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CONGRESSIONAL TESTIMONY

United Nations Peacekeeping: Challenges and Opportunities

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Thank you for inviting me to speak about United Nations Peacekeeping: Challenges and Opportunities. My name is Brett Schaefer. I am the Jay Kingham Fellow in International Regulatory Affairs at The Heritage Foundation. The views I express in this testimony are my own and should not be construed as representing any official position of The Heritage Foundation.

UN Peacekeeping

One of the United Nations' primary responsibilities—and the one that Americans most agree with—is to help maintain international peace and security, but the UN has come under increasing criticism, both within the United States and around the world, for its inability to keep the peace where it is asked to do so. The UN Charter places principal responsibility for maintaining international peace and security within the UN system on the Security Council.¹ The Charter gives the Security Council extensive powers to investigate disputes to determine whether they endanger international peace and security; to call on participants in a dispute to settle the conflict through peaceful negotiation; to impose mandatory economic, travel, and diplomatic sanctions; and ultimately to authorize the use of military force.² This robust vision of the UN as a key vehicle for maintaining international peace and security quickly ran athwart the interests of the member states, particularly during the Cold War when opposing alliances prevented the UN from taking decisive action except when the interests of the major powers were minimal.

As a result, between 1945 and 1990, the Security Council established only 18 peace operations, despite a multitude of conflicts during that period that threatened international peace and security to greater or lesser degree.³ Traditionally, Security Council authorizations of military force have involved deployments into relatively low-risk situations such as truce monitoring. The bulk of these peace operations were fact-finding missions, observer missions, and other roles in assisting peace processes in which the parties had agreed to cease hostilities.⁴ UN peace operations were rarely authorized with the expectation of the use of force.⁵

Since the end of the Cold War, the UN Security Council has been far more active in establishing peace operations. In the early 1990s, crises in the Balkans, Somalia, and Cambodia led to a dramatic increase in missions. However, the debacle in Somalia and the failure of UN

¹Charter of the United Nations, Article 24, at www.un.org/aboutun/charte.

²In matters of international peace and security, the UN Security Council was originally envisioned, unrealistically in retrospect, as the principal vehicle for the use of force, except for the inherent right of every state to defend itself if attacked, facing an imminent attack, or facing an immediate threat, which the Charter explicitly acknowledges. Charter of the United Nations, Article 51.

³Since 1945, there have been approximately 300 wars resulting in over 22 million deaths. The UN has authorized military action to counter aggression just twice: in response to the North Korean invasion of South Korea in 1950 and the Iraqi invasion of Kuwait in 1990.

⁴For example, the UN Truce Supervision Organization (UNTSO) was established in 1948 to observe the cease-fire agreements among Egypt, Jordan, Lebanon, Syria, and Israel and still operates today. The UNTSO and UNEF I missions are examples of “traditional” UN peace operations. Interestingly, the first venture into peacekeeping was taken by the General Assembly in 1956 after the Security Council was unable to reach a consensus on the Suez Crisis. The General Assembly established the UN Emergency Force (UNEF I) to separate Egyptian and Israeli forces and to facilitate the transition of the Suez Canal when British and French forces left. Because the UNEF resolutions were not passed under Chapter VII, Egypt had to approve the deployment.

⁵This restraint was reinforced by the UN venture into peace enforcement in the Congo (1960–1964), in which UN-led forces confronted a mutiny by Congolese armed forces against the government, sought to maintain the Congo's territorial integrity, and tried to prevent civil war after the province of Katanga seceded. According to a RAND Corporation study, “UN achievements in the Congo came at considerable cost in men lost, money spent, and controversy raised. . . . As a result of these costs and controversies, neither the United Nations' leadership nor its member nations were eager to repeat the experience. For the next 25 years the United Nations restricted its military interventions to interpositional peacekeeping, policing ceasefires, and patrolling disengagement zones in circumstances where all parties invited its presence and armed force was to be used by UN troops only in self-defense.” James Dobbins, Seth G. Jones, Keith Crane, Andrew Rathmell, Brett Steele, Richard Teltschik, and Anga Timilsina, “The UN's Role in Nation-Building: From the Congo to Iraq,” RAND Corporation, 2005, p. xvi, at www.rand.org/pubs/monographs/2005/RAND_MG304.pdf.

peacekeepers to intervene and prevent the 1994 genocide in Rwanda and or to stop the 1995 massacre in Srebrenica, Bosnia, led to a necessary skepticism about UN peacekeeping.

With a number of troubling situations, many in Africa, receiving increasing attention in the media in recent years, however, the Security Council has found itself under pressure to respond and “do something.” The response, for better or worse, has often been to establish a new peacekeeping operation.

