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**United Nations Peacekeeping Forces
and the Protection of Civilians in Armed Conflict**

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working papers

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United Nations Peacekeeping Forces and the Protection of Civilians in Armed Conflict

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1. Introduction

Hopes that the end of the Cold War would facilitate the emergence of a “New World Order” “where the United Nations (...) is poised to fulfil the historic vision of its founders [and] freedom and respect for human rights find a home among all nations”¹, soon proved to be premature. Although no longer split along East-West lines, the United Nations found itself unprepared to respond to the kind of “new wars”² which erupted in Yugoslavia and Sub-Saharan Africa and have been devastating entire regions ever since. Often connected with the disintegration of state structures, these wars have acquired notoriety for the suffering endured by civilians who are regularly targeted by armed groups, subjected to cruel treatment such as sexual violence, or who are deliberately displaced. The United Nations failed effectively to stop these attacks not only because of their often insufficient presence on the ground, but also because their troops more often than not lacked a clear mandate for what would seem their foremost duty – to protect civilians from attacks.

It was only in the late 1990s, after the Rwandan genocide and the massacre of Srebrenica, that the United Nations began systematically to address the issue of civilian protection: The “Protection of Civilians in Armed Conflicts” became a separate item on the Security Council’s agenda and the task to “protect civilians under imminent threat of physical danger” was increasingly included into peacekeeping mandates³. But have these developments made any difference on the ground? Have the United Nations succeeded in creating the “culture of protection”⁴ which the Secretary General called for and which the humanitarian community so enthusiastically endorsed? Considering the importance of the subject, these questions have attracted surprisingly little academic attention. By providing a comprehensive analysis of the effectiveness of UN peacekeeping forces in protecting civilians, the present paper is intended to close this gap.

We will proceed in the following way. After a short outline of the history and conceptual basis of the protection of civilians in UN peacekeeping, and a presentation of our methodology, we will first assess the effectiveness in protecting civilians of those UN peacekeeping missions which had or have a corresponding mandate. To this end, we will develop a standard for measuring effectiveness which takes into account the overall security situation created by the UN forces as well as specific measures and tactics they employ. We will then apply this standard to those UN operations which so far have been endowed with a

¹ Bush 1991.

² See Münkler 2002, Kaldor 2000.

³ See S/2001/331 of 30 March 2001 and S/2005/740 of 28 November 2005.

⁴ S/2001/331, §5.

mandate to protect civilians, namely the missions in Sierra Leone, the Democratic Republic of Congo, Liberia, Côte d'Ivoire and Burundi. In the second part of the paper, we identify factors which may have influenced the effectiveness of the missions in protecting civilians. We will then go on to examine the relevance of these factors in our empirical cases and will identify those constellations of factors which can serve as a basis for explaining the success or failure of missions. Finally, we will critically evaluate our findings and spell out their implications for the future of civilian protection.

2. The Protection of Civilians in United Nations Peacekeeping Operations

The engagement of international organisations in “peacekeeping” has a tradition dating back to the days of the League of Nations⁵. Since the Second World War under the aegis of the United Nations, the functions, forms and tools of peacekeeping have evolved in response to changing conflict patterns and political circumstances: from the consensus-based “interposition” forces typical of the Cold War era to multidimensional peace-building missions, from sporadic ventures into peace enforcement to full-fledged interim administrations, UN peacekeeping operations have assumed such varied combinations of tasks as to defy easy categorization. While some scholars have proposed to differentiate between four “generations” of peacekeeping, reflecting the expansion of tasks from “peacekeeping” and “peacebuilding” to “peace enforcement” and “state building”⁶, others choose the amount of enforcement as a criterion of differentiation⁷. In the context of this paper, however, only those peacekeeping missions are relevant which have been explicitly mandated to protect civilians *and* to use force to this purpose.

In traditional or “first generation” peacekeeping, which mainly consisted in monitoring ceasefire or peace agreements, UN forces were only allowed to use force in self-defence. With the expansion of tasks, they were consecutively granted the right to “active self-defence”, i.e. to use force in order to assert their right to freedom of movement, and even more extensive enforcement rights, which were needed for example to secure the delivery of humanitarian assistance⁸. It was not until October 22, 1999, however, that the Security Council for the first time authorized a peacekeeping force, the United Nations Mission in Sierra Leone (UNAMSIL), to use force in order to “afford protection to civilians under

⁵ See Bothe 2002, p. 664.

⁶ Gareis/Varwick 2003, p. 124; this categorization is the most commonly accepted, not least within the United Nations itself.

⁷ Debiel 2003, 221ff.

⁸ See e.g. for Bosnia-Herzegovina: S/RES/761 of 29 June 1992, for Somalia: S/RES/794 of 03 December 1992.

imminent threat of physical violence”⁹. This authorization came only one month after the Security Council had adopted a first “programmatic” resolution on the “Protection of Civilians in Armed Conflict” in which it noted that “civilians account for the vast majority of casualties in armed conflicts and are increasingly targeted by combatants and armed elements”, strongly condemned the “deliberate targeting of civilians”, and expressed “its willingness to respond to such situations of armed conflict where civilians are being targeted [...], including through the consideration of appropriate measures at the Council’s disposal in accordance with the Charter of the United Nations”¹⁰.

The Council also referred to the “relevant recommendations” of the Secretary General, who, in his first report on the subject, had argued that “in situations where the parties to the conflict commit systematic and widespread breaches of international humanitarian and human rights laws, causing threats of genocide, crimes against humanity and war crimes, the Security Council should be prepared to intervene under Chapter VII of the Charter. The use of coercive action should be seen as a mechanism of last resort to protect the civilian population from immediate threats to their lives [...]”¹¹. By now, the “Protection of Civilians in Armed Conflict” has become a firmly established item on the Security Council’s agenda¹², and peacekeeping missions have been authorized to protect civilians, apart from Sierra Leone, in the Democratic Republic of Congo, Liberia, Côte d’Ivoire and Burundi.

The significance of this development – the Secretary General rightly calls the first resolutions on the subject a “milestone”¹³ – can only be fully appreciated in light of the more disturbing chapters of the United Nations’ peacekeeping record. To recall only the most appalling example: The United Nations Mission stationed in Rwanda during the 1994 genocide failed miserably to stop the slaughter not only for a lack of troops¹⁴, but also for its insufficient mandate, which allowed the use of force only in self-defence¹⁵. After Rwanda and Srebrenica

⁹ S/RES/1270, OC 14.

¹⁰ S/RES/1265, PC 4, OC 2 and 10.

¹¹ S/1999/957, §67; the President of the Security Council had requested the report in the Presidential Statement, specifying that the report should contain „concrete recommendations [...] on ways the Council, acting within its sphere of responsibility, could improve the physical and legal protection of civilians in situations of armed conflict”. See S/PRST/1999/6.

¹² See the Security Council Resolutions, Presidential Statements and Reports by the Secretary General on the subject. The adoption of a new resolution is expected soon.

¹³ S/2005/740, §2.

¹⁴ See Melvern 2004.

¹⁵ This included the protection of civilians who had taken refuge with the United Nations as well as the defence of “secure humanitarian areas” the establishment of which the Security Council mandated on May 17, when the genocide was already underway for more than seven weeks (!). See S/RES/918, OC 3; see also OC 4, where the Security Council “[r]ecognizes that UNAMIR may be required to take action in self-defence against persons or groups who threaten protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief“. However, even this measure hardly had any effect for the lack of troops and equipment.

– Darfur threatens to become the next case on that list –, the failure to protect civilians has come, in the eyes of many, to epitomize incompetence and ineffectiveness on the part of the United Nations. But this is only one reason why the importance of the Security Council’s increasingly serious commitment to civilian protection can hardly be overestimated.

The fact that the United Nations’ capability to protect civilians is regarded as a yardstick only reflects the more fundamental truism that “safeguarding their physical protection is [...] the first concern civilians have in times of conflict”¹⁶.

The task to protect civilians is of a different quality than other elements of peacekeeping mandates. Whereas the effectiveness and importance of measures like assistance in the implementation of ceasefire agreements or reconstruction can only be meaningfully assessed with reference to the overall success of a mission¹⁷, the protection of civilians constitutes a “goal in itself”, and the attainment of this goal is valuable regardless of other aspects of the mission. This makes the isolated analysis of just *one* aspect of UN missions – the effectiveness in protecting civilians – methodologically meaningful.

3. Research Design and Methodology

These relatively recent developments in the history of peacekeeping practices have generated an entirely new set of research questions. As already explained, our aim in this paper is, firstly, to *assess* the effectiveness of UN peacekeeping missions in protecting civilians, and secondly, to identify those constellations of factors which can serve as a basis for *explaining* the effectiveness of UN peacekeeping missions in protecting civilians. Thus, our research questions has two parts:

- (1.) Which UN peacekeeping missions have been effective in protecting civilians?
- (2.) Which constellations of factors explain the effectiveness of UN peacekeeping missions in protecting civilians; in other words, which are the causal conditions for the effectiveness of UN peacekeeping missions in protecting civilians?

To answer these questions, we will proceed as follows. In the “assessment part” of our research (part 4), we will first develop a standard for effectiveness. Then we will create “thick descriptions”, i.e. analytical narratives, of several empirical cases of UN peacekeeping missions, and finally we will assess their effectiveness in protecting civilians based on the previously developed standard, which will allow us to categorize them as effective/ineffective.

¹⁶ S/2005/740, §37.

¹⁷ Thus, it is almost cynical to point to UNAMIR’s instrumental role in restoring the telecommunications capabilities of Rwanda after ten percent of the population had been murdered before its eyes.

The “explanation part” of our research (part 5) is based on this categorization of the empirical cases as effective/ineffective. Here, we will first identify those factors (“causal conditions”) which we believe can explain the effectiveness/ineffectiveness of the peacekeeping missions. We then go on to analyse which of these factors were present in our empirical cases. Finally, we apply a comparative method in order to highlight those constellations of factors which make peacekeeping missions effective in protecting civilians. We can thereby provide a “soft” causal explanation of the effectiveness of UN peacekeeping missions in protecting civilians. Our sample of empirical cases is based on a very clear selection criterion, the “mandate criterion: We analyse all those UN peacekeeping missions which had or still have a mandate to (1.) protect civilians under (2.) Chapter VII of the UN Charter, which means that they were/are allowed to use “all necessary means”, including military force, to fulfil their mandate. So far, the Security Council of the United Nations has given such a mandate to peacekeeping missions in five Sub-Saharan African countries, namely Sierra Leone, the Democratic Republic of Congo, Liberia, Côte d’Ivoire and Burundi. In two of these countries, the Security Council changed the mandates of the peacekeeping missions during their deployment, in ways which were significant for the effectiveness of the missions. We will therefore analyse the missions in Sierra Leone and the Democratic Republic of Congo in two and three parts, respectively, and treat these parts as separate cases. The case studies are presented in Table 1.

Table 1: Case studies

	UN Mission	Security Council Resolution	Country
C1	UNAMSIL I.	SC Resolution 1270 (1999)	Sierra Leone
C2	UNAMSIL II.	SC Resolution 1313 (2000)	Sierra Leone
C3	MONUC I.	SC Resolution 1291 (2000)	Democratic Republic of Congo
C4	Artemis/Ituri Brigade	SC Resolution 1484 (2003)/ 1493 (2003)	Democratic Republic of Congo
C5	MONUC II.	SC Resolution 1565 (2004)	Democratic Republic of Congo
C6	UNMIL	SC Resolution 1509 (2003)	Liberia
C7	UNOCI	SC Resolution 1528 (2004)	Côte d’Ivoire
C8	ONUB	SC Resolution 1545 (2004)	Burundi

The **time frame** of our analysis differs depending on the case study. It begins with the adoption of the Security Council resolution which authorizes the respective mission, and ends with the termination of the mandate, i.e. the mission’s withdrawal. In cases of ongoing missions the analysis extends to December 2005.

For the data collection we rely on United Nations documents, such as Security Council resolutions, as well as the regular reports by the UN Secretary General to the Security Council on developments in the countries where UN peacekeeping missions are deployed. We also

consult reports issued by think tanks, such as the International Crisis Group (ICG), and human rights groups, such as Human Rights Watch (HRW). The extent to which we can use scholarly literature varies. Regarding some of the case studies, especially UNAMSIL, there already exist a fair amount of literature; others, especially the most recent, have hardly been studied yet. In these cases, we have to rely on newspaper articles, in addition to the reports of the Secretary General, to get an adequate picture of the mission's performance.

4. Assessing the Effectiveness of UN Forces in the Protection of Civilians

4.1. Developing a Standard for Effectiveness

In order to assess the effectiveness of UN interventions we have decided to focus on two main indicators: 1) the control exercised by United Nations peacekeepers within the area of deployment, namely whether the mission was successful in shielding civilians from abuses; 2) the implementation of measures specifically designed to enhance the protection of civilians. The specification "within the area of deployment" is necessary to the assessment of a mission's effectiveness since the protection of civilians – within the UN mandate – is usually limited to the mission's territorial reach. Consequently, human rights violations occurring in parts of the country where UN peacekeepers have not been deployed are not directly relevant for the assessment of a mission's effectiveness. Since the UN mandate specifies a restricted protection task, our first indicator refers to the level of control peacekeepers have achieved within their areas of deployment. By "control" we understand the prevention of human rights violations, such as systematic attacks, killings, rape, and torture. The second indicator, i.e. the implementation of measures for the protection of civilians, assesses whether the mission's activities, such as patrols, cordon-and-search operations etc. have been successful in significantly reducing attacks on the civilian population. In the following case studies, analytic narratives have been provided which should ideally allow us to assess whether area control and successful measures have indeed reduced the number of civilian casualties.

