



NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

**PRIVATIZATION OF PEACEKEEPING: UN'S
INSTITUTIONAL CAPACITY TO CONTROL PRIVATE
MILITARY AND SECURITY COMPANIES**

by

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September 2013

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REPORT DOCUMENTATION PAGE			<i>Form Approved OMB No. 0704-0188</i>	
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington, DC 20503.				
1. AGENCY USE ONLY (Leave blank)		2. REPORT DATE September 2013	3. REPORT TYPE AND DATES COVERED Master's Thesis	
4. TITLE AND SUBTITLE PRIVATIZATION OF PEACEKEEPING: UN'S INSTITUTIONAL CAPACITY TO CONTROL PRIVATE MILITARY AND SECURITY COMPANIES			5. FUNDING NUMBERS	
6. AUTHOR(S) Huseyin Yigit			8. PERFORMING ORGANIZATION REPORT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000			10. SPONSORING/MONITORING AGENCY REPORT NUMBER	
9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A			10. SPONSORING/MONITORING AGENCY REPORT NUMBER	
11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. IRB Protocol number ____N/A____.				
12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release; distribution is unlimited			12b. DISTRIBUTION CODE A	
13. ABSTRACT (maximum 200 words) Private Military and Security Companies (PMSCs) are perceived as a cost-effective alternative to the national troops contributed by member states to the UN peacekeeping operations. This thesis draws on the Thomas Bruneau's three-dimensional civil-military relations theory to answer the question: Can United Nations employ PMSCs in peacekeeping operations to achieve UN goals more fully than national militaries? Analysis of the UN peacekeeping system reveals that although the UN peacekeeping system has undergone several reforms and developed capacities, current structure and institutional power of the UN has serious shortcomings to control PMSCs and ensure effectiveness and efficiency. The UN needs to develop a more detailed doctrine; create an overarching institutional coordination mechanism; and enhance its logistics capacity to effectively employ PMSCs. Moreover, lose chain of command structure and vague exit strategies complicate the use of PMSCs in peacekeeping.				
14. SUBJECT TERMS Private Military and Security Companies, United Nations, peacekeeping, privatization, institutional capacity, control, oversight, civil-military relations.			15. NUMBER OF PAGES 99	
			16. PRICE CODE	
17. SECURITY CLASSIFICATION OF REPORT Unclassified	18. SECURITY CLASSIFICATION OF THIS PAGE Unclassified	19. SECURITY CLASSIFICATION OF ABSTRACT Unclassified	20. LIMITATION OF ABSTRACT UU	

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**PRIVATIZATION OF PEACEKEEPING: UN'S INSTITUTIONAL CAPACITY
TO CONTROL PRIVATE MILITARY AND SECURITY COMPANIES**

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Submitted in partial fulfillment of the
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES
(STABILIZATION AND RECONSTRUCTION)**

from the

**NAVAL POSTGRADUATE SCHOOL
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ABSTRACT

Private Military and Security Companies (PMSCs) are perceived as a cost-effective alternative to the national troops contributed by member states to the UN peacekeeping operations. This thesis draws on the Thomas Bruneau's three-dimensional civil-military relations theory to answer the question: Can United Nations employ PMSCs in peacekeeping operations to achieve UN goals more fully than national militaries?

Analysis of the UN peacekeeping system reveals that although the UN peacekeeping system has undergone several reforms and developed capacities, current structure and institutional power of the UN has serious shortcomings to control PMSCs and ensure effectiveness and efficiency. The UN needs to develop a more detailed doctrine; create an overarching institutional coordination mechanism; and enhance its logistics capacity to effectively employ PMSCs. Moreover, loose chain of command structure and vague exit strategies complicate the use of PMSCs in peacekeeping.

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LIST OF ACRONYMS AND ABBREVIATIONS

CMR	Civil-military Relations
DDR	Disarmament, Demobilization, And Reintegration
DFS	Department of Field Support
DoD	Department of Defense
DPA	Department of Political Affairs
DPKO	Department of Peacekeeping Operations
ECPS	Executive Committee on Peace and Security
EISAS	ECPS-based Information and Strategic Analysis Staff
ICT	Information Communication and Technology
IMTF	Integrated Mission Task Forces
MNC	Multinational Corporation
MOU	Memorandum of Understanding
MSC	Military Staff Committee
OAU	Organization of African Unity
PBC	Peacebuilding Commission
PMSCs	Private Military and Security Companies
QIP	Quick Impact Project
R2P	Responsibility to Protect
SAS	Special Air Service
SMSG	Special Representative of Secretary-General
UN	United Nations
UNEF	United Nations Emergency Forces
UNLB	United Nations Logistics Base
UNMOGIP	United Nations Military Observer Group in India and Pakistan
UNSAS	United Nations Stand-by Arrangements System
UNTSO	United Nations Truce Supervision Organization
USG DPKO	Under Secretary-General for Peacekeeping Operations

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ACKNOWLEDGMENTS

I would like to thank Professor Anne Marie Baylouny and Professor Sophal Ear for their invaluable help. Without their instructive input and continuous support, I would not have completed my thesis.

I also would like to thank the Turkish Armed Forces for giving me the opportunity to study at the Naval Postgraduate School. I will do my best in service to repay this once in a lifetime occasion.

Finally, and most importantly, I want to specially thank my wife, Meryem, for her steadfast support and patience during my education. Her devotion and sacrifice have provided me the extra time for research and writing during thesis process.

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I. INTRODUCTION AND LITERATURE REVIEW

Since the end of the Cold War, the United Nations has been involved in an increasing number of conflicts. In addition to the number of peace operations, the type of missions mandated changed as well—from interstate to intrastate. As stated in the Brahimi report, “United Nations operations did not deploy into post-conflict situations, but tried to create them. In such complex operations, peacekeepers work to maintain a secure local environment, while peacebuilders work to make that environment self-sustaining. Such an environment offers a ready exit to peacekeeping forces, making peacekeepers and peacebuilders inseparable partners.”¹ Although the UN did not prove to be a good war-maker,² many analysts accept that strong third-party involvement is needed both to ensure and further the consent of disputants, and to create a security environment necessary to further the peace process.³ Traditionally, the UN relies on troops drawn from member states on an ad-hoc case-base structure.⁴ However, post-Cold War security perceptions revealed the reluctance of major powers to become involved in the conflicts that were out of their interest.⁵ Thus, peacekeeping forces have been drawn

1. United Nations, Report of the Panel on United Nations Peace Operations (The Brahimi Report) (S/2000/809-A/55/305), August 21, 2000.

2. Michael W. Doyle and Nicholas Sambanis, *Making War and Building Peace* (Princeton, New Jersey: Princeton University Press, 2006), 5.

3. Richard Betts, “The Delusion of Impartial Intervention,” *Foreign Affairs* 73, no.6 (November/December 1994): 31; Virginia Page Fortna, *Does Peacekeeping Work?: Shaping Belligerents’ Choices after Civil War* (Princeton, New Jersey: Princeton University Press, 2008), 80.

4. Doug Brooks, and Gaurav Laroia, “Privatized Peacekeeping,” *National Interest* 80 (Summer 2005): 121; Oldrich Bures, “Private Military Companies: A Second Best Peacekeeping Option?,” *International Peacekeeping* 12, no. 4 (2005): 541; Christopher Spearin, “UN Peacekeeping and the International Private Military and Security Industry,” *International Peacekeeping* 18, no.2 (2011): 198; Herbert M. Howe, “Private Security Forces and African Stability: The Case of Executive Outcomes,” *Journal of Modern African Studies* 36, no.2 (1998): 70.

5. Damian Lilly, “Privatization of Peacekeeping: Prospects and Realities,” in Disarmament Forum, United Nations Institute for Disarmament Research, no. 3 (2006): 54; Doug Brooks, “Messiahs or Mercenaries? the Future of International Private Military Services,” *International Peacekeeping*, 7, no.4 (2000): 134; David Shearer, “Outsourcing War,” *Foreign Policy*, 112 (Fall 1998): 70; Steven Brayton, “Outsourcing War: Mercenaries and the Privatization of Peacekeeping,” *Journal of International Affairs* 55, no.2 (Spring 2002): 304; Kevin O’Brien, “Military-advisory Groups and African Security: Privatized Peacekeeping?,” *International Peacekeeping* 5, no.3 (1998): 98; Spearin, “UN Peacekeeping,” 197.

from third-world countries without sufficient resources or capabilities.⁶ At the same time, post-Cold War era reductions in armies created a pool of experienced, retired, military personnel, which nourished the emergence of a private military and security sector,⁷ and provided services that were traditionally perceived to belong to the national militaries. The rise of Private Military and Security Companies (PMSCs) and the wide range of services they provided, raised the question of possible use of PMSCs in UN peace operations, instead of national troops. This thesis will ask the question: Can the United Nations employ private military and security companies in peacekeeping operations to achieve UN goals more fully than national militaries? To answer this question, this thesis will analyze the institutional capacity of the UN to control PMSCs. This focus contrasts with the dominant literature, which focuses on the moral or legal problems related to PMSCs.

A. IMPORTANCE OF THE RESEARCH

Failed states are dangerous not only to their people for whom they cannot or do not provide security, but are also a threat to collective security, since the power vacuum they create can harbor or flourish illegal entities.⁸ Thus, the UN's involvement in intrastate conflicts is inevitable and will be so. Furthermore, though UN attempts aim to restore peace, military force requirement is inseparable from peacebuilding efforts since creating a secure environment is the preliminary condition to fulfill other tasks (justice and reconciliation, social and economic well-being, and governance and reconciliation)

6. The top ten troop contributing countries are Bangladesh, Pakistan, India, Ethiopia, Nigeria, Rwanda, Nepal, Jordan, Egypt, and Ghana. United Nations, "Ranking of Military and Police Contributions to UN Operations," http://www.un.org/en/peacekeeping/contributors/2013/jan13_2.pdf; Scot Fitzsimmons, "Dogs of Peace: A Potential Role for Private Military Companies in Peace Implementation," *Journal of Military and Strategic Studies*, 8, no.1 (Fall 2005): 3–4; Spearin, "UN Peacekeeping," 197.

7. Brooks, "Messiahs or Mercenaries?," 130; P. W. Singer, *Corporate Warriors: The Rise of the Privatized Military Industry* (Ithaca: Cornell University Press, 2003), 53; Spearin, "UN Peacekeeping," 197; O'Brien, "Military-advisory Groups," 81; Brayton, "Outsourcing War," 309; Bures, "Private Military Companies," 541; Howe, "Private Security Forces," 70; Fitzsimmons, "Dogs of Peace," 3.

8. John J. Hamre, and Gordon R. Sullivan, "Towards Postconflict Reconstruction," *The Washington Quarterly* 25, no.4 (2002): 85–86; Robert Rotberg, "The New Nature of the Nation-State Failure," in *Essential Readings in Comparative Politics*, ed. O'Neil, Patrick H. and Ronald Rogowski (New York: W.W. Norton & Company, 2010).

during post-conflict reconstruction.⁹ However, the incapability and unsuccessful record of national troops of UN member states undermine the trust in UN peace operations. Furthermore, financial costs of peace operations have exceeded well over the expectations and capacities of UN members.¹⁰ Any improvement in UN peace operations will be beneficial to three groups. First, the people who suffer from intrastate conflicts will have better chances to overcome the consequences of war. Second, UN members will be more willing to participate in UN operations when possible risks and costs are more bearable politically and financially. Third, the UN itself is the beneficiary of improved peacekeeping alternatives. Since the UN is not an institution originally designed to execute peace operations, cost-effective and successful options will improve its capabilities. In this context, the question of PMSC use in UN peace operations is a pertinent alternative to national troops. Since it is the leading power in the international affairs, U.S. practice, the privatization of services traditionally perceived belong to national militaries, continues to affect other nations. Also, PMSCs openly defend their potential of better performance than traditional peacekeepers, and will do so with their corporate structures and legal connections to the governments. Thus, the UN's potential ability to use PMSCs in peace operations efforts needs to be assessed.

