador to the United Nations Mark Lyall Grant reportedly questioned the scale of one of these missions to South Sudan in a closed session of the Security Council, as the United Nations sought to deploy 4,500 Ethiopian peacekeepers to the disputed border

⁷ On the “command post” metaphor, see Richard Gowan and Daniel Korski, “The Security Council and Peacekeeping in the Balkans, 1992-2010,” in Francesco Mancini (ed.), *Maintaining International Peace and Security: A Summit Meeting of the UN Security Council* (New York: International Peace Institute, 2011), pp.16-24.

⁸ Philip Cunliffe, *Legions of Peace: UN Peacekeepers from the Global South* (London: Hurst and Company, 2014), p.9.

⁹ *Ibid.*, p.14.

territory of Abyei between North and South Sudan. After all, according to Lyall Grant, it only took 10,000 British colonial soldiers to administer the whole of British India—why the need for half as many to monitor a much smaller sliver of Africa? The Indian envoy on the Council responded that Britain had not been engaged in a state building effort when it ruled over his country.¹⁰

Yet it is simplistic to suggest that the UN is merely reconstructing imperial patterns of security. Even if the majority of major contributors to UN missions are from the South, they have multiple motivations for their involvement. The poorest, such as Bangladesh and Nepal see financial rewards for their engagement. Diplomats from rising powers like India and Brazil argue that their contributions should earn them greater influence at the UN, including permanent seats on the Security Council. For some countries with histories of repressive military rule, such as Argentina and Chile, participating in UN operations represents an opportunity to “rebrand” their armed forces positively. For an east African country such as Ethiopia, to take the example cited by Cunliffe above, sending troops to reduce conflict in neighboring South Sudan is straightforward a matter of national security and regional stability.

As Alex Bellamy and Paul Williams argue, broad generalizations about troop contributors are thus almost all likely to prove deceptive. Instead “decisions about contributions are shaped by the interaction of a wide range of factors including domestic political forces, bureaucratic interests, personal idiosyncrasies, policies and relations, regional security cultures and contexts, and broader global facts,” and even if “some general patterns and trends are discernible, these factors interact in multiple ways in different contexts to produce varied outcomes.”¹¹ There is increasing scholarly interest in the individual characteristics of troop contributors.

But despite their differences, many troop contributors often find that they still have common ground on divisive policy issues. One, which we will return to below, is the financing of peace operations. Another, and in many cases the central test of their relationships with the Security Council, is the use of force in UN operations.

The use of force: The weakness of the troop contributors

Since 1999, the Council has regularly authorized UN operations to take military action to protect civilians under threat of imminent violence. Raising the stakes, the Council has deployed missions in theaters suffering ongoing conflicts. As Secretary-General Ban Ki-moon warned the Security Council in 2014, “UN peacekeeping operations are increasingly mandated to operate where there is no peace to keep.” We see significant levels of violence in Darfur, South Sudan, Mali, the Central African Republic and eastern Democratic Republic of Congo (DRC), where more than two-thirds of all our military, police and civilian personnel are operating. Second, some UN peacekeeping operations are being authorized in the absence of clearly identifiable parties to the conflict or a viable political process. When

¹⁰ Ibid., p.22.

¹¹ Alex J. Bellamy and Paul D. Williams, *Providing Peacekeepers: The Politics, Challenges and Future of United Nations Peacekeeping Operations* (Oxford: Oxford University Press, 2013), pp.17-18.

there is no clear path towards peace, crises will inevitably recur and peacekeeping operations are much more likely to struggle to meet their mandates.¹²

The UN's ability to stabilize – or at least function reasonably effectively – in such threatening environments has become a defining test of peacekeeping's future. For Western powers, the UN needs to manage these cases to prove that it remains relevant to twenty-first century security. For non-Western troop contributors, these deployments risk blurring the distinctions between peacekeeping and peace enforcement. Many peacekeeping contingents are either unwilling or unable to protect civilians in these circumstances. The UN's own Office of Internal Oversight Services (OIOS) highlighted the scale of the problem in a report published in 2014.¹³ This noted that the Secretary-General had reported 507 incidents involving direct attacks on civilians in areas where peacekeepers were deployed from 2010 to 2014.