4.2. Case Studies

4.2.1. Sierra Leone

Background. The conflict in Sierra Leone began in 1991, when the Revolutionary United Front (RUF), a rebel group, invaded the country from Liberia¹⁸. With the Sierra Leonean

¹⁸ On the history of the conflict see Hirsch 2001 and Reno 2001.

government too weak to militarily defeat the rebels, they came to control large parts of the country, and in 1995 it was only with the help of Executive Outcomes, a private military company, that the Government managed to halt the rebels' advance on Freetown, Sierra Leone's capital. Meanwhile, in the areas under its control, the RUF engaged in the illegal exploitation of the country's resources, especially diamonds, and committed unconscionable atrocities against the civilian population¹⁹. In 1999, Nigeria announced its intention to withdraw its troops from the over 10,000-strong ECOMOG²⁰ peacekeeping force, which had been trying to protect the democratically elected Sierra Leonean president from coupes d'état and military defeat by the RUF since 1997. Since its military situation would become hopeless without Nigerian support, the Government was forced to negotiate a peace agreement with the RUF, the Lomé Agreement, which granted the RUF a blanket amnesty and substantial political power, including important cabinet posts. The imminent Nigerian withdrawal also inspired, at least, a sense of urgency in the West and at the United Nations, which had so far only maintained a small observer force (UNOMSIL) in the country. In addition, the Lomé Agreement specifically requested the United Nations to "authorize the deployment of a peace-keeping force in Sierra Leone"²¹. This paved the way for the establishment of the United Nations Mission in Sierra Leone (UNAMSIL).

UNAMSIL I (1999-2001). With Resolution 1270, of October 22, 1999, the Security Council established UNAMSIL and authorized it to assist the parties to the Lomé Agreement in the implementation of the Agreement, in particular in the disarmament of the rebels and pro-government paramilitary forces, and in the planned elections²². These tasks were typical for multidimensional peacekeeping operations and followed the "standard", sequential, UN recipe for ending civil wars and creating 'self-sustaining' peace": a ceasefire or peace agreement (the Lomé Agreement), followed by disarmament and demobilisation, and elections²³. What was new, however, was that for the first time in the history of UN peacekeeping, the Security Council endowed a UN peacekeeping mission with a Chapter VII mandate, i.e. a mandate to use all necessary means, including military force, to protect

¹⁹ About 250,000 women and girls are estimated to have been subjected to sexual violence during the conflict. Sexual violence was thus even more widespread than the amputations of limbs for which the Sierra Leonean conflict became notorious. See HRW 2003, pp. 25f.

²⁰ ECOMOG = Economic Community Of West African States (ECOWAS) Monitoring Group.

²¹ Peace Agreement Between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone, Lomé 03 June 1999, Article XXXIV.

²² S/RES/1270, OC 8.

²³ Malan 2001.

civilians “under imminent threat of physical violence”²⁴. In Resolution 1289, of February 7, 2000, the Security Council expanded UNAMSIL’s tasks to, inter alia, providing security to “key locations” in Freetown, while it reaffirmed the mandate to protect civilians²⁵. In addition, the Council authorized the expansion of UNAMSIL’s military component to 11,000 troops, up from the 6,000 authorized in Resolution 1270.

UNAMSIL had a disastrous start. In the first months of 2000, it was not clear who was actually disarming whom²⁶: In January 2000, peacekeepers from Kenya and Guinea were the first to surrender their weapons and equipment, including armoured personnel carriers, without resistance after being ambushed by the RUF. In May 2000, the RUF even began to take peacekeepers hostage, capturing more than 500 soldiers and their equipment within several days²⁷. Not only did the captured peacekeepers make no use of their right and mandate to defend themselves, many others also manifestly disobeyed orders by resisting to deploy into RUF-held areas and even giving up their position “at the mere rumour that the RUF was advancing”²⁸. Not surprisingly, under these circumstances UNAMSIL did not protect any civilians. Although the gradual deployment of UNAMSIL into rebel-held territory reportedly had “a positive impact on reducing the incidence of human rights abuses”²⁹, civilians continued to be murdered, raped and mutilated “practically under the noses of government and international troops”³⁰.

The obvious failure of UNAMSIL prompted a decisive response. The first priority was to reinforce the UNAMSIL presence in order to protect the civilian population in Freetown and in other government-controlled areas against the emboldened RUF³¹. On May 19, 2000, the Security Council further increased the authorized strength of what already was the largest UN peacekeeping operation at that time, to 13,000³². Of most immediate impact, however, was the arrival, on May 7, of several hundred British troops. Although officially operating independently of UNAMSIL and mandated only to provide safety to British nationals, the British were “to all intents and purposes running the day-to-day operations of UN forces”³³: setting up roadblocks, securing the airport and patrolling Freetown as well as the most important highways.

²⁴ S/RES/1270, OC 14.

²⁵ S/RES/1289, OC 10, 11.

²⁶ Malan 2001.

²⁷ See Masland/Bartholet 2000a and 2000b. Cf. S/2000/455, §§56ff.

²⁸ Bullion 2001, p. 80.

²⁹ AI, 18 May 2000.

³⁰ HRW, 03 March 2000.

³¹ S/2000/455, §83.

³² S/RES/1299, OC 1.

³³ United Kingdom Defence Secretary Geoffrey Hoon, quoted in Malan 2001.

UNAMSIL II (2001-2005). After the May Crisis, the United Nations had to acknowledge that there was no peace to keep in Sierra Leone. Member States of the United Nations began to advocate a peace-enforcement mandate under Chapter VII of the UN Charter for UNAMSIL³⁴. Since the Secretary General cautioned not to give such a mandate until it could be matched by adequate capacity, it was only in August 2000 that the Security Council authorized UNAMSIL to

“deter and, where necessary, decisively counter the threat of RUF attack by responding robustly to any hostile actions or threat of imminent and direct use of force; [and to] deploy progressively [...] in sufficient numbers and density at key strategic locations and main population centres and [...] to assist, through its presence and within the framework of its mandate, the efforts of the Government of Sierra Leone to extend state authority, restore law and order and further stabilize the situation progressively throughout the entire country [...]”³⁵.

This mandate changed the character of the mission. UNAMSIL was no longer allowed to use force only in self-defence, to ensure the freedom of movement of its personnel and to protect civilians, but was de facto authorized to fight the RUF in case the rebels put up any resistance to UNAMSIL’s deployment and the extension of state authority throughout the country.

However, it took some time until UNAMSIL could translate this mandate into action. First, the mission had to undergo internal restructuring in order to enhance its effectiveness and remedy the shortcomings that had permitted “a rebel army of young thugs”³⁶ to humiliate it. A “high-level multi-disciplinary assessment team” found “a serious lack of cohesion” in the mission which expressed itself most tellingly in that there was “no shared understanding of the mandate and rules of engagement”³⁷. In other words, parts of the troops were neither aware of the exact purpose of their mission nor of the means they were allowed to employ³⁸. This problem was addressed through internal training programs and the distribution of pocket-sized cards with information on the rules of engagement to the troops³⁹. Another factor which delayed actions beyond securing the status quo was the withdrawal by India and Jordan of their contingents which accounted for 4,800 troops, i.e. almost half of UNAMSIL’s total strength at that time, and which could only slowly be replaced.

³⁴ S/2000/455, §100.

³⁵ S/RES/1313, OC 3.

³⁶ UN Department of Peacekeeping Operations 2003, p. 3.

³⁷ S/2000/751, §§53f.

³⁸ This, of course, goes a long way to explaining why they had been so reluctant to risk their lives.

³⁹ S/2000/832, §41; S/2000/1055, §38.

In March 2001, UNAMSIL finally began to venture into RUF-held territory, where the civilian population continued to suffer from what the Secretary General euphemistically called the “harmful effects” of the RUF’s hold over the area⁴⁰: summary executions, rape and other forms of sexual violence, amputations and mutilations. In accordance with a revised concept of operations, UNAMSIL first conducted “long-range robust patrols into RUF-controlled areas”⁴¹ and later permanently deployed, in several stages, to key locations throughout the country, forcing the rebels to dismantle their military positions and disarm in the process. Backed up by an increase in troop strength from 9,750 in March 2001 to 16,700 in March 2002, the deployment at times even proceeded more quickly than originally envisaged, and by January 11, 2002, all rebels had been disarmed⁴². UNAMSIL had established its presence throughout the country and began to focus on ensuring security for upcoming democratic elections⁴³. UNAMSIL’s mandate terminated on December 31, 2005.

Assessment. It has to be attributed to the British involvement that the ineptitude displayed by UNAMSIL in the first months of its deployment did not result in the disaster in terms of civilian protection which the fall of Freetown would have entailed. In early 1999 (before UNAMSIL was deployed), the RUF had nearly defeated the ECOMOG force in Freetown and had murdered about 6,000 civilians during its presence in the capital. This time, the rebels, which were advancing towards Freetown with the Armoured Personnel Carriers captured from UNAMSIL, could be stopped thanks to the British reinforcement. Although UNAMSIL, with British help, was able to ensure the safety of civilians in and around the capital during the following months, it has clearly been ineffective in protecting civilians on the scale envisaged by its mandate at least until March 2001, when it began to deploy into RUF-controlled territory. Its rapid deployment throughout the country from then on, however, resulting in the complete disarmament of the RUF and thus the complete elimination of the main threat to the civilian population, made UNAMSIL at least effective in protecting civilians.

4.2.2. Democratic Republic of Congo

Background. The conflict in the Democratic Republic of Congo had its beginning in August 1998 when a rebellion erupted in the East of the country⁴⁴. While the rebellion was backed by

⁴⁰ S/2000/832, §49.

⁴¹ S/2001/228, §61; for the revised concept of operations, see *ibid.* §§57ff.

⁴² S/2002/267, §2.

⁴³ *Ibid.* §10.

⁴⁴ See Lemarchand 1999.

Rwanda and Uganda, the Congo's Eastern neighbours, several other African states rushed to the Congolese government's help, which turned the conflict into Africa's first "World War"⁴⁵. That it also became its deadliest⁴⁶ was, however, less due to the fighting than to massive internal displacement caused by ethnic cleansing, sexual violence and looting in which the state parties to the conflict as well as a myriad of armed groups engaged on a routine basis. In spite of a cease-fire agreement, the withdrawal of the foreign armies and the formation of a government of national unity, the conflict continues to this day, although with lower intensity. The involvement of the United Nations in the conflict began after the signing, on July 10th, 1999, of the Lusaka Ceasefire Agreement, which requested the United Nations Security Council "to constitute, facilitate and deploy an appropriate peacekeeping force in the DRC to ensure implementation of this Agreement; and taking into account the peculiar situation of the DRC, mandate the peacekeeping force to track down all armed groups in the DRC"⁴⁷. Apart from a multitude of other tasks, the peacekeeping mission was supposed to be authorized to "provide and maintain humanitarian assistance to and protect displaced persons, refugees and other affected persons"⁴⁸. The Agreement further demanded a Chapter VII mandate for the mission⁴⁹, and envisioned its deployment within 120 days⁵⁰.

Although the UN Security Council had already expressed its willingness to assist in the implementation of a ceasefire agreement⁵¹, the initial response of the United Nations was cautious, and a far cry from the demands of the Lusaka Agreement. In his first report on the subject, the Secretary General noted that "in order to be effective, any United Nations peacekeeping mission in the Democratic Republic of Congo, whatever its mandate, will have to be large and expensive [and] would require the deployment of thousands of international troops"⁵². He also warned of the complex challenges a peacekeeping mission in the Congo would have to deal with⁵³. Due to these reservations, the United Nations Mission in the Democratic Republic of Congo (MONUC) in the beginning only consisted of liaison officers

⁴⁵ ICG, 20 December 2000, p. 87.

⁴⁶ In fact, the Congo War is the "deadliest recorded conflict since the Second World War"; see Hawkins 2003, p. 47.

⁴⁷ Lusaka Ceasefire Agreement, Art.11.

⁴⁸ Ibid. Annex A, Chapter 8.

⁴⁹ Ibid. Art. 11.

⁵⁰ Ibid. Annex B.

⁵¹ S/RES/1234, OC 15.

⁵² S/1999/790, §15. According to some estimates, the pacification of the whole country would have required the deployment of 100 000 soldiers. See ICG, 20 August 1999, p. iv.

⁵³ S/1999/790, §15.

and military observers, who had the task to establish contact with the parties to the conflict and to explore the conditions for the deployment of a substantive peacekeeping force⁵⁴.

MONUC I (2000-2004). When the Secretary General requested an expansion of MONUC to more than 5,000 peacekeepers in January 2000, the liaison officers and military observers had not fulfilled their tasks. In fact, of the 90 liaison officers mandated in August 1999, only 79⁵⁵, and of the 500 military observers mandated in November 1999, none had been deployed. As this was mainly due to a deteriorating security situation, the Secretary General asked for the additional troops primarily in order to allow MONUC to fulfil its original mandate⁵⁶, not to assume any substantial additional tasks. In particular, he emphasized that the forces “would not have the capacity to protect the civilian population from armed attack”⁵⁷. He also specifically warned that the deployment of a peacekeeping operation would “create inflated expectations that might well be unrealistic”⁵⁸.

Resolution 1291, which the Security Council adopted one month later, barely reflects these concerns. “Acting under Chapter VII of the Charter of the United Nations”, the Council decided that “MONUC may take the necessary action, in the areas of deployment of its infantry battalions and as it deems it within its capabilities [...] to protect civilians under imminent threat of physical violence”⁵⁹. Was MONUC effective in implementing this mandate?

The time span covered by the Resolution 1291 and subsequent resolutions which, while authorizing some increases in troop strength, did not significantly alter the mandate’s content, can for analytical purposes be divided into three phases⁶⁰: The first phase extends from the adoption of Resolution 1291 on February 24th, 2000, until the deployment of the first troops in summer 2001, the second phase covers the build-up of capacity until the Ituri Crisis in summer 2003, and the third phase encompasses the subsequent time period until the adoption of a new mandate in October 2004, the implementation of which will be analysed under the heading “MONUC II”.

Phase I. It is safe to say that in phase I, MONUC had no effect on the situation of the civilian population which continued to deteriorate as a result of armed clashes, ethnic violence and

⁵⁴ The deployment of the liaison officers and military observers was authorized in S/RES/1258 of August 6, 1999, and S/RES/1279 of November 30, 1999, by which MONUC was formally established.

⁵⁵ S/2000/30, §16.

⁵⁶ Ibid §62; cf. Hawkins 2003, p. 54, fn.11.

⁵⁷ S/2000/30, §67.

