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**C**onsent, impartiality and non-use of force – laid down in the Brahimi Report as the 'bedrock principles' of United Nations (UN) peacekeeping and still considered valid in the most recent UN literature on the subject – were put under serious challenge in the four cases considered in this study, all of which involve some level of coercion. One of the key aims of this work was to assess whether the possible or actual use of force by multinational forces, the UN blue helmets, operations undertaken by individual member states or regional organisations was supportive of the political and peacebuilding objectives or counterproductive to these basic goals of UN peacekeeping.

Invocation of Chapter VII is often used to express the resolve of the Council membership in the face of attacks against peacekeeping forces and their mandates. But as shown in the case studies, the actual use of force depends on the mandate, the rules of engagement, the Special Representative of the Secretary-General (SRSG) and military commanders on the ground, as well as on the availability of appropriate military resources. Reference to Chapter VII in the absence of these requirements is misleading. Passivity in the face of challenges to peacekeeping forces deployed under a Chapter VII mandate raises questions about the effectiveness and credibility of the UN and the Council itself, as evidenced in Sierra Leone at the initial stage of the UN mission in the country (UNAMSIL).

The Council had limited capacity to define or influence the intervention agendas, particularly in Afghanistan and Kosovo. Accountability – understood in the broader sense of responsibility for the decision to intervene and for supporting missions on the ground – is often shared with, or even transferred to other important international actors, multinational forces or powerful states. The Council's ability and willingness to steer and orient mandate implementation depend on the fluctuating priorities of member states and the political issues that at different points in time make their way into the international agenda (such as the 'war on terror'), which can explain in part the different international responses to the conflicts in Côte d'Ivoire and Sierra Leone. In the absence of agreement among the Permanent Five (P5), and as evidenced in Kosovo, the lack of action or the ambiguity of mandates tend to be the norm. The Council has nonetheless shown that it can act as a sounding board in matters of concern to important non-permanent members and thus influence cases it may otherwise consider off-limits, as shown with the issue of civilian casualties in Afghanistan.

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<sup>1</sup> Written in consultation with the authors of the case studies.



The political strategy that should guide all peacekeeping operations needs to be based on an accurate characterisation of the conflict and good knowledge of the national parties and actors involved at the local level. There are many examples in this study that show the extent to which the process set in motion by the international intervention alienates or mobilises the support of significant sectors of society in the host country. Without their concurrence, all efforts to achieve durable peace may be futile. The participation of women, also examined in this work, is both part of this analysis and a priority on its own right.

The observations listed below do not seek to provide a glimpse of the wealth of issues covered by the case studies. They limit themselves to a set of questions emerging from the facts portrayed, organised around five issues of specific interest to this project and in large measure based on the parameters set out in recent UN literature for success in peacekeeping. These include:

- The question of consent;
- A clear, credible and viable mandate;
- Security Council support;
- The participation of women and the implementation of resolution 1325 (2000);
- A favourable political environment.

## I. The question of consent

Peace accords signed prior to the deployment of the operations considered in this study did not necessarily reflect a true commitment by their signatories. The level of consent varied depending on the parties, and was only formal, fluctuating or minimal in Côte d'Ivoire and Sierra Leone. In Afghanistan and Kosovo, accords were signed after the situation on the ground had been altered by hostile military action by international forces. In Afghanistan, although there was consent among the P5 that something had to be done, the Bonn Agreement excluded the party believed to have been definitively vanquished (the Taliban), an assessment later to be questioned. In Kosovo, the Military-Technical Agreement was subscribed by the defeated party – the Government of the then Federal Republic of Yugoslavia – and the forces that carried out the North Atlantic Treaty Organisation (NATO) air campaign prior to Security Council intervention. No agreement was signed between the Serbian government and Kosovo-Albanians, the two parties to the conflict.

The question of consent by local parties applies not only to the deployment of peacekeeping forces, but also to the longer-term state-building strategies pursued by the international intervention. Such strategies should reflect the needs and aspirations of all significant sectors of society in the host country. The legitimacy of particular types of state-building, especially during ongoing conflict, is questioned by

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attempts to 'engineer' institutional processes in accordance with the strategic interests and system of values of the international presence.

In Afghanistan, the Bonn Agreement, in force during the initial phase of the mission, was not conceived of as an indigenous peace accord, but an externally-mediated agreement among victors in a war won primarily by the United States (US). It excluded the Taliban, who had supposedly lost the war. Yet, the latter proved to represent a formidable force seven years later, as the international intervention failed to deliver on its promises of progress, development and stability. Not only did the Bonn Agreement fail to take into account the need for a reconciliation process, but it also set out to establish a number of formal institutions, such as an elected president, a Parliament and others against a tight schedule, although these institutions were not fully understood or rooted in local traditions. These factors, and heavy engineering by external actors, undermined the legitimacy of these democratic institutions. But what ultimately challenged the credibility of the intervention was the high number of civilian casualties and the failures of the political process. The growing and mutating international military operation by Operation Enduring Freedom (OEF) and NATO/ISAF forces seemed to contradict the political and state-building process, which the UN was mandated to carry out. Ultimately, consent between the international actors and Afghans, and among Security Council members, was fragile when it came to deciding whether a military or political solution would bring peace.