Yet “only 101, or 20 percent, were reported to have attracted an immediate response.”¹⁴ Strikingly, the OIOS investigators identified “differences of view in the Security Council and among troop contributing countries” as a leading factor in explaining this poor performance, although they were coy about the states involved: “Major differences exist within the Security Council and among troop contributing countries on the use of force, even though Council protection of civilians mandates have become clearer and more detailed. In interviews some Council members emphasized the “need to understand the need to use force to protect lives” and expressed disappointment at the lack of willingness to do so and continuing “passivity” in the face of attacks on civilians. One member emphasized that missions must understand the threats and use the instruments that they have to preempt them. On the other hand, troop-contributing countries interviewed for the evaluation pointed out that the risk confronting peacekeepers has gradually increased and is now higher than troop-contributing countries are willing to accept”.¹⁵

There is some doubt about how serious the current level of threat to peacekeepers actually is. A recent study by the UN University points out fewer than one in every two thousand peacekeepers has been killed by a malicious act (as opposed to accident or disease) in recent years, and this is “very low by historical standards.”¹⁶ Death rates were significantly higher in the first half of the 1990s, when UN troops were regularly under attack in Somalia, the Balkans and Rwanda. However, a number of current operations – notably those in Mali, Darfur and South Sudan – have sustained higher rates of fatalities. If peacekeepers were less risk averse and more willing to protect civilians, the fatality rate might well be considerably higher.

It would be wrong to infer that all troop contributors are opposed to using force to safeguard civilians: As we will note, a growing number of African states advocate robust operations to address crises such as those in the eastern DRC. A number of other major contributors are willing to use force in practice, even if they insist on its limits in public.

¹² Ban Ki-moon, Remarks to the Security Council, 11 June 2014: www.un.org/sg/statements/index.asp?nid=7769.

¹³ Office of Internal Oversight Services, *Evaluation of the Implementation and Results of Protection of Civilian Mandates in United Nations Peacekeeping Operations* (UN doc. A/68/787, 7 March 2014).

¹⁴ *Ibid.*, p.7.

¹⁵ *Ibid.*, p.13.

¹⁶ Sebastian von Einsiedel, *Major Recent Trends in Violent Conflict* (Tokyo: United Nations University Center for Policy Research, 2014), p.7.

Brazilian marines have, for example, conducted aggressive anti-gang operations under the UN flag in Haiti, yet Brasilia has always insisted that blue helmet operations should not drift into peace enforcement. Nonetheless, other recent studies have confirmed that many troop contributors take deliberate steps to ensure that their troops avoid real risks.

In June 2015, a High-Level Independent Panel on United Nations Peace Operations (a group of 17 experts, mainly with long operational experience with the UN) made this point in a report to Ban Ki-moon. “The ability of field commanders to ensure performance is severely hampered,” they noted, “by the use of caveats and national controls.”¹⁷ These include explicit and, in some cases, secret limits on the risks that peacekeepers can take and/or instructing contingent commanders to “phone home” to their national authorities to confirm their orders from the UN. This problem is not unique to the UN: NATO and European Union missions are also constrained by caveats. But the UN has faced significant humiliations over the last fifteen years because contingents have failed to follow orders. This has been a recurrent problem for the organization’s biggest peace operations in the DRC, Darfur and South Sudan.