The Security Council has approved over 40 new peace operations since 1990. Half of all current peacekeeping operations have been authorized by the Security Council since 2000. These post-1990 operations involved a dramatic expansion in scope, purpose, and responsibilities beyond traditional peace operations. Moreover, these missions reflected a change in the nature of conflict from interstate conflict between nations to intrastate conflict within states by authorizing missions focused on quelling civil wars.⁶

This expansion of risk and responsibilities was justified by pointing out the international consequences of the conflict, such as refugees or preventing widespread conflict and instability. While such actions may be justified in some cases, they represent a dramatic shift from earlier doctrine. As a result, from a rather modest history of monitoring cease-fires, demilitarized zones, and post-conflict security, UN peace operations have expanded to include multiple responsibilities including more complex military interventions, civilian police duties, human rights interventions, reconstruction, overseeing elections, and post-conflict reconstruction.⁷

At the end of May 2008, there were 17 active UN peacekeeping operations and another three political or peace-building operations⁸ directed and supported by the UN Department of Peacekeeping Operations (UNDPKO). Ten of these operations, including political missions, were in Africa (Burundi, Central African Republic and Chad, Côte d’Ivoire, Darfur, Democratic Republic of Congo, Ethiopia and Eritrea, Liberia, Sierra Leone, Sudan, Western Sahara); one was in the Caribbean (Haiti); three were in Europe (Cyprus, Georgia, and Kosovo); and the remaining six missions were in the Middle East (the Middle East, Lebanon, the Syrian Golan Heights) and in Asia (Afghanistan, East Timor, and India and Pakistan).

The size and expense of UN peace operations have risen to unprecedented levels. The 17 peacekeeping missions cited above involved some 88,000 uniformed personnel from 117 countries, including over 74,000 troops, 2,500 military observers, and 11,000 police personnel. There were also over 19,500 UN volunteers and other international and local civilian personnel employed in these 17 operations. Additionally, over 2,000 military observers, police, international and local civilians, and UN volunteers were involved in the three political or peace-building missions directed and supported by UNDPKO.⁹

⁶According to one estimate, 80 percent of all wars from 1900 to 1941 were conflicts between states involving formal state armies, while 85 percent of all wars from 1945 to 1976 were within the territory of a single state and involved internal armies, militias, rebels, or other parties to the conflict. See Charter of the United Nations, Article 2, and Michael W. Doyle and Nicholas Sambanis, *Making War and Building Peace: United Nations Peace Operations* (Princeton, N.J.: Princeton University Press, 2006), p. 11, at www.press.princeton.edu/chapters/s8196.pdf.

⁷The broadening of UN peacekeeping into these non-traditional missions and the mixed UN record in pursuit of these missions raise legitimate questions as to whether the UN should be engaged in these activities. Such a question is beyond the scope of this paper and is primarily a political question that can be resolved by the members of the Security Council, particularly by the permanent members. For more information, see John R. Bolton, “United States Policy on United Nations Peacekeeping: Case Studies in the Congo, Sierra Leone, Ethiopia–Eritrea, Kosovo and East Timor,” testimony before the Committee on International Relations, U.S. House of Representatives, January 21, 2000, at www.aei.org/publications/pubID.17044.filter.all/pub_detail.asp.

⁸UN Assistance Mission in Afghanistan or UNAMA, UN Integrated Office in Sierra Leone or UNIOSIL, UN Integrated Office in Burundi or BINUB.

⁹United Nations Peacekeeping, “Current Operations,” at <http://www.un.org/Depts/dpko/dpko/currentops.shtml#africa>; United Nations Peacekeeping, “Monthly Summary of Contributions of Military and Civilian Police Personnel,” at

All told, including international and local civilian personnel and UN volunteers, the personnel involved in UN peacekeeping, political, or peace-building operations overseen by UNDPKO totaled more than 109,500 at the end of May 2008. These operations involved the deployment of more uniformed personnel than were deployed by any single nation in the world other than the United States. (See attached Table)

This activity has also led to a dramatically increased budget. The approved budget for UNDPKO—just one department in the UN Secretariat—from July 1, 2007, to June 30, 2008, was approximately \$6.8 billion. The projected budget for UN peacekeeping operations is \$7.4 billion for the July 1, 2008, to June 30, 2009, fiscal year. This is a 10 percent increase over the previous budget and nearly a threefold increase in budget and personnel since 2003.¹⁰

By comparison, the annual peacekeeping budget is now triple the size of the annualized UN regular biennial 2008/2009 budget for the rest of the Secretariat.

In general, the U.S. has supported the expansion of UN peacekeeping. Multiple Administrations have concluded that it is in America's interest to support UN operations as a useful, cost-effective way to influence situations that affect the U.S. national interest but do not rise to the level of requiring direct U.S. intervention. Although the UN peacekeeping record includes significant failures, UN peace operations overall have proven to be a convenient multilateral means for addressing humanitarian concerns in situations where conflict or instability make civilians vulnerable to atrocities, for promoting peace efforts, and for supporting the transition to democracy and post-conflict rebuilding.

The U.S. contributes the greatest share of funding for peacekeeping operations. The U.S. is assessed 22 percent of the UN regular budget, but is assessed over 26 percent of the UN peacekeeping budget. All permanent members of the Security Council—China, France, Russia, the United Kingdom, and the United States—are charged a premium above their regular assessment rate. However, none pay nearly what the U.S. is assessed. In 2008–2009, the UN assessment for the U.S. is just under 26 percent. China is assessed 3.15 percent, France is assessed 7.4 percent, Russia is assessed 1.4 percent, and the U.K. is assessed 7.8 percent.¹¹ Thus, the U.S. is assessed more than all of the other permanent members combined. Japan and Germany, even though they are not permanent members of the Security Council, rank second and third in assessments at 16.6 percent and 8.6 percent, respectively.

Based on the UN's July 1, 2008, to June 30, 2008, budget projection for peacekeeping, the U.S. will be asked to pay over \$1.9 billion for UN peacekeeping activities over that time.¹² As a means of comparison, the 30-plus countries assessed the lowest rate of 0.0001 percent of the peacekeeping budget for 2008–2009 will be assessed \$7,352 based on that projection.