Although the UN has hired PMSCs for a long time, relation of the UN with the PMSCs has been on the horns of a dilemma. On the one hand, bound with the purposes and principles of the Charter of the United Nations and many Conventions concerned with the human rights and related issues, on the other hand, facing the challenges of political constraints to meet the necessities of collective security, UN has developed “a particularly opaque practice”¹¹ concerning the use of PMSCs. As Secretary General states in his report to the General Assembly, UN has appealed to PMSCs as a last resort when there is not any other opportunity to provide security. However, because of the lack

9. Hamre and Sullivan, “Towards Postconflict Reconstruction,” 91.

10. Although a \$7.33 billion budget was approved for the period from July 1, 2012 to June 30, 2013, outstanding contributions to peacekeeping is \$3.34 billion as of 31 January 2013. United Nations, “Peacekeeping Fact Sheet,” <http://www.un.org/en/peacekeeping/resources/statistics/factsheet.shtml>.

11. Åse Gilje Østensen, “UN Use of Private Military and Security Companies: Practices and Policies,” DCAF, SSR Papers 3 (2011): 64.

of general principles to hire PMSCs and overarching institutional capacity to oversee all PMSC activities UN has hired PMSCs with bad reputation and past misconduct, which consequently undermines the UN's legitimacy. Thus, the UN's ability to employ PMSCs should be assessed to reveal the needs for further institutional developments.

B. PROBLEMS AND HYPOTHESES

Peacekeeping is a practical innovation of Cold War UN to perform the functions of the crippled Security Council because of great power confrontation, which precluded the collective security provisions of UN Charter. Despite the lack of any guiding document, policy, or past experience, peacekeeping did well during Cold War and was awarded the Nobel Prize in 1988. However, the end of Cold War marked the dramatic surge of the demand for UN involvement in conflicts and ambitious Security Council mandates due to the increased intrastate conflicts in the absence of superpower support and Soviet Union's increased cooperation in Security Council.

In total, the UN has launched sixty-seven peace operations, thirteen of which deployed between 1948 and 1988. For eleven years after 1988, the deployment of 40 of the UN peace operations occurred. However, along with the increased number, conflicts also changed from interstate to intrastate wars, which challenged the traditional peacekeeping principles. Contrary to the traditional peacekeeping principles, the changing nature of the conflict imposed the following new challenges for the UN: lack of consent of the fighting parties; absence of a truce and an ongoing armed conflict; and weak, if any, governmental capacity. Changes in the number and nature of the conflicts revealed the shortcomings of the UN peacekeeping system, and the international community started to lay the blame of humanitarian disasters of the 1990s on UN. This occurred only a few years after the UN peacekeeping was awarded the Nobel Prize in 1988. Because of the political constraints both to pass a Security Council resolution, and to gather troops from member states on a consent basis, the reaction of the UN to crises began to slow down. Additionally, as troops were intentionally not drawn from great powers, participating troops from impartial states proved to be inadequately trained and ill equipped. Finally, and most importantly, the UN's overall organizational structure

proved to be incapable of planning and executing peace operations. Thus, the UN started to question its peacekeeping function and organization since the 1990s.

The literature on the possible use of PMSCs in UN peace operations focused mostly on the advantages that the UN benefitted from this outsourcing, or the challenges that PMSCs would produce. Some advantages of PMSCs included “faster, cheaper, better.” Faster because of the lack of political constraints that make gathering troops a challenge for the Secretary-General in case a mission is mandated, and especially in situations where many lives are at stake; better because PMSCs employ personnel with a military background mostly in western militaries, which is an exception for UN troops, since troops are mostly drawn from third world countries, and continuity in the organization increases the experience, which is the chronic problem for the UN’s ad-hoc peace organizations with continuously rotating national troops; and cheaper because PMSCs are private businesses in open market, and competition forces them to decrease costs. On the other hand, opponents for the PMSC use in peace operations points to the legal and normative problems related to them. First, PMSCs are not seen differently from mercenaries, which are deprived of the rights of combatants by the Geneva Convention and banned by the International Convention against the Recruitment, Use, Financing, and Training of Mercenaries. Second, there are no proper international or national regulations to hold PMSCs accountable for their misconduct. Third, as private entities holding military assets, PMSCs contradict the idea of sovereignty that assigns the legitimate use of force solely to the states.

Civil-military relations theory points out the institutional requirements to control PMSC activities and ensure effectiveness. This thesis will use Thomas Bruneau’s three-dimensional civil-military relations (CMR) framework to assess the institutional capacity of the UN to employ PMSCs. Bruneau emphasizes the need for institutional mechanisms to properly employ and control PMSCs. In addition to the classic requirement of control, Bruneau adds effectiveness and efficiency as fundamental requirements of CMR to understand how well and at what cost security instruments do their job.¹² Effectiveness

12. Thomas Bruneau, *Patriots for Profit: Contractors and the Military in U.S. National Security* (Stanford, California: Stanford Security Studies, 2011), 31.

and efficiency dimensions of Bruneau's framework is especially important for the UN system, because the UN peacekeeping is dependent on scarce resources provided by the international community, whose further contribution is affected by success stories.

The main argument of this thesis is that the use of PMSCs in peace operations requires institutional mechanisms to control them and ensure effectiveness and efficiency. However, the UN peacekeeping system has several institutional shortcomings. Peacekeeping is a UN function that had not been foreseen in the UN Charter. The international community and the UN improvised the provisions of the Charter (Chapter VI, Pacific Settlement of Disputes, and Chapter VII, Forceful Actions against Breaches of Peace) and invented peacekeeping to supplement the collective security system, which was crippled during the Cold War. Thus, there was not a peacekeeping structure within the UN. Peacekeeping operations have been executed on ad hoc bases depending on the type and individual aspects of the each conflict. Although in time, especially after 1990s, the UN has reviewed and reformed its peacekeeping system to enhance its capabilities; the current structure of the UN peacekeeping system is not institutionalized enough to assert control and authority on PMSCs in peacekeeping operations—based on the civil-military relations theory. The focus of the UN capabilities is to achieve coordination among the actors participating in peace operations. Although peacekeeping operations are executed under the legal authority of the UN, a full operational command does not exist. Rather, the UN authorities facilitate a coordination process by persuasion and political compromise.

C. LITERATURE ON PMSCS

There is little theoretical research on the use of PMSCs in UN peacekeeping. The debate is largely about the advantages that outsourcing will provide to the UN and the problems surrounding the PMSCs, mainly normative objections concerning the analogies between PMSCs and historically condemned mercenaries. The most obvious advantage of outsourcing peacekeeping functions of the UN is cost effectiveness. In consistency with the idea of privatization, PMSCs are supposed to be an efficient solution to the skyrocketed peacekeeping budgets. Moreover, since PMSCs are not constrained by

political debates, they are able to deploy faster than the traditional troops. Since present practice is voluntary contribution of personnel to peacekeeping, new missions may suffer a timeliness problem due to long-lasting political processes. Finally, PMSCs are supposed to offer more effective capabilities since they employ from a pool of experienced personnel and employ them continuously. Traditional peacekeeping troops are criticized due to their ad hoc structures, inadequate training, and equipment. However, opponents of PMSCs use in peacekeeping emphasize the ambiguities surrounding PMSCs. First, PMSCs are not clearly distinct from mercenaries, which have been seen a source of conflict by international community. Both PMSCs and mercenaries are profit-driven actors and foreign to the conflict in which they participate directly. Second, PMSCs contradict the idea of sovereignty, which attributes the legitimate use of physical force to the state. Third, there are not enough international regulations to hold PMSCs accountable for their misconduct. UN relies on national regulations for traditional military personnel. However, other than ending contract there are not clear legal provisions for PMSCs. Additionally, PMSCs are secretive about their operations since they operate in open market. Finally, since PMSCs are profit driven business entities, they may have an interest in the continuation of conflict.

1. Clarifying Definitions: Mercenary or PMSC

The few legal documents that discuss private military and security companies or mercenaries, mention them interchangeably. The report of the Working Group on the Use of Mercenaries, as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination, examines activities of private military and security companies, and proposes new regulations.¹³ Similarly, the British government's Green Paper (Private Military Companies: Options for Regulation) starts to find a proper definition for private military and security companies by defining the term mercenary.¹⁴

13. United Nations, Report of the Working Group on the Use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination (A/HRC/15/25) July 2, 2010.

14. UK Foreign and Commonwealth Office, Private Military Companies: Options for Regulation (Green Paper), HC 577 (London: HMSO, 2002), 6.

There are only three international documents related to mercenaries. Article 47 of the First Additional Protocol of 1997 to the Geneva Conventions is the most well-known regulation, which deprives the mercenaries of the rights of combatants, and defines a mercenary as any person who:

- (a) is specially recruited locally or abroad in order to fight in an armed conflict;
- (b) does, in fact, take a direct part in the hostilities;
- (c) is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a Party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar ranks, and functions in the armed forces of that Party;
- (d) is neither a national of a Party to the conflict, nor a resident of territory controlled by a Party to the conflict;
- (e) is not a member of the armed forces of a Party to the conflict; and
- (f) has not been sent by a State that is not a Party to the conflict on official duty as a member of its armed forces.¹⁵

Regarding this definition's narrowness, the Green Paper sees it unworkable because of the difficulty to prove motivation. Also, as was in the case of Sandline International's 1997 contract with Papua New Guinea, employees of an international company can be defined as the member of the armed forces. Additionally, these foreign warriors can attain citizenship to avoid being classified as mercenaries.¹⁶

The Convention of the Organization of African Unity (OAU) for the Elimination of Mercenarism in Africa is another attempt to define mercenary activity, though narrowly again. Expressing OAU members' hope for new international rules for making mercenarism an international crime, the OAU Convention defines mercenary activity, in

15. Article 47, Protocol Additional to the Geneva Conventions of August 12, 1949 and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, International Humanitarian Law - Treaties & Documents, International Committee of the Red Cross, <http://www.icrc.org/ihl.nsf/full/470?opendocument>.

16. Green Paper, 9.

addition to the definition of Additional Protocol to the Geneva Conventions, as in the following.

“The crime of mercenarism is committed by the individual, group, or association, representative of a State or the State itself, who with the aim of opposing by armed violence, a process of self-determination, stability, or the territorial integrity of another State, practices any of the following acts:

a) Shelters, organizes, finances, assists, equips, trains, promotes, supports, or in any manner employs, bands of mercenaries;

b) Enlists, enrolls or tries to enroll in the said bands;

c) Allows the activities mentioned in paragraph (a) to be carried out in any territory under its jurisdiction, or in any place under its control, or affords facilities for transit, transport, or other operations of the above mentioned forces.”¹⁷

In addition to OAU’s Convention, in 1989, the UN accepted the International Convention against the Recruitment, Use, Financing, and Training of Mercenaries. Similar to OAU’s Convention, the UN’s Convention further defines mercenary activity as: “(1) overthrowing a Government, or otherwise undermining the constitutional order of a State; or (2) undermining the territorial integrity of a State.”¹⁸ Although these two conventions try to clarify the blurry definition of mercenarism, they do not cover the acts of private military and security companies.

The main reason for mentioning mercenaries and PMSCs successively is their similarities in the way that PMSCs are also foreign to the conflict, seek their own profit, and participate directly in combat.¹⁹ However, there are also substantial differences between mercenaries and PMSCs. In contrast to freelance mercenaries, which serve for

17. Convention of the OAU for the Elimination of Mercenarism in Africa, Libreville, July 3, 1977, International Humanitarian Law - Treaties & Documents, International Committee of the Red Cross, <http://www.icrc.org/ihl.nsf/FULL/485?OpenDocument>.