In 2004, for example, Uruguayan peacekeepers gave up the airport in the Congolese city of Bukavu to an advancing militia, apparently on specific instructions from Montevideo to avoid casualties. One study of this episode concludes that the Uruguayans “had received specific instructions from their government not to take risks, as casualties could threaten the president’s re-election.”¹⁸ An even more scathing summary of the incident notes that “the Uruguayan contingent [...] consisted of civilians recruited through newspaper ads, trained for two weeks and then sent to the DRC. It is not astonishing that such troops were more concerned with saving their own skin than those of the Congolese population.”¹⁹ But Uruguay is hardly unique in placing limits on what its personnel can do. Over a decade after the mess in Bukavu, the commander of the UN Truce Supervision Organization (UNTSO) in the Middle East briefed the Security Council in 2015 that, earlier in his tour of duty, all but 7 of the 25 countries that provided personnel for his relatively small operation had some caveats on their use. While UNTSO is a lightweight mission with no mandate to protect civilians, its personnel operate in high-risk areas. The commander complained that it was difficult even “to maintain the desirable mix of three observers of different nationalities in any observation post in order to ensure better impartial reporting as well as an appropriate mix of experienced and inexperienced officers in teams and in our observation posts.”²⁰ He added that “caveats threaten to drive a wedge between troop contributing nations.”

Caveats apply to many other elements of UN operations. Peacekeepers have, for example, become increasingly reliant on military helicopters for rapid transport, especially in difficult terrain such as the eastern DRC. Yet a study by the Center on International Cooperation in 2011 found that many countries had “unofficial national caveats” ruling out night flights or landings on rough ground, reducing the helicopters’ utility (the UN also uses

¹⁷ The High-Level Independent Panel on Peace Operations, *Uniting our Strengths: Politics, Partnership and People* (New York: United Nations, 2015), p.57.

¹⁸ Arvid Ekengard, *Coordination and Coherence in the Peace Operation in the Democratic Republic of Congo* (Stockholm: FOI, 2009), p.27.

¹⁹ Robert Schütte, *Civilian Protection in Armed Conflicts: Evolution, Challenges and Implementation* (Wiesbaden: Springer, 2015), p.207.

²⁰ Michael Finn, Remarks to the Security Council, 17 June 2015: http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.7464

many commercially leased aircraft, which typically operate under even tougher regulations).²¹ Contingent commanders can also adopt narrowly restrictive interpretations of their rules of engagement. In both DRC and South Sudan many units interpret their mandates to protect civilians to mean only that they should shelter vulnerable individuals on their bases, rather than patrol proactively beyond their perimeters. According to leaked documents, the UN mission in Darfur has covered up evidence of abuses by Sudanese forces.²²

In many cases, the peacekeepers' caution is exacerbated by the poor quality of their equipment. In one example in the DRC, an Indian unit that failed to halt mass rapes taking place in the vicinity of its base was found to suffer from "a lack of military logistics and telephone coverage."²³ Nigerian troops sent to Darfur reportedly received insufficient supplies due to "procurement of equipment being riddled with mismanagement and corruption and a lack of proper oversight, leading to the wrong types of equipment being sent or no equipment at all."²⁴ Other contingents are plagued by poor discipline: A 2015 OIOS report found that 480 allegations of sexual abuse against peacekeepers between 2008 and 2013, one third involving children.²⁵

The use of force: The weakness of the Security Council

Individually, these shortcomings of UN forces might not appear to present an existential threat to the authority of the Security Council. But collectively they significantly diminish the Council's ability to achieve its strategic goals in cases such as DRC and the Sudans. Whether intentionally or because of their limited capabilities, troop contributors limit the Council's ability to shape political events in fragile states, put pressure on their leaders and ensure vulnerable civilians are protected.

While these problems are ongoing, they typically only come into focus during periods of intense crisis. One of these occurred in the last quarter of 2008, when militia forces threatened to overwhelm the UN in the DRC. There were widespread calls for the EU to send a stand-alone mission to assist the blue helmets, but European officials refused, noting that many UN troops already in the DRC were either inactive or based in relatively stable areas. "There are 17,000 UN soldiers in the Democratic Republic of Congo," President Nicolas Sarkozy snapped at a news conference.²⁶ "It is the biggest ever operation and only 800 are doing a useful job."