In Côte d'Ivoire, the UN mission (UNOCI) was deployed to assist in the implementation of the Linas-Marcoussis Agreement, signed in France at the urging of President Chirac's government and after France had dispatched its own military force, *Opération Licorne*, and the latter's action had resulted in a ceasefire. The Ivorian parties were not very keen on a somewhat imposed political settlement. President Gbagbo and his followers, as well as rebel *Forces Nouvelles*, had their own reasons to maintain the *status quo*. Gbagbo had strong reservations about an agreement that would weaken him politically and risk his chances of future re-election. The rebel coalition in turn wanted to keep the territory it had taken over and obtain the reforms on nationality proposed in the agreement. In these circumstances, no disarmament of irregular groups took place and elections were postponed repeatedly. The attack of the French forces on the Ivorian air force in November 2004 caused more resentment against the former colonial power, playing into nationalist sentiments and further undermining the possibilities of eliciting real consent.

In March 2007, President Gbagbo and rebel leader Guillaume Soro signed a power-sharing agreement in Ouagadougou, placing the process under the control of the parties and taking away the leverage of the UN mission. UNOCI was thereby relegated to a largely passive role. While factional war is over, the conditions for durable peace and stability are far from achieved. Armed militias have neither disarmed nor demobilised, and elections have been repeatedly postponed.

In Kosovo, the consent of the Serbian government to the terms of the Military-Technical Agreement resulted in the rapid withdrawal of its forces from the territory and the massive return of Kosovo-Albanian refugees and displaced persons. But the accord did nothing to gain the confidence of Serbian and other minorities. Despite its achievements in ending large-scale violence, meeting humanitarian needs and, to a limited extent, creating an administrative structure that sought to replicate the model



of European countries, the international presence failed to provide an atmosphere where a multi-ethnic society would thrive, establish credible political structures and facilitate negotiations towards a final and agreed solution to the situation. Kosovo-Serbs remained largely alienated from the process set in motion by the mandate out of fear for their future in a Kosovo that could be placed under an independent Kosovo-Albanian government.

The unquestioned authority of the United Nations Interim Administration Mission in Kosovo (UNMIK) raised issues of lack of accountability and control mechanisms, its only constraint being the pressure exerted by the majority population. Judicial, legislative and executive powers were dependent on the SRSG, a concentration that contradicts with the principle of division of powers. A paramount example is the case of the judiciary, where the SRSG had the authority to appoint international judges or prosecutors to any criminal case, at any phase of the proceedings, and at any level of jurisdiction. This situation was widely perceived in Kosovo as blunt interventionism by UNMIK's executive power into internal judicial affairs and was criticised for marginalising the local judiciary and undermining institution-building goals.

In Sierra Leone, initial assumptions about the alleged 'good faith' of the parties concerning the Lomé Agreement, including their acceptance of UNAMSIL as a neutral peacekeeping force and its deployment in the diamond-rich areas they had been exploiting for years, contributed to UNAMSIL's failure to react quickly and forcefully to provocations and attacks from the Revolutionary United Front (RUF). Evidence that RUF leader Foday Sankoh's power derived from the persistence of a war fuelled by illegal diamond trading rather than from any support from the population – as proven by his poor showing in the elections – also contributed to a radical change of approach by UNAMSIL and the other international actors involved. Thereafter, rather than considering Sankoh a party to the agreements, they would give their backing to forceful military action against rebellious forces, support for the Sierra Leonean army and police, and long-term assistance to the reform and strengthening of the Sierra Leonean security sector.

## I. The use of force

The use of force by UN-led operations is restricted to thwarting rebellious factions in their attempts to derail a peace process by targeting peacekeepers and their property and by attacking civilians, although in this latter case such use – as in Sierra Leone and Côte d'Ivoire – is limited to UN capabilities and area of operations. These restrictions do not apply to multinational forces or national operations such as those deployed by France and the United Kingdom (UK) in Côte d'Ivoire and Sierra Leone, respectively. The multinational operations authorised by the Security Council in Afghanistan and Kosovo, though sharing the same NATO-approved rules of engagement, do not have the same restrictions on the use of force or the same constraints in terms of resources, both largely dependent on the troop-contributing countries. In all cases, the use of force had an impact on the level of consent by local parties and actors.

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In Afghanistan, the intensification of military operations by OEF and ISAF and the resulting civilian casualties and destruction have fuelled resentment and played in favour of the insurgency.

UNOCI in Côte d'Ivoire was unable to protect civilians from violent attacks. French troops in *Opération Licorne* had halted hostilities at the outbreak of the conflict and were given a Security Council mandate to act in support of UNOCI as a quick reaction force. But in times of crisis, French troops tended to act independently, without coordinating or consulting with UNOCI. Their operation to destroy virtually all Ivorian military aircraft in retaliation to an attack on a French military base was undertaken without prior notification. These attacks caused more resentment against the former colonial power and played into nationalist sentiments.

In Kosovo, hostilities were not over when the Kosovo Force (KFOR) entered the territory to maintain a stable and secure environment and control internal and international boundaries. The withdrawal of Serbian troops and their replacement by the multinational force was followed by the massive return of Kosovo-Albanian refugees without major incidents. KFOR played a key role in support of UNMIK at the initial stage of deployment by assuming such tasks as policing and demining that were to be gradually taken over by the mission as it acquired the necessary capacities. In the first months after entering Kosovo, KFOR's large presence, which had the priority of protecting and gaining the support of Kosovo-Albanians, did not prevent retaliatory attacks against minorities, particularly Kosovo-Serbs and Roma. This led to the exodus of the majority of the Serbs, many Roma and persons belonging to other minorities. After a period of improved security and calm, a series of ethnically-motivated attacks that caused the death of dozens of Serbs and the displacement of thousands in March 2004 – five years after the intervention – revealed lack of planning, intelligence and preparedness. This incident represented a major blow to KFOR's credibility and cast doubts over the prospects of a future multi-ethnic Kosovo. NATO reacted quickly by sending reinforcements to Kosovo within 48 hours, but this did not revert the situation for the majority of those who had fled during the riots.