18. United Nations, International Convention against the Recruitment, Use, Financing and Training of Mercenaries (A/RES/44/34), December 4, 1989.

19. Shearer, “Outsourcing War,” 68; Brayton, “Outsourcing War,” 306.

the highest payer,²⁰ PMSCs pose a corporate structure, operate according to internationally accepted business contracts, avoid engaging with internationally unrecognized governments or entities, and openly market their services.²¹ Peter Singer asserts that mercenaries and PMSCs are different due to the corporatization of the latter. PMSCs contain: prior corporate structures; pursue business profit; operate in open market as legal entities; provide a wider range of services; recruit personnel through public application processes; and finally, have business linkages to greater conglomerates. To the contrary, mercenaries act in temporary and ad-hoc groupings, appreciate only cash, hide from the law, focus on combat services, assign through opaque processes to avoid legal prosecution, and have no business ties to a greater organization.²²

Contrary to the general perception of PMSCs as the evolved or disguised version of mercenaries, some scholars assert their substantial difference from mercenaries by historical examples. Tracking back to the 1960s, Kevin O'Brien describes SAS (Special Air Service, founded by David Stirling) and its successors (WatchGuard in 1967, Kulinda Security Ltd. 1970s, KAS Enterprises 1986) as the pioneers of modern PMSCs.²³ Moreover, Deborah Avant and P. W. Singer discuss similarities between modern PMSCs and military companies of the late Middle Ages.²⁴

In *Corporate Warriors*, P.W. Singer infers that four historical patterns contributed to the rise of private militaries. First is a change in warfare that increases the demand for hired troops. Second is mass demobilization in some parts of the world that fuels the flow of experienced soldiers to other parts of the world. Third, private militaries seek opportunities in the areas of weak governance. Finally, links between private militaries and business ventures.²⁵ In parallel with these patterns, analysts relate the flourishing of PMSCs with: (1) the military pool of experienced soldiers due to reductions in the armies

20. Brooks, "Messiahs or Mercenaries?" 131; O'Brien, "Military-Advisory Groups," 81.

21. Shearer, "Outsourcing War," 69; Brooks, "Messiahs or Mercenaries?," 130.

22. Singer, *Corporate Warriors*, 43–7.

23. O'Brien, "Military-Advisory Groups," 60.

24. Avant, "Mercenaries," 20; Singer, *Corporate Warriors*, 19–26.

25. Ibid., 39.

after Cold War; (2) post-Cold War security perceptions of major powers, which makes them reluctant to support their past allies in weak states, and an increase in intrastate conflicts; (3) change in warfare from Cold War conventional scenarios to low-intensity civil wars; and (4) economic globalization that offers “high profits from investments in natural resource extraction operations in less developed countries.”²⁶

2. Classification of PMSCs

There is confusion about how to classify PMSCs. Most of the definitions focus on the functions that PMSCs provide.

Bruneau cites the classification of U.S. federal agencies: (1) Static security for fixed or static sites; (2) Convoy security; (3) Security escort for travelling individuals; (4) Personal security for high-ranking individuals.²⁷

On the other hand, Singer uses “Tip-of-the-Spear Typology,” which classifies PMSCs with regards to their closeness to the front line where actual fighting occurs. According to this typology, Singer separates PMSC industry into three categories:

- (1) Military Provider Firms,
- (2) Military Consultant Firms, and
- (3) Military Support Firms.²⁸

Military Provider Firms focus on the tactical environment and provide their customers implementation and command capacities in actual fighting.²⁹ Military Consultant Firms provide advisory and training services without any engagement in

26. Brooks, “Messiahs or Mercenaries?” 130–3; Singer, *Corporate Warriors*, 53; Spearin, “UN Peacekeeping,” 197; O’Brien, “Military-advisory Groups,” 79–81; Brayton, “Outsourcing War,” 305–309; Bures, “Private Military Companies,” 541; Howe, “Private Security Forces,” 70; Fitzsimmons, “Dogs of Peace,” 3.

27. Bruneau, *Patriots for Profit*, 117.

28. Singer, *Corporate Warriors*, 91.

29. *Ibid.*, 92.

fighting.³⁰ Singer defines Military Support Firms as firms specialized in secondary tasks out of core combat missions and providing non-lethal aid and support.

Deborah Avant makes another tip of the spear classification. However, she classifies contracts not firms since a firm can easily move from one type of service to another. Avant classifies contracts first into two as military and police functions, and separates them with regards to their distance from front line:

Military Functions:

- (1) Armed Operational Support,
- (2) Unarmed Operational Support on the Battlefield,
- (3) Unarmed Military Advice and Training,
- (4) Logistical Support;

Police Functions:

- (1) Armed Site Security,
- (2) Unarmed Site Security,
- (3) Police Advice and Training,
- (4) Crime Prevention,
- (5) Intelligence.³¹

Deschamps classifies PMSC functions according to “Combat Art” concept. Using the illustration of a sword master fighting with two blades, Deschamps classifies PMSCs according to the legality of their functions. Legally functioning firms are (1) Military Providers, (2) Military Consulting, (3) Intelligence Gathering & Counter Intelligence, and (4) Military Support. Undercover firms are (1) Military Undercover Ops providers, (2) Psy Ops providers, and (3) Military Covert Ops Support providers. Although proper

30. Ibid., 95.

31. Deborah D. Avant, *The Market for Force: the Consequences of Privatizing Security* (Cambridge: Cambridge University Press, 2005), 17.

regulation is still not in place for monitoring legal functions, Deschamps asserts that undercover functions are difficult of impossible to regulate and monitor.³²

British Government's Green Paper offers another classification:

- (1) Combat and Operational Support,
- (2) Military Advice and Training,
- (3) Arms Procurement,
- (4) Intelligence Gathering,
- (5) Security and Crime Prevention Services,
- (6) Logistical Support.

The only international document—however not binding—that is directly related to the use of private military and security companies, is the Montreux Document, which is “a text containing rules and good practices relating to private military and security companies operating in armed conflict.”³³ Montreux document's definition for PMSCs and classification of them reflects the irresoluteness of the industry itself about the functions of the PMSCs. In the document, PMSCs are described as “private business entities that provide military and/or security services, irrespective of how they describe themselves.” Their services are described as: “armed guarding and protection of persons and objects, such as convoys, buildings and other places; maintenance and operation of weapons systems; prisoner detention; and advice to, or training of, local forces and security personnel.”³⁴

3. Problems of UN Peace Operations and PMSC Option

Along with the increase in previously discussed civil conflicts, the UN has become involved in an increasing number of civil conflicts; however, its success record

32. Sebastian Deschamps, “Towards the Use of Private Military Companies in the United Nations Peacekeeping Operations” (thesis, Peace Operations Training Institute, 2005), 19–20.

33. United Nations, Montreux Document on Pertinent International Legal Obligations and Good Practices for States Related to Operations of Private Military and Security Companies During Armed Conflict (S/2008/636–A/63/467), October 6, 2008.

34. *Ibid.*, 6.

varies. The Brahimi Report was conducted to review the peacekeeping system and provide recommendations to overcome shortcomings of the UN peacekeeping system. Although it accepts the shortcomings of relying only on conventional forces, the Brahimi Report asserts that “no amount of good intentions can substitute for the fundamental ability to project credible force if complex peacekeeping, in particular, is to succeed.”³⁵ Among the report’s recommendations “designed to remedy a serious problem,”³⁶ the ones related to improve military capacity are:

- (1) The United Nations should define “rapid and effective deployment capacities;
- (2) The Secretary-General should systematize the method of selecting mission leaders, the entire leadership should participate in the mission planning, and the secretariat should provide the mission leadership with strategic guidance;
- (3) Member States should be encouraged to form several coherent brigade-size forces ready for effective deployment;
- (4) The Secretariat should send a team to confirm the preparedness of each potential troop contributor on the requisite training and equipment requirements, prior to deployment; those that do not meet the requirements must not deploy;
- (5) The Panel recommends that a revolving “on-call list” of about 100 military officers be created in UNSAS to be available on seven days’ notice to augment nuclei of DPKO planners.³⁷

Furthermore, the cost of peacekeeping for the fiscal year 2012–2013 is \$7.33 billion,³⁸ not including equipment reimbursements, which is approximately \$3 billion.³⁹ Parallel to the report recommendations, shortcomings of UN peacekeeping operations are summarized as a “lack of common weaponry, compatible communications systems,

35. Brahimi Report, 1.

36. Ibid., 8.

37. Brahimi Report, 16–7, 20.

38. United Nations, “Financing Peacekeeping,”
<http://www.un.org/en/peacekeeping/operations/financing.shtml>.

39. United Nations, “Contingent Owned Equipment,”
<http://www.un.org/en/peacekeeping/sites/coe/index.shtml>.

similar operational experiences and doctrine, and sometimes shared goals.”⁴⁰ Due to the political processes needed to pass mandates for peace missions, and more importantly, convincing the troops, contributions prolong the reaction time of UN to a conflict.⁴¹

4. Advantages of PMSCs

Reasons for the recommendation of PMSCs, often match the shortcomings and problems of UN peace operations. Brooks and Laroia summarize the advantages of PMSCs as “faster, cheaper, better.”⁴² The cost-effectiveness and rapid deployment capacity is the core of the privatization of peace operations.⁴³

The most important reason for offering PMSCs as a peacekeeping option is their independence from political constraints that surround the decisions of UN members when contributing troops to conflict areas, and the scarcity of public reaction during PMSC casualties.⁴⁴ Timely deployment is a central feature for success in peacekeeping, since it reveals the commitment of the international community to the conflict resolution. As UN fails to deploy troops in conflict regions in time, warring factions, consent of which enables the deployment of peacekeeping troops and opens a window for success, may renege from their commitment to the peace. The missions in Namibia, Cambodia, Mozambique, Sierra Leone, and East Timor all suffered from slow deployment. Moreover, prolonged deployment process may exacerbate the fighting as the warring factions would want to size more territory before the deployment of UN troops. There are two reasons for slow action. First, UN bureaucracy is inadequate for planning and supplying a fast deployment. Second, the UN is dependent on the voluntary personnel contribution of member states; however, this is frequently not forthcoming and is time

40. Spearin, “UN Peacekeeping,” 197.

41. Lilly, “Privatization of Peacekeeping,” 55; Spearin, “UN Peacekeeping,” 203.

42. Brooks and Laroia, “Privatized Peacekeeping,” 123.

43. Bures, “Private Military Companies,” 541; Howe, “Private Security Forces,” 70; Fitzsimmons, “Dogs of Peace,” 13; Spearin, “UN Peacekeeping,” 203; Lilly, “Privatization of Peacekeeping,” 54–55; Brayton, “Outsourcing War,” 322.

44. Lilly, “Privatization of Peacekeeping,” 54; Brayton, “Outsourcing War,” 309; Bures, “Private Military Companies,” 541; Howe, “Private Security Forces,” 70.

consuming, due to political debates.⁴⁵ Especially, politicians are reluctant to send troops into risky regions to avoid the domestic reaction for casualties. On the other hand, PMSCs, free from the approval of a political actor, offer a ready force supply for UN. Additionally, public opinion is less reactive in case of a PMSC casualty than military losses.

The central theme of the privatization of peacekeeping is the association of private firms with cost-effectiveness and efficiency.⁴⁶ Since PMSCs operate in open market, they have to minimize their cost to be competitive. Doug Brooks portrays this by comparing costs of the involvement of the Executive Outcomes in Sierra Leone, and the costs of the UN's presence afterwards. Executive Outcomes, hired by the Sierra Leone government to fight the rebels in 1995–1996, cost less than \$40 million. Whereas, the total cost of subsequent UN peacekeeping operations between 1999 and 2006 was \$2.8 billion, almost \$40 million monthly.⁴⁷ However, there is not an account of cost-effectiveness during the prolonged presence of a PMSC, which is a normal situation for UN peacekeeping missions.