More recently, the Obama administration has tried to hold troop contributors to account for the failures of their contingents to take risks to protect civilians, especially after the collapse of South Sudan caught Washington by surprise. "There remain large gaps

²¹ Center on International Cooperation, *Assessment of Helicopter Force Generation Challenges for United Nations Peace Operations* (New York: US Permanent Representation to the UN, December 2011), pp7 and 13. See: <http://usun.state.gov/documents/organization/179150.pdf>

²² Colum Lynch, "They Just Stood Watching", *Foreign Policy*, 7 April 2014: <http://foreignpolicy.com/2014/04/07/they-just-stood-watching-2/>

²³ Richard Gowan, "UN Peacekeeping and the Irony of Statebuilding," in David Chandler and Timothy D. Sisk, *The Routledge Handbook of International Statebuilding* (London: Routledge, 2013), p.163.

²⁴ Adeke Adebajo, "Nigeria" in Bellamy and Williams, *Providing Peacekeepers*, p.267.

²⁵ "UN Peacekeepers Accused of Swapping Goods for Sex", *Al Jazeera*, 11 June 2015: <http://www.aljazeera.com/news/2015/06/peacekeepers-accused-swapping-goods-sex-150611110949806.html>

²⁶ Rory Watson, "EU Divided over Sending Peacekeepers to back UN in Eastern Congo," *The Times*, 13 December 2008: <http://www.timesonline.co.uk/tol/news/world/africa/article5333519.ece>.

between principle and practice,” U.S. ambassador to the UN Samantha Power noted in late 2014, “between mandates and implementation.”²⁷ Earlier in the year, Power had outlined a blunt analysis of peacekeeping’s flaws: “In order for mandates to protect civilians to be effective, they must be enforced. And enforcement is the key to deterrence. Warlords and militants take notice of peacekeepers’ willingness to stand up or to stand by. The failure to uphold the commitment to protect civilians in one mission can undermine the legitimacy of all of the others.”²⁸

Yet while Western leaders may berate troop contributors for their caution, their ability to enforce their vision of the use of force on peacekeepers in the field is limited. As Philip Cunliffe notes, there is one crucial difference between today’s peacekeeping and the old imperial military regimes. Whereas colonial armies were politically subservient to their European rulers, “UN peacekeeping is ultimately dependent on the willing participation of the poorer and weaker member states of the world organization.”²⁹ The U.S., France and Britain may be dissatisfied by the performance of many troop contributors, yet in return the troop contributors frequently voice their own dissatisfaction over the Security Council’s performance.

India, for example, has received intensive criticism over the performance of its troops in the Democratic Republic of Congo (DRC) and South Sudan in 2013 and 2014. In late 2012, Indian forces stood aside as a militia seized the strategically important city of Goma and, as we have noted, their counterparts in South Sudan were accused of refusing to patrol outside their camps as the country imploded. Facing such accusations, New Delhi’s representative at the UN aimed to shift blame onto the Council. “Any lack of action by member states to penalize those who attack UN peacekeepers reflects poorly on the Security Council,” he warned other UN diplomats in 2015. “If the Security Council fails to deter such attacks, the very institution of UN peacekeeping will continue to be targeted across the world, with dangerous implications for the maintenance of international peace and security.”³⁰ More concretely, New Delhi has underlined its lack of faith in the Council by refusing to offer troops for the two most recent large-scale UN operations in Mali and CAR.

The Western members of the Security Council thus have to walk a fine line with key troop contributors, pushing them to perform better without mortally offending them. Reflecting this frustration, the Council frequently updates and sharpens its mandates for peace operations to try to push peacekeepers to take greater risks. Justin McDermott and Måns Hanssen have, for example, tracked the evolution of the clauses relating to the protection of civilians in the mandates for the peacekeeping forces in both the DRC (MONUC) and pre-independence South Sudan (UNMIS): “As frustration has grown with the continued abuses committed by armed groups the tone of the Security Council resolutions has hardened. This can be seen in the DRC, for example, where resolutions moved from establishing that MONUC “may take the necessary action [...] to protect civilians” to asserting that it was authorized to “use all necessary means [...] to ensure the

²⁷ Samantha Power, Remarks to the Security Council, 9 October 2014: <http://usun.state.gov/briefing/statements/232812.htm>.

