UN and its Peace Efforts
in the Era of Great Power Rivalry

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He worked for more than 30 years in different organisations of the UN development system, sharing his time almost equally between agency headquarters and country assignments in three different developing regions. In the 1970s he worked as an economic researcher in Thailand. In the 1980s, he was the humanitarian coordinator in Somalia. In the 1990s, he was the UN Representative, first in newly-independent Ukraine during its early transition, and then in Rwanda during a period of post-conflict reconstruction.

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I would like to address this important topic in two ways. First, I will examine the challenges that face the UN in getting agreement on peace operations, referring particularly to the role of the five permanent members of the Security Council. To do this it is useful to outline the role of the major stakeholders in UN multilateralism in order to elucidate the separate functions and powers of what I am calling the Three UNs. Second, I will look at how UN peace operations have evolved over time and the most urgent contemporary challenges.

Three UNs: power and influence

When referring to the United Nations, it is useful to think of it as a three-sided family of stakeholders. The First UN comprises the governments of 193 member states; the Second UN comprises the secretariats and staff of the UN organisations; and the Third UN represents the global public, or "we, the peoples" in the language of the UN Charter. Of course, within each of these three UNs there are multiple interests and entities. But each has a particular status and role in UN affairs.

The First UN is of course the governing body of the Second UN in a Principle-Agent relationship. The relationship is not uniform in any multilateral system. The Second UN would like the First UN to trust it to exercise a degree of independence under its general guidance. In practice, while some member states want to insist that the Second UN cannot make any decisions or take any actions without the specific authorisation of the first UN, other member states are ready to allow the Second UN a degree of independence. The amount of autonomy which the Second UN enjoys in practice depends in part on the attitude of the Secretary-General. His degree of authority depends on the way he manages the various supervisory bodies of the UN and his interpretation of Chapter XV of the UN Charter, which describes the SG only as the "chief administrative officer."

The SGs who gave the broadest interpretation to this definition and exercised the greatest degree of independence were the first two to hold that office: Trygve Lee (1946-52) and Dag Hammarskjold (1952-61). They were not afraid to speak truth to power and openly criticise the governments of the Permanent 5 (P5) members of the Security Council if they considered they were in breach of the UN Charter. The only time the UN was able to take action against the interests of a P5 member was in 1950 when the Soviet Union temporarily boycotted the proceedings of the Security Council, which then voted to send UN peacekeepers to Korea, where the Soviet Union was one of the protagonists.

More recently, Kofi Annan was also critical of a P5 member, for example in calling the United States invasion of Iraq "illegal." And recently, Secretary General Guterrez publicly stated that Russia's annexation of Ukrainian territory was contrary to the UN Charter. But in general, SGs feel constrained by the attitudes of the P5 and other powerful member states. In the face of the veto, the current SG was not able to take action against Russia for its invasion of Ukraine through a Security Council resolution. This led the Ukrainian President to criticize the impotence of the UN in preventing conflict. However, there are actions which the Second UN, through the SG, and the secretariat and the other UN heads could take to address peace and other concerns in which the P5 are not being cooperative or are even in flagrant violation of the terms of the Charter.

The SG can use his good offices under Charter Article 99 to "bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security." In this he needs to work closely with the rotating presidents of the Security Council. Putting an item on the agenda of the Security Council ensures that it receives wider attention. In the case of the conflict in Ukraine in 2022, the SG was able to ensure that President Zelenskiy was given an audience online after it was put to a vote of member states. Several votes have also been taken in the General Assembly contrary to the interests of Russia, in the most recent of which member states voted 143-5 to condemn Russia for its attempted annexation of four Ukrainian regions. Under a new proposal put forward by Lichtenstein, any P5 member that vetoes a Council resolution is required to go before the General Assembly to explain its actions.

Besides launching peace operations, the Security Council can impose sanctions under Chapter VII of the Charter. But veto powers prevent the agreement of sanctions against the P5. However, the Third UN can still help in some circumstances through a public naming-and-shaming campaign. For example, after China had resisted the establishment of a UN peacekeeping presence in Darfur to restrain further genocide, because of its close relations with Sudan from which it imported oil, global civil society successfully persuaded several governments to threaten to boycott the Beijing Olympics in 2008. China relented.

There are other measures which the Second UN can initiate, with the approbation of the First UN and with the active involvement of the Third UN, including the establishment of expert commissions which can result in agreement on new norms. An example which stands out is the International Commission on Intervention and State Sovereignty which reported in 2001 and led to the creation of the concept of 'responsibility to protect (R2P)' (International Commission on Intervention and State Sovereignty 2001), in principle allowing the UN to intervene on behalf of civilians to resist genocide and crimes against humanity perpetrated by governments against their own people. R2P was agreed during the tenure of Kofi Annan. It could be said to have been applied in the UN response to the civil uprising in

Libya in 2014 when within the First UN, the Arab League approved the UN intervention. However, R2P – which is in effect a derogation from national sovereignty – has not been approved again since. In Syria, it was adamantly opposed in the Security Council by Russia, which has even restricted access of the population to humanitarian aid.