Although the U.S. and other developed countries regularly provide lift and logistics support, many developed countries that possess trained personnel and other essential resources are generally reluctant to participate directly in UN peace operations. The five permanent

<http://www.un.org/Depts/dpko/dpko/contributors/>; and "United Nations Political and Peacebuilding Missions," *Background Note*, May 31, 2008, at <http://www.un.org/Depts/dpko/dpko/ppbm.pdf>.

¹⁰Harvey Morris, "UN peacekeeping in line of fire," *The Financial Times*, May 20, 2008, at <http://www.ft.com/cms/s/0/67ae1fe4-23ac-11dd-b214-000077b07658.html>.

¹¹U.N. General Assembly, "Scale Implementation of General Assembly Resolutions 55/235 and 55/236," A/61/139/Add.1, 61st Sess., December 27, 2006.

¹²This is, of course, a best guess on the part of the UN. If a new mission is approved during the year, if a mission is closed unexpectedly, or if a mission does not deploy on schedule, the estimates would be adjusted. The U.S. is perpetually out of sync because it prepares its budget requests a year in advance. Shortfalls and other unforeseen changes are usually addressed in a subsequent or supplemental appropriation.

members contribute a total of less than 6 percent of UN uniformed personnel. The U.S. contribution totaled 14 troops, 16 military observers, and 259 police. This is roughly comparable to Russia and the U.K., which contributed 358 and 299 uniformed personnel, respectively. China and France contributed more at 1,977 and 2,090 personnel.

The top 10 contributors of uniformed personnel to UN operations are nearly all developing countries: Pakistan (10,623); Bangladesh (9,037); India (8,862); Nigeria (5,218); Nepal (3,711); Ghana (3,239); Jordan (3,017); Rwanda (3,001); Italy (2,864); and Uruguay, (2,617).¹³ A number of reasons account for this situation, including the fact that major contributors use UN participation as a form of training and income.¹⁴

While the U.S. clearly should support UN peacekeeping operations when they support America's national interests, broadening UN peace operations into nontraditional missions like peace enforcement and the inability to garner broad international support in terms of troop contributions, logistics support, and funding raise legitimate questions as to whether or not the UN should be engaged in the current number of missions and whether these situations are best addressed through the UN or through regional, multilateral, or ad hoc efforts with Security Council support. Concerns are growing that the system for assessing the UN peacekeeping budget is inappropriate, given the far larger financial demands of this expanded role for UN peacekeeping. Such questions are primarily political questions that can be resolved only by the member states.

Outside of the political realm, however, is the fundamental question of whether the system as currently structured is capable of meeting its responsibilities. Indisputably, the unprecedented frequency and size of recent UN deployments and the resulting financial demands have challenged and overwhelmed the capabilities of the UN Department of Peacekeeping Operations, leading to serious problems of mismanagement, misconduct, poor planning, corruption, sexual abuse, unclear mandates, and other weaknesses. Let me highlight two notable problems.

Mismanagement, Fraud, and Corruption. The UN, as illustrated by the Oil-for-Food scandals and the more recent instances of mismanagement by UNDP in North Korea, has proven to be susceptible to mismanagement, fraud, and corruption. This also applies to UN peacekeeping. The Secretariat procured over \$1.6 billion in goods and services in 2005, mostly to support peacekeeping, which has more than quadrupled in size since 1999. An Office of Internal Oversight Services (OIOS) audit of \$1 billion in DPKO procurement contracts over a six-year period found that at least \$265 million was subject to waste, fraud, or abuse.¹⁵ The U.S. Government Accountability Office concluded:

While the U.N. Department of Management is responsible for U.N. procurement, field procurement staff are instead supervised by the U.N. Department of Peacekeeping Operations, which currently lacks the expertise and capacities

¹³Troop contributor data are as of May 31, 2008. See UN Department of Peacekeeping Operations, "Monthly Summary of Contributions (Military Observers, Police and Troops)," at http://www.un.org/Depts/dpko/dpko/contributors/2008/may08_1.pdf.

¹⁴According to the United Nations Foundation, "The UN pays the governments of troop contributing countries \$1,110 per soldier each month of deployment." This amount is far greater than the nations pay the troops participating in the missions. United Nations Foundation, "Season of the Blue Helmets," *UNF Insights: New Ideas for International Cooperation*, at www.unfoundation.org/features/unf_insights/season_blue_helmets.asp.

¹⁵UN Security Council, "Peacekeeping Procurement Audit Found Mismanagement, Risk of Financial Loss, Security Council Told in Briefing by Chief of Staff," SC/8645, UN Department of Public Information, February 22, 2006, at www.un.org/News/Press/docs/2006/sc8645.doc.htm.

needed to manage field procurement activities.¹⁶

In reaction to the OIOS audit, the Department of Management and the DPKO accepted a majority of the 32 OIOS audit recommendations for addressing the findings.¹⁷ However, a more recent report from earlier this year indicates that these new procedures may not be sufficient to prevent a recurrence of fraud and corruption. Specifically, the OIOS revealed earlier this year that it is investigating about 250 corruption cases ranging from sexual abuse by peacekeepers to financial irregularities. According to Inga-Britt Ahlenius, head of the OIOS, “We can say that we found mismanagement and fraud and corruption to an extent we didn’t really expect.”¹⁸ According to the report, \$1.4 billion worth of peacekeeping contracts turned up “significant” corruption schemes involving more than \$619 million, or 44 percent of the total value of the contracts.¹⁹ At the time of the report, the task force had looked at only seven of the 18 UN peacekeeping missions that were operational over the period of the investigation. A 2008 report on the audit of the UN mission in Sudan revealed tens of millions lost to mismanagement and waste and substantial indications of fraud and corruption.²⁰