²⁸ Samantha Power, Remarks to the Security Council, 28 July 2014: <http://usun.state.gov/briefing/statements/229859.htm>.

²⁹ Cunliffe, *Legions of Peace*, p24.

³⁰ Asoke Kumar Mukerji, Statement to the UN Special Committee for Peacekeeping Operations, 17 February 2015: <https://www.pminewyork.org/pages.php?id=2119>.

protection of civilians.” Similarly in Sudan, UNMIS was initially “authorized to take the necessary actions [...] to protect civilians” and was later requested to “make full use of its current mandate and capabilities to provide security to the civilian population.”³¹

While the Security Council’s tougher tone may well have been aimed at armed groups in both cases, it was surely also aimed at the peacekeepers themselves, as the Council fretted that the blue helmets were not fulfilling their instructions. In the case of the DRC, it went further still, directing the blue helmets to “disrupt the military capability of illegal armed groups” and eventually setting up a special Force Intervention Brigade (FIB) with instructions to “neutralize” militias in mid-2013.³²

The story of the FIB arguably illustrates many of the Council’s difficulties in managing relations with troop contributors, although this was one case where some contributors were actually keen to use force. The Council began to discuss the brigade in the wake of the capture of Goma in late 2012 under the noses of Indian peacekeepers noted above. The culprits in the crisis were the M23, a militia backed by DRC’s neighbor, Rwanda. The idea for a new intervention force to tackle the M23 originated not in the Security Council but in the region, a number of southern African states including Tanzania and South Africa, looked for ways to counter Rwanda’s power in the eastern DRC. Their original idea, which also won the support of the African Union, was for a standalone force that would fight separately from the UN peacekeepers, whose reputation across the region was at a severe low.

The UN secretariat and Western members of the Security Council were initially wary of setting up such a force, and India, Pakistan, Uruguay and other non-African countries with troops in the DRC were vehemently opposed to the idea. They warned that the intervention brigade would compromise the security of the blue helmets, as they were bound to operate in close proximity. Yet, seeing few better options the Security Council and UN officials came round to the proposal, on the condition that the FIB should be part of the UN force rather than an autonomous operation. While South Africa, Malawi and Tanzania agreed to contribute fresh troops on this basis, including attack helicopters and snipers. The initiative initially appeared to be a great success, as the FIB helped the Congolese army defeat the M23. “They have performed with bravery and confidence,” Samantha Power told the Council, “putting their lives on the line for a country that is not their own.”³³

Yet the FIB also caused the Council a series of headaches. In an attempt to assuage the concerns of India and other troop contributors, the Council inserted language into the mandate for the FIB insisting that it was authorized on “an exceptional basis and without creating a precedent or any prejudice to the agreed principles of peacekeeping.”³⁴ Nonetheless, Indian and other troops in the DRC responded to the arrival of the FIB by deliberately reducing their own military activities and efforts to protect civilians, arguing that these were the responsibility of the new brigade.³⁵

³¹ Justin McDermott with Måns Hanssen, “Protection of Civilians in UN Peacekeeping Mandates: An Overview,” in Benjamin de Carvalho and Ole Jacon Sending (eds.), *The Protection of Civilians in UN Peacekeeping: Concept, Implementation and Practice* (Baden-Baden: Nomos, 2013), p.105.

³² *Ibid.*, p.93.

³³ Samantha Power, Remarks to the Security Council, 7 August 2014: <http://usun.state.gov/briefing/statements/230383.htm>.

³⁴ See UN Security Council Resolution 2098 (28 March 2013).

³⁵ Author’s discussion with UN officials, 16-17 June 2014.