The UN in practice

During the 1990s, UN peacekeeping recorded three serious failures. The first was the UNPROFOR protection mission in Croatia and Bosnia in 1992. The mission was inadequate to counter the vehemence of the assaults by Serbian forces which overran the UN's designated 'safe haven' of Srebrenica, massacring 7,000 Muslim civilians. Almost coterminous with UNPROFOR was the UN presence in Somalia (UNOSOM), where civil war had broken out. Again the troops deployed were initially inadequate to the task and were supplemented by a US-led military intervention. After 18 American soldiers were killed in a single day, the US withdrew its support, and conflict has continued in the country, exacerbated by the presence in the last decade of the Al-Qaeda affiliated Al-Shabaab terrorist organization. Then came the Rwanda genocide in 1994 (UNAMIR). The failure in Somalia contributed to that disaster because member states were unwilling to contribute troops. But the Second UN also bears responsibility for failure because its internal report misrepresented the situation on the ground and led to the actual withdrawal of peacekeeping troops just prior to the massacre (Salton 2017, Browne 2019).

These three major reversals in the decade led to serious introspection within the UN. One result was the 'Brahimi Report' (named after its Algerian Chair, Lakhdar Brahimi) which found that "over the last decade, the UN has repeatedly failed to meet the challenge" of saving the world from conflict (UN 2000, 1). While there were situations in which, on the advice of the Secretary-General, the UN should not become involved, the report reasserted, but qualified, the basic principles of peacekeeping where engagement was agreed upon: consent, impartiality and minimum use of force. In defining impartiality ("not the same as neutrality"), the report affirmed that it meant adherence to the principles of the Charter. Thus, "where one party to a peace agreement clearly and incontrovertibly is violating its terms, continued equal treatment of all parties by the UN can in the best case result in ineffectiveness and in the worst may amount to complicity with evil." The failures of the past could be attributed to a "reluctance to distinguish victim from aggressor" (UN 2000, para. 48). The report thus helps to clarify why the unprovoked invasion of Ukraine by Russia disqualifies the UN from attempts at mediation.

The report had a lot to say on the need for internal reform. The Secretary-General should be able to provide frank and informed advice – through better intelligence gathering – to the Security Council and restrain its actions where the UN clearly could not muster the resources for a new mission. Peacekeeping resources should be boosted through assessed contributions, and better stand-by arrangements put in

place. The staff of DPKO (now the Department of Peace Operations DPO), should be qualitatively and quantitatively improved. However, even if Brahimi had been followed to the letter, the UN could never have been declared fully fit for purpose for the present century's catalogue of major new conflicts.

In the last two decades, UN peace operations have had to confront increasingly volatile and violent conflict situations and been given mandates that continue to challenge the basic doctrine of peacekeeping, extending the interpretation of consent, neutrality and the limited use of force in the defence of an established peace agreement. In Darfur and the Central African Republic (CAR), the UN is seeking to protect civilians with no established peace accord and with no clear parties from which to seek consent. In the Democratic Republic of Congo (DRC) and in Mali, it is supporting governments against violent insurgencies. In South Sudan, the UN found itself in the midst of a civil war, while part of its original mandate was to help build the new state.

Four types of peace operation

UN peacekeeping is now playing four contrasted practical roles: the original one of monitoring peace on international borders; confronting aggression in order to enforce peace within states; complex engagements of conflict management and stabilization, which confront multiple aggressions; and peacebuilding which ensures that war is averted and peace sustained. The first three roles are under the responsibility of the UN Department of Peace Operations (DPO), which currently has 13 country missions in place. The peacebuilding role is mainly, but not exclusively, the responsibility of the UN Department of Political and Peacebuilding Affairs (DPPA).

The first role is the focus of the UN's oldest operations in Kashmir and on the borders of Israel. Its missions in Cyprus and Western Sahara are similarly overseeing a stalemate pending a political resolution. The second role is the one which describes most of the operations hitherto within the definitions of peacemaking and peacekeeping: creating and maintaining peace within state borders, with the acquiescence of governments.

