The concept of UN peacekeeping has had to evolve and change to meet the challenges of contemporary sources of conflict; consequently, peacekeeping operations have grown rapidly in number and complexity. This book examines a number of issues associated with contemporary multinational peace operations, and seeks to provide insights into the problems that arise in establishing and deploying such forces to meet the challenges of current conflicts.

The focus of the book is three case studies (Lebanon, Somalia and Kosovo), involving a comparative analysis of the traditional peacekeeping in Lebanon, the more robust peace enforcement mission in Somalia, and the international administration undertaken on behalf of the international community in Kosovo. The book analyses the lessons that may be learned from these operations in terms of mandates, command and control, use of force and the relevance of international humanitarian and human rights law to such operations.

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UN PEACEKEEPING IN LEBANON, SOMALIA AND KOSOVO

Operational and Legal Issues in Practice

RAY MURPHY
To my parents, Renee and Frank Murphy
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Peacekeeping was pioneered and developed by the United Nations (UN) as a means by which it could fulfil its role under the UN Charter in the maintenance of international peace and security. The concept of UN peacekeeping has had to evolve and change to meet the challenges of contemporary sources of conflict; consequently, peacekeeping and related operations have grown rapidly in number and complexity. This book is an interdisciplinary study that examines a number of operational and legal issues associated with contemporary multi-national peace operations, and seeks to provide insights into the problems that arise in establishing and deploying such forces to meet the challenges of current conflicts. The primary focus is on three case studies, Lebanon, Somalia and Kosovo, and these are used to conduct a comparative analysis of traditional or first-generation peacekeeping, and that of second-generation multi-dimensional peace operations. Each operation examined highlights serious difficulties that arise in the command and control of UN missions, although the larger, more complex UNOSOM II (Somalia) and Kosovo missions present significantly more serious dilemmas in this regard. These problems are often exacerbated by deficiencies in the municipal laws and domestic political concerns of contributing states.

An important distinguishing feature between traditional peacekeeping operations and that of more robust peace enforcement operations is the policy regarding the use of force. Devising appropriate rules of engagement (ROE) remains a key issue in the planning and deployment of any multi-national force and a number of recommendations are made on how to deal with this problem.

The matter of the applicability of international humanitarian and human rights law to multi-national forces is also relevant in a review of all three operations. Human rights issues have been highlighted in recent times by the revelations regarding abuses that occurred in the course of peace operations. The privileges and immunities enjoyed by UN personnel, although intended to protect the interests of the UN and not individuals, may have been one factor in the numbers of personnel
involved in such activities. Other problems can be attributed to a lack of civilian control and lack of real accountability. Ensuring compliance with international humanitarian law norms on peace support operations also remains problematic.

The United Nations Interim Administration in Kosovo (UNMIK) was established in 1999. Working closely with the NATO-led KFOR, UNMIK performs the whole spectrum of essential administrative functions and services in the province of Kosovo. It is a unique operation in one of the most politically volatile areas of Europe. There is no obvious solution to the status of Kosovo and at the time of writing the parties at the most recent summit on the issue are reported to be deadlocked. The underlying dilemma in Kosovo is that, once force is used to protect human rights, it inevitably impinges upon sovereignty and may even alter borders.

UNOSOM II was the first real test in the post-Cold War era of UN-mandated nation-building. Events in Somalia had a significant impact on United States foreign policy and they have also cast a shadow over UN and United States involvement in similar operations from Kosovo to Afghanistan. The book analyses the lessons to be learned from the experiences of UNIFIL, UNOSOM and UNMIK in regard to these and related issues.

As I complete the final draft, violence has once more broken out between Israel and the Islamic resistance movement Hizbollah in Lebanon. At the same time, Islamic militants are consolidating their control of Somalia. The leaders of the G-8 industrial nations and UN Secretary General Kofi Annan have called for the swift deployment of international troops to end the escalating violence in south Lebanon. Reference has been made to the need for an ‘aggressive’ or ‘robust mandate’ for the proposed force, but it is difficult not to conclude that many of the lessons from previous operations are not being considered.

An unfortunate consequence of the current crisis and focus on the Middle East is that attention is being deflected from equally serious humanitarian catastrophes taking place in Darfur and elsewhere.

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Map 1. Lebanon
Map 2. Somalia
Map 3. Kosovo