Traditionally, PMSCs have better trained and experienced personnel than UN troops,⁴⁸ mainly because PMSCs employ their personnel from a pool of experienced retired military personnel, and from Western armies. The UN relies on military personnel from non-aligned countries to maintain an impartial objective toward the conflict. Major Powers are intentionally excluded from peacekeeping troops; however, this inclination toward neutral states militaries, which are mostly weak militarily, results in incapable and under-equipped troops. Moreover, the UN does not have a standing military force; so peacekeeping missions consist of ad hoc military components rotating their personnel periodically. Peacekeeping troops suffer from the lack of past experience. Contrary to the

45. Lise Morjé Howard, *UN Peacekeeping in Civil Wars* (New York: Cambridge University Press, 2008), 328–329.

46. Lilly, “Privatization of Peacekeeping,” 54.

47. Brooks, “Messiahs or Mercenaries?” 131.

48. Brooks, “Messiahs or Mercenaries?” 135; Fitzsimmons, “Dogs of Peace,” 3; Spearin, “UN Peacekeeping,” 198.

ad hoc structures of UN peacekeeping troops, PMSCs' call lists provide a consistency and a mutual past experience.

Furthermore, since PMSCs are not bound to political constraints of national governments, nor do they act according to their contracts, they are more willing to intervene in conflicts and use force than national troops.⁴⁹ The UN peacekeeping missions suffer from the loose command and control. Though UN peacekeeping missions operate under the legal command of Secretary-General, and unity of command is the basic requirement of a military organization, national troops participating in UN peacekeeping refer to their national governments, and seek their approval, in serious circumstances involving threat or use of force.⁵⁰ However, there are two reasons that assume PMSCs are more willing to use force. First, they are bound with their contract and its fulfillment, and in a case that requires coercive action, PMSCs are supposed to be more willing to use force to fulfill their contracts. Second, PMSCs are foreign to conflict that free them from the political consequences of their action. However, although willingness to use force is an effective military alternative, it is not consistent with the principles of peacekeeping; consent of the parties, impartiality, and non-use of force except self-defense.

5. Concerns about PMSCs

There are also many concerns about the PMSCs. Most often cited is their accountability. Contrary to the accountability of national governments for the wrongdoings of their troops in any peace mission, there is no one accountable for the possible misconduct of PMSCs.⁵¹ Accountability requires transparency; however, PMSCs are secretive about their operations. Bruneau asserts several problems in gathering reliable information about the operation of PMSCs. First, contractors are free

49. Spearin, "UN Peacekeeping," 197; Fitzsimmons, "Dogs of Peace," 2; Lilly, "Privatization of Peacekeeping," 54.

50. Michael Doyle, "War Making and Peace Making: The United Nations' Post-Cold War Record," in *Turbulent Peace: The Challenges of Managing International Conflict*, ed. Chester A. Crocker, Fen Osler Hampson, and Pamela Aall (Washington, D.C.: United States Institute of Peace, 2001), 537.

51. Lilly, "Privatization of Peacekeeping," 60; Brayton, "Outsourcing War," 318; Bures, "Private Military Companies," 541.

from the transparency required of governmental agencies. National troops in peacekeeping are accountable to their governments in many ways. However, PMSCs are accountable only to their shareholders. Second, despite their wide range of operation areas, there is no centralized effort to keep track of PMSCs. Third; each contractor's operation area is so broad, since a single contractor may operate in several countries. Fourth, the wars in Afghanistan and Iraq dramatically increased the use of contractors, which makes keeping track more difficult. Finally, contractors themselves are highly secretive because of their competitive nature.⁵²

Additionally, Privatization of peacekeeping raises concerns about the profit-making nature of PMSCs. Since PMSCs earn from conflicts, they have a potential interest in the ongoing of conflict.⁵³ This concern is essentially important in peacekeeping. Since it is hard to define the spoilers during a problematic peace process, adding a private actor seeking to maximize its profit from conflict will most probably increase the complexity of conflict resolution process.

Furthermore, PMSCs' relations with their home governments and Multinational Corporations (MNC) may raise doubts about a new type of colonialism. First, PMSCs are mostly based in powerful western countries, and there are implicit links between PMSCs and their home governments that governments use PMSCs as foreign policy proxies. For example, MPRI's top cadre almost completely consists of retired high-ranking U.S. military personnel and company is specialized in services required by U.S. government. Second, MNCs constantly use PMSCs to secure their natural resource operations in unstable regions where host government cannot provide order. However, MNCs controlling both resources of a government and an effective security instrument gains powerful leverage over the host government, which consequently presents the argument of neocolonialism operating under the banner of liberal market policies.⁵⁴

52. Bruneau, *Patriots for Profit*, 111–112.

53. Green paper, 16; Brayton, 328.

54. Brayton, "Outsourcing War," 310, 327; Bures, "Private Military Companies," 542.

Finally, private force contradicts with the idea of sovereignty. Sovereignty is the notion that attributes the monopoly of coercive power within a country to the state. The main idea behind sovereignty is to obtain and sustain a domestic order. However, PMSCs holding military capacities challenges the idea of sovereignty. This contradiction has important reflections in UN peacekeeping. First, peacekeeping missions deployed in failing states, especially after Cold War. A state fails when it cannot provide the security and order to its population and then loses its legitimacy. Sovereignty in case of state failure is essential both for the domestic legitimacy and international recognition of a government. However, employing PMSCs in peacekeeping will adversely affect the very government that peacekeeping is deployed to strengthen or restore. Brayton's expression is meaningful in failed states: "If there are organizations within a state's boundaries capable of providing the citizens more protection than the state itself, the state becomes at best an annex of such organizations, and individual citizens learn quickly where to place their loyalty."⁵⁵

Although the UN intervention also seems as an infringement of the national sovereignty, the UN and its member states recognize the Responsibility to Protect (R2P) approach. Written in 2000 by an International Commission on Intervention and State Sovereignty backed by Canadian government, R2P re-defines the states' sovereignty as a responsibility to protect their population, rather than being solely the monopoly of use of physical force. In the 2005 World Summit, the international community recognized the idea of R2P as: "(1) responsibility of the state to protect its population from genocide, war crimes, ethnic cleansing, and crimes against humanity and from their incitement; (2) the commitment of the international community to assist states in meeting these obligations; and (3) the responsibility of the member states to respond in a timely manner when a state is manifestly failing to provide such protection."⁵⁶ Thus, R2P approach justifies and legitimizes the UN peacekeeping as a state responsibility and is not considered as a violation of sovereignty rights.

55. Brayton, "Outsourcing War," 328.

56. Edward Luck, "The United Nations and the Responsibility to Protect (R2P)," Policy Analysis Brief, The Stanley Foundation (Iowa, August 2008), 1, www.stanleyfoundation.org/resources.cfm?id=345.

6. Driving Reasons for Privatization

Despite these negative concerns about PMSCs, the UN has been using them for many years. In his report to the General Assembly, Secretary General acknowledged that the UN has used PMSCs as a last resort, in the absence of any other means, only to protect personnel and facilities.⁵⁷ The UN used a PMSC in Angola to provide local guards, as well as in a Kinshasa-Congo to provide security for the UN offices. Likewise, the UN employed PMSCs for many services, including intelligence information, satellite communications and imaging, logistical support, and helicopter transportation.⁵⁸

The use of PMSCs by the major powers provides additional incentives to privatize peacekeeping. Thomas Bruneau explains the reasons for increasing use of PMSCs. Although Bruneau examined PMSCs in a national context, PMSCs and their appropriateness in U.S. civil-military relations, his findings shed light to possible problems of PMSC use in peacekeeping. Bruneau counts several important driving reasons for contracting services traditionally belonging to the military. These reasons are in parallel with the proposals for PMSC use in peacekeeping, though not in Bruneau's order. First, the post-Cold War reduction in the U.S. army created a shortage in military personnel; however, Global War on Terrorism and other contingencies increased military requirements. Second, the U.S. government has employed policies to contract services that are not inherently governmental, and congruent with these policies, the DoD started to outsource and privatize some of its traditional functions. Finally, the military could not provide protection to non-DoD personnel.⁵⁹

7. How to Control PMSCs

Despite the normative and legal contradictions, many states, Multi-National Corporations, Non-Governmental Organizations, and Inter-Governmental Organizations including UN have hired PMSCs. A Civil Military Relations (CMR) approach to the use

57. United Nations, *Use of Private Security: Report of the Secretary-General (A/67/539)*, 22 October 2012, 2–4.

58. Bures, "Private military companies," 538; O'Brien, "Military-advisory Groups," 99; Lilly, "Privatization of Peacekeeping," 55.

59. *Ibid.*, 121–122.

of PMSCs, seeing them as legal business enterprises providing alternative security services, asserts that the real challenge is the institutional capacity of the contractor to ensure the PMSCs proper functioning. Although traditionally the CMR examines the relations of civil governments and militaries, these research indicate the necessity to include PMSCs in the realm of CMR since PMSCs offer services that are not considered inherently governmental anymore and are “indispensable elements of CMR.”⁶⁰ This research emphasizes the institutional capacities of states to monitor and control PMSCs as contracting principals. Differentiating between strong and weak states, Dumlupinar sees weak states as more vulnerable to the challenges imposed by PMCs, since they mostly lack the required institutional capacities to control PMSCs. On the other hand, though strong states have the institutional capacity to solve problems, he points out the need for political will to do so.⁶¹ Dogru summarizes the institutional requirements to monitor and control PMSCs as:

- (1) developing a comprehensive doctrine,
- (2) creating an institutional memory,
- (3) creating an open, transparent, and competitive market,
- (4) strengthening interagency coordination mechanisms,
- (5) increasing the quality and quantity of contracting professional,
- (6) training commanders and clarifying authorities,
- (7) continuing to licensing system.⁶²

Based on New Institutionalism, Thomas Bruneau has developed a more comprehensive three-dimensional CMR approach that is applicable to the use PMSCs as well. Bruneau emphasizes the need for institutional capacity for properly functioning

60. Nihat Dumlupinar, “Regulation of Private Military Companies in Iraq,” (Master’s Thesis, NPS, 2010), 27, http://edocs.nps.edu/npspubs/scholarly/theses/2010/Mar/10Mar_Dumlupinar.pdf.

61. Ibid., 1.

62. Ali Kemal Dogru, “Outsourcing, Managing, Supervising, and Regulating Private Military Companies in Contingency Operations,” (master’s thesis, NPS, 2010), 71–83, http://edocs.nps.edu/npspubs/scholarly/theses/2010/Sep/10Sep_Dogru.pdf.

civil-military relations. Legal written procedures do not guarantee their implications; rather it is the institutional capacity that ensures the implication of rules. Bruneau cites following issues about institutions. First, institutions are defined as “the formal or informal procedures, routines, norms and conventions embedded in the organizational structure of the polity of political economy.”⁶³ Second, there is a continuing interaction between institutions and the goals and motivations of the actors who created the institutions. As actors create and change institutions, institutions shape actors as well by creating and changing their motivations. Third, institution building and implementing is all about power, therefore institutional power relations are primary concern of both New Institutionalism and civil-military relations.⁶⁴ Institutions have certain influences over organizations and actors:

1. The Formative Impact on Actors: Actors’ motivations are shaped by internalized goals and procedures that are congruent with the institutional patterns.

2. Congruent Preference Formation: Institutions provide predictability, regularity, stability, integration, discipline and cooperation.

3. Economizing on Transaction Costs: Decreasing uncertainty, institutions increase efficiency of transactions and avoid conflicts.

4. Frictionless Self-coordination: The environment created by institutional opportunities and incentives provides a spontaneous order.