The third role is characteristic of more recent and more proactive interventions, including in DRC and Mali, for which there are few UN precedents. To help defeat rebel groups in the DRC, the Security Council in 2013 approved the mobilization of a 'force intervention brigade' (FIB) attached to the stabilization mission MUNOSCO to carry out targeted offensive operations. The uniquely forceful language of the resolution and the deployment of a brigade to undertake offensive military operations have moved UN peacekeeping into wholly new territory (Kjeksrud and Vermeij 2017). The FIB has utilized the most modern methods of warfare and is indistinguishable from regular national fighting forces. However, aggressive military operations by the UN have made it an unimpartial actor in the

intra-state conflict and a specific target for insurgents.[1] In Mali, MINUSMA has become part of not just a national stabilization campaign on behalf of a weak government, but also an accessory to the global war on terror. As in the DRC, 'consent' runs directly counter to impartiality. While failing to keep the peace, the UN has become a direct target of insurgents, suffering substantial numbers of casualties.

These contemporary conflicts are of great complexity. As 'new wars,' they cannot be described as traditionally defined Clausewitzean contests between two sides but a "predatory social condition in which networks of armed groups instrumentalise extremist identities and enrich themselves through violence" (Human Security Study Group 2016, 3). UN peacekeeping missions of stabilization cannot begin to prevail without substantial partial force. But neither can they achieve stabilization as long as they are active parties to a conflict. A mission cannot always play a prominent role in mediation and reconciliation as long as it is seen to be a party to the conflict by actors associated with the aggressors (Aoi and de Coning 2017).

Peacebuilding is the fourth major role associated with former and current UN peace operations. It first entered the UN lexicon in Secretary General Boutros-Ghali's report in 1992, *An Agenda for Peace* where it was described as "comprehensive efforts to identify and support structures which will tend to consolidate peace and advance a sense of confidence and well-being among people" (UN 1992, para 55). In the report and often subsequently, it is referred to as 'post-conflict' peacebuilding, which is taken to refer to activities which commence only once peace has been secured. The Brahimi report defined peacebuilding as "activities undertaken on the far side of conflict to reassemble the foundations of peace" (UN 2000, para.13).

Building on Brahimi, and galvanized by the terrorist incidents of September 2001 against the United States, the UN established the *High-level Panel on Threats, Challenges and Change* which delivered its report in 2004 (UN 2004). Among many other proposals, the report led to the establishment the following year of the inter-governmental Peacebuilding Commission (PBC), the Peacebuilding Support Office (PBSO) and the Peacebuilding Fund (PBF). The report highlighted the need "to build confidence among former adversaries" and was thus focussed mainly on post-conflict scenarios. In practice, this new architecture has been utilized sparingly and it has been criticized for its ineffectiveness (Campbell 2018, Browne and Weiss 2015, del Castillo 2017), in part because it operates in parallel rather than in concert with the UN Security Council, which sees it as something of a rival in the peacekeeping domain.

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[1] Impartiality is particularly hard to define in the DRC, where the Government's own security services are major offenders in the abuse of civilians.

In practice, peacebuilding encompasses contrasting types of consolidation. In new states, including Kosovo, Timor Leste and South Sudan, the UN's role has been to put in place institutions of state following independence. In South Sudan the UN mission's task has been made more complicated by the need to protect civilians from violence including from government forces. In all three of these cases of new-state peacebuilding, force has been used under a Chapter VII mandate and consent has come sometimes only at the expense of impartiality as opposition has had to be suppressed.

In established states, the UN needs to build peacebuilding considerations into their peacekeeping missions. Experience in Afghanistan, Iraq and Libya has amply demonstrated that peacebuilding activities by international actors need to be anticipated prior to engagement and during peace enforcement and peacemaking. Peacebuilding cannot be applied sequentially. Particularly in some of the UN's more complex operations "a combination of peacebuilding and peacemaking would need to take place simultaneously" (del Castillo 2017, 17). In the current definition in DPO's Capstone Doctrine of 2008, peacebuilding is intended to "lay the foundations for sustainable peace and development." Addressing the deep-rooted, structural causes of violent conflict in a comprehensive manner is not an *ex post* consideration but has to accompany and be present in the strategy of every peacekeeping operation. Even where the UN is not directly responsible for security, as in Afghanistan, its civilian mission has to focus on the pathway that leads to sustainable peace.

Addressing the causes of conflict implies *ex ante* peacebuilding – the prevention of conflict. If the UN can be a vital antenna attuned to signals of impending social breakdown, widespread human rights abuse, or imminent conflict, it can prevent the need for costly intervention, as in Bosnia, Somalia or Rwanda. The main responsibility for mediation and preventive diplomacy lies with the UN Department of Political and Peacekeeping Affairs (DPPA), which describes its mission as "diplomacy, prevention, action," had more than 15 political missions in place in 2022 and fielded eight special envoys who play the UN's 'good offices' role in disputes. Most often these missions are mandated to prevent a recurrence of conflict and may be combined with UN or other peacekeeping operations, but some – as in Guinea Bissau or Western Sahara– are in place to ensure that violence does not break out.