⁵⁸ Ibid. §85.

⁵⁹ S/RES/1291, OC 8.

⁶⁰ The division employed here is not congruent with the “phases” of MONUC deployment referred to in UN documents, as those relate to tasks of the mission, not necessarily time periods.

displacement⁶¹. In fact, the about 200 liaison officers and military observers the United Nations got on the ground during MONUC's first year were dependent on the parties to the conflict and the local authorities for their security. In his reports to the Security Council from this period, the Secretary General makes no mention of MONUC's mandate to protect civilians. The priority clearly was, at this time, to ensure the safety of MONUC's own personnel. Nevertheless, the Secretary General was proven right in his warning that the deployment of MONUC with a mandate not matched by resources would create "unrealistic" expectations: After heavy fighting erupted in the city of Kisangani in the summer of 2000, protests were staged outside MONUC's headquarters in Kinshasa, as the 20 military observers stationed in Kisangani had, for obvious reasons, not intervened⁶².

Frustrated with non-cooperation by the parties, the Secretary General even threatened that the United Nations might abandon MONUC entirely. MONUC's failure to even start the deployment of troops for more than one year, however, could not be blamed solely on the non-cooperation of the parties, the reluctance of UN member states to contribute troops to the mission, and the disastrous state of the Congo's infrastructure: At a time when the Western powers had just conducted extensive bombing campaigns against Serbia and Iraq and had belatedly, but decisively intervened in East Timor, the Security Council's approach to the DR Congo could well be considered "over-cautious in expecting standards not demanded in other areas"⁶³.

Faced with these realities, in February 2001 the Secretary General proposed an "updated concept of operations" which focused on the monitoring and verification of the parties' compliance with the terms of the ceasefire and disengagement agreements⁶⁴. The Secretary General envisaged a "gradual build-up of capability" to 3000 military personnel, but stressed that these would not be able "to extend protection to the local population"⁶⁵. The Security Council endorsed the updated concept of operations in Resolution 1341 of February 22nd, 2001⁶⁶. While the Council did not explicitly mention the protection of civilians, it reaffirmed the authorization contained in Resolution 1291. MONUC's mandate to protect civilians thus at least formally remained in place. That it was not taken seriously is evident in the following statement of the Secretary General, of April 2001: "MONUC currently has neither the

⁶¹ See the analysis of the humanitarian situation in the Reports by the Secretary General during this time period.

⁶² S/2000/566, §§11ff.

⁶³ Such was the view of the ambassadors of the South African Development Community (SADC), see S/2000/1156, §13. Cf. Hawkins 2003.

⁶⁴ S/2001/128, §§71ff.

⁶⁵ *Ibid.* §77.

⁶⁶ S/RES/1341, OC 19.

mandate [this is incorrect⁶⁷, N.L.] nor the strength to assume responsibility for the security of the civilian population”⁶⁸. The Secretary General, however, acknowledged that, after the withdrawal of the foreign troops from Congolese territory, “the question of responsibility for the security of the civilian population must be addressed”⁶⁹.

Phase II. At the end of March, 2001, the first troops began to arrive in different parts of the DR Congo; by June, MONUC had reached the strength of 2366 military personnel⁷⁰. While continuing their monitoring and verification tasks, the mission began to plan for “phase III” of its deployment which would involve the disarmament, demobilization, reintegration, repatriation and resettlement (DDRRR) of members of armed groups⁷¹. The Secretary General emphasized that the parties to the conflict and the de-facto authorities in the different parts of the Congo were primarily responsible for the safety of the civilian population, and that MONUC’s role concerning the protection of civilians would “not least because of its small size and limited deployment” be restricted to monitoring the situation “to some extent”⁷². One year later, with 3800 troops on the ground, the Secretary General made even more explicitly clear that, while MONUC would do “its utmost”, it did “not have the means to provide broader protection to civilians at large”: “MONUC troops currently deployed in the Democratic Republic of the Congo are not equipped, trained or configured to intervene rapidly to assist those in need of such protection”⁷³.

The incapacity of MONUC to protect civilians would become evident on various occasions. In May 2002, violence erupted in the city of Kisangani, and several dozens, possibly hundreds of civilians were killed, despite a MONUC presence of about 500 troops⁷⁴. The MONUC leadership failed to convince the authorities to restore order, and MONUC patrols apparently were not of much effect⁷⁵. In Kinshasa, discontent about MONUC’s failure to protect civilians expressed itself in violent demonstrations⁷⁶. In spring 2003, ethnic violence in the North

⁶⁷ See e.g. S/2002/621, §71: “The Security Council has already decided, in its resolution 1291 (2000), that MONUC may take the necessary action, in the areas of deployment of its infantry battalions and as it deems it within its capabilities, to protect civilians under imminent threat of physical violence”.

⁶⁸ S/2001/373, §98. In the Secretary General’s defence it should be noted that, considering the capacity of MONUC at that time, it would have been extremely dangerous for the troops on the ground to take the mandate seriously.

⁶⁹ *Ibid.*

⁷⁰ S/2001/572, §§22f.

⁷¹ S/2001/373, §§95ff.

⁷² S/2001/572, §95.

⁷³ S/2002/621, §71; ironically, the Security Council declared its support for the “steps” outlined in this paragraph of the Secretary General’s report, when it reaffirmed MONUC’s mandate, inter alia to protect civilians, in Resolution 1417 of 2002; see S/RES/1417, OC 7.

⁷⁴ Bafalikike 2002; Economist, 04 July 2002.

⁷⁵ S/2002/621, §§5ff.

⁷⁶ *Ibid.* §12.

Eastern province of Ituri, which had long been a cause of concern⁷⁷, escalated to genocidal proportions⁷⁸. MONUC's strategy to provide "point security" at disarmament and demobilization sites and UN installations, leaving the responsibility for "umbrella security" to the local authorities⁷⁹, became unbearable. The fighting not only in Ituri, but also in other parts of Eastern Congo, had disrupted and delayed MONUC's disarmament and demobilization operations anyway.

The escalation of violence in Bunia, the capital of Ituri, further intensified when the Ugandan Army, which had maintained a presence of 7000 troops in the town, withdrew in the beginning of May 2003. While the 720 MONUC peacekeepers "initially attempted to set-up roadblocks, restore order, conduct patrols and protect civilians"⁸⁰, it soon became apparent that they were hardly able to protect their own personnel, and the mandate to protect civilians was abandoned. Militias took over control of the town, killing, raping and looting at will, and the population's anger against MONUC became such that its personnel was threatened with lynching⁸¹. Under these circumstances, the Secretary General called on the Security Council to "urgently consider the rapid deployment to Bunia of a highly trained and well equipped force, under the lead of a Member State, to provide security at the airport as well as other vital installations in that town and protect the civilian population"⁸² until a reinforced MONUC presence could be established. Three days later, on 30 May, 2003, the Security Council authorized Operation Artemis, which will be discussed separately.

Phase III. In Resolution 1493, of 28 July, 2003, the Security Council "split" MONUC's mandate: on the one hand, the Council authorized the so-called "Ituri brigade", a 3800 strong force which would take over control in Ituri after the withdrawal of Artemis, to use "all necessary means" to stabilize the security situation in Ituri, improve the humanitarian situation and protect displaced persons as well as the civilian population⁸³. In the other parts of the country, and explicitly in the extremely volatile Kivu provinces, MONUC was, as before, supposed to protect only civilians "under immediate threat of physical violence" and only "as it deems within its capabilities"⁸⁴ – an implicit recognition that, outside Ituri, MONUC's equipment and manpower were still insufficient to ensure the protection of

⁷⁷ See e.g. S/2002/1005, §57, of September 2002, where the Secretary General describes the situation as „explosive“.

⁷⁸ See S/2003/556, §§9ff.

⁷⁹ S/2002/1005, §34.

⁸⁰ ICG, 13. June 2003, p.12.

⁸¹ Ibid.

⁸² S/2003/556, §98.

⁸³ S/RES/1493, OC 26, 27. The effectiveness of the Ituri Brigade will be discussed together with Operation Artemis below.

⁸⁴ Ibid. OC 25, 26.

civilians in all areas of its deployment. This became most obvious in the summer of 2004, when tensions between several rebel leaders rose in Bukavu, the capital of South Kivu. By that time, MONUC had a strength of over 10,000 soldiers, with 450 troops around Bukavu, which were quickly reinforced to 1000⁸⁵. MONUC tried to create a buffer zone against a dissident rebel commander marching towards the city, but ultimately failed to protect anything but its own premises and about 4,000 internally displaced persons which had taken refuge there. While the Secretary General explained that the troops were “overstretched”, observers insisted that “the blue helmets could easily have scattered the rebels”⁸⁶. In view of the Bukavu crisis, *The Economist’s* correspondent concluded that “since MONUC was first deployed to Congo in 1999, it has consistently failed to keep anyone in the region safe”; the correspondent even suggested that MONUC was “the world’s least effective UN peacekeeping force”⁸⁷.

The Bukavu crisis prompted the Secretary General to take the offensive vis-à-vis the Security Council. In his Third Special Report to the Council, he pointed out the mismatch between MONUC’s mandate and its capabilities more clearly than ever before:

“The establishment of the peacekeeping mandate of MONUC under Chapter VII of the Charter of the United Nations has raised expectations that the Mission will enforce the peace throughout the country. However, there is a wide gap between such expectations and the Mission’s capacity to fulfil them. [...]he gap between expectations and MONUC’s capacity in the Democratic Republic of the Congo has put United Nations personnel at risk. [...]Given the size of the Democratic Republic of the Congo, MONUC cannot be deployed everywhere, nor, for that matter, in significant strength in localities where hundreds of thousands, if not millions of people, are present. [...] MONUC cannot assume responsibility for the maintenance of law and order in the Democratic Republic of the Congo”⁸⁸.

Based on these considerations, the Secretary General proposed a new “military concept of operations”⁸⁹. Its endorsement by the Security Council in Resolution 1565, of October 01, 2004, had a significant impact on MONUC’s effectiveness. MONUC’s record under the new mandate will be discussed below as “MONUC II”.

Artemis and the Ituri Brigade (2003-2004). As described above, by the end of May 2003, the Security Council authorized the deployment of an “Interim Emergency Multinational Force” which would be allowed to use “all necessary means” to stabilize security conditions

⁸⁵ S/2004/650, §§35f.

⁸⁶ *Economist*, 04 December 2004.

⁸⁷ *Ibid.*

⁸⁸ S/2004/650, §§59, 76f.

⁸⁹ *Ibid.* §79ff.

in Bunia⁹⁰, where hundreds of civilians had been killed by ethnic militias following the withdrawal of the Ugandan Army⁹¹. The 1000 strong force, with 500 supporting staff in Uganda, was provided by the European Union with France taking the lead⁹². On 6 June, the first French troops arrived at Bunia and soon took an assertive posture towards the militias⁹³. Two militiamen were killed when they dared to challenge a French patrol. On June 22, the force commander issued an ultimatum to the militias to disarm or leave the town; weapons were from now on forbidden within Bunia and in a 10-km radius around the town. This ban was enforced with unprecedented resolve⁹⁴. The security situation in Bunia improved considerably and internally displaced persons began to return to Bunia by the thousands⁹⁵. In the end, no one doubted that Operation Artemis had achieved the aim “to reassure and to protect the population”⁹⁶. Many, however, feared that the achievements of Artemis would prove unsustainable once the Europeans were relieved by reinforced MONUC forces. These fears proved unfounded thanks to the deployment of the so-called Ituri Brigade⁹⁷. As described above, the Security Council split MONUC’s mandate in summer 2003, providing the Ituri Brigade with a more comprehensive and detailed mandate than the rest of MONUC and allocating more troops to Ituri than to any other area⁹⁸. Even exceeding the number of troops originally requested (3,800)⁹⁹, the Brigade, fully deployed by November 2004, comprised 4,800 soldiers¹⁰⁰ – more than had been present *in the whole* of the DR Congo when the Ituri crisis erupted in the spring of 2003¹⁰¹. After it had taken control of Bunia, the Brigade began to deploy to other sensitive areas in Ituri, countering any military challenge with cordon-and-search operations, the seizure of weapons and the detention of suspects. At this point, the Brigade’s deployment outside Bunia was not only aimed at restoring security in these areas, but was also intended “to facilitate the future extension of the Interim Administration’s authority”¹⁰². By assuming an active role in the extension of state authority,

⁹⁰ S/RES/1484, OC 1, 4

⁹¹ See Scheen 2003a.

⁹² For a detailed assessment of the role of France, see Ulriksen et al. 2004.

⁹³ Ibid. p. 518.

⁹⁴ Ibid. p. 519. Cf. Scheen 2003b.

⁹⁵ Scheen 2003b.

⁹⁶ This is how the force commander had described the aim of the mission, see Ulriksen et al. 2004, p. 518. It should be noted, however, that civilians were still killed in large numbers outside the arms-free zone established by Artemis. See e.g. S/2003/1098, §§3f.

⁹⁷ See *ibid.* §8, where the Secretary General notes that „after the complete departure of the Interim Emergency Multinational Force, [...] there was no significant deterioration in the overall security situation in Bunia“.

⁹⁸ S/RES/1493, OC 27; see also S/2003/566 for the concept of operations.

⁹⁹ S/2003/556, §48.

¹⁰⁰ S/2003/1098, §7.

¹⁰¹ In February 2003, MONUC comprised 4,386 personnel, including military observers and civilian police; see S/2003/221.

¹⁰² S/2003/1098, §11.

the MONUC *de facto* ceased to be a neutral actor in Ituri. To allow the political process to continue, it had to “dominate the armed factions”¹⁰³ rather than to tolerate them. As a comparison with MONUC’s performance in other parts of the Congo shows, this politically proactive role – protecting the political process against “spoilers” – also proved to be a precondition for the effective protection of civilians. Outside Ituri, MONUC had neither the mandate nor the capacity to take this proactive role – and its attempts to protect civilians without interfering into military conflicts failed, as the Bukavu crisis most clearly showed¹⁰⁴. In his Third Special Report, the Secretary General therefore requested a more comprehensive mandate for MONUC in general:

“[T]he transitional process cannot be held hostage to armed challenges, as was the case in Bukavu in May-June. In such circumstances, MONUC should have the military capability to take action to support the transitional process and to deter such challenges while, at the same time, ensuring the protection of civilians who may be at risk”¹⁰⁵.