While this limited the UN's overall capacity to protect civilians in the eastern DRC, it initially looked like a price worth paying for success over the M23. Yet after this early victory, tensions began to emerge between the Security Council and the three African contributors to the FIB. Council members including France argued that the brigade's next target should be the FDLR, a militia linked to the genocide in Rwanda in 1994 that has been a source of tension with the current Rwandan government for two decades. While Paris and its allies pushed hard for the FIB to tackle the now very weak FDLR, the African members of the brigade objected. They had sent their troops to the DRC to contain the threat from Rwanda, not fight its enemies. While the FIB stalled on attacking the FDLR, other militias remained active, and the UN's response was muted. After one round of militia raids, infuriated civilians attacked UN bases in protest over this inactivity.³⁶ The Congolese eventually launched an operation of its own against the FDLR, sidelining the FIB.³⁷ After the brigade's original success, it increasingly presented difficulties for the Security Council similar to those caused by more traditional blue helmet forces. The South Africans, Tanzanians and Malawians effectively cast their "troop contributors' veto" against serious combat with the FDLR, and in doing so underlined the Council's weaknesses.

Options for better relations

There have been multiple efforts to improve relations between the Security Council and troop contributors, but few have been completely successful. Reflecting their concerns over how their personnel are used, the contributors insist that they should have a greater say in how mandates are made. They point out that Article 44 of the UN Charter stipulates that countries involved in enforcement actions on behalf of the Council should be involved in discussions over how their units are used. This is, however, not directly relevant to peacekeeping operations, which are not mentioned in the Charter at all.³⁸ The permanent members of the Council, meanwhile, are wary of any innovations that would weaken their position vis-à-vis the troop contributors. In 2000, for example, the Brahimi Report on peacekeeping suggested that resolutions authorizing new operations should not go into effect until the Secretary-General had confirmed that there were sufficient forces available to implement them. Recognizing that this would effectively institutionalize the contributors "veto" over future missions, the Council let this recommendation slip. While Council members promised to discuss operations with troop contributors, this has often descended into endless "ritualistic meetings and sterile briefings".³⁹

In 2009, the UN secretariat released another general stock-taking of the state of peace operations – generally known as the "New Horizon" paper – that placed great emphasis on improved consultations between the Council, UN officials and troop contributors. The paper encouraged both Council members and contributors to develop

³⁶ Peter Fabricius, "Is the Force Intervention Brigade Neutral?", *ISS Today*, 27 November 2014: <https://www.issafrika.org/iss-today/is-the-force-intervention-brigade-neutral>.

³⁷ Christoph Vogel, "After UN-Kinshasa Fallout, Operations Against FDLR Begin in Eastern DRC," *African Arguments*, 2 March 2015: <http://africanarguments.org/2015/03/02/after-un-kinshasa-fallout-operations-against-fdlr-begin-in-eastern-drc-by-christoph-vogel/>.

³⁸ Loraine Sievers and Sam Daws, *The Procedure of the UN Security Council* (Oxford: Oxford University Press, 2014), pp.244-245.

³⁹ "Update No.4: Peacekeeping: Relationship with TCCs/PCCs", *Security Council Report*, 24 June 2009: <http://www.securitycouncilreport.org/update-report/lookup-c-gKWLeMTIsG-b-5273681.php>.

more “informal coalitions” to “help maintain unity and cohesion among key stakeholders” and build “a purposeful political partnership and a clear political strategy behind a peacekeeping mission.”⁴⁰ The paper also noted the need for specific consultations on the protection of civilians. Council members responded by trying to improve the quality their interactions with troop contributors, but complain that many of their counterparts from the contributing countries avoid grappling with operational issues. Council members have tried to improve their own knowledge by activating the long-dormant Military Staff Committee (including the military advisers to Council members based in New York) to visit missions.⁴¹

The 2015 High-Level Independent Panel on Peace Operations noted these problems: “The lack of effective dialogue through so-called “triangular consultations” between the Security Council, troop- and police- contributing countries and the Secretariat has generated frustration on all sides, and has impacted mandate implementation. The Panel believes that, in order to forge a common and realistic understanding of the mandate and what is needed to implement it, the Security Council should institutionalize a framework to engage troop- and police- contributing countries and the Secretariat early in the mandate formulation process”.⁴² It remains to be seen whether the Council will succeed in developing such a framework this time round, having largely failed to do so previously. The Panel also risked angering troop contributors by arguing that secret caveats on the use of their contingents “should be treated as disobedience of lawful command,” while also criticizing the Security Council for giving missions inconsistent political support.⁴³