Worse, even the OIOS seems to be susceptible to improper influence. Allegations were made in 2006 that UN peacekeepers had illegal dealings with Congolese militias, including gold smuggling and arms trafficking. According to the lead OIOS investigator in charge of investigating the charges against the UN peacekeepers in the Congo, he had found the allegations of abuses by Pakistani peacekeepers to be “credible,” but the “the investigation was taken away from my team after we resisted what we saw as attempts to influence the outcome. My fellow team members and I were appalled to see that the oversight office’s final report was little short of a whitewash.”²¹ BBC and Human Rights Watch have provided evidence that the UN covered up evidence of wrongdoing by its peacekeepers in Congo.²²

Sexual Misconduct. In recent years, there have been several harrowing reports of crimes committed by UN personnel, from rape to the forced prostitution of women and young girls, the most notorious of which have involved the UN Mission in the Democratic Republic of Congo. Indeed, allegations and confirmed incidents of sexual exploitation and abuse by UN personnel have become depressingly routine in Bosnia, Burundi, Cambodia, Congo, Guinea, Haiti, Kosovo, Liberia, Sierra Leone, and Sudan.²³

The alleged perpetrators of these abuses include UN military and civilian personnel from a number of UN member states involved in peace operations and from UN funds and programs. The victims are refugees—many of them children—who have been terrorized by years of war

¹⁶David M. Walker, Comptroller General of the United States, “United Nations: Internal Oversight and Procurement Controls and Processes Need Strengthening,” GAO-06-701T, testimony before the Committee on International Relations, U.S. House of Representatives, April 27, 2006, at www.gao.gov/new.items/d06701t.pdf.

¹⁷UN Security Council, “Peacekeeping Procurement Audit Found Mismanagement, Risk of Financial Loss, Security Council Told in Briefing by Chief of Staff.”

¹⁸Louis Charbonneau, “UN probe into abuse, corruption,” *The Courier-Mail* (Queensland), January 12, 2008.

¹⁹George Russell, “Report Details Progress in Battle Against Corruption at U.N. Office,” Fox News, October 11, 2007, at <http://www.foxnews.com/story/0,2933,301255,00.html>.

²⁰Colum Lynch, “Audit of U.N.’s Sudan Mission Finds Tens of Millions in Waste,” *The Washington Post*, February 10, 2008, p. A16.

²¹Matthias Basanisi, “Who Will Watch the Peacekeepers?” *The New York Times*, May 23, 2008, at <http://www.nytimes.com/2008/05/23/opinion/23basanisi.html>.

²²BBC, “UN troops ‘armed DR Congo rebels’,” April 28, 2008, at <http://news.bbc.co.uk/2/hi/africa/7365283.stm>, and Joe Bavier, “UN ignored peacekeeper abuses in Congo, group says,” May 2, 2008, at <http://www.reuters.com/article/featuredCrisis/idUSN02278304>.

²³See Kate Holt and Sarah Hughes, “UN Staff Accused of Raping Children in Sudan,” *The Daily Telegraph*, January 4, 2007, at www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/01/03/wsudan03.xml; Kate Holt and Sarah Hughes, “Sex and the UN: When Peacemakers Become Predators,” *The Independent*, January 11, 2005, at www.news.independent.co.uk/world/africa/article14411.ece; and Colum Lynch, “UN Faces More Accusations of Sexual Misconduct,” *The Washington Post*, March 13, 2005, p. A22, at www.washingtonpost.com/wp-dyn/articles/A30286-2005Mar12.html.

and look to the UN for safety and protection.²⁴ In addition to the horrible mistreatment of those who are under the protection of the UN, sexual exploitation and abuse undermine the credibility of UN peace operations and must be addressed through an effective plan and commitment to end abuses and ensure accountability.²⁵

After intense lobbying by the U.S. Department of State and U.S. Mission to the United Nations since early 2004, as well as pressure from several key Members of Congress, the UN Secretariat agreed to adopt stricter requirements for peacekeeping troops and their contributing countries.²⁶ The U.S. also helped the DPKO to publish a resource manual on trafficking for UN peacekeepers. In 2005, Prince Zeid Ra'ad Al-Hussein of Jordan, the Secretary-General's adviser on sexual exploitation and abuse by UN peacekeeping personnel, submitted his report to the Secretary-General with recommendations on how to address the sexual abuse problem, including imposing a uniform standard of conduct, conducting professional investigations, and holding troop-contributing countries accountable for the actions of their soldiers and for proper disciplinary action. In June 2005, the General Assembly adopted the recommendations in principle, and some recommendations have been implemented. For instance, contact and discipline teams are now present in most missions, and troops are now required to undergo briefing and training on behavior and conduct.²⁷ Tragically, this does not seem to have addressed the problem adequately.