To ensure the military capability of MONUC to implement this more comprehensive mandate, the Secretary General requested an additional 13,100 troops, including additional air force capacity, which would have more than doubled MONUC’s manpower¹⁰⁶. While the Security Council provided the mandate, in Resolution 1565 of 1 October, 2004, it only authorized an increase in troop strength of 5,900 soldiers¹⁰⁷. Nevertheless, the Council enabled MONUC to take a much more assertive stance towards the militias, especially in Eastern Congo, as will be analysed in the following section.

MONUC II (2004-2005). Under the new mandate, MONUC was not only authorized to protect civilians, but also “to deploy and maintain a presence in the key areas of potential volatility in order to promote the re-establishment of confidence, to discourage violence, in particular by deterring the use of force to threaten the political process”¹⁰⁸. In Resolution 1592, of March 2005, the Council further stressed that, “in accordance with its mandate, MONUC may use cordon and search tactics to prevent attacks on civilians and disrupt the

¹⁰³ Ibid. §8.

¹⁰⁴ The UN justified MONUC’s inaction in the Bukavu crisis with reference to MONUC’s mandate which allowed the use of force in order to protect civilians, but not in order to interfere into military conflicts; see FAZ 04 June 2004. In his Third Special Report, the Secretary General also interprets MONUC’s mandate in this way, implying that MONUC had no mandate “to assist in the creation of stability in areas other than Ituri”; see S/2004/650, §77.

¹⁰⁵ S/2004/650, §78.

¹⁰⁶ For a summary of the military requirements for the new concept of operations, see *ibid.* §102.

¹⁰⁷ S/RES/1565, OC 3.

¹⁰⁸ *Ibid.* OC 4.

military capability of illegal armed groups that continue to use violence in those areas [i.e. the eastern part of the DR Congo, N.L.]”¹⁰⁹.

Since the Security Council had authorized less than half of the increase in troops requested by the Secretary General, MONUC could deploy in brigade-size only in North and South Kivu¹¹⁰ (in addition to Ituri), not in Katanga and the Kasai provinces, where gross human rights violations consequently “continued unabated”¹¹¹. In the Kivu provinces, by contrast, the reinforcement enabled MONUC to take actions specifically designed to protect the civilian population: the establishment of security zones, the dismantling of militia camps, cordon-and-search operations, the setting up of checkpoints etc. In areas where civilians are in extreme danger due to the presence of the notorious Rwandan Hutu militias, MONUC has begun to employ foot patrols, which have been supported by “rapid reaction helicopter units”, and has set up an early warning system¹¹². MONUC has also been supporting the newly established and still fragile Armed Forces of the Democratic Republic of Congo (FARDC) in its efforts to forcibly disarm the militias – something MONUC itself has no mandate to do (yet¹¹³). There were still a number of incidents, especially outside the areas of MONUC’s deployment, where civilians were targeted and killed. And the pressure on the militias became such that in some cases they threatened reprisals against the civilian population to deter further MONUC and FARDC action against them¹¹⁴. But overall, the peacekeeping mission has succeeded in improving the security situation in both Kivu provinces considerably¹¹⁵.

However, MONUC has been most successful in re-establishing security for the civilian population in Ituri. Under heavy military pressure from MONUC and FARDC, 15,000 militia members had voluntarily disarmed by June 2005¹¹⁶. Only about 1,200 “armed elements” were estimated to have remained in the bush¹¹⁷, and recent reports suggest that by now the majority of these also had to surrender and disarm¹¹⁸. As a result, ever more internally displaced persons have returned to Ituri and the humanitarian situation has further improved.

¹⁰⁹ S/RES/1592, OC 7.

¹¹⁰ See S/2004/1034, §39.

¹¹¹ S/2005/832, §31.

¹¹² S/2005/506, §§33f.

¹¹³ See S/2005/832, §77, where the Secretary General states that “any proposal to provide a peacekeeping mission with a mandate for forcible disarmament would need very careful consideration” and promises to present the Security Council with corresponding recommendations in his subsequent report.

¹¹⁴ S/2005/832, §§27f.

¹¹⁵ See Traub 2005 for a similar assessment; see also the most recent report by the Secretary General, S/2005/832, especially §§21ff, 25 and 42.

¹¹⁶ See Scheen 2005; cf. S/2005/506, §23.

¹¹⁷ S/2005/506, §25.

¹¹⁸ In his most recent report, the Secretary General reports the disarmament of some 1,300 militia members. See S/2005/832, §§21f.

Assessment. In the first four years of its deployment, MONUC was ineffective in providing protection to the civilian population. While it did not even have troops on the ground which could have protected civilians in phase I, in phase II it did not muster the capacity to protect civilians either, and not even seriously aspired to do so. Far from effectively controlling its areas of deployment, it was only during phase III that MONUC made cautious attempts to implement specific measures for the protection of civilians. When put to test, as in Bukavu, however, it failed. The Artemis force, on the other hand, adopted a far more assertive approach. It established control over its area of deployment and thereby considerably increased the safety of the civilian population. The Ituri Brigade, which succeeded Artemis, was able to uphold this level of protection and even extend it to further parts of Ituri. MONUC's new mandate (of October 2004) enabled the mission to employ those strategies which had been successful in Ituri in other parts of the country, especially in the Kivus. Consequently, the safety of the civilian population notably increased in the Eastern parts of the DR Congo. In sum, MONUC I was ineffective, while Artemis and the Ituri Brigade, as well as MONUC II, were effective in protecting the civilian population.

4.2.3. Liberia

Background. In June 2003, only three months before the deployment of the first UN peacekeeping mission in Liberia, the Secretary General – in his assessment report to the Security Council – made the following insightful observation:

“Liberia remains the epicenter of the continuing endemic instability, which is gravely affecting the political, humanitarian and security landscape not only in the Mano River Union subregion but also throughout much of West Africa.”¹¹⁹

His comments, coming at a time when the country was seemingly plunging once again into civil war, help draw the political map of a conflict which ravaged the Mano River countries¹²⁰ – Liberia, Sierra Leone, and Guinea – for more than a decade, starting with the early 1990s. In a region characterized by potentially explosive ethnic conflicts and shady political maneuvering, the complicated allegiances between politicians, rebel groups, military, and unofficial militias actively contributed to the creation of a pervasive culture of impunity and massive human rights violations. Unofficial ties between presidential hopefuls, such as General Gueï of Côte d'Ivoire – the mastermind of the 1999 Ivorian coup d'état – and the Liberian Charles Taylor, head of the National Patriotic Front of Liberia (NPFL) rebel group,

¹¹⁹ S/2003/582, § 20.

¹²⁰ The Mano River Union was established in 1973 between Sierra Leone and Liberia. It was further expanded in 1977 with the entry of Guinea. See: ICG, 24 April 2002, p.1.

reveal the workings of regional networks of power which helped maintain a climate of political instability¹²¹. In this context, as the Secretary General pointed out in March 2005, “durable peace” within the region – Côte d’Ivoire, Liberia, and Sierra Leone — could only be achieved if “a number of key issues [are] addressed at both the national and the subregional level”¹²². These key issues referred to the tackling of what the Secretary General identified as the “the root causes” of instability: the active recruitment of ex-combatants, the lack of coordination in disarmament and demobilization programs, failure to prevent human rights violations, non-compliance with the ceasefire agreement etc. By emphasizing the need for a new, integrated type of approach in dealing with local warfare, the Secretary General also signalled that the international community was finally talking a proactive stance in Liberia, whose civilian population had experienced two civil wars, massive displacement, and human rights abuses¹²³.

The roots of the Liberian crisis can be traced as far back as 1980, when Master Sergeant Samuel Doe’s military coup brutally ousted from power President William Tolbert Jr. and laid the seeds for the country’s first civil war (1989 - 1997). The subsequent period of violent clashes between insurgents – among which a prominent faction was Charles Taylor’s National Patriotic Front of Liberia (NPFL) – and governmental forces officially ended with the signing of the Abuja Agreement on August 19, 1995, brokered by ECOWAS. Despite several ceasefire violations and armed attacks, the July 1997 presidential elections – declared free and fair by international observers – legitimized the de facto leadership of Charles Taylor and succeeded in re-stabilizing the country. Peace was however short-lived, and by April 1999 hostilities were re-opened with a new, reconfigured set of political actors: LURD, (Liberians United for Reconciliation and Democracy) representing the largest anti-Taylor rebel faction and having Guinea as a likely sponsor¹²⁴, the so-called MODEL or the Movement for Democracy in Liberia, potentially backed by Côte d’Ivoire’s Laurent Gbagbo¹²⁵, and the president’s security forces, split between various independent and competing units¹²⁶. By May 2003 however, when it had become clear that the NPFL was losing the war, international mediation succeeded in bringing the parties back to the negotiation table. The result was the Comprehensive Peace Agreement signed by all major stakeholders in Accra, Ghana on

¹²¹ HRW, 1 May 2002.

¹²² S/2005/135, §.3.

¹²³ HRW, 21 January 2003.

¹²⁴ ICG, 3 November 2003, p. 1.

¹²⁵ Ibid., p.1.

¹²⁶ According to an ICG report, Charles Taylor’s policies led to a rather chaotic security sector, divided among equally powerful and competitive “elite” units – such as the Anti-terrorist Unit (ATU), the Special Security Forces (SSS), and the Special Operations Division (SOD) – the regular army, the militia and local strongmen. See: ICG, 24 April 2002, p. 14

August 18. President Taylor handed over power to Vice-President Moses Blah and left Liberia for a comfortable exile in Nigeria. A National Transitional Government was agreed upon, and provisions were made for the organization of presidential elections in October 2005, which took place according to the initial schedule and resulted in the election of Liberia's first woman President: Ellen Johnson Sirleaf.

Despite maintaining a rather low profile in the Liberian crisis – mostly handled internationally by ECOWAS, which had established an observer mission in Monrovia, ECOMOG (The Military Observer Group), as early as 1990 – the UN involvement in the country's civil wars had been quite constant, although not necessarily effective in terms of civilian protection. The two consecutive UN missions – UNOMIL (the United Nations Observer Mission in Liberia) authorized by Security Council Resolution 866 of September 22, 1993 and UNOL (The United Nations Peace-building Support Office in Liberia) established by the Secretary General on November 1, 1997 – had largely played an advisory role, helping either the ECOWAS mission, or the Liberian Government in implementing peace agreements and providing logistic support for the 1997 election (UNOMIL) and for the further consolidation of the peace process (UNOL). Although the Security Council had been aware of massive human rights abuses prior to and after the election of Charles Taylor, it decided – at least until the 1999 outbreak of violence – not to upgrade its missions to the level of peacekeeping operations. However, the UN position changed considerably after the signing of the Accra Comprehensive Peace Agreement. The parties invited the Council to deploy a peacekeeping force in Liberia “to support the National Transitional Government and assist in the implementation of the Peace Agreement”¹²⁷ and to ensure, in general, the stability of the country's democratically elected regime.

UNMIL (2003 – 2005). Answering these international requests for a stronger UN presence in Liberia, the Security Council issued Resolution 1497 of August 1, 2003, authorizing the deployment of an ECOWAS mission – ECOMIL – as the first step in a peacekeeping operation which would ultimately establish a longer-term UN stabilization force. The ECOMIL multinational unit – the result of an extraordinary ECOWAS summit at Accra on July 31, 2003 – was mandated among others to support the implementation of the ceasefire agreement and to ensure a level of security that would enable the delivery of humanitarian assistance. The issues of civilian protection and human rights violations figured high on the

¹²⁷ S/2003/875, §15.

Security Council's agenda, an outcome perhaps of UN's previous failure to effectively address these problems during Liberia's two decades of political instability.

In his preliminary September 2003 report, while presenting his recommendations regarding the size, structure, and mandate of a follow-up UN mission, the Secretary General estimated that as a consequence of ongoing fighting and regime brutality nearly 1,000,000 people – from a population of approximately 2,5 million – had been displaced, either internally or as refugees in neighbouring countries such as Sierra Leone and Côte d'Ivoire. Moreover, the report mentioned that since 1989 from an estimated number of 250,000 war victims approximately half of them had been non-combatants¹²⁸. According to the Secretary General, eyewitness accounts as well as reports of mass graves – some of them dating back to 1990 – were just as many proofs testifying about the level of violence which the country had experienced, with all factions equally accused of having reverted to torture, mutilations, sexual violence, killings, and the use of child soldiers. The militarization of Liberian society and the proliferation of militia groups lacking any “statutory command and control structure”¹²⁹ had triggered, argued the Secretary General, the creation of “culture of violence”¹³⁰ which could only be eliminated by concerted UN actions¹³¹.

In the light of these recommendations and based on the findings of the UN multidisciplinary assessment mission led by the Secretary General's Special Representative Jacques Paul Klein, the Security Council passed resolution 1509 of September 19, 2003 authorizing the deployment of the United Nations Mission in Liberia (UNMIL). Its mandate focused on five important tasks: (1) the implementation of the ceasefire; (2) the protection of United Nations staff, facilities, and civilians; (3) support for humanitarian and human rights assistance; (4) support for security reform; and (5) support for the implementation of the peace process. Overall, UNMIL was assigned to start the much needed DDRR program (disarmament, demobilization, rehabilitation, and reintegration), to ensure the security of both locals and humanitarian workers, and – on a more general level – to help pacifying the country ahead of the scheduled October 2005 elections. The mission – which was to be deployed throughout Liberia in four major sectors with the headquarters in Monrovia¹³² – consisted of up to 15,000 authorized military personnel, including approximately 250 military observers and 160 staff officers as well as a maximum of 1,115 civilian police officers. On October 1, 2003 the ECOMIL forces underwent a “re-hatting” procedure as UN personnel, thus signaling the

¹²⁸ S/2003/875, §26.

¹²⁹ *Ibid.*, §27.

¹³⁰ *Ibid.*, §111.