The use of coercive force following the parameters established for UN operations proved useful in Sierra Leone, but it came after the UK had secured the airport for its own unilateral operation, ostensibly launched to rescue and evacuate its nationals and associated personnel. By preventing the renewed outbreak of major hostilities, the intervention provided time for UNAMSIL's reinforcement, thus helping to create favourable conditions for the implementation of the peacebuilding and political aspects of the mandate, including elections in due time, and for strengthening state military and police forces. The engagement of regional powers in the initial phase of UNAMSIL under the Economic Community of West African States Monitoring Group (ECOMOG) and the decision to 're-hat' some of its troops as blue helmets upon withdrawal of its monitoring force bolstered the capacity of the UN mission, through the incorporation of military personnel that had a good grasp of the country's situation. Forceful military reaction from Guinea to RUF raids within its territory was also an important factor in weakening the rebels.

## II. A clear, credible and viable mandate

The Council approved three streams of resolutions for Afghanistan: first, establishing a sanctions regime against the Taliban and Al-Qaida, with some resolutions predating the field missions; second, authorising the deployment of a multinational force, ISAF, currently under NATO, to support the government in the maintenance of security, initially in Kabul and surrounding areas, and later throughout the country; and third, setting out the mandate of the UN political and peacebuilding mission in the country, UNAMA. The first and second streams of resolutions were approved under the provisions of Chapter VII, while the third was not. Furthermore, Afghanistan continues to host the US-led Operation Enduring Freedom, not specifically authorised by the Council but indirectly recognised under the provision of article 51 in Chapter VII on engagement for self-defence.

The underlying challenge in Afghanistan was the uncomfortable co-existence of UNAMA's state-building and political mandate with the ongoing war waged by the international military forces in parts of the country to defeat the insurgency, first in the context of the 'war on terror' and later as a counter-insurgency operation against the revived Taliban. The short-term goal of counter-insurgency through war fighting has undermined long-term state-building and peacekeeping objectives. As explained in the case study, the greater the number of US and NATO troops arriving in Afghanistan, larger the resentment, resistance and violence. The short-term strategy would make the long-term one a moving target.

The co-existence of UNAMA's political transition and state-building mandate and ISAF's security mandate, currently engaged in counter-insurgency operations, was uneasy from the start and, in addition to OEF presence and activities, complicated the successful implementation of resolutions. UNAMA's mandate came after OEF had initiated its still ongoing military operations and after the authorisation of ISAF's deployment. By the time the political mission was approved, its role, responsibility and limitations had already been crafted by previous events. As the case study suggests, UNAMA's success in setting Afghanistan on a proper political path was hampered structurally by the US-led military operation's sidelining of the political agenda.

In the meantime, UNAMA's mandate had become increasingly ambitious. In 2008, after a sharp deterioration of the security situation, the Council incorporated an extensive list of activities: authorising its expansion to the regions within Afghanistan; seeking regional cooperation around Afghanistan; coordinating aid; and using good offices to try to jumpstart political negotiations; as well as continued monitoring of human rights and safeguarding humanitarian laws. It was only after 2008 and the expansion to the provinces that substantial increases in resources were authorised for the UN mission.

In Côte d'Ivoire, the UN peacekeeping mission's mandate was to assist the Government of National Reconciliation – to be established in accordance with the commitments undertaken by the parties at the behest of the Government of France – in the implementation of the comprehensive Linas-Marcoussis Agreement. The main tasks included monitoring the ceasefire, helping to build confidence between the belligerents, protecting civilians in imminent danger of physical violence if and when

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possible, and assisting in the disarmament, demobilisation and reintegration (DDR) programme, the reunification of the country and the organisation of free and fair elections. The mandate was broad in the tasks assigned, but limited to the role of 'assisting' the Ivorian government. Much depended on the goodwill of the government, and ultimately on internal politics. UNOCI was constrained internally by the contradiction between the political interests of President Gbagbo and the strategy of the Government of National Reconciliation defined by the Linas-Marcoussis Agreement. The role of UNOCI became less influential after the Ouagadougou Peace Agreement.

Despite its similarities to UNAMSIL in Sierra Leone, UNOCI in *Côte d'Ivoire* did not obtain the resources or the support required, mainly due to political reasons, including the existence of a comparatively stronger government in Abidjan. It was therefore unable to carry out its ambitious mandate, including the protection of civilians.

In Kosovo, resolution 1244 (1999) authorised the establishment of a civilian and a security presence: the civilian presence was assumed by UNMIK; the military presence, KFOR, was under NATO command. UNMIK was in charge of the interim administration of the territory and the gradual transfer of responsibilities to local self-government institutions, to be set up without impinging on the sovereignty of Yugoslavia and pending a final political settlement on status. The resolution became a general frame of reference that contained red lines on sovereignty, rather than a tool to guide UNMIK's actions on the ground. It was soon overtaken by events and, according to some observers, became obsolete in practice except for the security provisions under KFOR's responsibility. Subsequent initiatives to respond to developments in Kosovo were not the result of directives emanating from the Council, but of the actions taken by UNMIK through regulations or other administrative measures, or from measures taken by other key international actors. These initiatives were reported *ex post facto* to the Council.