Only this past May, Save the Children accused aid workers and peacekeepers of sexually abusing young children in war zones and disaster zones in Ivory Coast, southern Sudan, and Haiti and going largely unpunished. UN peacekeepers were most likely to be responsible for abuse. According to a report by Save the Children, "Children as young as six are trading sex with aid workers and peacekeepers in exchange for food, money, soap and, in very few cases, luxury items such as mobile phones."²⁸

However, despite this action and then-Secretary-General Kofi Annan's announcement of a "zero tolerance" policy, the perpetrators of these crimes are very rarely punished, as was revealed in a January 2007 news report on UN abuses in southern Sudan.²⁹ The standard memorandum of understanding between the UN and troop contributors clearly grants troop-contributing countries jurisdiction over military members participating in UN peace operations,

²⁴For more information on UN peacekeeping abuses, see Nile Gardiner, Ph.D., "The U.N. Peacekeeping Scandal in the Congo: How Congress Should Respond," Heritage Foundation *Lecture* No. 868, March 1, 2005, at www.heritage.org/Research/InternationalOrganizations/upload/76028_1.pdf.

²⁵U.S. Institute of Peace, Task Force on the United Nations, *American Interests and U.N. Reform*, June 2005, pp. 94–96, at www.usip.org/un/report/usip_un_report.pdf.

²⁶See Kim R. Holmes, "United Nations Organization Mission in the Democratic Republic of Congo: A Case for Peacekeeping Reform," testimony before the Subcommittee on Africa, Global Human Rights, and International Operations, Committee on International Relations, U.S. House of Representatives, 109th Cong., 1st Sess., March 1, 2005, at http://commdocs.house.gov/committees/intlrel/hfa99590.000/hfa99590_0.HTM.

²⁷U.S. Department of State, Bureau of International Organization Affairs, *United States Participation in the United Nations 2005*, October 2005, pp. 43–44, at www.state.gov/documents/organization/74052.pdf.

²⁸Corinna Csáky, "No One to Turn To: The under-reporting of child sexual exploitation and abuse by aid workers and peacekeepers," Save the Children, at http://news.bbc.co.uk/2/shared/bsp/hi/pdfs/27_05_08_savethechildren.pdf. See also BBC, "Peacekeepers 'abusing children'," May 27, 2008, at http://news.bbc.co.uk/2/hi/in_depth/7420798.stm.

²⁹According to Fox News, "U.N. military officials have the power to direct the troops placed under their command, but are relatively powerless when it comes to punishing them if they are accused of crimes against humanity. There are 13 misconduct investigations ongoing at the Sudan mission, [and] some include sexual abuse. From January 2004 to the end of November 2006, investigations were conducted for 319 sexual exploitation and abuse cases in U.N. missions throughout the world. These probes resulted in the dismissal of 18 civilians and the repatriation on disciplinary grounds of 17 police and 144 military personnel.... What's frustrating to military commanders on the ground is that there is little they can do to offending peacekeepers, other than putting them on desk duty, restricting them to quarters, and requesting a full investigation and repatriation." Liza Porteus, "U.N. Peacekeepers Accused in Sudan Sex-Abuse Case Get Reprimand," Fox News, January 05, 2007, at www.foxnews.com/story/0,2933,241960,00.html.

but little is done if these countries fail to investigate, try, and punish those guilty of such crimes.

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The problems of mismanagement, corruption, and misconduct cry out for fundamental reform of the UN peacekeeping structure to improve accountability and transparency. However, corruption, mismanagement and sexual misconduct by UN peacekeepers are not the only problems with UN peacekeeping. The other problem is a political problem. The vast expansion of UN peacekeeping—with the possibility of even more operations on the horizon like the proposal for a new Somalia mission with up to 27,000 peacekeepers—has led some to point out that the UN Security Council has gone “mandate crazy” in its attempts to be seen as effective and “doing something.”³⁰ The willingness of the Security Council to approve missions where “there is no peace to keep”—such as Darfur, Somalia, or Chad—violates a dearly learned lesson that UN peacekeepers are not war fighters.

In general, the UN and its member states had accepted the fact—in the wake of the Somalia, Yugoslavia, Rwanda, and Sierra Leone missions in which there was no peace to keep—that UN peace operations should not include a mandate to enforce peace outside of limited circumstances and should focus instead on assisting countries to shift from conflict to a negotiated peace and from peace agreements to legitimate governance and development.³¹ As noted in the *Report of the Panel on United Nations Peace Operations* (the Brahimi Report):

[T]he United Nations does not wage war. Where enforcement action is required, it has consistently been entrusted to coalitions of willing States, with the authorization of the Security Council, acting under Chapter VII of the Charter.³²

Yet even situations short of war that may require a UN peace operation are still rife with danger, as illustrated by the nearly 2,500 peacekeepers that have been killed in operations since 1948. They also involve great demands in resources, management, and personnel. Indeed, it has increasingly strained the ability of countries willing to provide peacekeepers, especially in Darfur. Worse, this investment may not be helping the situation.

Dr. Greg Mills, Director of the Johannesburg-based Brenthurst Foundation, and Dr. Terence McNamee, Director of Publications at the Royal United Services Institute for Defence and Security Studies (RUSI), have conducted several case studies of UN peacekeeping operations in a chapter in a forthcoming book. They have concluded that, in the cases of the Democratic Republic of Congo and Lebanon, it is an open question whether the UN peacekeeping mission has contributed to resolving the situation or exacerbating it.