5. Continuity: By virtue of the instilled perceptions and goals and procedures, institutions can perpetuate themselves. However, the time span of their existence makes institutions immune to changes. Therefore, they can breed conservatism both because of their perceived rectitude, and because of the resistance from those who have power from institutions.⁶⁵

The concept of CMR asserted by Thomas Bruneau is a three dimensional approach. Though civilian control is a fundamental condition for CMR, it is not adequate.

63. Bruneau, *Patriots for Profit*, 7.

64. Ibid.

65. Ibid., 8–9.

As Bruneau stated “the challenge in contemporary world is not only to assert and maintain civilian control over the military but also to develop effective militaries, and other security forces, that are able to implement a broad variety of roles and missions.”⁶⁶ Therefore, in addition to classical concept of civilian authority, Bruneau’s approach conceptualized CMR in order to understand how well and at what cost militaries and other security instruments perform. CMR should encompass three dimensions: control, effectiveness, and efficiency.

First, democratic civilian control dimension requires three elements: 1) it must be grounded in and exercised through institutions such as organic laws, civilian-led organizations with professional staffs, committees in the legislatures, and well-defined chain of authority; 2) control requires implementation of oversight through institutional mechanism to guarantee consistent performance of security and defense; and 3) control should be instilled in the institution through professional training.⁶⁷

Effectiveness dimension of the CMR have several requirements for conceptualization. First, expansion of the range of roles executed by security forces requires different goals to measure the effectiveness. This is especially important for UN peacekeeping missions, since uniformed personnel are assigned completely different tasks from traditional military. Second, military forces should be given adequate resources to implement their roles. Third, since most of the missions require the involvement of different services, jointness and interagency coordination should be strengthened. Coordination problems are an indispensable aspect of UN peacekeeping missions as a myriad of organizations (international financial institutions, regional organizations, individual UN Member States and coalitions, national development agencies, intergovernmental organizations outside UN structure and international non-governmental organizations)⁶⁸ are involved in peacekeeping, in addition to the several

66. Ibid., 31.

67. Ibid.

68. Richard Ponzio, “The United Nations Peacebuilding Commission: Origins and Initial Practice,” *Disarmament Forum*, no.2 (2007), 6.

UN bodies, agencies, and funds. Fourth, this dimension is complicated by the assessment of effectiveness in the context of deterrence.⁶⁹

“The third dimension...is efficiency in the use of resources to fulfill the assigned roles and missions.”⁷⁰ Although even with a vast range of roles to assess it, efficiency is quite difficult, the first and foremost requirement of efficiency is a statement of its objectives.⁷¹ This is another problematic issue for a UN peacekeeping operation, along with the inability to measure the success of the peacekeeping mission. Since peace is hard to define, many scholars offer different measurements, such as durability of peace,⁷² consistency of mandate,⁷³ domestic stability,⁷⁴ end of conflict,⁷⁵ and limitation of armed conflict.⁷⁶

69. Ibid., 32.

70. Ibid.

71. Ibid., 32–33.

72. Virginia Page Fortna, *Does Peacekeeping Work?: Shaping Belligerents' Choices after Civil War* (Princeton, New Jersey: Princeton University Press, 2008).

73. Howard, *UN Peacekeeping in Civil Wars*.

74. Roland Paris, *At War's End: Building Peace after Civil Conflict* (New York: Cambridge University Press 2004).

75. Doyle and Sambanis, *Making War*.

76. Paul F. Diehl, *International Peacekeeping* (Baltimore, MD: The Johns Hopkins University Press, 1994).

II. WHAT IS PEACEKEEPING?

The main goal of this chapter is to understand UN peacekeeping regarding: what conditions promoted it; what experiences the UN has had; what types of UN peacekeeping operations exist; and what the principles of the UN peacekeeping are. Reason behind this analysis is to show that UN peacekeeping is the normative expansion of the idea of collective security. In addition to the legitimacy, peacekeeping is dependent on the multilateralism to justify intervention in the realm of sovereignty. Although PMSCs provide a cost-effective solution to ad hoc peacekeeping troops contributed by member states without adequate training and equipment, notion of peacekeeping as an international tool to sustain peace and security is dependent on the multilateral contribution of member states. Consent of the parties, the most important principle of peacekeeping, requires a delicate arrangement of peacekeeping troops to be effective when implement the goals of the mandate, and not threatening at the same time. Surrounded by many problems contradicting sovereignty and accountability, the PMSCs could not make success more likely than traditional UN peacekeeping troops.

Since peacekeeping is not mentioned in the UN Charter as a conflict resolution method, peacekeeping was an improvisation of UN and international community to fill the gap of a defective collective security system. Dedicated to “save the succeeding generations from the scourge of war,” the UN was designed as a collective security institution. The UN Charter foresees two ways of conflict resolution: pacific settlement provisioned in Chapter VI; and forceful action against any breach of peace mentioned in Chapter VII. However, East-West tension in the Security Council during the Cold War precluded materialization of the Charter’s collective security provisions. Peacekeeping was invented as an impartial tool to restore peace. Thus, Dag Hammarskjöld coined the term “Chapter Six and a Half” to emphasize the innovative nature of peacekeeping.⁷⁷ However, as the international environment and conflicts changed, peacekeeping has

77. Thomas G Weiss, David P. Forsythe, and Roger A. Coate, *The United Nations and Changing World Politics* (Boulder: Westview Press, 1994), 48.

evolved to adapt. The 1990s especially witnessed an increased demand in the UN role as a peacekeeper with a new wide range of missions.

The first section of this chapter will analyze peacekeeping in a historical perspective to understand it better. Since peacekeeping is the result of international efforts for global peace and security, analysis will start with the origins of the UN. Since the UN is a universal organization based on the sovereign equality of states, its history goes back to Treaty of Westphalia, which introduced sovereign nation states as the main actor in international relations. The most important developments for the emergence of the international organization took place during 19th century. Increasing interconnectedness and the need for peaceful ways of conflict resolution pushed states to find new ways of overcoming disputes. Thus, 19th century witnessed the emergence of international concerts, conferences, and international public institutions. During the period from Westphalia to League of Nations, the tool that states used to ensure security and peace was balance of power—if one state gains overwhelming powers and becomes a threat, other states would unite and balance the powerful. As the most important predecessor of UN, the League of Nations introduced the idea of collective security—in case of a breach of peace and security all states would unite to stop the aggressor. Despite the potential strength of the idea of collective security—all for one, one for all—the League failed to prevent the outbreak of World War II because of the lack of mechanisms to ensure the proper practice of collective security. UN was established over the lessons learned with the League experience. The UN Charter accepted the idea of collective security and vested the Security Council the right to determine “the existence of any threat to the peace, breach of the peace, or act of aggression, and shall make recommendations, or decide what measures shall be taken.”⁷⁸ These measures include “complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations”⁷⁹ or “such action by air, sea, or land forces as may be necessary to maintain or

78. United Nations, Charter of the United Nations, 1945, Article 39, <http://www.un.org/en/documents/charter/>.

79. UN Charter, Article 41.

restore international peace and security.” However, East West tensions of Cold War proved the weakness of collective security provisions of charter. Peacekeeping was introduced to fill the void of the crippled collective security system.

In the second section, UN’s peacekeeping experience will be analyzed. This analysis shows that peacekeeping does not have a clear definition. UN defines it as “one of the most effective tools available to the UN to assist host countries navigate the difficult path from conflict to peace.”⁸⁰ As it was an innovation and had not been foreseen during the establishment of the UN, peacekeeping has been in a continuous development and adaptation to the environment in which it was employed. Although traditional peacekeeping, interposition of lightly armed forces between warring parties, proved effective in facilitating negotiated peace ending interstate wars, the changed nature of conflicts to intrastate civil wars with the end of Cold War compelled the UN peacekeeping system. In addition to major peacekeeping operations, this section will analyze the characteristics of a peacekeeping operation, its principles, and causal mechanisms that facilitate peace process.

A. BEFORE THE UN

As the UN is an international organization based on the sovereign equality of its member states, roots of the organization can be traced back to treaty of Westphalia (1648).⁸¹ Treaty of Westphalia laid the foundation of the current international system by promoting the sovereign state as the ultimate domestic power. Though the idea of sovereignty—state has the ultimate power within its territories—aimed to bring domestic stability and peace, it created an anarchical environment in the international relations, where each state sought ways to secure its own survival. Equality of states and the absence of an international ultimate authority was the very reason for the anarchical environment. States used balance of power—ad hoc and temporary alliances of states

80. United Nations, “What is Peacekeeping?,” <http://www.un.org/en/peacekeeping/operations/peacekeeping.shtml>.

81. Weiss, Forsythe, and Coate, *The United Nations*; Karen A. Mingst, *The United Nations in the Twenty-First Century* (Boulder, CO: Westview Press, 2011), ; John Allphin Moore and Jerry Pubantz, *The new United Nations: International Organization in the Twenty-First Century* (Upper Saddle River, NJ: Pearson Prentice Hall, 2006).

against aggression—to ensure security. Additionally, a nascent international law—international human rights, war crimes⁸²—began to grow during this time. Although international regulations depended on the consent of the states to abide by, these developments set the first stage for the emergence of an international organization for peace and security. By the 19th century international regulations and Westphalian state system began to join.⁸³

1. Nineteenth Century Developments

During 19th century, development of three strands of thinking and practice foreshadowed the creation of international organizations. First was recognizing the utility of multilateral diplomacy. After defeating Napoleon, the European states participated in the Concert of Europe (1815) to restructure Europe and its diplomatic practices.⁸⁴ Under the Concert system, European leaders gathered thirty meetings between 1815 and 1878 to settle problems and achieve coordination. These meetings solidified some important practices: multilateral consultation, collective diplomacy, and special status for great powers. Concert system was the result of a growing sense of interdependence and community of interest, which was a vital prerequisite for modern international organizations.⁸⁵ Second was the formation of public international unions. Established to overcome the problems stemming from expanding trade, communications, and technological innovation of the industrial revolution,⁸⁶ these functional intergovernmental organizations contributed to security indirectly by entangling states in a web of social and economic cooperation strong enough to make war irrational.⁸⁷ Some of these organizations were: Intergovernmental unions, such as the International Telegraphic Union (1865), and the Universal Postal Union (1874).⁸⁸ Third development

82. Moore and Pubantz, *The New United Nations*, 38.

83. Mingst, *The United Nations*, 18.

84. Moore and Pubantz, *The New United Nations*, 38.

85. Mingst, *The United Nations*, 18–19.

86. *Ibid.*, 19.

87. Weiss and Coate, *The United Nations*, 19.

88. Mingst, *The United Nations*, 19.

that precipitated the environment for the international organization was the Hague system. In 1899 and 1907 in Hague, Czar Nicholas II of Russia convened two conferences, which led to the Convention for the Pacific Settlement of International Disputes, ad hoc international commissions of inquiry, and the Permanent Court of Arbitration. Held in the absence of a war, the Hague conferences contributed many innovations to the international relations: both small and non-European States were included in conferences turning a largely European state system into a truly international system, aspiring the universal membership that UN was to do decades later;⁸⁹ multilateral diplomacy employed techniques, which became the permanent features of twentieth-century organizations, such as the election of chairs, the organization of committees, and roll call votes; codification of international law.⁹⁰ Though these developments were innovative and useful, they could not prevent World War I, and proved to be insufficient when national interests are at stake.