Ten years after its approval and as UNMIK transferred residual functions on rule of law and justice to the EU Rule of Law Mission (EULEX), resolution 1244 (1999) is still in force. Fully drafted outside the Security Council, it contains two principles that represent the opposing positions within the Council: an open-ended transition under international authority that deprives Yugoslavia of all authority over Kosovo for an indefinite period, and the prescription of full respect for its sovereignty and territorial integrity. The resolution makes reference to the Rambouillet Agreement, endorsed before NATO's bombing campaign by the US, the UK and the Kosovo-Albanians, but rejected by Russia and Serbia. The agreement would have given NATO unimpeded access throughout the territory of Former Yugoslavia.

UNAMSIL in Sierra Leone was the first peacekeeping operation with an explicit mandate to protect civilians, although the limitations of such protection were also clear: implementation would depend on the capabilities of the forces and their deployment in areas where civilians faced an imminent threat of physical violence, a judgement left to local commanders and contingent on the rules of engagement. As ECOMOG withdrew from the country and the situation on the ground became more complex, the Security Council added new and more complex responsibilities to the UN mandate. After the virtual collapse of the mission due to erroneous political assumptions, inadequate



deployment and severe operational weaknesses, debates in the Security Council and pressures from regional leaders resulted in the restructuring and increase of force levels.

### I. Operational issues

The effectiveness of the peacekeeping missions in implementing their mandates was compromised to varying degrees by operational challenges. These mainly included the slow deployment of qualified personnel in the required numbers, the provision of logistics or other resources; instances of poor training; the lack of a common understanding of the mandate within the mission, even among the various national military contingents, which made it difficult to define a set of priorities and execute a common strategy; and lack of communication, coordination and transparency, especially between the civilian and military peacekeepers.

A specific set of difficulties stemmed from the co-existence of a civilian mission with a military operation not under the UN line of command, be it a multinational or a regional force or an intervention by a member state. While the UN has nominal authority over all operations authorised by the Security Council, it does not have the information, the resources or the leverage required substantially to influence their actions. The simultaneity of a peacebuilding and a military enforcement mandate creates additional operational challenges, as the case of Afghanistan clearly demonstrates. In Côte d'Ivoire, the French military operation severely affected the perception of *Licorne* among the Ivorian public, thus reducing its operational margin of manoeuvre.

Below are specific examples that highlight the operational problems mentioned in the four case studies.

In Afghanistan, given UNAMA's co-existence with more powerful international actors (US military forces and contingents from NATO countries) and the post-Taliban environment, the initial 'light footprint' approach suggested by Brahimi and endorsed by the Council proved inadequate. It put the mission in a position of weakness, undermining its leverage and capacity to influence the process. The light footprint approach was explained by the need to leave governing functions to Afghans and restrict the international civilian presence to a political advisory role in some key high-level positions. In fact, the preference for a small mission was, to a certain extent, a reaction – shared by the Council and the Secretariat alike – against the earlier experiences of Kosovo and Timor-Leste, where the UN had been required to assume heavy public administration functions and to deploy large numbers of international personnel. Another major operational challenge came from the simultaneous tasks given to UNAMA of coordinating aid from a large but fragmented international community, implementing its own projects and advocating for peace and reconciliation in less than favourable circumstances. UNAMA's responsibilities increased but commitments and resources were not forthcoming, a situation that changed after the 'sharpening' of the mandate.

In Côte d'Ivoire, mainly for political reasons, requests for an increase of UNOCI's strength did not obtain the same positive reply, thus undermining the mission's effectiveness and nurturing the Ivorian

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perception of its military dependency on French forces. The Secretary-General's recommendation to send emergency reinforcements in terms of the mission's military and police capacities was submitted to the Council in November 2004, in the wake of the incidents that followed the violation of the ceasefire between the fighting forces. It only obtained the Council's partial approval in June 2005. While it is unclear that quick and strong reinforcements would have had a dramatic impact on the peace process, they could have allowed for a deterrent presence in the volatile western region, where the combination of militia activity, circulation of arms, political machinations, land disputes and difficult co-habitation among various ethnic communities continued to foster violence and serious human rights violations.

In Kosovo, lack of resources was never a problem for the international presence, particularly in relation to the security forces. Starting as one of the biggest operations previously deployed, KFOR's strength and willingness to operate forcefully dwindled in the period preceding the ethnically-motivated riots of 2004, but reinforcements were dispatched by NATO within two days, and force level requirements were thereafter reconsidered. In the case of UNMIK, difficulties were mainly the consequence of the initial reluctance to take decisive action, of the slow recruitment and deployment procedures, and of the scarcity of qualified personnel with the required expertise in public administration functions, a responsibility for which the UN was ill-prepared. These factors undermined UNMIK's authority and allowed for the early establishment of self-appointed government structures by local Kosovo-Albanian leaders, either associated with or coming from the ranks of the Kosovo Liberation Army (KLA). The UN decision to decentralise personnel selection and recruitment functions that had thus far been exclusively under the Department of Peacekeeping Operations (DPKO) was a way to expedite the necessary fielding of international civilian staff, but raised questions about the standards applied and the mission's accountability.