- Mills and McNamee note that a 30-year United Nations presence has failed to resolve the deep-seated problems in Lebanon. The UN operation has failed to prevent a succession of Israeli incursions. Nor was the mission able to stop Hezbollah and other groups from using the Lebanese border to launch raids and rockets into Israel. The 12,000-plus UN troops currently in place following the 2006 Israeli intervention have not been instructed specifically to disarm the group. Ironically, Hezbollah is now in a stronger position, and the

³⁰Morris, “UN peacekeeping in line of fire.”

³¹Doyle and Sambanis, *Making War and Building Peace: United Nations Peace Operations*, p. 20; Dobbins, Jones, Crane, Rathmell, Steele, Teltschik, and Timilsina, “The UN’s Role in Nation-Building: From the Congo to Iraq,” p. xvi; and Victoria K. Holt, testimony before the Subcommittee on Africa, Global Human Rights, and International Operations, Committee on International Relations, U.S. House of Representatives, May 18, 2005, at www.internationalrelations.house.gov/archives/109/hol051805.pdf.

³²UN General Assembly and UN Security Council, *Report of the Panel on United Nations Peace Operations*, A/55/305–S/2000/809, August 21, 2000, p. 10, at www.un.org/peace/reports/peace_operations/docs/a_55_305.pdf.

UN mission acts as a buffer to prevent any Israeli assault. Mills and McNamee note, “The problem in Lebanon is more profound than any deal-making or UN force can solve however. It goes to the heart of reconfiguring the state and its role in Lebanon.”

- The Democratic Republic of Congo is a state in name only. Decades of instability and insecurity have entrenched the view in Kinshasa that anything benefiting the periphery of the country is a threat. Instability is viewed as a political advantage in Kinshasa because it keeps potential rivals focused on each other rather than on the central government. As such, Kinshasa does little to aid the UN effort. Despite more than 19,000 UN military and civilian peacekeepers in Congo at an annual cost of over \$1 billion, MONUC has not brought peace or stability. Eastern Congo, bordering Rwanda, Burundi, and Uganda, remains violent. According to Mills and McNamee, “Disarmament, pacification, demobilization and repatriation/reintegration programs could help to dilute the extent of the security threat to the civilian population. But this will require holding [DRC President] Kabila to task... removing the fig-leaf of respectability to his indecision and weakness in filling the vacuum with UN troops. But it will require fundamental, root-and-branch reform, with decentralization at its core.”

In other cases, such as the UN missions in Cyprus and the Western Sahara established in 1964 and 1991, respectively, the UN presence is simply an historical palliative. The peacekeepers perform little in the way of keeping the peace. Nor does their presence seem to have contributed to the process for resolving the decades-long political standoff. Instead, the missions continue out of inertia and requests by parties to the conflict that they remain in place. It is an open question whether the UN presence has actually contributed to the intractability of the situation by providing the excuse not to develop a resolution to what is largely a political problem.

The next Administration should fundamentally re-evaluate all UN operations that date back to the early 1990s or earlier—some, like UNTSO in the Middle East and UNMOGIP in Kashmir, date back to the 1940s—to determine whether the UN is contributing to resolving the situation or retarding that process. These missions are generally small and among the least costly, but such a re-evaluation would send a welcome message of accountability and assessment that too often has been lacking in the rubber-stamp process of reauthorizing peacekeeping operations.

This is not to say that UN missions are never useful and should be rejected out of hand. UN missions have been successful in situations like Cambodia where it helped to restore stability following dictatorship and civil war. Indeed, no one wants another Rwanda, and the consequences of doing nothing may be unpalatable. But a long list of operations that have been less than successful indicates that the Security Council should be far more judicious when adopting decisions to intervene.

The situation in Darfur is particularly relevant. The U.S. has called the situation in Darfur “genocide.” The UN did not come to that conclusion, but it did recognize the widespread human rights violations and suffering. After the African Union mission failed to curtail the violence and suffering, the UN adopted a resolution authorizing a joint AU/UN peacekeeping force despite ongoing conflict and considerable evidence that neither the rebels nor the government-backed forces were prepared to abide by a peace agreement. Protected by China’s veto, Sudan also demanded that the peacekeepers be African. This has led to a severe constraint of available

troops: There simply are not enough trained and capable African troops to meet the demand. As a result, Jan Eliasson, the Secretary-General's Special Envoy for Darfur, told the Security Council that the situation in Darfur had deteriorated despite the efforts of UN and African Union troops.³³ The recent decision of the International Criminal Court to seek an indictment against Sudanese President Omar Al-Bashir may, if approved by the ICC pretrial chamber, lead to further complications.

In Darfur, the UN Security Council yielded to the pressure to act. Massive suffering was occurring and would likely have grown worse without UN backing and support for the AU peacekeeping effort. However, the Council accepted demands from Sudan that vastly complicate their efforts, such as restricting peacekeepers to African nations. It also entered a conflict situation against the lessons of its own experience. It compounded the error by failing to adopt clear objectives, metrics for success, and an exit strategy. Because of these failings, not to mention the potential for deterioration toward broader conflict or a stiffening of resolve by President Bashir if the ICC proceeds with its indictment, Darfur could very easily become the UN's next spectacular failure.

Recommendations

There are a number of steps the UN and the Security Council should adopt to address the weaknesses identified above.