¹³¹ *Ibid.*, §§111ff.

¹³² S/2003/1175, §3.

complete takeover of its peacekeeping functions by the newly established UNMIL, under the command of Special Representative Klein. The deployment of troops occurred in several stages, with soldiers being gradually relocated from Monrovia to all the above-mentioned sectors. Despite continuing violent clashes between rebels, peacekeepers, and governmental forces, the Secretary General's first progress report emphasized the "considerable progress achieved in consolidating stability in Monrovia and its surroundings"¹³³. By March 2004, after the deployment of additional troops, the Secretary General maintained that although human rights violations were still reported throughout Liberia "most of the abuses and violations had taken place in isolated areas where peacekeepers ha[d] not been deployed"¹³⁴. The positive trend in reducing criminality and countering violent looting perpetrated by former combatants is obvious in his subsequent reports to the Security Council. Moreover, the changing nature of these attacks – usually conducted by disaffected former combatants or LURD splinter factions – suggested that the conflict's scale was reduce from formerly well-organized and destabilizing forms of protest to "minor crimes" and "civil unrest"¹³⁵. As an example of the mission's strength, both in terms of its military and civilian components, in his December 2004 report the Secretary General praised the swift UNMIL reaction to a series of incidents which had occurred between 28 and 31 October, when an initial land dispute had quickly escalated into severe rioting and burning of private property. Although initially deploying only its civilian police, in the face of mounting street pressure UNMIL "undertook robust action to bring the situation under control and forestall further acts of violence in the affected areas"¹³⁶. "Robust action" meant fast redeployment of one infantry and two additional police units to Monrovia, patrols in the dangerous sections of the city conducted by the UNMIL Quick Reaction Force, aerial reconnaissance and show-of-force patrols over the city, the sealing of Monrovia's main entry points (or roads), and cordon-and-search operations. Military actions were enforced by radio appeals to calm coming from Special representative Jacques Paul Klein, officials of the National Transitional Government, and members of the Inter-Religious Council of Liberia. A light curfew was also imposed by the Chairman of the National Transition Government, Gyude Bryant. The result was the quick restoration of order with minimum casualties¹³⁷. The successful coordination of actions between various UNMIL units and Liberian officials proved that provocative attacks by ex-combatants and active rebel factions could be effectively controlled. In terms of civilian protection achievements, the

¹³³ S/2003/1175, §61..

¹³⁴ S/2004/229, §37.

¹³⁵ S/2004/725, §7.

¹³⁶ S/2004/972, §4.

¹³⁷ *Ibid.*, §4.

improved security conditions ensured that the UNMIL human rights unit could focus on monitoring and registering abuses as well as in actively advising the government on the implementation of adequate legislation¹³⁸. In February 2006, the independent expert on the situation of human rights in Liberia, Charlotte Abaka, submitted a comprehensive report on the issue and mentioned that “improvements in the security situation have enhanced freedom of movement and facilitated the conduct of national elections”¹³⁹. Although, as the Secretary General pointed out in his last report on Liberia, in December 2005, the situation was “calm, but fragile”¹⁴⁰, substantial progress had been made in re-establishing the rule of law. Recently, the Security Council – indirectly acknowledging these positive developments – has decided to redeploy UNMIL personnel for the protection of the Special Court for Sierra Leone¹⁴¹ and a maximum of one infantry company for UNOCI¹⁴², the United Nations’ Operation in Côte d’Ivoire.

Assessment. Overall, taking into consideration the two indicators of effectiveness we have so far analyzed, it has become clear from the analytical reading of the case study that UNMIL has fulfilled its mandated task. Given the efficiency of its measures for the restoration of order (indicator 2) and the protection of civilians within its areas of deployment as well as the control (indicator 1) exercised by UN troops over Liberia’s territory, our assessment of the case is positive: UNMIL has been effective in protecting civilians.

4.2.4. Côte d’Ivoire

Background. By early 2006, Côte d’Ivoire remained de facto split between two spheres of influence – the south, held by government forces loyal to President Laurent Gbagbo and the north, conquered and administered by the Forces Nouvelles rebels¹⁴³. Such a situation could have hardly been anticipated during the years of stability and growth following the 1960 independence from France. Under President Félix Houphouët-Boigny (1960 -1993), “the Ivorian miracle” of the 1960s and 1970s had transformed the country into one of the world’s largest cocoa and coffee producers. To the astonishment of neighbouring countries and the international community, these decades of prosperity were replaced by a cycle of violence,

¹³⁸ UNMIL Reports November 2005, and January 2006. See also on the same topic of policy recommendations for the Liberian Government: HRW, 30 September 2005.

¹³⁹ E/CN.4/2006/114, p.1.

¹⁴⁰ S/2005/764, §21.

¹⁴¹ S/RES/1626 (2005), §5.

¹⁴² S/RES/1657, §1.

¹⁴³ HRW Country Summary 2005, HRW Country Summary 2006.

human rights abuses, successful or failed coup d'état(s), and a general descent into ethnic and religious divides¹⁴⁴.

Political instability, triggered in part by the economic downturn of the 1980s, followed shortly after President Houphouët-Boigny's death in 1993 and sparked a series of nation-wide debates regarding issues such as national identity or "Ivoirité", citizenship rights, public office eligibility¹⁴⁵, and rural land tenure¹⁴⁶. The starting point of the Ivorian civil war is generally credited to the series of attacks conducted on September 19, 2002 by former army members against the cities of Abidjan, Bouaké, and Korhongo. The strikes, initially violent protests against a planned demobilization of army personnel, soon mutated into a full-blown rebellion that effectively seized control of the northern territory. Although the international community, mainly France – through operation Licorne (or Unicorn) – and the Economic Community of West African States (ECOWAS) was quick in attempting a mediation of the conflict, the country remained divided and the situation of civilians worsened. Human rights abuses such as torture, indiscriminate killing, rape, abductions and massacres were reported from both regions. A fact-finding mission headed by the UN Deputy High Commissioner for Human Rights which visited Côte d'Ivoire between 23 and 29 December 2002, identified approximately 600,000 displaced people¹⁴⁷ and numerous violations of human rights¹⁴⁸: summary executions, accusations of mass graves, illegal detentions, forced disappearances, abusive arrests, torture, sexual violence especially against women, the use of child soldiers, media incitement to ethnic hatred and xenophobia. Moreover, allegations of foreign interfering, such as the alleged support of Ivorian rebels by Liberian President Charles Taylor¹⁴⁹ and Burkina Faso's Blaise Compaoré¹⁵⁰, were exchanged between both sides and the spillover effects of Liberia's own internal disarray transformed the Ivorian/ Liberian border into a continued zone of conflict and arms smuggling with mutual accusations of interference. Among the first political mediators, France had deployed peacekeeping troops as early as September 2002 in a buffer zone across Côte d'Ivoire, known as the Zone of

¹⁴⁴ HRW, 21 December 2005; HRW, May 2005.

¹⁴⁵ An especially contentious issue is Article 35 of the 2002 Constitution (the second constitution since Côte d'Ivoire gained its independence), which stipulates that presidential candidates should have an Ivorian origin and be born of Ivorian parents. This restriction, as well as the notion of Ivoirité, first introduced by President Henri Konan Bédié (1993 - 1999), was meant to prevent potentially successful candidates such as former Prime Minister Alassane Ouattara (1990 - 1993) from participating in Côte d'Ivoire's presidential elections. S/2003/90, §13.

¹⁴⁶ S/2003/90, §§15f; ICG, 28 July 2004, p. 3.

¹⁴⁷ By February 2003 the number had increased or had been recalculated to 800,000 internally displaced people and 400,000 Ivorian refugees. S/2003/374, §52.

¹⁴⁸ S/2003/90, §25.

¹⁴⁹ ICG, 28 November 2003, p. 20.

¹⁵⁰ Ibid., p.9.

Confidence and ECOWAS had decided at its Accra Summit (Ghana) on September 29, 2002 to set up a similar unit (ECOMICI). Moreover, high representatives from both France (such as the foreign minister Dominique de Villepin) and ECOWAS tried jointly to broker the return to peaceful negotiations and to a general ceasefire. The first significant result, the Linas-Marcoussis Agreement of January 24, 2003 signed by all Ivorian political actors promised to be the starting point of an overall renunciation to violence leading to political reforms and the organization of free elections. The United Nations were invited to supervise the implementation of the peace process and to legitimize the work of the future Government of National Reconciliation. In his March 2003 report, the Secretary General recommended that “the United Nations should consider playing a role that would complement the operations of the French and ECOWAS forces”¹⁵¹. The Security Council acted upon these requests and after formally authorizing the French and ECOWAS peacekeepers to operate under Chapter VIII of the UN Charter¹⁵², issued a second resolution on May 13, 2003 establishing the first United Nations Mission in Côte d’Ivoire (MINUCI)¹⁵³. Endowed with a small civilian unit and up to 76 military personnel, the Mission was meant to establish liaisons with the involved parties, i.e. governmental officials and rebel factions, and to offer logistic support for the implementation of the Linas-Marcoussis agreement. However, despite initial success, the peace process soon floundered and several months later, in his January 2004 report, the Secretary General was recommending a reconfiguration of UN participation and the deployment of a peacekeeping force which “would take over and reinforce the role being performed by ECOMICI in the Zone of Confidence”¹⁵⁴ while at the same time closely collaborating with the French Licorne. The Secretary General emphasized the mixed results achieved in the implementation of the peace agreement, the reluctance of main political stakeholders in complying with its requirements, and the continued human rights violations reported by MINUCI. The overall conclusion was by no means positive. While acknowledging the steps taken towards the implementation of a durable peace process, the Secretary-General strongly condemned the constant undermining of such initiatives:

“It is clear that there are hard-line elements among the Ivorian parties who are determined to undermine the peace process and who are tempted to seek a military

¹⁵¹ S/2003/374, §72

¹⁵² The mandate authorized French and ECOWAS troops “to take the necessary steps to guarantee the security and freedom of movement of their personnel and to ensure, without prejudice to the responsibilities of the Government of National Reconciliation, the protection of civilians immediately threatened with physical violence within their zones of operation, using the means available to them for a period of six months after which the Council will assess the situation on the basis of the reports referred to in paragraph 10 below and decide whether to renew this authorization.” S/RES/1464 (2003), OC9.

¹⁵³ S/RES/1479 (2003)

¹⁵⁴ S/2004/3, §62.

solution to the crisis. They should not be allowed to succeed and, to that end, it is essential that the international community provide support to the efforts of those who are working to promote the effective implementation of the Linas-Marcoussis Agreement.”¹⁵⁵

UNOCI (2004 – 2005). In response to the growing demand for UN involvement and recognizing the volatile situation in Côte d’Ivoire, on February 27, 2004 the Security Council decided to deploy a UN Peacekeeping mission in the Zone of Confidence. Resolution 1528 established the United Nations Operation in Côte d’Ivoire (UNOCI) on a renewable mandate of 12 months, starting from April 4. UNOCI’s authorized military strength amounted to 6,240 personnel, including military observers, staff officers, and up to 350 civilian police officers. The mission was mandated to take over the functions fulfilled by both MINUCI and ECOWAS, with the latter’s ECOMICI contingent undergoing a “re-hatting” process as UN peacekeepers. Regarding the plight of the civilian population, whose sufferings had been one of the main reasons for the mission’s operation, the mandate requested UNOCI to “protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment”¹⁵⁶. The Resolution also provided for the coordination of UN forces with the French Licorne soldiers (approximately 4,000 troops) and requested the latter to offer full support to UNOCI particularly with respect to security issues within the areas of activity and military interventions either in support of the mission, or against belligerent actions outside its scope¹⁵⁷. Although the Secretary-General’s recommendations¹⁵⁸ had been fully complied with, the situation in Côte d’Ivoire soon deteriorated, straining UNOCI’s resources and flatly revealing the mission’s incapacity to ensure the safety of civilians within the boundaries of its deployment area.

The first incident in a series of violent outbursts occurred on March 25, 2004 in Abidjan – Côte d’Ivoire’s economic capital – when a crackdown by state security forces on an opposition-led demonstration¹⁵⁹ resulted in at least 120 people killed, 274 wounded and 20

¹⁵⁵ Ibid., §84.

¹⁵⁶ S/RES/1528, OC6(i).

¹⁵⁷ Ibid., OC16.

¹⁵⁸ S/2004/3, §§64f.

¹⁵⁹ The opposition was represented by the newly formed “Coalition des Marcoussistes” or G7 which consisted of formally established political parties such as the Democratic Party of Cote d’Ivoire – African Democratic Rally (PDCI - RDA) headed by former President Henri Konan Bedie, the Rally of the Republicans (RDR) under the leadership of Alassane Ouatarrá, the Union pour la démocratie et pour la paix en Cote d’Ivoire (UDPCI), and rebel factions among which the Mouvement patriotique de Cote d’Ivoire (MPCI), the Movement Populaire ivoirien du grand ouest (MPIGO) and the Movement pour la justice et la paix (MJP), the last three acting jointly as the Forces Nouvelles. The coalition announced its withdrawal from the Government of National Reconciliation claiming an insufficient devolution of power from the President to the appointed ministers and consequently,

disappeared¹⁶⁰. After two days of social unrest, with the help of international mediators such as ECOWAS, the African Union and the UN Secretary-General the tension was diffused and the parties returned once again to the negotiation table¹⁶¹. However, the situation continued to worsen. In his August 2004 report Kofi Annan referred to armed conflicts occurring on both sides of the Zone of Confidence as well as to violent street protests against UN and Licorne forces carried out by the so-called “youth” organizations (such as the “Young Patriots” or *Congres Panafricain des Jeunes Patriotes - COJEP*), mainly urban militias supporting President Laurent Gbagbo¹⁶². By June, the protests had intensified and anonymous threats had been issued against UNOCI and Licorne personnel, accused of having failed to prevent the March clashes¹⁶³. According to the Secretary General, Côte d’Ivoire’s human rights record had become more than precarious and the lack of political will in prosecuting offenders contributed to the creation of a “climate of impunity”¹⁶⁴.