2. The League of Nations

League of Nations was the most important of all predecessors of the UN. Although it is obvious now in retrospect that the League was unsuccessful to prevent war, it provided the experiences and lessons for the establishment of UN. Established after World War I, League introduced the idea of collective security in international security. However, because of the lack of robust legal and institutional, the League of Nations experienced serious failures to sustain international peace. First, decision-making process crippled the organization to react to the breaches of peace. Unanimity was required in both Council and Assembly for decisions. As a reflection of strict idea of sovereignty, this requirement made the League act too little and too late.⁹¹ Second, member states had the right to refuse the League-sponsored activities. Because of this loose sanctioning mechanism, the League failed to prevent aggressions. Finally, the League could not materialize the universal membership since U.S. was not a member of the League; the

89. Weiss and Coate, *The United Nations*, 20.

90. Mingst, *the United Nations*, 19–20.

91. Weiss and Coate, *The United Nations*, 20.

Soviet Union joined only in 1934; Japan left in 1931, and Italy in 1937; Germany joined in 1926 but left in 1933. Furthermore, Axis powers were initially excluded from the organization.⁹² With difficult decision-making process, League failed to act when Japan invaded Manchuria in 1931 and when French occupied Ruhr in 1923, and act too late and too little when Italy invaded Ethiopia in 1935. Most importantly, the League could not prevent World War II.

3. Collective Security

The main difference between collective security and balance of power, or collective defense, systems is the perception of peace and security. Alliances and collective defense arrangements are directed potential external aggressors. On the other hand, collective security accepts peace as indivisible⁹³ and aims to counter any aggressions, even from within the members of the system, to the peace.⁹⁴ The underlying assumption in collective security system is no state could attack another with the fear of retribution from all other governments.⁹⁵ This system depends more on the voluntary participation and normative rules. Collective security norm requires states to put the general interests of the groups before their own immediate interests.⁹⁶ Since collective security does not define a specific aggressor, it does not function continuously in peacetime; rather it is an emergency mechanism.⁹⁷

From a realistic point of view, a collective security system has many disadvantages. First, a collective security system fails as states fail to fulfill their commitments to the system. Realist theory assumes international systems are anarchic self-help systems, in which states pursue their own interests to survive. Thus, in the necessity of a collective action, some states may fail to honor their commitment to the

92. Ibid., 21; Moore and Pubantz, *The New United Nations*, 39–40.

93. Richard K. Betts, “Systems for Peace or Causes of War? Collective Security, Arms Control, and the New Europe,” *International Security*, 17, no. 1 (Summer, 1992): 9.

94. Moore and Pubantz, *The New United Nations*, 162.

95. Weiss and Coate, *The United Nations*, 21.

96. Betts, “Systems for Peace,” 12.

97. Ibid., 10.

system. Second, a collective security system is too conservative since it favors status quo. Third, disseminating the responsibility of preparing for an aggression will undermine the power balance in case of the emergence of a troublesome state. Since collective security system assumes all states as the members of the same society and do not define any potential aggressor, in case of an aggression system would be caught unprepared. Fourth, states will not commit to the collective security since they may have already defined their friends and enemies. Finally, centralization requirement of a collective action contradicts with the idea of sovereignty.⁹⁸

On the other hand, constructivist ideational approach asserts that an institutionalized collective security system, all against one, provides more effective security than an unregulated self-help system. A collective security system—regulated balancing upon the notion of all against one—is more likely to prevent war and bring stability than the unregulated balancing of an anarchic system—each for his own. Constructivists recognize two advantages of collective security. First, collective security provides a more effective balancing against aggressors. When collective security works, it confronts the aggressor with an overwhelming power. Moreover, though practice of collective security depends on the commitment of the members, worst scenario of collective security system—all members', other than those are directly threatened, defection from their commitment to the system—is equal to the best of the balancing under anarchy. Second advantage of a collective security system is the promotion of trust and cooperation among states. An institutionalized collective security system decreases the security dilemma and provides stability. In a stable environment states would focus more on absolute gains—realism asserts that relative gains matter in an insecure anarchic world—and devote more resources to welfare rather than ensuring survival. Moreover, confidence about the intentions of other states promotes cooperation. Finally, collective security institutions help to align the national interests with international stability. Since collective security system assumes all member states as the part of a society of nations, member states has reasonable trust to each other's intentions on the rules of the system

98. Ibid., 17–19.

and believe in the necessity of the system in resolving disputes. Thus, well working of the system and its continuity becomes a part of the legitimacy.⁹⁹

B. ESTABLISHMENT OF THE UN

The UN was established as an international collective security organization upon the experiences of the League of Nations failure at the end of World War II. In 1942, 26 nations agreed upon the creation of international organization affirming the Atlantic Charter (14 August 1941), declared by the leaders of U.S. and UK. The UN Charter was drafted during two sets of meetings between August and October 1944, at Dumbarton Oaks, and was signed in San Francisco on June 26, 1945.¹⁰⁰ There are certain differences between the UN and the League of Nations to avoid a similar failure. First, unanimity is not required for decision making in the Security Council, and permanent members of the Council have the right to veto a measure to assure the major powers that the organization will not work against them. Since the absence of major powers in the League was a central reason for the failure,¹⁰¹ the UN was designed to keep them in the game. The League's Covenant did not include the right to veto. Additionally, decision process in the Security Council, which was the main reason for the League's inertia or slowness, was designed to accelerate the procedure. Second, the UN Charter aimed to achieve the universal membership because it is a separate written document unlike the League's Covenant, which was incorporated to the Versailles treaty. Thus, League did not entitle the Axis powers the right to join.

1. Legal and Institutional Basis of UN Collective Security

There are certain institutional and legal basics of the UN's collective security system. UN consists of six main organs: "a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice

99. Charles A. Kupchan and Clifford A. Kupchan, "The Promise of Collective Security," *International Security*, 20, no. 1 (Summer, 1995): 54–58.

100. Mingst, *The United Nations*, 22.

101. Weiss and Coate, *The United Nations*, 25.

and a Secretariat.”¹⁰² Charter assigns the Security Council as primarily main organ “for the maintenance of international peace and security.”¹⁰³ Chapter VI of the Charter regulates the pacific settlement of disputes and gives the Security Council the right to “call upon the parties to settle their dispute”¹⁰⁴ by peaceful means and to “investigate any dispute, or any situation which might lead to international friction or give rise to a dispute.”¹⁰⁵ Chapter VII of the Charter deals with the active measures that shall be taken with respect to aggression. According to the Chapter VII provisions, Security Council has the right to determine the existence of aggression¹⁰⁶ and may decide to take measures “not involving the use of armed force”¹⁰⁷ including “complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations,”¹⁰⁸ or in case of inadequacy of these measure “may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.”¹⁰⁹

The other central organ concerning the collective security is the General Assembly. Although Charter does not assign any right to the General Assembly directly to take action, “as the general debate arena where all members would be equally represented according to the a one-state/one-vote formula,”¹¹⁰ Assembly has the right to discuss anything related to the Charter and may discuss “the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make

102. UN Charter, Article 7.

103. Ibid., Article 24,

104. Ibid., Article 33.

105. Ibid., Article 34.

106. Ibid., Article 39.

107. Ibid., Article 41.

108. Ibid., Article 41.

109. Ibid., Article 42.

110. Mingst, *The United Nations*, 30.

recommendations”¹¹¹ and “may call the attention of the Security Council to situations which are likely to endanger international peace and security.”¹¹² In addition to the Charter provisions, General Assembly passed the Uniting for Peace resolution in response to the dead lock in the Security Council concerning Korean War. Resolution stretched the responsibilities of the General Assembly and gave the authority to make recommendations for collective security measures if “Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security.”¹¹³

Finally, as the chief executive officer of the organization, Secretary-General plays a crucial instrumental role in dispute mediation. Though not frequently used, article 99 of the Charter assigns the Secretary-General the right to “bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.”¹¹⁴

2. Collective Security Practice

The UN has been, and is still is, the only international organization with universal membership. Compared to the League of Nations, it has served well as a central site for multilateral diplomacy and has saved the “succeeding generations from the scourge of war” for the time being. However, collective security measures have been problematic for the UN as well. Establishment of the UN coincided with the Cold War. Serious East-West confrontation and ideological divide prevented UN respond to conflicts such as French, and then the U.S., intrusions in Vietnam (1947–74), Soviet interventions to Hungary (1956) and Czechoslovakia (1968) to suppress anti-Communist movements.¹¹⁵ Though veto power assured major power participation in the organization, it prevented action during Cold War. Since the inception of UN system, Security Council defined an

111. UN Charter, Article 11.

112. Ibid., Article 11.

113. United Nations, Uniting for Peace (A/RES/377), 3 November 1950, [http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/377\(V\)&referer=/english/&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/377(V)&referer=/english/&Lang=E).

114. UN Charter, Article 99.

115. Moore and Pubantz, *The New United Nations*, 64.

aggressor to the peace only twice: Korea (1950) and Iraq (1990). Indeed, Council's reaction to North Korean invasion of South Korea was made possible by the absence of Soviet delegate as a boycott to the Taiwan's representation in Council instead of China. Soviet's return to the Council blocked further action, and General Assembly authorized much of the operation under Uniting for Peace resolution. Thus, Korean War presents an exception to the crippled UN collective security.¹¹⁶ Implementation of collective security in Iraqi war could be interpreted as an exception since it coincided with the end of Cold War, when Russia was eager to show its commitment to peace and cooperation, and the aggression was obvious without leaving any void for political discussion.

C. PEACEKEEPING

In the midst of a veto-crippled collective security system, peacekeeping was offered as solution to the conflicts that may endanger global peace. Though many scholars and individuals have offered definitions for peacekeeping, UN does not have a clear definition of peacekeeping. The Charter does not mention a method called peacekeeping. Even the operations executed by the UN do not match each other to infer what peacekeeping is. However, as the UN states peacekeeping is "one of the most effective tools available to the UN to assist host countries navigate the difficult path from conflict to peace."¹¹⁷ Peacekeeping is the improvisation of collective security. UN Charter defines two ways of aforementioned conflict resolution: Chapter VI pacific settlement and Chapter VII enforcement. Since the superpower tension in Security Council, supported by the veto power, precluded the practical implementation of collective security provisions of the Charter, an impartial effort was needed to prevent conflicts to grow and sustain peace. Inis L. Claude emphasizes this impartial legacy of peacekeeping: "It had repealed the proposition that the organization should undertake to

¹¹⁶ Diehl, *International Peacekeeping*, 25.

¹¹⁷ United Nations, "What is Peacekeeping?,"
<http://www.un.org/en/peacekeeping/operations/peacekeeping.shtml>.

promote order by bringing the great powers into troubled situations. Henceforward, the task of the United Nations was to be defined as that of keeping great powers out of such situations.”¹¹⁸

1. Traditional Peacekeeping

According to the UN’s official view, first peacekeeping operation was United Nations Truce Supervision Organization (UNTSO)¹¹⁹ deployed in May 1948. UNTSO consisted of unarmed military observers whose primary mission was monitoring and reporting of a cease-fire.¹²⁰ However, scholars classify UNTSO and following UNMOGIP (deployed in 1949 in Kashmir to monitor the movements of the Indian and Pakistani troops and investigate complaints)¹²¹ as observer missions. Observer missions were different from peacekeeping operations in a number of ways. First, personnel deployed in observer mission were not armed and small in numbers compared to the peacekeepers. Second, observer missions were not deployed to occupy a buffer zone.¹²² Their mission was limited to monitoring the implementation of a mutually agreed cease-fire agreement. Thus, observer missions executed “nurse like”¹²³ roles, which were ineffective to resolve conflicts.

However, many scholars start peacekeeping with the deployment of United Nations Emergency Forces (UNEF I) in 1956.¹²⁴ UNEF I was the first attempt to overcome the malfunctioning collective security. Diplomatic efforts failed to resolve the problems emerged after the nationalization of Suez Canal by Egypt. Israel, despite the presence of UNTSO in the region, invaded Egypt on October 29. Following Israel’s

118. Inis L. Claude Jr., *The Changing United Nations* (New York: Random House, 1965), 32, quoted in Karen A. Mingst, *The United Nations in the Twenty-First Century* (Boulder, CO: Westview Press, 2011), 3.