In Sierra Leone, the admission of UNAMSIL's serious weaknesses identified by an independent group of experts after its near collapse and the positive response to its recommendations from the Council and member states were some of the main reasons for the mission's success. Detected weaknesses included the lack of military personnel with the required level of training and equipment; the absence of internal cohesion; problems of communication and coordination; and different understandings of the rules of engagement. UNAMSIL's troop levels went from an initial 6,000 to 17,500, turning it into the largest peacekeeping operation ever approved at the time. As noted in the case study, approving such troop levels in a West African country of around 5 million people and 71,740 square kilometres was a sign of rare commitment from the Security Council.

### III. Security Council support

The relationship between the multinational forces in Afghanistan and Kosovo with the Security Council that authorised them is characterised by a paradox. While the majority of troop-contributors consider the Council necessary as a legitimising agent, they do not feel under the obligation to report to it and



in many cases are reluctant to do so. The Council has neither a say in determining their rules of engagement nor effective authority over these forces, whose resources, equipment and budget are guaranteed by the troop-contributing countries which have the means and political clout to act and over which the UN has no leverage.

Reporting of these forces to the Council is scant, slow and in general does not carry information of substance. In the case of Afghanistan, ISAF troops under NATO report on implementation of their mandate by sending outdated communications to the Council through letters from the NATO Secretary-General to the UN Secretary-General, even though regular reporting to the Council is specifically mandated in ISAF resolutions. With regard to Kosovo, although resolution 1244 (1999) also implicitly requires KFOR to report to the Council regularly, reports were submitted with several months of delay. A way to enhance mutual accountability would be to establish consultation mechanisms between NATO or the organisation responsible for the implementation of the security mandate and the Security Council on key aspects of its execution, starting with the rules of engagement.

In Afghanistan, there was unanimous support for intervention among the Permanent Five after the 11 September 2001 (9/11) attacks. The attitude changed gradually as the security situation worsened, hostilities intensified and the international intervention was questioned for lack of a clear, unified strategy. The Council original mandates for ISAF were generic, without going into detail about its functions, scope, activities and rules of engagement, issues that were normally discussed in the capitals of troop-contributing countries or in Brussels after the NATO takeover. The Council also tended to stay away from being too inquisitive on the military operations conducted on the ground by the forces it authorised. This changed after 2007, with the intensification of ISAF action in response to the surge of the Taliban insurgency. The Council then issued more detailed mandates and expanded its scope to the protection of civilians, counter-narcotics and support for Afghan forces. Civilian deaths as a result of ISAF counter-insurgency operations under NATO and OEF put a dividing line between the state-building and political mandate of UNAMA and ISAF's securitisation one. Language on casualties appeared in Council resolutions as a result of these events and discord among the Permanent Five.

ISAF merger into NATO had political consequences for the Security Council, since NATO is not directly mandated by the Council through Chapter VII. Reporting to the Council, that was erratic and minimal in its initial stage, ceased when the mission came under NATO command. By handing over Chapter VII peace enforcement indirectly to NATO, it can be said that the UN handed over its authority, retaining only the role of legitimiser. ISAF became incorporated into NATO's doctrine and increasingly into that of OEF. It moved away from a peacekeeping force to become associated with a self-defence and counter-insurgency operation. The intensification of OEF/ISAF military operations and the resulting civilian casualties and destruction have fuelled resentment and played in favour of the insurgency.

Despite consensus at the Security Council, discussions concentrated initially on the political and institutional situation, with the military operation only making it on the agenda after the surge in civilian casualties. Although the US initially dominated by virtue of having started the operation and

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being the largest contributor both in terms of financing for development and military personnel, as the security situation deteriorated, its power was increasingly challenged by a coalition of dissent formed by China, Russia and Southern countries during more elaborated debates often led by non-P5 members. Overall, the role of the Security Council in Afghanistan had been to give authority to decisions made outside its corridors. Therefore, it reflected the inter-governmental function of the institution, with each country pursuing its own national interests, rather than its trans-governmental function of creating a common good and implementing it in a coherent and effective manner. There may have been consensus at the P5, but the Security Council did not have the authority or the leverage to be effective. It adopted resolutions but could not provide sufficient resources or the necessary mechanisms to implement them.

In Côte d'Ivoire, until 2007 the Council approved several resolutions under Chapter VII to control the content and rhythm of the peace process, but without providing adequate resources or exerting sufficient pressure on the parties to comply. Unlike in Sierra Leone, the Council imposed sanctions reluctantly, rather late and on a very small group of three low profile persons. French diplomacy, weakened by its lack of clear guiding principles, was unable to steer sufficient international support, including from other Council members, towards a robust peacekeeping mission ready to defend itself and its mandate. The Council failed to back the troop level requested by the Secretary-General due to lack of consensus.

In Kosovo, despite its internal divisions regarding the NATO military campaign, the Council was able to adopt resolution 1244 (1999) with wording previously agreed upon by the G-8. The resolution captures the general agreement among Council members, including Russia, on the most pressing issues – ending the cycle of violence and ensuring humanitarian relief to the many refugees and internally displaced persons (IDPs). However, it glosses over the deep divisions within the P5 over the legality of the intervention and the approach to the process that would lead to the determination of Kosovo's future status. Due to the lack of consensus, the resolution was never revisited and continues to be nominally in force, despite the many developments on the ground. The Security Council has pronounced itself through presidential statements on very few occasions, the last being to endorse the proposal on the reconfiguration of UNMIK, which implied the deployment of EULEX. In the absence of action from the Council, the Secretary-General assumed an advanced interpretation of his role, seeking to respond to events in the field without tipping the balance of power between contending positions or crossing the 'red lines' of resolution 1244 (1999).