The tension peaked on November 4 when in a unilateral violation of the ceasefire the National Armed Forces of Côte d’Ivoire (FANCI) – following President’s Gbagbo’s orders – launched air attacks against several rebel strongholds. Two days later the Licorne base in Bouaké was bombed – in what was claimed to be a misdirected strike – killing nine French soldiers and wounding 38 others¹⁶⁵. When the Licorne forces retaliated by destroying the country’s aircraft, violent anti-French street protests broke out in Abidjan with a frenzy of hate speech and media incitement to violence against foreigners surging across the country. More than a particularly embarrassing moment for the international community, with Ivorian authorities accusing peacekeepers of violating the country’s territorial sovereignty¹⁶⁶, the ensuing attacks against Western residents soon led to the repatriation of approximately 9,000 people, in what became – according to Human Right Watch – “the largest evacuation of expatriates in the country’s post-colonial history”¹⁶⁷.

The problematic response of the Licorne forces and the security issues experienced by UNOCI – such as the need to partially evacuate UN and UNOCI personnel to Accra on

non-compliance with the reforms envisaged under the Linas-Marcoussis agreement. For more information see: S/2004/443, §§6f.

¹⁶⁰ S/2004/443, §10.

¹⁶¹ The result of these negotiations was the signing of the Accra III Agreement of July 30, 2004. Although the -- new peace settlement mainly restated the reforms already outlined by the Linas-Marcoussis agreement, all the stakeholders gave their consent to the setting-up of a Monitoring Committee – comprising the representatives of ECOWAS, ONUCI, and the African Union – which would observe closely its practical implementation. See: S/2004/697, §§15ff.

¹⁶² *Ibid.*, §§27ff.

¹⁶³ S/2004/443, §§33f.

¹⁶⁴ *Ibid.*, §35.

¹⁶⁵ S/2004/962, §17.

¹⁶⁶ *Ibid.*, §§18f.

¹⁶⁷ HRW, December 2005, p. 6. and S/2004/962, §22.

November 10th¹⁶⁸ – revealed the difficulties which the mission encountered in carrying out its mandate. In an interview for Human Rights Watch the UNOCI force commander, Major-General Abdoulaye Fall pointed out:

“November showed that Unicorn were not our rapid reaction force. They redeployed to protect French and other foreign nationals in Abidjan [...]”. Moreover, “The second lesson is that we too are not strong enough. We had to send troops to protect sites in the Abidjan area.”¹⁶⁹

The failure to protect the local civilian population, especially the groups of immigrants and northerners who had become a preferred target for “young patriots” squads, was also acknowledged by an undisclosed UN official: “Our ability to protect people is limited. The French are here to look after mainly the French. There are African foreigners, Lebanese and others who would be vulnerable again”¹⁷⁰. Prior and after November 2004, urban violence and repeated incursions within the zone of confidence by both rebels and state security forces revealed UNOCI’s limited capacity to prevent indiscriminate killing and other human rights violations even within its area of deployment¹⁷¹. As a Human Rights Watch report points out, the necessity to protect UN personnel and sites left little room for anything else¹⁷². In his December 2004 report the Secretary General remarked that the November incidents “had strained to the limit UNOCI’s capacity to implement its mandate” and recommended, in view of the changed circumstances, an increase in the mission’s military component amounting to a total of 1,226 personnel and eight attack and light helicopters¹⁷³.

The UN’s response to the increasingly violent character of Ivorian politics was swift. On November 15 the Security Council passed resolution 1572 instituting an arms embargo on Côte d’Ivoire – later to be supervised by a Group of Experts (Resolution 1584 of 1 February 2005) – and calling for the implementation of travel and economic and sanctions against any individual considered to represent a threat to the peace process¹⁷⁴. The Council also made provisions for the setting-up of a Sanctions Committee charged with the designation of such persons or entities¹⁷⁵. Moreover, considering the deteriorating political situation and the general uncertainty surrounding the period after the end of President’s Gbagbo’s

¹⁶⁸ S/2004/962, §22.

¹⁶⁹ HRW, May 2005, p. 24.

¹⁷⁰ Ibid., p. 24.

¹⁷¹ S/2005/186, §§21f, UN Human Rights Report, 2005, p. 13-14.

¹⁷² Ibid., p. 24.

¹⁷³ Ibid., p. 15.

¹⁷⁴ S/RES/1572/2004, §§10f.

¹⁷⁵ Ibid., §14.

constitutional term (in October 2005)¹⁷⁶, the United Nations decided to extend UNOCI's mandate first until January 24, 2006¹⁷⁷ and ultimately until December 15, 2006¹⁷⁸. The mission was authorized to monitor and enforce the arms embargo and to use force against any potential obstructions to the mission or the French troops' actions and freedom of movement¹⁷⁹. This measure was meant to enhance UNOCI's conflict prevention capacity by allowing its personnel to actively prevent and not only respond to security breaches. Additionally, acknowledging the need for an increased protection of UN personnel and more resources in the performing of its specified tasks, Resolution 1657 of February 6, 2006 approved the redeployment of one infantry company from UNIMIL (United Nations Mission in Liberia) to UNOCI, until March 31, 2006.

However, the practical results of these measures have not been very successful in terms of civilian protection. UNOCI's human rights division continued to monitor and report a worrying number of humanitarian law violations, including in the Zone of Confidence, where – it was argued – the lack of state institutions, particularly police and justice, had triggered the creation of a “culture of impunity”¹⁸⁰. During January and February 2005, the unit registered – within the area of deployment – an increase in violence, with armed robberies, inter-ethnic clashes, rape, and extortions becoming more often than not part of a civilian's daily life¹⁸¹. Despite the widening of UNOCI's mandate with respect to violence prevention, the main issue in ensuring adequate protection remained the mission's insufficient personnel. In March 2005 the Secretary General noticed that further reinforcements were required due to “the deteriorating security situation, in particular in the Zone of Confidence”¹⁸². As the clashes between rebels, state security forces and armed militias intensified, more troops were needed to ensure a better protection of UNOCI staff and infrastructure in Abidjan as well as to restore the mission's capacity within the Zone of Confidence¹⁸³. In his last report – January 2006 – the Secretary General warned that “UNOCI troops are thinly stretched throughout the

¹⁷⁶ All international efforts were directed at overcoming the political impasse and bringing the parties back to the negotiations table. However, the Pretoria Agreement of April 6, 2005 brokered by the African Union mediator, President Thabo Mbeki (South Africa) soon proved to be ineffective and the prospect of holding presidential elections in October 2005 became rather bleak. In order to prevent the collapse of a fragile political order, the African Union – endorsed by Security Council Resolution 1633(2005) – proposed the extension of President Gbagbo's mandate for a limited period of one year, the appointment of a new Prime Minister (accepted by all the concerned parties), and the setting-up of an International Working Group (IWG) which would supervise the concrete implementation of the adopted road map for peace.

¹⁷⁷ S/RES/1609(2005)

¹⁷⁸ S/RES/1652(2006)

¹⁷⁹ *Ibid.* §5.

¹⁸⁰ UN Human Rights, 2005, p. 2.

¹⁸¹ *Ibid.*, 13-4.

¹⁸² S/2005/186, §25.

¹⁸³ S/2005/398, §§66f.

country” and requested a further increase in its numbers by four additional battalions and an aviation unit, which had actually been demanded (and approved by the Security Council) as early as December 2004¹⁸⁴. The report concluded that in light of Côte d’Ivoire’s increasingly violent political climate, UNOCI’s ability to fulfill its multiple tasks was severely hampered.

Assessment. In the light of continued human rights abuses within the Zone of Confidence, as monitored and reported by UNOCI’s specialized unit, it becomes clear that the mission is not able to ensure the security of civilians living within the perimeters of the buffer zone. Despite additional enforcement offered by the French Licorne troops, the Secretary General’s reports to the Security Council pointed out in unambiguous terms that the lack of resources – either in terms of weaponry (such as the missing aviation unit requested as early as 2004) or of manpower – severely obstructed the mission’s protection capabilities. Particularly during the events of November 2004 – when part of UNOCI and other UN personnel were evacuated to Accra – these structural deficiencies revealed the mission’s incapacity to secure the areas of its deployment especially when faced with multiple street uprisings. Moreover, the inability to prevent violent actions in the Zone of Confidence was also the direct effect of an insufficient implementation of adequate protection measures. Due to multiple tasks and limited personnel UNOCI had limited potential for regular patrols, a factor which increased the vulnerability of Ivorians living within the buffer zone. Overall, our conclusion is that until 2006 UNOCI was ineffective in fulfilling its mandate.

4.2.5. Burundi

Background. In 1993, the assassination of Burundi’s first democratically elected president sparked the latest bloody conflict in the Central African country’s long history of inter-ethnic strife¹⁸⁵. By now, the conflict, which pitted the Tutsi-dominated Burundian army against various armed opposition groups, has been largely settled. After a five-year period of political transition, which started in August 2000 with the signing of the Arusha Agreement¹⁸⁶ and ended in summer 2005 with the inauguration of a democratically elected government¹⁸⁷, only one small rebel group, the Forces for National Liberation (FNL), remains outside the peace process. Its frequent clashes with the Burundian Armed Forces (FAB) continue to pose a threat to the civilian population.

¹⁸⁴ S/2004/962, §§64f.

¹⁸⁵ See Lemarchand 1994.

¹⁸⁶ On the Arusha Agreement, see ICG, 1 December 2000.

¹⁸⁷ On the end of the transition period, see the Special Report by the Secretary General, S/2005/586, and Peterson 2006.

The United Nations became seriously involved in Burundi only in 2004 when the transitional process was already very advanced¹⁸⁸. But this extremely late involvement is not the only significant difference between the UN's role in Burundi and the cases discussed so far: As opposed to the DR Congo, Sierra Leone and Liberia, Burundi was by no means a "failed state" when the UN became involved. In particular, the Burundian Army remained extremely strong and was perfectly capable of fighting the rebels. The dominant position of the Burundian Army would severely limit the role UN peacekeepers could play in the protection of civilians, as compared to the other case studies.

ONUB (2004-2005). On May 21, 2004, the Security Council authorized the United Nations Operation in Burundi (ONUB), with a mandate, among other tasks, to "use all necessary means [...], without prejudice to the responsibility of the transitional Government of Burundi, to protect civilians under imminent threat of physical violence"¹⁸⁹. ONUB would consist of 5,650 military personnel, including about 2,500 "re-hatted" African Union peacekeepers, which had been deployed to Burundi since April 2003, as well as additional contingents from Pakistan and Nepal.

In August 2004, at a time when ONUB totalled 3,312 troops, 160 Congolese Tutsi refugees were massacred at an UNHCR transit camp at Gatumba in Eastern Burundi¹⁹⁰. ONUB consequently deployed troops to various refugee camps in the West¹⁹¹, and the Western provinces, especially the largely unsecured border with the Democratic Republic of Congo, became the focus of ONUB's attention¹⁹². ONUB also increased its patrols in Bujumbura Rurale province, the main theatre of FNL-FAB clashes and therefore the part of Burundi with the worst human rights situation¹⁹³.

Although the Secretary General, in view of the situation in the Western provinces, declared the protection of civilians a "core concern"¹⁹⁴, it is hard to discern any impact MONUC has made on the protection of civilians. The bulk of human rights violation, including killings of civilians, extrajudicial executions, and sexual violence, occurred in the areas where the Burundian Army was fighting the FNL, and quite frequently at the hands of Burundian

¹⁸⁸ See the Secretary General's Report on the multidisciplinary assessment mission he had sent to Burundi, at the request of the Security Council, in order to assess „how the United Nations might provide the most efficient support for the full implementation of the Arusha Agreement [...]“; S/2004/210, §1.

¹⁸⁹ S/RES/1545, OC 5.

¹⁹⁰ Scheen 2004; S/2004/682, §13.

¹⁹¹ S/2004/682, §36; S/2004/902, §31; S/2005/149, §47; S/2005/586, §35.

¹⁹² S/2005/149, §48; S/2005/586, §35.

¹⁹³ S/2004/682, §40.

¹⁹⁴ S/2004/902, §52.

soldiers¹⁹⁵. Apart from occasions where civilians sought refuge at ONUB premises, to provide physical protection to civilians in these circumstances would have been extremely dangerous and difficult: On the one hand, it is hard to see how ONUB could have protected civilians from those FNL attacks which even the far more capable Burundian Army was not able to prevent¹⁹⁶. On the other hand, there is no way ONUB's mandate could be interpreted as authorizing it to militarily confront the Burundian Armed Forces in cases they were responsible for human rights violations, often against alleged FNL supporters¹⁹⁷. For these reasons, ONUB's role in providing *physical* protection to civilians was extremely limited. Instead, the mission focused on monitoring the human rights situation¹⁹⁸ and emphasised the need to end the "culture of impunity"¹⁹⁹ by strengthening the judicial system and holding members of the Armed Forces which were responsible for human rights violations accountable²⁰⁰.

Assessment. Although ONUB's direct impact on the safety of the civilian population has been extremely limited, it is hard to call the mission outright ineffective due to its limited room of manoeuvre alongside the Burundian Army, and the relatively stable security situation, compared to the other case studies, which already prevailed when ONUB was deployed. There was no need for ONUB to establish "effective control" over its areas of deployment because this control was already exercised by the Burundian Army. ONUB's monitoring activities and its tireless insisting that the Burundian Army respect human rights was the most sustainable approach it could take, especially in view of its mandate which allowed it to protect civilians only "without prejudice to the responsibility of the transitional Government of Burundi". To ensure respect for human rights within its own army clearly *is* the responsibility of the Burundian Government. On the other hand, one can only speculate whether the specific measures implemented by MONUC in order to protect civilians, namely the patrols around refugee camps, could have stopped another attack of the scale of the August 2004 Gatumba massacre. The fact is that such an attack has not been attempted. The effectiveness of a peacekeeping mission in protecting civilians also has to be assessed in the light of what could have possibly been achieved if there had been more troops, more resources, and a stronger commitment to the protection of civilians etc.. In the case of ONUB,

¹⁹⁵ See e.g. S/2004/682, §41; S/2004/902, §37; S/2005/149, §52.

¹⁹⁶ See e.g. S/2005/586, §24f.