119. United Nations, “History of Peacekeeping,” <http://www.un.org/en/peacekeeping/operations/history.shtml>.

120. United Nations, “Early Years,” <http://www.un.org/en/peacekeeping/operations/early.shtml>.

121. Diehl, *International Peacekeeping*, 28.

122. Ibid., 6.

123. Ibid., 29.

124. Weiss and Coate, *The United Nations*, 48; Diehl, *International Peacekeeping*, 28; Doyle and Sambanis, *Making War*, 12.

invasion, Britain and France attacked Egypt to get the control of canal back. A Security Council resolution to stop the war was vetoed by Britain and France, proving the weakness of collective action. Any resolution biasing Britain and France was impossible since Soviet Union was in favor of Egypt. Deployment of another observation mission was pointless since the UNTSO was already in the region and had failed to prevent war. In the midst of political turmoil, General Assembly passed the resolution 997 calling for a cease-fire, withdrawal of troops, and reopening of the Suez Canal. On November 4, 1956, the General Assembly passed the Resolution 998, which authorized “the Secretary-General to submit to it within forty-eight hours a plan for the setting up, with the consent of the nations concerned, of an emergency international United Nations Force to secure and supervise the cessation of hostilities.”¹²⁵ UNEF I experience provided the basis for the future peacekeeping missions. Most of the Cold War era peacekeeping missions included lightly armed peacekeepers deployed in a buffer zone between belligerents to prevent accidental renewal of fighting. These missions were lightly armed to use force as last resort for self-defense only. However, political will of international community provided the support for their mission.

2. End of Cold War and New Typologies

UN has deployed 68 peacekeeping operations to date, thirteen of which was deployed during Cold War. Traditional peacekeeping, dealing mostly with interstate wars, proved successful to help sustain the international peace, and UN peacekeeping was awarded Nobel Prize in 1988. However, not more than a few years later this success story, UN peacekeeping experienced severe criticism in failing to respond conflicts. End of Cold War marked a dramatic change in the context and the number of the conflicts that UN was demanded to involve. Security Council issued three times more authorization for peacekeeping operation between 1987 and 1994. The result was an unprecedented increase in peacekeeping troops and budget. Number of troops rose to more than seventy thousand from less than ten thousand, and peacekeeping budget skyrocketed from 320 million dollar to 3.6 billion dollars reaching to about three times the regular UN

125. United Nations, Resolution 998 (A/RES/377), November 4, 1956, <http://www.un.org/depts/dhl/dag/docs/ares1000e.pdf>.

budget.¹²⁶ The end of superpower struggle created a void that enabled the resurgence of nationalism, civil wars, and ethnic conflict. Moreover, this period created a new phenomenon called failed states, in which government institutions do not exist or function properly. The end of Cold War, beginning of which gave birth to peacekeeping, pushed peacekeeping evolve into a more complex and ambitious phase.

a. Complex Peacekeeping

Different from traditional peacekeeping, complex peacekeeping is deployed in civil conflicts where armed fighting has not stopped yet and all parties do not consent to the presence of the peacekeepers. In addition to the traditional interposition function, complex peacekeeping missions “facilitate the political process, protect civilians, assist in the disarmament, demobilization, and reintegration of former combatants, support the organization of elections, protect and promote human rights and assist in restoring the rule of law.”¹²⁷

Because of the erosion of the traditional principles, peacekeeping operations witnessed dramatic failures. The lack of consent of the parties increased the risks that peacekeepers are exposed and decreased the political support of the troop contributing countries. In Somalia, twenty-four Pakistani troops were killed during a weapons storage inspection on June 5, 1993, and eighteen U.S. troops were killed on October 3, 1993, which consequently led to the withdrawal of U.S. troops and failure of the operation.¹²⁸ Additionally, lack of consent of one of the parties may lead to the erosion of impartiality of the mission. Since Aideed, one of the main belligerents in the Somalia civil war, did not consent to UN mission, peacekeeping troops became a party to the conflict, another reason for the failure.

126. Doyle, “War Making,” 530.

127 United Nations, “What is peacekeeping?”

128. Howard, *UN Peacekeeping*, 27.

b. Peacebuilding

Another type of UN peace operation that became relevant in post-Cold War period was peacebuilding. Peacebuilding focused on building a long-term foundation for stable peace by eliminating the root causes of a conflict through the implementation of multidimensional peace agreements, and by strengthening national capacities to prevent lapsing or relapsing into conflict.¹²⁹ In addition to peacekeepers executing traditional or complex military peacekeeping functions, peacebuilding missions included civilian personnel, both UN and humanitarian NGO, and executed a wider range of functions for a long-term peace, such as disarming belligerents, restoring rule of law, training and reforming security to advance protection of human rights, monitoring elections, reforming and strengthening governmental institutions, and promoting formal and informal processes of political participation.¹³⁰

c. Peace Enforcement

To respond to the humanitarian crisis emerging in failed states of post-Cold War time, the UN employed a type of coercive peace operation, with similarities to a collective security action. Peace enforcement included the application of a range of coercive measures, including threat or use of force, to persuade belligerents of a cease-fire. Main aim of an enforcement mission is to deter, dissuade, and deny fighting in a civil war. Since enforcement does not necessarily require the consent of the warring parties, the UN's success record in enforcement has been contradictory. The UN operations in Somalia and former Yugoslavia have been criticized as failures since warring parties did not consent to peace agreements and operation could not prevent casualties, including peacekeepers themselves.

3. Principles of Peacekeeping

UN peacekeeping site specifies three basic principles of peacekeeping: consent of the parties, impartiality, and non-use of force except self-defense and defense of the

129. Doyle, "War Making," 532; United Nations, "Peace and Security," <http://www.un.org/en/peacekeeping/operations/peace.shtml>.

130. Mingst, *The United Nations*, 103; Doyle, "War Making," 533.

mandate.¹³¹ Consent of the parties provides the operation both strength and a weakness. Consent makes peacekeeping more acceptable and reduces the risks for the troops, which would directly affect the commitment of troop contributing countries. On the other hand, consent could be withdrawn any time, which proves if one side decides to go to war peacekeepers have very little to do.¹³² Another principle of peacekeeping is impartiality. Different from a collective security operation in which an aggressor is defined, peacekeeping operations do not define an aggressor and act impartial between parties.¹³³ Moreover, impartiality affects the composition of the troops as well. Many peacekeeping forces are drawn from non-aligned states.¹³⁴ However, impartiality has contradictions as well. Since peacekeeping operation needs the consent of the parties, peacekeepers may be reluctant to condemn any violations, which on the other hand undermine the credibility of the mission.¹³⁵ Thus, peacekeepers have “to criticize, use pressure, mobilize international support, even in circumstances take forceful action when a party violated agreed arrangements,”¹³⁶ without going beyond and taking sides. The final principle of peacekeeping is non-use of force except self-defense and defense of the mandate. Peacekeeping troops are designed to execute missions different than traditional military forces.¹³⁷ Peacekeepers do not stop fighting between rival enemies. They achieve their influence from the diplomatic and political support of the international community.¹³⁸ Furthermore, though peacekeepers act as an interposition force between conflicting forces, they are not supposed to defend their territory in a traditional way. Finally, peacekeepers are usually lightly armed and have vehicles for transportation only, rather than those that might be used for attack.¹³⁹

131. United Nations, “What is peacekeeping?”

132. Marrack Goulding, “The Evolution of UN Peacekeeping,” *International Affairs*, 69, no.3 (July 1993): 454; Weiss and Coate, *The United Nations*, 52.

133. Goulding, “Evolution of Peacekeeping,” 454.

134. Diehl, *International Peacekeeping*, 8.

135. Mingst, *The United Nations*, 107.

136. Goulding, “Evolution of Peacekeeping,” 454.

137. Diehl, *International Peacekeeping*, 5.

138. Weiss and Coate, *The United Nations*, 53.

139. Diehl, *International Peacekeeping*, 7.

In addition to the established officially accepted principles of peacekeeping, there are certain conditions that affect the success or failure of a peacekeeping operation. Continuing support of the Security Council is required not only in the beginning of an operation but also in the renewal and budget processes. Diminished Security Council support will put the operation back in the strategic priorities of international community.¹⁴⁰ Another requirement for a successful peace operation is the mandate. Mandate of a peace operation defines its missions and sets goals. As the ultimate guiding document, mandate should be “clear, obtainable, and known to all parties.”¹⁴¹ A clear mandate should precisely present the purpose and the actions of the force.¹⁴² Moreover, mandates should provide the necessary resources for a mission. Though mandate provides the legitimacy for an intervention through the expression of political will of the international community, a mission not supplied with adequate resources creates a gap where failure is likely.¹⁴³

4. Causal Mechanisms of Peacekeeping

Established principles of peacekeeping reveal a crucial contradiction: peacekeeping works where there is a peace to be kept. The consent of parties is the most critical requirement for peacekeeping. Although peace is strictly subject to the consent of the parties first by allowing troops to deploy and operate and then by appreciating and complying with the peace process, this requirement does not alleviate the need for the peacekeepers. The presence of peacekeepers creates the necessary environment for establishing and sustaining peace by raising costs and benefits, providing information to overcome security dilemmas, preventing escalation of accidents, and deterring attempts of political exclusion. First, deployment of troops in the area increases the cost of war, since the aggressor should risk confronting with international community. Although a peace enforcement mission provides military capability for peacekeepers to directly intervene to aggressions, a traditional mission also can deter aggression by serving as a

140. Weiss and Coate, *The United Nations*, 52; Mingst, *The United Nations*, 96.

141 Weiss and Coate, *The United Nations*, 53.

142 Diehl, *International Peacekeeping*, 72.

143. Doyle, “War Making,” 537.

trip wire for a further enforcement mission thereby persuading parties for compliance. In addition to raising costs, peacekeepers can raise the benefits of peace as well by providing disputants international recognition and legitimacy, aid, and direct economic opportunities for individuals.¹⁴⁴ Second, peacekeeping operation provides information to overcome security dilemma and provides communication between parties. As belligerents in a civil war may not have capabilities to monitor each other or even their own actions, peacekeepers can provide this required information by informing each side about the compliance of others and encouraging them for compliance, and informing countries that contribute aid on the condition of peace about non-compliance. Furthermore, peacekeepers provide a communication environment, which is otherwise impossible because of the experienced atrocities of war, for negotiations. Also presence of a communication opportunity reveals the intention of the parties by their willingness or reluctance for negotiation.¹⁴⁵ Third, peacekeepers prevent escalation of accidental defections by low-level, on the spot mediation and neutral policing.¹⁴⁶ Also peacekeepers can eliminate actors opposing peace process by “shifting power base within groups.”¹⁴⁷ Finally, peacekeepers can prevent political exclusion of conflicting groups by replacing or training police force into a new less biased one and ensuring the homogenous representation of all sides in the new army. Also monitoring voter registration, campaigning, and polling can ensure all sides on a fair election.¹⁴⁸

5. Evaluating Peacekeeping: A Normative Explanation

The most important aspects of a UN peacekeeping operation, which is in practice similar to any international military intervention, is its “United Nationsness”¹⁴⁹ and multilateralism. Although from a strict interpretation of idea of sovereignty any external intervention is a breach of the sovereign rights of a state, authorization by Security

144 Fortna, *Does Peacekeeping Work*, 87–89.

145. Ibid., 93–95.

146. Ibid., 97.

147. Ibid., 96.

148. Ibid., 99–100.

149. Goulding, “Evolution of Peacekeeping,” 453.

Council and multilateral participation, with the deliberate exclusion of the stakeholder actors or superpowers, legitimizes and justifies UN peacekeeping operation. Complex peacekeeping, peacebuilding, and peace enforcement missions are the result of an implicit alteration in the meaning of sovereignty and expansion in the scope of UN activity. Increased cooperation in Security Council at the end of Cold War gathered authority, will, and power to redefine the collective intervention.¹⁵⁰ Security Council has the legal power for legitimizing or delegitimizing the use of force. In the context of civil conflict, however, intervention contradicts with two basic principles of the UN: sovereign equality of its members, and prohibition of intervention “in matters which are essentially within the domestic jurisdiction of any state.”¹⁵¹

Martha Finnemore traces back the construction of the new intervention norm. First, over time, the meaning of humanitarian has changed to include all humanity. As in the examples of 19th century interventions, though the expressed reason for intervention was humanitarian, the extent of the term was limited to the white Christians.¹⁵² However, with the abolition of slavery and slave trade and decolonization and self-determination, meaning of humanitarian universalized in time.¹⁵³ Though the nonwhite non-Christians had always been human, Western identity and the norms that affect them changed to include all human beings in the humanitarian sense. Second, the UN has started to play an important role in the legitimization of intervention. Rather than humanitarian justifications, the Security Council’s authorizations began to be the source of legitimization.¹⁵⁴ States intervening in another’s territory militarily, even there were dramatic humanitarian crisis, without the authorization of the UN have been condemned severely. For example, Indian intervention in East Pakistan in 1971 was condemned by international community, and India did not claim humanitarian crisis as a justification of

150. Doyle, “War Making,” 531–522.

151. UN Charter, Article 2.

152. Martha Finnemore, “Constructing Norms of Humanitarian Intervention,” in *The Culture of National Security: Norms and Identity in World Politics*, ed. Peter J. Katzenstein (NY: Columbia University Press, 1996), 163.