- **Be more judicious in decisions to authorize UN peacekeeping operations.** The pressure to “do something” must not trump sensible consideration of whether a UN presence will improve or destabilize the situation, clearly establishing the objectives of the operations and ensuring that they are achievable, carefully planning the requirements for achieving those objectives and securing pledges for providing them prior to authorizing the operation, and demanding that an exit strategy be included to prevent the “perpetual mission” trap.³⁴

This process should also apply in reauthorization of existing missions where there is often a rubber-stamp approach. If a mission has not achieved its objective or made evident progress toward that end after a lengthy period, the Council should assess whether it is serving a positive function. In its deliberations, however, the Council should recognize that short, easy missions are extremely rare. When authorizing a mission, the Council should recognize that it may be there for a lengthy period. If the Council seems unlikely to persevere, it should consider not approving the mission.

³³ UN News Centre, “Darfur: UN envoy doubtful parties are willing to enter serious negotiations,” June 24, 2008, at <http://www.un.org/apps/news/story.asp?NewsID=27149&Cr=darfur&Cr1=>.

³⁴ An example of this thought process that should be pursued by the U.S. and other countries was summarized by former Assistant Secretary of State Kim R. Holmes: “While the Security Council is hammering out the details of a peacekeeping resolution, member states work with the UN to figure out what that mission will require. We consider causes, regional equities, resources, the need for military forces and civilian police, the involvement of rule of law and human rights experts, reconstruction needs, and more. From the outset, we work to ensure each mission is right-sized, has a clear mandate, can deploy promptly, and has a clear exit strategy. This was particularly the case in getting peacekeepers into Haiti and expanding the mission in the Congo to target the main area of instability, the African Great Lakes region. Nevertheless, as this committee well knows, new CIPA requirements arise quickly. It is not possible to predict when conflicts will intensify to the point where they require UN action. We are cautious because, historically, UN missions are not as effective at peace enforcement, when offensive military action is needed to end the conflict, as they are at maintaining ceasefires and supporting peace agreements. But our focused analysis has helped the UN close down most of the peacekeeping missions begun during the early 1990s, once their jobs were done. It is helping member states look for possible reductions in some long-standing missions, and press the UN to right-size or close other missions as they complete their mandates. The United States, in voting on peacekeeping mandates, always pushes for prudent mandates, force size, and missions that not only would succeed, but also just plain end.” Unfortunately, this type of analysis in the context of Security Council authorization of UN peacekeeping operations appears to be the exception rather than the rule. See Kim R. Holmes, Assistant Secretary for International Organization Affairs, “Statement Urging Congress to Fund Fully President’s 2006 Budget Request for the UN,” Statement Before the House Subcommittee on Science, State, Justice, and Commerce, and Related Agencies, April 21, 2005, at <http://www.state.gov/p/io/rls/rm/45037.htm>.

Critically, this recommendation should not be construed as implying that all UN peacekeeping operations should or can be identical. On the contrary, differing circumstances often require differing approaches. Indeed, if peacekeeping missions are to be successful, the Council must be flexible in the makeup and composition of UN peacekeeping operations or in choosing to stand back in favor of a regional intervention or an ad hoc coalition if those approaches better fit the immediate situation. However, in the process of deciding to authorize a mission, the Council should not let an “emergency” override the prudent evaluation and assessment process necessary to make sure the prospective mission has the largest chance of success.

- **Transform the DPKO organizational structure to enable it to handle increased peace operations demands and plan for future operations more effectively.** This requires more direct involvement of the Security Council; more resources for staff, supplies, and training; and greatly improved oversight by a capable inspector general dedicated to peace operations.

A key element of this should include transforming the DPKO to incorporate greater flexibility so that it can rapidly expand and contract to meet varying levels of peace operations activity. Current UN rules do not permit the necessary authority and discretion in hiring and shifting resources to meet priorities. A core professional military staff must be maintained and utilized, but the DPKO should also be able to rely on gratis military and other seconded professionals to meet exceptional demands on UN peace operations.³⁵ This would readily provide the expertise and experience needed to assess the requirements of mandates under consideration, including troop numbers, equipment, timeline, and rules of engagement, both efficiently and realistically.

- **Build up peacekeeping capabilities around the world, particularly in Africa, and further develop a UN database of qualified, trained, pre-screened uniformed and civilian personnel available for UN operations.** The UN has no standing armed forces and is entirely dependent on member states to donate troops and other personnel to fulfill peace operation mandates. This is appropriate. Nations should maintain control of their armed forces and refuse to support the establishment of armed forces outside of direct national oversight and responsibility. However, the current arrangement results in an ad hoc system plagued by delays; inadequately trained personnel; insufficient numbers of military troops, military observers, civilian police, and civilian staff; inadequate planning; inadequate or non-functional equipment; and logistical gaps.³⁶

The UN has established a Stand-by Arrangements System (UNSAS), wherein member states make conditional commitments to prepare and maintain specified resources (military formations, specialized personnel, services, material, and equipment) on “stand-by” in their

³⁵According to the Secretary-General, “gratis personnel were not regulated until the adoption by the General Assembly of resolutions 51/243 and 52/234, in which the Assembly placed strict conditions on the acceptance of type II gratis personnel. Among the conditions set out in administrative instruction ST/AI/1999/6, is the requirement that type II gratis personnel be accepted on an exceptional basis only and for the following purposes: (a) to provide expertise not available within the Organization for very specialized functions or (b) to provide temporary and urgent assistance in the case of new and/or expanded mandates of the Organization.” See UN General Assembly, “Gratis Personnel Provided by Governments and Other Entities,” A/61/257/Add.1, August 9, 2006, at www.centerforunreform.org/system/files/A.61.257.Add.1.pdf. The restrictions on gratis personnel were adopted at the behest of the Group of 77 developing nations, which thought that their nationals were not being given equal opportunity to fill positions at the UN because their governments could not afford to provide staff gratis. A possible solution could be to allow the countries to receive credit toward their assessed dues equivalent to the estimated salaries of gratis personnel. See “U.N. Gratis Personnel System Is Undemocratic, Says G-77 Chairman,” *Journal of the Group of 77*, January/February 1997, at www.g77.org/Journal/janfeb97/6.htm.