The Security Council also has some tools at its disposal. It also mounts fact-finding missions in countries where conflict seems imminent, but the results are not often positive. In recent years, missions to Burundi and South Sudan were not successful in heading off conflict (Gowan 2017). A weighty review of the Security Council did not find space in almost 1000 pages for more than a few paragraphs on conflict prevention, finding the Council's record to be "poor" (Einsiedel et al. 2016, 843).

The UN development system, comprising more than 35 independently managed organisations, is the backbone of the UN field presence, comprising some 1,400 separate country offices. In every country

without an ongoing peace operation, the UN is notionally under the authority of a UN resident coordinator, who exercises a convening rather than a hands-on coordination role among the agencies present. If the UN is to be effective in conflict prevention, then UN resident coordinators also need to be the eyes and ears of the world body, but in practice, they are reluctant or unqualified to play this role. Consequently, the signals of future conflict are often missed or ignored, as in Rwanda in the 1990s (before the genocide) or Myanmar in 2017 (before the expulsion of the Rohingya). The DPPA and UN Development Programme (UNDP) have a joint initiative which fields peace and development advisers in a certain number of countries, and the examples of missed signals of impending conflict underline the importance of combining political and human rights responsibilities with the UN's development role. However, China and other influential countries are reluctant to allow a broadening of the mandates of the UN's development missions.

Conclusion

Peace operations are too often opposed or constrained by the big powers of the First UN, especially the three major P5 countries in the Security Council which seek to protect their individual geopolitical interests by use of the veto. The veto cannot be invalidated, in spite of the efforts over many years to reform the practices of the Security Council. Where a P5 member is an actual aggressor in an international conflict, the UN has no role in mediation since it can be construed as appeasement.

If the veto cannot be invalidated, however, there are ways in which all the UNs (First, Second and Third) can put pressure on a P5 country which transgresses the terms of the UN Charter. The full membership of the UN can be asked to express their opinions on such transgressions through a vote in the General Assembly. The Liechtenstein initiative also obliges a P5 country to explain its veto to the General Assembly. (It has also been proposed to establish a "Charter Group" of interested member states to track and report on UN Charter transgressions). The Secretary General can ensure that any transgressions are brought to the attention of the Security Council and General Assembly, and can call on individual world leaders to make representations to an aggressor country, if necessary outside UN auspices. There are also circumstances where civil society can exert influence on an offending P5 country by mounting "name and shame" campaigns and threatening boycotts.

Where agreement in the Council is reached under Chapter VII of the Charter to put in place a peace operation, the mandate must be sufficiently broad and the resources adequate and sustained to match the scope of the needed peace operation. In African countries, where a third type of peace operation involves the UN directly in conflict, it needs to take a more forceful approach (as in the DRC) while seeking in parallel political resolutions to the problem. The UN can also rely on the African Union (a "fourth UN"?) to support its peace operations through military and political action.

The Second UN also needs to adopt more holistic and ground-up approaches. It tends to follow its own complex processes of defining and classifying each intervention from the centre in a top-down manner without seeking adequate local intelligence and understanding. Silo-isation means that each operation is assigned to a particular UN department in New York which follows its own procedures of implementation and deployment, whereas a more holistic approach would often be more appropriate, drawing on the immense amount of experience and expertise across the whole UN system. Peace operations in all facets – from preventive measures to peace enforcement, mediation and peacebuilding – need solid local foundations and should be conceived in part from the ground up. The UN has a presence in almost every emerging country, of which at least one third are considered fragile or vulnerable. Every country presence therefore needs a mandate which can potentially encompass all the four main functions of the UN: peace operations, human rights, humanitarian relief and sustainable development. As local (and regional) situations require, the UN should be enabled to empower its local presence to deliver the appropriate response.

There was an instructive UN experience in Sierra Leone after 2008, when an Integrated Peacebuilding Office (UNIPSIL) was established, headed by an 'executive representative' of the Secretary-General. UNIPSIL included military and political observers, as well as representatives of all 17 of the local UN development missions. The civilian representative who oversaw the operation was concurrently UN resident coordinator, humanitarian coordinator, UNDP resident representative, and in charge of security. UNIPSIL succeeded in forging with the governments a unified *Agenda for Change*, and a *Joint Vision* outlining the role of the UN in its implementation. UNIPSIL was described by Secretary Ban Ki-Moon in 2010 as "the best and most advanced integrated peacebuilding mission" successfully overcoming the traditional dichotomy between political/security and development/ humanitarian concerns (Schulenburg 2014).

What happened next was also instructive. After the executive representative left Sierra Leone, the UN reverted to its traditional silo-driven rivalries and did not again achieve the previous level of integration. The example nevertheless illustrates the art of the possible and stands as a model for UN peacebuilding efforts.

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About This Report

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