In Sierra Leone, UNAMSIL's near collapse after coming under attack from the RUF – a signatory to the Lomé Peace Agreement whose implementation the mission was required to support – caused a unanimous reaction from the Security Council, which acknowledged the need to prevent the mission from failing and abandoning the country to its fate. As a result, the Council adopted a series of resolutions that increased UNAMSIL's military strength to the then highest historical levels for a UN mission, reinforced its mandate, hardened sanctions and approved the establishment of a Special Court to deal with those responsible for crimes and atrocities. Member states also reacted rapidly by making available the requested resources. The UK military intervention to evacuate its nationals and secure the airport had the positive unintended consequence of contributing to the mission's



'reversal of fortunes', as did the policies of countries in the region to stop the conflict. All these actions isolated the RUF and its main source of support in neighbouring Liberia, former rebel and later President Charles Taylor. The international context – marked by memories of the genocide in Rwanda and other past failures in peacekeeping – influenced the Council's position. The same level of interest should be expected at any time and for any similar situation, not just by accident of history.

#### IV. Participation of women

The issue that may best exemplify the gap between prescriptions and accomplishments in the four case studies is the implementation of United Nations Security Council resolution 1325 (2000) on women, peace and security.

In Afghanistan, women under the Taliban had been subject to draconian edicts, in the name of Islamic Law or customary practice that had kept them out of public life. Despite the repeal of Taliban decrees and the approval of new laws, discriminatory customary laws and practices continue. Measures taken to reverse women's situation initially ensured their presence in the Emergency Loya Jirga of 2002 and the 2003 Constitutional Loya Jirga. The Constitution approved in 2004 contained provisions on gender equality before the law; a 25 per cent quota in the lower house of the National Assembly; and access to public services. During voting registration, separate registration centres were reserved for women. A Ministry of Women's Affairs was established, supported by UNAMA, the United Nations Development Fund for Women (UNIFEM) and the United Nations Development Programme (UNDP). Gender units and gender networks were created in UN agencies. The UNAMA Gender Unit, however, suffered from a two-year vacancy.

Despite such efforts, women rarely occupy strategic level positions and their presence in Parliament does not guarantee them the same degree of power as that of their male colleagues. The large presence of warlords and their affiliates in Parliament continues to silence many women. When it came to the uncoordinated negotiations with the Taliban not only did women not participate, but also many of the gains made on women's rights were endangered. Ultimate protection, one of the pillars of resolution 1325 (2000), could not be adequately implemented in an environment where there was pervasive insecurity and no peace to keep.

In the meantime, despite the appearance of language of resolution 1325 (2000) in the UNAMA and ISAF resolutions, the gap between theory and practice was marked by the lack of resources and capacities; the context of a particularly traditional and insecure society; the weakness of political institutions; and the three overlapping and sometimes contradictory tasks of international forces: protecting the population, providing development assistance and fighting the insurgency. NATO and OEF were for example accused of showing cultural insensitivity in their military operations by entering houses in tribal areas where women were secluded.

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The establishment of UNOCI in Côte d'Ivoire took place almost four years after the approval of resolution 1325 (2000). Since its creation, UNOCI resolutions have contained specific language on gender issues in the context of peacekeeping. These resolutions request that special attention be paid to: 'the special needs of women and children' in the DDR, voluntary repatriation and resettlement programmes; violence against women and girls; and to the gender and child-protection components within UNOCI's staff. The resolutions also mention the involvement of peacekeepers in sexual exploitation and abuse and recommend pre-deployment awareness training and disciplinary actions in cases of misconduct. Resolution 1739 (2007) goes further, asking the Secretary-General to report on progress in gender mainstreaming throughout UNOCI and on the situation of women and girls, especially as it relates to the need to protect them from gender-based violence.


Through its Gender Unit, UNOCI took several initiatives to strengthen local capacities. These included training of female candidates, national school advisers, national gendarmerie and police forces, and the development of a UNDP project to establish a centre for women and girls affected by the conflict, including survivors of gender-based violence.

UNOCI was not, however, effective in protecting women from gender-based violence. Widespread atrocities against women were reported well after the combats had ceased. The Human Rights Division of UNOCI continues to document cases of sexual violence, but national authorities take no follow-up action. There is also a degree of responsibility at the level of the Security Council: its failure to activate targeted sanctions on individuals responsible for serious violations of human rights and international humanitarian law, including sexual violence. More generally, a tough stance against perpetrators of human rights violations on all sides could have been a powerful tool for the Council to influence the behaviour of the spoilers of the peace process.

In Kosovo, the societal deficit between men and women is significant. Upon arrival of the missions, illiteracy rates ran at 10 per cent for women and 2 per cent for men; in rural areas, 26 per cent of women aged 16-19 were relatively illiterate and 9.5 per cent completely illiterate. Today women remain largely absent from crucial activity sectors. But there are some noticeable exceptions in this grim picture: the three most important media are run by women, and women have developed powerful networks, such as the Kosova Women's Network (KWN), open to the different ethnic groups.