³⁶Operations in the Democratic Republic of the Congo, Côte d’Ivoire (Ivory Coast), Lebanon, and Darfur all recently experienced difficulties in raising the numbers of troops authorized by the Security Council.

home countries to fulfill specified tasks or functions for UN peace operations.³⁷ This is their prerogative, but the resources committed under the UNSAS fall short of needs. To speed up deployment on missions, the UN would be well served to further develop a database of information on individuals' and units' past experience in UN operations; disciplinary issues; performance evaluations; expertise (e.g., language, engineering, and combat skills); and availability for deployment. In addition, U.S. efforts under the Global Peace Operations Initiative (GPOI) contribute significantly to bolstering the capacity and capabilities of regional troops, particularly in Africa, to serve as peacekeepers through the UN or regional organizations like the African Union.³⁸

- **Implement a modern logistics system and streamline procurement procedures so that missions receive what they need when they need it.** To be effective, procurement and contracting must “have a formal governance structure responsible for its oversight and direction,” as former Under-Secretary-General for Management Catherine Bertini advised Congress in 2005.³⁹ Critically, the new logistics system and the procurement system must be subject to appropriate transparency, rigorous accountability, and independent oversight accompanied by robust investigatory capabilities and a reliable system of internal justice.⁴⁰

The new restructuring of UNDPKO into a Department of Peacekeeping Operations and a Department of Field Support, as proposed by Secretary-General Ban Ki-Moon and approved by the General Assembly, does not appear to have substantially improved peacekeeping procurement. This may be due to the fact that the new department did not receive requested positions or budget, but it also appears to be a case of a “paper reform” rather than an actual reform. Most of the same people remain in place, and it is uncertain that tasking or procedures have changed.

- **Implement mandatory, uniform standards of conduct for civilian and military personnel participating in UN peace operations.** If the UN is to take serious steps to end sexual exploitation, abuse, and other misconduct by peacekeepers, it must do more than adopt a UN code of conduct, issue manuals, and send abusers home. It should not necessarily involve yielding jurisdiction over personnel to the UN or non-national judicial authority, but it should entail commitments by member states to investigate, try, and punish their personnel in cases of misconduct.

Investigators should be granted full cooperation and access to witnesses, records, and sites where alleged crimes occurred so that trials can proceed. Equally important, the UN must be more willing to hold member countries to these standards. States that fail to fulfill their commitments to discipline their troops should be barred from providing troops for peace operations.

³⁷U.N. Department of Peacekeeping Operations, “United Nations Standby Arrangements System (UNSAS),” April 30, 2005, at www.un.org/Depts/dpko/milad/fgs2/unsas_files/sba.htm.

³⁸The State Department budget request includes a request for \$106 million for GPOI in FY 2009, up from \$81 million in FY 2007. Most of the funds for GPOI, including the African Contingency Operations Training and Assistance program (ACOTA), go to Africa-related programs. According to the budget, “Funding in FY 2009 is intended to train over 15,000 peacekeeping troops to reach the initiative goal of 75,000 peacekeeping troops trained worldwide.” See U.S. Department of State, *Congressional Budget Justification Foreign Operations Fiscal Year 2009*, p. 113, at <http://www.state.gov/documents/organization/101368.pdf>.

³⁹Catherine Bertini, former UN Under-Secretary-General for Management, statement in hearing, *Reforming the United Nations: Budget and Management Perspectives*, Committee on International Relations, U.S. House of Representatives, 109th Cong., 1st Sess., May 19, 2005, at www.commdocs.house.gov/committees/intlrel/hfa21309.000/hfa21309_0.htm.

⁴⁰U.S. Government Accountability Office, *United Nations: Procurement Internal Controls Are Weak*, GAO-06-577, April 2006, at www.gao.gov/new.items/d06577.pdf.

Conclusion

Today's hearing is very pertinent. UN peacekeeping is being conducted at unprecedented pace, scope, and ambition. Unsurprisingly, this activity has revealed numerous flaws, limitations, and weaknesses inherent in UN peacekeeping.

Problems with UN peacekeeping are serious and need to be addressed, and the Administration and Congress need to consider carefully any requests by the United Nations for additional funding for a system in which procurement problems have wasted millions of dollars and sexual abuse by peacekeepers is still occurring. Without fundamental reform, these problems will likely continue and expand, undermining the UN's credibility and ability to accomplish one of its primary missions—maintaining international peace and security.

UN peacekeeping operations can be useful and successful if entered into with an awareness of the limitations and weaknesses of UN peacekeeping. This awareness is crucial, because there seems little indication that the demand for UN peacekeeping will fall in the foreseeable future.

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