



# THE HISTORY OF PEACE OPERATIONS

## A SUCCESS STORY AND A CONTINUING CHALLENGE

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# A practice of trials and errors, despite

- **The Capstone Doctrine** (United Nations Peacekeeping Operations: Principles and Guidelines, 2008) and
- **The Leuven Manual** on the International Law Applicable to Peace Operations (CUP, 2017)

# Three Phases

**1946-mid-1980s** 'traditional' peacekeeping


- e.g. Middle East, Congo region

**1987-91** long-standing regional solutions

- e.g. Namibia, Angola, Kuwait

**since 1992** more (and more robust) missions

- e.g. El Salvador, Cambodia, Mozambique, Liberia, former Yugoslavia, Rwanda, Sierra Leone, Nicaragua, Central African Republic, Haiti, Mali, Georgia, Dem. Rep. Congo, Afghanistan




Consent of the Host State,  
impartiality, and limited use of  
force under challenge

1. Interdependence between peace operations and **political settlement**
2. *Rule of Law* role of peacekeepers
3. **Personal security** of peacekeepers

# Three major review efforts

- **Agenda for Peace 1990**
- **Brahimi Report 2000**
- **High-Level Independent Panel on Peace Operations (HIPPO) 2015**



# 1. Interdependence between Peace Operations and Political Settlement

A challenge for

- the United Nations
- Host States
- Civil Society
- Neighbour States
- Troop-contributing States

## 2. Rule of Law Role of Peacekeepers

Primarily a task for other players. Peacekeepers are providing RoL tasks by


- good example
- cooperation within the limits of their mandate
- certain support to Host State efforts

### 3. Security of Peacekeepers


3,300 peacekeepers have lost their lives since 1948; 943 due to acts of violence

- 90 percent of personnel in political missions and
- two-thirds of all peacekeepers are deployed today in situations of ongoing conflict.





‘We need to change the way we are doing business. Weakness kills our people.’

- Lieutenant General (ret.) Carlos Alberto dos Santos Cruz, ‘Improving Security of United Nations Peacekeepers: We need to change the way we are doing business’ (19 December 2017)
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# 1994 UN Safety Convention severely flawed:

- obligations of States, not of non-State actors, responsibility of States is not sufficiently addressed;
- application in certain (ill-defined) enforcement actions is formally excluded by Art. 2(2);
- relevance for acts of self-defence and defence of the mandate is unclear and disputable;


# 1994 UN Safety Convention (continued)

- Peace operations conducted by States or regional organisations, even if authorised by the Security Council, are not clearly covered by the text of the Convention.
- Hardly any of the many host States to a peace operation so far has ratified the Convention, let alone its Optional Protocol.

# Attacks on Peacekeepers not adequately criminalised

Art. 8(2)(b)(iii) and Art. 8(2)(e)(iii) of the Rome Statute cover **attacks against peacekeepers in international and non-international armed conflicts <as long as they are entitled to the protection given to civilians>**

But Art. 8(2)(f) states that, **this <does not apply to situations of internal disturbances and tensions, such as riots, isolated or sporadic acts of violence or other acts of a similar nature>**.



Technical means and political measures to better protect peacekeepers need to be introduced

- aviation assets
  - medical care
  - various Host State responsibilities
  - political pressure on opposition fighters
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## Conclusion:

a plea for

- **clear, transparent and cooperative conduct of operations;**
- **openness to the role of other participants in the peace process;**  
**and**
- **‘demanding patience’.** A role like the one of the Intervention Brigade in DR Congo must remain clearly exceptional.