There is not a single mention of women in resolution 1244 (1999) establishing UNMIK and KFOR and approved before resolution 1325 (2000). A gender adviser was placed in the SRSG's Office and later transferred to the Civil Administration Pillar. But while there was verbal support for gender mainstreaming, active commitment from the top levels was non-existent or rather weak, and did not translate into resources or policy decisions.

A crucial achievement during UNMIK's presence in Kosovo was the contested introduction of quotas for female candidates in party lists. However, few women were appointed to political office or integrated into the parties' leadership structures, and the measure yielded poor results in terms of improving women's participation over time.



In Sierra Leone, women and girls were frequently victims of abduction, sexual slavery, rape and all kinds of abuse during the war. Many were forced to collaborate with their captors and to perpetrate crimes. In some instances, those who took refuge in neighbouring countries were abused by humanitarian workers. Rape continues to be a practice after the war, although it is a 'silent', seldom reported crime. As to participation in decision-making, women were historically excluded from such activities. But as violence and political instability started, a Women's Movement for Peace was organised that took an active role in promoting the call for presidential elections. Furthermore, the Mano River Union Women's Peace Network was active in efforts to tackle the conflict and lobby for peace at the level of the political leaders of Sierra Leone, Liberia, Guinea, the Economic Community of West African States (ECOWAS), Western diplomats and the UN.

UNAMSIL was established one year before the approval of resolution 1325 (2000). As of 2001, UNAMSIL resolutions have introduced various gender-related aspects: identifying the widespread violation of human rights of women and children, including sexual violence; mentioning the recurrent serious problem of abuses of women and girls by peacekeepers; expressing serious concern at allegations of sexual abuse in refugee camps by UN personnel; and supporting the 'zero tolerance' policy for such abuse. The efforts of the Mano River Union Women's Peace Network were encouraged. In addition, the important role of women and girls in conflict prevention and resolution and in peacebuilding was recognised in the resolution establishing the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL).

Despite these measures, it took a long time for UNAMSIL to assume the question of women and even to mention resolution 1325 (2000). The DDR programme was gender-blind and the mission only began integrating the prescriptions in its drawdown phase. UNAMSIL had a gender adviser with limited access to the senior leadership and resources. Several initiatives to mainstream gender within the mission and outside fell short of established objectives due to the absence of a holistic perspective.

In summary, this study shows that in order to reduce the gap between the language of resolution 1325 (2000) and country-specific resolutions, and their implementation, several complex problems require action. These include pre-deployment training on human rights, gender equality, and on the mandate of the peacekeeping mission; increased troop contributions from developed and developing countries, including women; active and systematic policies on gender balance throughout the mission; senior level training on gender mainstreaming guided by international agreements; systematic gender analyses, based on sex disaggregated data, and their submission to the Council, with solid monitoring mechanisms; and placing women associated with fighting forces on equality with armed soldiers in DDR programmes.

There is an urgent need to eradicate sexual violence during and after conflict. The tools available to the Security Council to push for the implementation of resolutions include targeted sanctions, systematic gathering of information on human rights violations, and promotion of women's participation. Decisive measures should be taken through these tools to monitor the situation, determine responsibilities and apply sanctions to those responsible. These immediate measures should not detract from longer-term policies and actions proposed to achieve gender equality and ensure the participation of women in peace processes at all levels.

## Conclusion

While implementation of resolution 1325 (2000) has been less than satisfactory within UN peacekeeping, civil society and especially women's organisations have taken the resolution seriously, as the case of Sierra Leone shows. These efforts should not be ignored but strongly and sustainably supported.


### V. Political environment

A favourable political environment at the international and regional levels is a key contributing factor to the success of a peacekeeping operation. At the global level, the decision to intervene and the support given to the missions deployed are conditioned by the priorities of the international agenda at any given moment. Although the case studies cover a relatively short period starting in 1999, they reflect the fluctuating priorities of the international community throughout the past decade, and particularly of the most powerful states. Until the terrorist attacks of 11 September 2001, the main concerns on the international security front were associated with weak or collapsing states, and a fundamental goal was the restoration of the collective security system after its failures in Somalia, Bosnia and Rwanda. Following 9/11 and the subsequent 'war on terror', all crises where intervention could not be cast under the banner of the global fight against terrorism were sidelined or neglected.

The 1999 intervention in Kosovo and the resources available for reconstruction and to the military and civilian missions deployed in the territory after NATO's air campaign enjoyed widespread support from Western governments and public opinion. The Council gave its blessing to UNMIK and KFOR, but divisions within the P5, initially over the military intervention, would extend to the question of Kosovo's future status. The EU, in turn, has not been able to reach unanimity on the matter. In Sierra Leone, the response to the serious setback suffered by UNAMSIL was quick and unanimous. It showed the determination of the international community not to allow a new failure of the UN peacekeeping system. Such an outcome would have further eroded its credibility as an instrument of international peace and security.

As the international response to 9/11, the operations in Afghanistan initially enjoyed unanimous endorsement from the Permanent Five, with no dissenting voices within the broader membership. In Côte d'Ivoire, the early involvement of France, a former colonial power and a P5 with a permanent military presence in the country, mobilised the backing of the Council, but France was unable to maintain the decisive and unified support required to encourage compliance with the commitments undertaken by the parties and the effective implementation of the many resolutions adopted. This was part due to the resistance of the then US Administration under President Bush to authorise the troop reinforcements requested by the Secretary-General.