Overall, the Panel was unable to identify any dramatic new ways to break down tensions between the Council and troop contributors. There have, however, been significant innovations in peacekeeping financing that some observers believe will improve troop contributors’ performance.⁴⁴ These emerged from a fight between Western countries and troop contributors over the rates at which the latter were reimbursed for personnel. From 2002 onwards, troop contributors received \$1,210 a month for each soldier they provided to the UN. This figure did not change for a decade, and troop contributors united to force an increase in 2012. Ban Ki-moon responded by setting up a Senior Advisory Group (SAG) that called for an increase – after a bitter diplomatic battle, all sides agreed that the monthly rate should go up to \$1,410 by 2017. But the SAG also introduced ideas for incentivizing troop contributors to perform better, including (i) reducing reimbursements for contingents with sub-standard equipment; (ii) a premium for operating without caveats in high-risk environments; and (iii) paying extra for units with “key enabling capacities” such as field hospitals. The UN began to implement these reforms in mid-2014, although questions lingered over the conditions for premium payments.

⁴⁰ *A New Partnership Agenda: Charting a New Horizon for Peacekeeping* (New York: UN Departments of Peacekeeping Operations and Field Support, 2009), p.12.

⁴¹ Technically, the Committee only involves the permanent members, but they have now included elected members. “In Hindsight: Military Staff Committee”, *Security Council Report*, 23 December 2014: http://www.securitycouncilreport.org/monthly-forecast/2015-01/in_hindsight_the_military_staff_committee.php.

⁴² High-Level Independent panel, *Uniting our Strengths for Peace*, p.49.

⁴³ *Ibid.*, p.28.

⁴⁴ The following two paragraphs are based on Katharina P. Coleman, *Financial Issues Related to UN Peace Operations: A Primer*, a reported commissioned by the International Peace Institute and Center on International Cooperation for the High-Level Independent Panel on Peace Operations, which has not yet been published.

As Katharina Colman has noted, the next step for the UN might be to stop paying troop contributors on the basis of the numbers of peacekeepers they deploy altogether, instead reimbursing them on the basis of the tasks they are able to achieve.⁴⁵ This would, however, be very controversial among those troop contributors who benefit financially from offering the UN large numbers of standard infantry. Nonetheless, it may prove easier to change the attitudes of troop contributors towards their duties through hard cash rather than political debates.

The U.S. has also attempted to shake up relations with the troop contributors by trying to persuade more countries – including NATO members and others with advanced military capacities – to do more for the UN. The Obama administration convened a summit at the UN on this theme chaired by Vice-President Joe Biden in 2014 and another overseen by Obama himself in September 2015. A number of European states (including the Dutch and the Nordic countries) have deployed troops to Mali and others (including Germany and the UK) have at least begun to explore their options for assisting the UN. Some observers believe that, if these contributions increase, it will compel existing troop contributors to raise their game and reduce the caveats on their own forces. “Washington should seek to engineer a situation — say, within five years,” Paul Williams argues, “where the UN can be increasingly choosy about which contributors it accepts on its operations and can match the right kinds of capabilities to the operational needs of particular missions.”⁴⁶

Ironically, however, the European troop contributors in Mali began to understand some of their non-Western counterparts’ positions once they were on the ground. As an International Peace Institute report noted: “European [contributors] who are not among the permanent members of the Security Council also expressed a wish to be more included in the development of mandates by the Security Council.”⁴⁷

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It may be possible to change and improve the composition of UN operations over time by attracting new troop contributors and incentivizing current ones to do better. But the Security Council is always likely to have problems getting peacekeepers to implement their mandates without caveats or complaints. As Elizabeth Greenhalgh notes in a study of Franco-British cooperation during the First World War, all multinational military cooperation is complicated by “questions of sovereignty; the reconciliation of different, if not actually conflicting, interests; personal and power relationships; language; and the management of unilateral action by one coalition partner which might be seen by one or more of the others as dangerous to the combined endeavor.”⁴⁸ We have seen that versions

⁴⁵ Coleman, unpublished paper. See also Katharina P. Coleman, *The Political Economy of UN Peacekeeping: Incentivizing Effective Participation* (International Peace Institute, 2014).