¹⁹⁷ See e.g. S/2005/149, §25; S/2005/586, §26.

¹⁹⁸ S/2004/682, §46; S/2005/328, §§33f.

¹⁹⁹ S/2004/902, §63.

²⁰⁰ See e.g. S/2005/586, §27.

the value added in terms of civilian protection would probably have been marginal, as the reasons for ONUB’s limited impact on the safety of the civilian population do not lay with the mission’s capabilities, but with the constellation of forces in Burundi. For a peacekeeping mission there is not much room for manoeuvre in terms of civilian protection in a country with an effective, but abusive army fighting a counter-insurgency war against a small rebel group. Peacekeeping is no remedy for an abusive army; monitoring, awareness raising campaigns, the strengthening of the judicial system and human rights education is. And there certainly is no rationale for a UN peacekeeping mission to engage in a counter-insurgency war when there is a national army which can do the job. In this context, the role of the UN mission should be to facilitate a political solution to the insurgency, which is exactly what ONUB, at the time of writing, seemed to be achieving²⁰¹. In sum, within the limits of what was meaningful for it to do, ONUB has been effective in contributing to the protection of the civilian population, even if in a rather indirect manner.

4.3. Summary

Taking into consideration the two indicators for the assessment of a mission’s effectiveness, namely “control of area of deployment” and “implementation of specific measures” the following results have been identified:

Table 2: Assessment of Effectiveness

	UN Mission	Assessment: Effective/Ineffective	Country
C1	UNAMSIL I.	Ineffective	Sierra Leone
C2	UNAMSIL II.	Effective	Sierra Leone
C3	MONUC I.	Ineffective	Democratic Republic of Congo
C4	Artemis/Ituri Brigade	Effective	Democratic Republic of Congo
C5	MONUC II.	Effective	Democratic Republic of Congo
C6	UNMIL	Effective	Liberia
C7	UNOCI	Ineffective	Côte d’Ivoire
C8	ONUB	Ineffective	Burundi

5. Explaining the Effectiveness of UN Forces in the Protection of Civilians

Having assessed the effectiveness of UN peacekeeping missions, we will now proceed with the second part of our research, namely data analysis. First, we apply the already mentioned set of factors to the narratives of our case studies. This analytic frame, identified during the exploratory phase of our research, is detailed in section 5.1 where we also make more explicit the rationale behind our choice of factors. After applying this scheme to our case studies and

²⁰¹ Peterson 2006.

subsequently explaining our reasons for assigning either positive or negative values to the factors (Section 5.2), the overall results are summarized in section 5.3. In Table 9 – “the truth table” – both causal conditions and outcomes are identified as either “present” or “absent” and coded as “yes” and respectively, “no” (with their adjacent values). This “presence - absence” dichotomy is useful in systematizing our data and offers us the basis for a further simplification of factor configurations. Table 10 summarizes the simplification procedure and presents the final results.

5.1. Identifying Factors for the Explanation

The subsequent list of factors represents, in our view, a comprehensive summary of all the conditions which we have found to be relevant for the explanation of outcomes. Factors have been coded as either “yes” (present) with a value of “1”, or “no” (absent) with a value of “0”. The following explanations are aimed at clarifying the terminology we use in our analysis and describing the effects (positive/negative) which these factors regularly have on the mission’s effectiveness.

(F1) *Size*: “Size” is, even intuitively, one of the most important factors in UN interventions, since the number of troops on the ground has so many times proved to be a paramount element in the prevention of civilian casualties. Following this line of thinking, our assumption is that a successful mission should be characterized by an adequate level of troops. Since “adequacy” is rather difficult to measure – due to differences in country sizes and spread of conflicts – we have decided to indirectly identify this factor by reference to its perceived value, either positively “adequate” or negatively “inadequate”. The perceptions we have referred to are, among others, official evaluations of the Secretary General to the Security Council, declarations from UN officials on the status of personnel resources, and any other official source which might help us understand whether the mission’s troops level was considered sufficient.

(F2) *Equipment*: Closely linked to the issue of size, equipment refers to a mission’s actual endowment in terms of weapons, machines, aviation units etc. Once again, due to measurement difficulties, we have relied on self-assessments, coming from UN officials and independent observers. An example of a situation in which “equipment” is judged to be inadequate would be the UN operation in Cote d’Ivoire, where the Secretary General mentions in three consecutive reports that the lack of an aviation unit – approved by the

Security Council, but with no Member State willing to contribute it – severely hampered the operational efficiency of UNOCI.

(F3) *Commitment*: An intangible factor, “commitment” refers to the psychological outlook of the deployed troops. We assume that a positive attitude as opposed to a demoralized attitude has a positive effect on the operation’s effectiveness. The commitment of troops is most evident in situations of danger where they are confronted with resistance in the implementation of their mandate, or when they are attacked. Although in some cases it may simply be prudent, due to the constellation of forces, not to take on the adversaries, the extent to which peacekeepers are prepared to risk their lives in the fulfilment of their mandate is a good indicator for their commitment to the mission.

(F4) *Credibility*: Whether a UN peacekeeping force is credible depends on a number of factors, especially the size, equipment and commitment of troops and the speed and resolve with which they are deployed. However, credibility is more than the sum of these factors in that it refers to the perception of the parties to the conflict rather than to the “objective” quality of the factors. As the Secretary General points out: “A mission that is *perceived as* strong from the beginning of its deployment is far less likely to be tested than one which is perceived as initially vulnerable or ineffective”²⁰². Credibility thus contributes to the effectiveness of a mission in that a credible mission is less likely to be challenged and can thus employ its resources more efficiently.

(F5) *Expert Knowledge*: Although not directly connected to either the physical or non-physical properties of the mission per se, this factor represents, in our view, an important structural component of UN missions. We are defining “expert knowledge” in terms of the existence of a specialized Human Rights Unit or, in a broader sense, of civilian personnel actively involved in the prevention of such abuses. The knowledge of how violations can be monitored, registered, and effectively countered represents a much needed addition to the use of force and is conducive to the re-establishment of the rule of law. We argue that a high level of expertise – within the field of human rights and humanitarian law – represents a precondition for the successful fulfilment of a UN operation’s “civilian protection” task.

²⁰² S/1999/957, §60 (emphasis added).

(F6) *Homogeneity*: Peacekeeping forces can be more or less homogeneous in a number of ways: with regard to their language and cultural background, their training and equipment, and even their political preferences. We assume that a peacekeeping force is more likely to be effective the more homogeneous it is. A common language facilitates communication within the force, similar levels of training and equipment make it easier for the commander to know what he can expect from his troops, and also make the overall performance of the force more predictable etc. In sum, homogeneity contributes to the cohesion of a peacekeeping force and may therefore partly explain its effectiveness.

(F7) *Saliency*: This factor refers to the saliency of the task to protect civilians in the mandate as well as in the operations of a peacekeeping force. The language of the provisions which authorize the protection of civilians differ: in some cases, the force *may* take the necessary action to protect civilians, in others it is authorized to *contribute* to the safety of the civilian population, and sometimes it is simply supposed to *ensure* the protection of civilians²⁰³. Another indicator for the saliency of the protection mandate is the attention which the Secretary General devotes to this part of the mandate in his reports to the Security Council. Moreover, the extent to which a mission implements measures which are aimed specifically at ensuring the protection of civilians is an indicator for the saliency of the protection mandate in the operations of the mission. It goes without saying that we assume a high saliency of the protection mandate to contribute to the effectiveness of a mission in protecting civilians.

(F8) *Intensity*: One of the external factors playing having a direct effect on the efficiency of UN actions is the intensity of the conflict. Intuitively speaking, “intensity” acts as a constraint on a mission’s operational capabilities, either straining them up to the point at which they are considered inadequate – as was the case with UNOCI in Cote d’Ivoire – or, by contrast, offering UN personnel the possibility to focus more on peace building processes and humanitarian assistance. Ideally, “intensity” should have a negative effect on effectiveness with a high level of conflict adversely affecting UN’s potential for protecting civilians.

(F9) *Legitimacy*: While the legitimacy of UN forces in the local population is primarily a function of their success in protecting civilians, it in turn also influences their effectiveness. On the one hand, the cooperation and support of the population can significantly enhance the peacekeepers’ ability to prevent attacks from occurring, and it is easier to protect civilians

²⁰³ Cf. Mansson 2005, p. 514.

when they trust the peacekeepers and actively seek their protection. On the other hand, if a UN mission is disliked by the local population, this can severely limit the troops’ freedom of movement and their capacity to fulfil their tasks: When protests against the United Nations erupt, the UN premises have to be protected against looting and destruction, and in a hostile atmosphere the peacekeepers have to be cautious not to be injured or even lynched. Furthermore, rejection by the local populations almost certainly has a devastating effects on the morale of the troops, and consequently, on their commitment.

(F10) *Cooperation*: In order to assess the influence a certain political environment has on a mission’s achievement, we have decided to use “cooperation” as the factor describing the willingness of major stakeholders – usually the warring parties – to solve the conflict and to cooperate with the UN peacekeeping force to this end. From this perspective, a high level of “cooperation” would positively influence UN endeavours in stabilizing the situation and releasing civilians from the insecurity of war. As a counter-example, Cote d’Ivoire’s situation is representative for “non-cooperation”. The lack of political will in finding a peaceful solution to the conflict is obvious from the constant obstructions to the peace process raised by high ranking Ivorians.

(F11) *Enforcement Mandate*: A mandate under Chapter VII of the UN Charter, i.e. a mandate to use “all necessary means”, including military force to fulfil a the tasks assigned to a mission, is not the same as an enforcement mandate. Chapter VII mandates can be given for a wide range of tasks. Only when these tasks include the re-establishment of peace in a country, e.g. by effectively taking control of the whole territory, does the mission have a peace-enforcement mandate.

The following table summarizes all our factors and offers additional explanations for the assigned values:

Table 3: Factor Values

	Factors	Values	Explanation	Correlation with Effectiveness
F1	Size	“Yes” = 1	Adequate	Positive
		“No” = 0	Inadequate	Negative
F2	Equipment	“Yes” = 1	Adequate	Positive
		“No” = 0	Inadequate	Negative
F3	Commitment	“Yes” = 1	High	Positive
		“No” = 0	Low	Negative
F4	Credibility	“Yes” = 1	High	Positive
		“No” = 0	Low	Negative
F5	Expert Knowledge	“Yes” = 1	High	Positive
		“No” = 0	Low	Negative

F6	Homogeneity	"Yes" = 1	High	Positive
		"No" = 0	Low	Negative
F7	Salience	"Yes" = 1	High	Positive
		"No" = 0	Low	Negative
F8	Intensity	"Yes" = 1	High	Negative
		"No" = 0	Low	Positive
F9	Legitimacy	"Yes" = 1	High	Positive
		"No" = 0	Low	Negative
F10	Cooperation	"Yes" = 1	High	Positive
		"No" = 0	Low	Negative
F11	Enforcement Mandate	"Yes" = 1	-	Positive
		"No" = 0	-	Negative

5.2. Case Studies

5.2.1. Sierra Leone

The reason for UNAMSIL's initial failure does not lay in an inadequate number of troops. At the time when the RUF took more than 500 peacekeepers hostage, the mission comprised more than 9,000 soldiers. Throughout the following years, UNAMSIL was for most of the time deployed in sufficient strength to fulfil its tasks. The assessment mission which investigated the May 2000 hostage crisis identified, however, "serious shortfalls in equipment"²⁰⁴ as one of the reasons. These problems were mainly due to the quick deployment of the mission and were subsequently addressed.

There were notable changes in commitment between different phases of the mission. The hastily deployed troops of UNAMSIL I, which had barely any knowledge about their mandate and the rules of engagement, were reportedly demoralized and put up almost no resistance when they were disarmed and taken hostage by rebels. The evidence suggests that the commitment changed when the force was restructured, better trained and placed under a more coherent command. It was also only after this restructuring process that the mission regained its credibility. The greater room for manoeuvre of the restructured mission allowed it to support the Sierran Leonean Government in the extension of state authority and therefore necessitated its transformation into a multi-dimensional peacekeeping operation with a strong human rights component.

In the beginning, UNAMSIL was more heterogeneous than is common for UN troops because it in part consisted of "re-hatted" ECOMOG troops. This created tensions, especially between the Indian force commander and his Nigerian subordinates. In the restructuring process, the Indian force commander was replaced; furthermore, the significant imbalances in training and equipment were mitigated. During the first year of its deployment, UNAMSIL was largely preoccupied with protecting itself; not surprisingly the protection of civilians was only a

²⁰⁴ S/2000/751, §54.

secondary concern at this time. Later, however, the plight of civilians in the areas under RUF-control became one of the key incentives to recover these territories. When UNAMSIL first deployed to Sierra Leone, the intensity of the conflict was high, and it remained so until UNAMSIL began to successfully embark on peace enforcement. Only UNAMSIL II had a peace enforcement mandate. Until the end of the conflict, the RUF only cooperated under heavy military pressure. UNAMSIL's legitimacy grew with its success.

5.2.2. Democratic Republic of Congo

It is hard to see how the troop level of MONUC could ever have been adequate if maybe 100,000, but certainly more than 50,000 troops would be necessary to pacify the country, which has the size of Western Europe, in the way Sierra Leone was pacified – through deployment of troops to all key locations in the country. However, since the deployment of MONUC in brigade-size to North and South Kivu and Ituri, the troop strength is adequate to fulfil the mission's tasks in these areas. At least, the strength of the troops deployed corresponds to the requests of the Secretary General. The same is true for Operation Artemis. Artemis and the three Eastern brigades were/are also adequately equipped and, due to their robust military posture, quickly became forces for the rebels to be reckoned with (“credibility”). On all these counts, the opposite is the case for MONUC I. For years, the mission did not reach its authorized strength and lacked the equipment direly needed especially in a country like the DR Congo, which is huge, but has almost no infrastructure. As concerns commitment, the hopelessly overstretched MONUC I troops displayed little enthusiasm for taking on rebels e.g. in Ituri or Bukavu, although their mandate allowed them to do so. On the other hand, the mainly French troops which made up Artemis, as well as the Indian and Pakistani brigades deployed in the Kivus (MONUC II) were much more committed to their mission than the soldiers they replaced. The deployment of the Kivu brigades also increased the homogeneity of MONUC as they replaced a “patchwork of national contingents of varying degrees and enthusiasm”²⁰⁵.