The involvement and influence of neighbouring or regional countries, in turn, varied in each case. A comprehensive regional strategy is considered essential to the future of Afghanistan but presents serious obstacles. The Taliban rely largely on support networks from members of their own community



residing in Pakistan, its neighbour to the east and south, and represent a challenge to state authority and stability in the country. The Government of Pakistan has its own reasons to combine containment and appeasement in dealing with the Taliban. To the west of Afghanistan, Iran, a major country in the region and the second recipient of refugees, is limited by its strained relations with the West and neighbouring Arab countries. To the north, the Central Asian countries are preoccupied with their own security and their relationship with Russia. Yet, the 'sharpened' UNAMA mandate incorporates the task of supporting regional cooperation 'towards a stable and prosperous Afghanistan'. Several efforts have been undertaken to promote dialogue between Afghanistan and Pakistan, but these have not gone beyond isolated initiatives. A unified political strategy, led by the UN with the support of the principal international actors in Afghanistan, could address the main regional challenges and create a peace-conducive atmosphere.

In Côte d'Ivoire, several regional factors were at play during the conflict. Neighbouring Burkina Faso, many of whose nationals had been the target of violence under the rule of President Gbagbo and his predecessor Henri Konan Bédié, provided a rear base for rebellious forces. Another northern neighbour, Mali, was also sympathetic to the rebellion. Ghana appeared neutral and very active in the initial peace efforts. The most influential power in the sub-region, Nigeria, went from offering military support to the Ivorian president to increased hostility as the latter failed to comply with commitments undertaken before regional heads of state. The rather limited support Ivorian President Gbagbo had in the region can be explained by the almost xenophobic ideology his government allowed to thrive, a fact perceived by the country's neighbours as a political and economic threat as Côte d'Ivoire had been hosting for decades an exceptionally high population of immigrants from all West African countries. While the initiatives taken by South Africa, ECOWAS and the African Union to move the peace process forward set a positive example of 'Africanisation', they have yet not yielded the expected results. The lack of a common reading of the reasons behind the conflict and the responsibilities of the Ivorian parties led only to halfway measures. After the Ouagadougou Peace Agreement, it is important for the region to continue to engage the parties to ensure implementation of long-delayed commitments.

In Kosovo, the intervention agenda was heavily influenced by earlier experiences in Croatia and Bosnia. The situation in Kosovo had ramifications in countries of the region with a significant proportion of populations of Albanian ethnicity. The situation has changed substantially since 1999 – the prospect of renewed violence is remote and Kosovo's neighbours, including Serbia, are at different stages of the EU integration process. The perception and use of identity as a justification for the conflict can only be resolved in the prospect of a regional integration strategy that effectively creates new bonds among the various communities. It is in this context that the role of the European Union will remain essential in the years to come.

The war in Sierra Leone saw the intervention of foreign governments and mercenary forces that provided support in exchange for lucrative contracts and mining concessions. From Liberia, Charles Taylor backed the RUF with funding, personnel, weapons, logistics and training. At the sub-regional and international levels, there was considerable diplomatic activity among the many parties interested in the resolution of the conflict, including the then Organisation of African Unity, ECOWAS and

## Conclusion

especially ECOMOG troop-contributing countries (Nigeria, Guinea, Ghana and Mali), the UK and the US, as well as the UN Secretary-General. The support of governments in the region for the ban on arms and diamond sales that were proved to have financed the war showed their commitment. ECOWAS heads of state exerted continuous pressure on Charles Taylor to stop supporting the RUF. In this context, the presence of UK troops was timely and welcome. It is also worth noting Guinea's forceful military reaction to incursions from Sierra Leone that dealt a severe blow to the already weakened rebel forces. The possibility of regional and international consensus was crucial to the achievements of the peacekeeping presence in Sierra Leone.

This study has examined the origin, content and implementation of Security Council mandates for operations deployed in four cases of intervention over the last decade, all implying some level of actual or potential use of force. It has sought to test the extent to which the prescription for success in peacekeeping operations derived from the Brahimi Report – the combination of political will expressed by Council decisions with the availability of appropriate resources to implement them – is still a valid parameter. The fact that the Security Council, in response to an initiative from France and the UK, stressed in a presidential statement the importance of ensuring that mandates are 'clear, credible and achievable and matched by appropriate resources',<sup>2</sup> is a positive sign.

The case studies also show the obstacles that can stand in the way to consensus and to securing the true commitment of the Council membership in support of the operations it established. The Council does not always go beyond the individual, sometimes contradictory, interests of its membership, particularly the P5, and the adoption of resolutions is not necessarily an indication of sustained political support for the missions deployed. Accountability – understood in the broader sense of responsibility for decisions taken – is at times shared with, or delegated to other international players, such as NATO. The legitimising role of the Council does not translate into effective control, or even guidance, of non-UN missions on the ground. Yet, these military operations have the power to enable or jeopardise the achievement of the political and peacebuilding strategies that underlie UN peacekeeping operations. Hence, coordination at the operational level should be complemented by substantive consultations among major non-UN security players and other states in the Security Council.

Peace and security touch on the prospects of survival of all people and require a multinational approach: hence the need to engage all countries, especially those that can most contribute to security and stability in their own regions, in a political dialogue on these issues. Such a consensus-building effort is long overdue, and no organisation has more legitimacy than the UN to undertake it.

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<sup>2</sup> S/PRST/2009/24 of 5 August 2009.