⁴⁶ Paul D. Williams, “The US Military Should Deploy More Troops as UN Peacekeepers,” *Defense One*, 25 August 2015: <http://www.defenseone.com/ideas/2015/08/us-military-troops-deploy-un-peacekeepers/119456/>

⁴⁷ John Karlsrud and Adam C. Smith, *Europe’s Return to UN Peacekeeping in Africa? Lessons from Mali* (International Peace Institute, 2015), p.7.

⁴⁸ Elizabeth Greenhalgh, *Victory through Coalition: Britain and France during the First World War* (Cambridge: Cambridge University Press, 2005), p.2.

of these problems are ever-present in the Security Council's dealing with troop contributors (even the issue of language is a headache, as UN peacekeepers often do not have any knowledge of the countries where they deploy, such as Creole and French in Haiti).

The Security Council is only ever likely to mitigate these problems rather than resolve them. Some commentators argue that the permanent five members of the Council could fundamentally alter political dynamics around peace operations by sending more of their own troops on UN missions. The 2015 High-Level Panel made this argument, claiming that "such military participation would serve to restore the full partnership among member states in the collective endeavors of the organization, and send a strong message to the membership about the confidence of the Security Council in an operation."⁴⁹ Potentially reinforcing this case China has deployed its first full-scale infantry battalion in a UN mission, in South Sudan – although this was largely motivated by a desire to defend its energy assets and the Chinese workers attending to them, rather than a principled view of peacekeeping.⁵⁰

Yet even this proposal could backfire. Permanent members of the Council have taken leading roles in blue helmet missions in the past: France and Britain were both central to the UN's missions in the Balkans in the 1990s. Yet this experiment was a disaster, and British and French commanders frequently complained about the Council's behavior and mandates, just as African and Asian officers do today. "Structurally, the UN was unable to perform the function of a strategic HQ," as General Sir Rupert Smith later lamented.⁵¹ "The political process was stagnant. There was no strategic objective, there was no strategic military goal to achieve, there were no theater-level military objectives." The Balkan experience suggests that deploying peacekeepers from the permanent Council members is no panacea.

Ultimately, the Security Council – a diplomatic and political body that is constantly prey to internal divisions – will never have the intelligence or command and control systems necessary to direct the performance of peacekeepers to its satisfaction. Conversely, troop contributors of all types will always aim to maintain a degree of control over their own personnel and view the Council's decisions with suspicion.

The relative success or failure of peace operations relies on the ability of leading Council members and leading force contributors to balance and compromise on their interests. The results will often be imperfect but complex peace operations, by their very nature, rarely have clear and easily evaluated outcomes anyway. In deploying ever larger numbers of peacekeepers, the Security Council has put itself in a difficult position, as it is forced to bargain with a wide range of troop contributors to achieve its goals, and it is bound to fail in many cases. Studying these processes highlights some of the limits of the Council in security affairs – but it is arguably still remarkable that the UN peacekeeping system functions at all despite its flaws.

⁴⁹ High-Level Independent Panel, *Uniting our Strengths for Peace*, p.54.

⁵⁰ The author thanks Jonas Parello-Plesner for this point. See also Jonas Parello-Plesner and Mathieu Duchâtel, *China's Strong Arm: Protecting Citizens and Assets Abroad* (London: ISS, 2015).

⁵¹ Rupert Smith, "The Security Council and the Bosnian Conflict: A Practitioner's View," in Vaughan Lowe et al. (eds.), *The United Nations Security Council and War: the Evolution of Thought and Practice since 1945* (Oxford: Oxford University Press, 2008), p.XX.