The more robust approach taken by the Kivu brigades became possible after the Security Council had expanded the peace enforcement mandate which it had originally limited to Ituri to the rest of the country. Due to the intensity of the conflict which remains relatively high to this day, it was only with this mandate and a significant increase in troop strength that MONUC felt to be capable to give high priority to the protection of the civilian population. However, there remain some constants with earlier years: The mission always had a human

²⁰⁵ Traub 2005.

rights component, and the rebels refuse to cooperate to this day. Furthermore, in the first years of its deployment MONUC has ruined its reputation so thoroughly, through ineptitude and instances of sexual exploitation, that the recent changes seem not to have made much of a difference in public attitudes towards the mission.

5.2.3. Liberia

After applying the analytic framework to our analysis of Liberia's UN intervention a couple of interesting results have emerged. First, the Liberian case can be considered a success story, also in view of the country's October 2005 elections when, after what international observers had declared a free and fair process - a woman, Ellen Johnson Sirleaf, was elected head of state. The improving security situation in Liberia and the ever growing participation of its civil society in ongoing deliberations about the country's reconstruction process is a telling proof that UNMIL has been effective in protecting civilians. Second, almost all the factors under analysis have been assigned positive values. The UN mission is thus characterized by an adequate size, sufficient equipment, high commitment, and credibility. Its human rights component ("Expert Knowledge") is actively engaged in promoting human rights culture and legislation. The UN troops are homogeneous - as defined in Section 5.1. - and the salience of the "protection of civilians" task within the mission's mandate is high. Moreover, with respect to potential conflicts, the situation is stable, although as yet fragile. The DDR program has successfully demobilized ex-combatants and large quantities of weapons have been confiscated. Despite ongoing looting, especially in more remote areas of the country, and persistent, though small scale street clashes, the intensity of the conflict is low. The UN is perceived as the legitimate actor in the implementation of the peace process (high "Legitimacy") and the reconstruction of Liberia's democratic institutions. Cooperation from major political figures, though tentative at first, has positively evolved over the last year. In conclusion, we can safely say that UNMIL is actively fulfilling its peacekeeping mandate (not "enforcement mandate" though) and that the protection of civilians has figured high on the agenda from the first moment of the mission's deployment.

5.2.4. Côte d'Ivoire

Despite strenuous international attempts at solving the Ivorian conflict, the situation seems still far from improving. The rising tension and the ongoing violent clashes between President Gbagbo's supporters and the Forces Nouvelles rebels have severely strained UNOCI's capacity to protect non-combatants. In the light of its "ineffective" assessment, the values allotted to the different factors help in drawing a rather mixed picture of both the mission's

achievements and the conflict's intrinsic features. First, as an overall observation, the values – by comparison to the UNMIL case – tend to be rather negative. “Size”, “Equipment”, “Credibility”, and “Cooperation” are all assigned a “0” evaluation. This means that the mission does not have the necessary resources to fulfill its mandate, it is understaffed, lacks adequate equipment and consequently, its credibility is low. Moreover, despite the low intensity of conflict due to the zone of confidence separating the two sides, UNOCI's ineffectiveness in protecting civilians is aggravated by the non-cooperation of the warring parties. President Gbagbo for example is known to be the advocate of a so-called “military solution”, that is the elimination of northern rebels by force. From this perspective, his commitment to UN peace initiatives does appear rather questionable. With a “peacekeeping mandate” which does not spell out any clear provisions for the adoption of a proactive stance, the UN operation in Cote d'Ivoire is trapped in a system which has adjusted to war and – due to its profitability for almost all the main contenders – finds little incentive in promoting peace.

5.2.5. Burundi

As we already pointed out, ONUB's role in protecting civilians has been very limited due to the stable security situation and the country's effective army. With this in mind, it is safe to say that ONUB's size and equipment have been adequate for its tasks. There is no evidence which would suggest that the ONUB troops have not been committed to their mission. However, due to its limited role, it would be hard ascribe to ONUB any credibility as an autonomous military actor. At least as important for the protection of civilians as its military assistance has been the human rights component, which has been monitoring the treatment of civilians by the parties to the conflict. This has been facilitated by the good cooperation of the Burundian Government and the Army. Consisting of a “re-hatted” African Union mission which was supplemented with troops from Pakistan and Nepal, ONUB has not been a homogeneous mission. Although it has mainly indirectly contributed to the protection of civilians (“low salience”), there have been no incidents which would indicate that the population disapproves of the mission in any way. As peace was already established when ONUB arrived, there was obviously no need for an enforcement mandate.

5.3. Summary

The empirical results we have gathered so far are summarized below in a Table 9. Overall, we have differentiated our empirical cases into “effective” missions: ONUB, ARTEMIS, MONUC II, UNMIL, and UNAMSIL II and “ineffective” ones: UNAMSIL I, UNOCI, and

MONUC I. A first look at the table shows no striking correlation between one condition in particular and its respective outcome. The patterns are “hidden” in the information, and in order to disengage the valid configurations – which would help us explain these outcomes – we need to apply a formalized procedure for reducing the quantity of information and bringing forward cross-case regularities²⁰⁶. We proceed in two steps: (1) a simplifying procedure is applied to these results: homogeneous rows are merged and all the varying factors will be eliminated; (2) the final results are presented in a final table (Table 10), under the form of two configurations explaining the outcome “effectiveness”.

Table 9: “Truth Table”

Nr.	Factor(s)	Cases							
		Sierra Leone	Côte d’Ivoire	Congo	Burundi	Congo	Congo	Liberia	Sierra Leone
		UNAMSIL1 1999/01	UNOCI 2004/05	MONUC1 2000/04	ONUB 2004/05	ARTEMIS 2003/04	MONUC2 2004/05	UNMIL 2003/05	UNAMSIL2 2001/05
F1	Size	1	0	0	1	1	1	1	1
F2	Equipment	0	0	0	1	1	1	1	1
F3	Commitment	0	1	0	1	1	1	1	1
F4	Credibility	0	0	0	0	1	1	1	1
F5	Expert Knowledge	0	1	1	1	1	1	1	1
F6	Homogeneity	0	1	0	0	1	1	1	0
F7	Saliency	0	1	0	0	1	1	1	1
F8	Intensity	1	0	1	0	1	1	0	1
F9	Legitimacy	0	1	0	1	1	0	1	1
F10	Cooperation	0	0	0	1	0	0	1	0
F11	Enforcement Mandate	0	0	0	0	1	1	0	1
	Effectiveness (Eff./Ineff.)	Ineff.	Ineff.	Ineff.	Eff.	Eff.	Eff.	Eff.	Eff.

Simplification of Rows: Results for “Effectiveness”

This standardization yields some interesting regularities. However, the results are still rather mixed and more simplification is needed, an operation which is performed in the next step. In Table 10, the conditions (factors) associated with the outcome under analysis have been standardized so as to show: the presence (uppercase style) and absence (lowercase style) of a condition with “x” symbolizing the combination of factors. “SIZE” in this case means that the condition has received a value of “1” in Table 9, i.e. the attribute “adequate size” can be identified in the respective mission. By contrast, “homogeneity” (UNAMSIL II) which has the value of “0” shows that UNAMSIL II is characterized by a low homogeneity of troops. The **simplifying of rows** refers to an operation which eliminates the variation of factors and

²⁰⁶ The methodology we are applying in this section relies extensively on Charles Ragin’s description of comparative research. See Ragin 1994, p. 120.

focuses instead on constants. This means that we need first to identify the rows which are homogenous in terms of their conditions' values. A quick glance at Table 9 shows that we have two such potential mergers: Rows 1, 3, and 4 are quite similar on most of their variables, with the exception of “homogeneity” and “legitimacy”. The first one – “homogeneity”— is negative in R1 and positive in both R3 and R4. The second condition – “legitimacy” – is negative in R3 and positive in the other two. By merging the rows²⁰⁷ – in a procedure equalling the subsuming of R1 + R3 + R4 – we eliminate the variation of “homogeneity” and “legitimacy” and, instead, we are left with our first explanatory configuration for the outcome “effectiveness”. The same procedure is applied in the case of rows 2 and 5. The results are presented in Table 10.

Table 10: Simplified Configurations

Rows	Configurations
R1 + R3 + R4	SIZE x EQUIP x COMMIT x CRED x EK x SAL. x INT x coop x MANDATE
R2 + R5	SIZE x EQUIP x COMMIT x EK x int x LEG x COOP x mandate

Conclusion

What do these configurations tell us? Obviously we have to distinguish between two different conflict patterns which necessitate that specific factors be present in order for a peacekeeping mission to be effective in protecting civilians. There are four factors which are in any case essential for the success of the mission: adequate troop strength, adequate equipment, high commitment on the part of the troops and “expert knowledge”, e.g. a human rights component. The other factors vary across different conflict patterns:

(1) High-intensity conflict with non-cooperation by the parties.

In a high-intensity conflict in which some or all of the parties refuse to cooperate with the UN mission, the peacekeeping force can only succeed in protecting civilians if the following additional conditions are met:

- The mission must have a peace-enforcement mandate. It has to be authorized to use force not only to protect civilians under immediate threat of physical violence, but also to enforce peace more broadly, e.g. by expanding its control over territory, taking on armed elements which resist the mission’s deployment etc..

²⁰⁷ Ragin mentions that only two rows are usually merged at once (1994: 123). Given the similarity of the three rows we have decided to avoid a two-step procedure and to push this merger at the same time.

- The mission must be militarily credible. It must not only have an adequate size, adequate equipment and commitment, but must also project its military strength in order to enforce respect and deter potential challengers. A robust military posture is also a precondition for a mission to fulfil its enforcement mandate.
- The mission must give high salience to the protection of civilians. Even a militarily credible peacekeeping force with an enforcement mandate may fail to protect civilians if it does not give priority to this particular task.

(2) Low-intensity conflict with cooperation by the parties

In a low-intensity conflict in which the parties cooperate with the UN mission, the peacekeeping force can succeed in protecting civilians without a peace-enforcement mandate, without military credibility and without giving particular salience to the task. Only one additional condition must be met for the mission to effectively protect civilians:

- The mission must enjoy legitimacy in the local population. As the legitimacy of a peacekeeping force is not only a precondition for the mission's success, but can also be the result of the mission's effectiveness in protecting civilians, there is a possibility for the emergence of a virtuous circle between effectiveness and legitimacy.

How can these configurations be put to use for explaining the effectiveness of the UN peacekeeping missions discussed in the case studies? It is easy to explain the failure of UNAMSIL I, UNOCI and MONUC I in protecting the civilian population on the basis of the configurations. None of these peacekeeping missions even met all of the four basic criteria – adequate size and equipment, commitment and human rights expertise – which have to be present in any case for a mission to effectively protect civilians. The success of Artemis, MONUC II and UNAMSIL II even under conditions of a high-intensity conflict and without the cooperation of the parties is explained, in addition to the indispensable factors, by their enforcement mandate, their military credibility and the importance they attributed to the task of civilian protection. Interestingly, neither their legitimacy in the eyes of the population nor the homogeneity of their forces have been decisive. According to the configurations, the success of UNMIL and ONUB can be attributed to the cooperation of the parties, the low intensity of the conflicts in which they operated, as well as their legitimacy in the population. Neither the salience of civilian protection in their activities nor their military credibility has played a decisive role in their effectiveness.

6. Conclusion

The aim of this paper was to assess and explain the effectiveness of UN Forces in protecting civilians. The protection of civilians, if necessary with the help of military force, is a relatively new task in the ever-increasing repertoire of functions which UN peacekeeping missions have come to assume, especially since the end of the Cold War. At the same time, for civilians caught in the devastating dynamics of the “new wars”, physical protection is doubtlessly the most important and immediate concern. The novelty and salience of the protection of civilians by international forces justify the highest level of academic attention.

Since so far no comprehensive study on the effectiveness of UN peacekeeping forces in the protection of civilians by UN peacekeeping forces has been undertaken²⁰⁸, this paper represents pioneering work. We have approached the topic in two steps. Firstly, we have created “thick descriptions” of the performance of all peacekeeping missions which had or have the mandate to use all necessary means in order to protect civilians. We then assessed their effectiveness in fulfilling this task based on a previously specified standard. Secondly, we have identified factors which we believed could be part of an explanation of the effectiveness of the peacekeeping missions in our empirical cases. We then used a comparative method to arrive at constellations of factors which explain why some missions have failed, and others have succeeded in protecting civilians.

Of course, our interest in explaining the effectiveness of peacekeeping missions is not purely academic. The incredible plight which civilians continue to endure in armed conflicts makes the improvement of the effectiveness of UN peacekeeping operations an immediately practical concern. Our findings do have practical implications beyond the hardly surprising discovery of the necessity for adequate troop strength and equipment. Especially the preconditions for effective civilian protection in high-intensity conflicts with non-cooperative parties, which we have identified, deserve closer consideration. Apparently, a Chapter VII mandate which is limited to the protection of civilians under immediate threat of physical danger is insufficient in such conflicts. Only the more comprehensive use of military force which a peace-enforcement mandate allows for effective protection of civilians in these contexts, as the example of Sierra Leone and the Democratic Republic of Congo show. We can only hope that the Security Council considers these experiences when it decides on a mandate for a United Nations peacekeeping mission for Darfur within the coming weeks.

We are perfectly aware of the limitations of our approach. The small number of cases make generalizations very difficult. Furthermore, the dynamics of armed conflicts, especially in

²⁰⁸ See Mansson 2005, p. 516: “No study has been undertaken as to when and how recourse to use of force for the protection of civilians has been implemented and successful.”

failing states, as well as the workings of peacekeeping operations are influenced by a complex interplay of often unique political, military, historical, social and geographical circumstances which can hardly be captured by eleven rather broadly defined factors. We therefore see this paper as not more than a first step to a better understanding of how the international community, acting through the United Nations, can live up to the promise to assume its responsibility to protect.

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