153. Ibid., 170–174.

154. Ibid., 174.

intervention.¹⁵⁵ Finally, interventions must be multilateral to be legitimate. However, unlike the multilateralism of 19th century intervention, which was a strategic multilateralism of states to keep an eye on each other, recent interventions are according to the generalized principles of international responsibility and the use of military force. Most importantly, intervention forces should be under the UN command; operate under joint planning, rather than separate national commands; and be composed of disinterested states, preferably not great powers.¹⁵⁶

Reflecting Finnemore's theoretical explanation for the normative evolution of military intervention, the UN and its member states recognized the Responsibility to Protect (R2P) approach. Written in 2000 by an International Commission on Intervention and State Sovereignty backed by Canadian government, R2P re-defines the states' sovereignty as a responsibility to protect their population, rather than being solely the monopoly of use of physical force. In 2005 World Summit, international community recognized the idea of R2P as "(1) responsibility of the state to protect its population from genocide, war crimes, ethnic cleansing, and crimes against humanity and from their incitement; (2) the commitment of the international community to assist states in meeting these obligations; and (3) the responsibility of the member states to respond in a timely manner when a state is manifestly failing to provide such protection."¹⁵⁷ Additionally, the Security Council adopted a resolution on the protection of civilians in 2006 to establish the foundations for a new normative and operational consensus of humanitarian intervention. The resolution was cited in the UN's resolution in August 2007 to send a peacekeeping mission to Darfur.¹⁵⁸

D. CONCLUSION

UN is the result of a continuous effort to prevent war and increase cooperation among the members of international community. Roots of current international system,

155. Ibid., 178.

156. Ibid., 182.

157. Edward Luck, "R2P," 1.

158. Virginia Page Fortna and Lise Morjé Howard, "Pitfalls and Prospects in the Peacekeeping Literature," *Annual Review of Political Science* 11 (June 2008):292.

consisting of sovereign states, can be traced back to the Treaty of Westphalia. From that time onwards, states sought to overcome the anarchic self-help structure of the system. Until the creation of the League of Nations, states employed balance of power strategy—ad hoc alliances of states against a potential aggressor—as the main tool to ensure their security and survival. However, increased interconnectedness and interdependence of the system and unprecedented destructiveness of the new warfare introduced after industrialization pushed states to seek for a more effective tool to sustain global peace after World War I. The League of Nations introduced the collective security system that accepts the indivisibility of peace and requires all members of the system to react any aggression even within the system. The League had many deficiencies to materialize the provisions of the collective security. Difficulty in decision-making process and loose regulations to ensure the commitment to the League's sanctions eroded the legitimacy of the organization and failed to prevent the World War II. UN was established over the experiences of League failure and in the aftermath of the World War II. Founders of the UN aimed to overcome the shortcomings of the League experience and establish a more stable collective security system. Veto power was designed to keep the major powers in the system by assuring them a collective action would not be directed against them. Unfortunately, UN's collective security was overshadowed by the Cold War tensions in the Security Council. Superpower struggle in the Security Council, empowered by the veto right, crippled the collective action provisions of the UN Charter. Finally, UN improvised peacekeeping as an impartial tool to restore peace.

Peacekeeping is not mentioned in the UN Charter as a way conflict resolution. Legally peacekeeping is between the Chapter VI, pacific settlement of disputes, and Chapter VII, enforcement measure to threats to threats to the peace, breaches of the peace, and acts of aggression. Thus, peacekeeping was called Chapter Six and a Half. Since there was not an established peacekeeping structure and guiding principles, peacekeeping evolved continuously adapting to the conflicts in which it was deployed.

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III. ASSESSING THE UN'S INSTITUTIONAL CAPACITY

This chapter will analyze the institutional capacity of the UN peacekeeping system to control and monitor PMSCs. Although PMSCs raise many questions about their accountability, civil-military relations theory claims that proper usage of PMSCs requires institutional power of the contracting agent. Thomas Bruneau's offers a three-dimensional civil-military relations framework to measure the institutional power to control PMSCs. To assess the institutional capacity of the UN peacekeeping system, the first section will shortly review the peacekeeping reforms in a historical perspective. Faced with the challenges of civil wars during 1990s, the UN started to question its peacekeeping structure and capabilities along with the efforts to define peacekeeping and its limitations. Since each conflict has its own aspects and challenges to be met, reform and review has provided an institutional learning process to the UN and has been a continuous task. As peacekeeping was an unforeseen function in the UN Charter and there was not a specially designed organizational structure for peacekeeping, the common goal of each reform has been defining peacekeeping and developing institutional capabilities. However, since the UN is a highly political organization, any structural or functional change of the international organization requires long debates and political compromises. Thus, a substantial change and improvement has been occurred in the peacekeeping system.

The second section will apply Bruneau's civil-military relations framework to the UN peacekeeping system. Emphasizing the power of institutions, rather than individuals or just written procedures, Bruneau points out institutional mechanisms to properly employ PMSCs. His framework expands control requirement of classical civil-military relations theory to include effectiveness and efficiency. Although civilian control of security agencies is the basic requirement of civil-military relations, Bruneau points out to the need to measure how well and at what cost they do their jobs. Adding effectiveness and efficiency is especially important for the UN system since peacekeeping is dependent on scarce resources. Moreover, effective implementation of the mandated peacekeeping operations will increase the resources contributed by the member states.

A. REFORMING UN PEACEKEEPING

1. An Agenda for Peace (1992)

Although the UN's official record starts UN peacekeeping reform efforts with the Brahimi report, which is a comprehensive overview of peacekeeping policies and structure and led to substantial reform implementation, first attempt to strengthening UN peacekeeping system was Secretary-General Boutros Boutros-Ghali's *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping* report issued on June 17, 1992. The report had been requested at the Security Council meeting first-ever held at the head of state level.¹⁵⁹ *An Agenda for Peace* situated peacekeeping on a continuum that included conflict prevention, peacemaking and post-conflict peace building. The secretary-general outlined five roles that United Nations would play in conflict prevention and resolution:

(1) Preventive diplomacy involves confidence-building measures, fact-finding, early warning, and possibly preventive deployment of forces, to prevent disputes from arising, to prevent escalation of disputes, and to limit the spread of conflicts when they occur,

(2) Peace enforcement is the authorization of heavily armed national forces operating under the direction of Secretary-General to ensure compliance with a cease-fire mandated by the Security Council,

(3) Peace making aims to bring hostile parties to agreement through peaceful means,

(4) Peacekeeping is the deployment of UN troops with the consent of the parties to monitor a truce as a confidence-building measure.

(5) Postconflict peacebuilding includes developing the social, political, and economic infrastructure to establish the basis for a long-lasting peace.¹⁶⁰

159. Adam Roberts, "The United Nations and International Security," *Survival: The IISS Quarterly*, 35, no.2 (Summer 1993): 4; Louise Fréchette, "UN Peacekeeping: 20 Years of Reform," CIGI Papers, no.2 (April 2012), 7.

160. Doyle, "War Making," 530.

On peacekeeping, Secretary-General emphasized the basic conditions for success as “a clear and practicable mandate; the cooperation of the parties in implementing that mandate; the continuing support of the Security Council; the readiness of Member States to contribute the military, police and civilian personnel, including specialists, required; effective United Nations command at Headquarters and in the field; and adequate financial and logistic support.”¹⁶¹ Although report was welcomed by the member states in the intention of strengthening UN peacekeeping, the response was limited to the recommendations of the report. Ambitious proposal of establishing peace enforcement units did not materialize since member states were reluctant to hand over the control of their armed forces to the UN. Although many General Assembly resolutions were adopted recognizing the calls of the report for strengthening peacekeeping system to deter aggressors of peace, none of the resolutions mention the establishment of peace enforcement units.¹⁶²

Boutros-Ghali issued two other reports. An Agenda for Development (1994) accentuated peacebuilding efforts as a fundamental component of peace process by establishing new social, political, and judicial institutions that could start and sustain development. Supplement to the Agenda for Peace (1995) was a self-critique, however, again failed to bring a new look into peacekeeping.¹⁶³

Despite their focus on robust peacekeeping capacities, An Agenda for Peace and Boutros-Ghali’s other reports did not mention the question of protection of civilians. Along with the failed proposal of enforcement units, unsuccessful peacekeeping experiences of 1990s, particularly Somalia, Rwanda, and former Yugoslavia, revealed the shortcomings of the policy framework offered in An Agenda for Peace and following reports. Srebrenica massacre, mass killings of civilians under the UN protection, and Rwandan genocide, killing of five hundred thousand Tutsis and moderate Hutus as UN

161. United Nations, An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping (A/47/277-S/24111), June 17, 1992, 14, http://www.unrol.org/files/A_47_277.pdf.

162. Roberts, “International Security,” 4–5; Fréchette, “20 Years of Reform,” 7.

163. Salman Ahmed, Paul Keating and Ugo Salinas, “Shaping the Future of UN Peace Operations: Is There a Doctrine in the House?,” *Cambridge Review of International Affairs* 20, no.1(2007): 14–15.

failed to respond to the conflict, proved that traditional peacekeeping has to be reviewed and revived to counter the challenges of civil-conflicts.

2. Brahimi Report (2000)

The most comprehensive review of UN peacekeeping system has been the Report of the Panel on United Nations Peace Operation known as the “Brahimi Report” after the Panel chair, UN Under-Secretary-General Lakhdar Brahimi issued in August 2000. Report was built on two previous reports that reviewed the catastrophic events of Srebrenica and Rwanda—The Fall of Srebrenica published in November 1997 and The Report of the Independent Inquiry into the Actions of the United Nations during the 1994 Genocide in Rwanda.¹⁶⁴

Since peacekeeping is the most significant resource consuming function of UN system and depended on the voluntary contributions of member states and failures may destroy its legitimacy, panel focused particularly on peacekeeping. Issues addressed by the report included key elements of peacekeeping such as clarity of mandates and communication between UN officials, states and staff; planning, logistics, and mission leadership; rapid deployment of troops, police, and civilian personnel; and issues related to human rights and rule of law. However, there are criticism that report failed to address certain question such as training, HIV/AIDS, medical care in the field, gender-related issues, security of UN field personnel, and the definition of exit strategy.¹⁶⁵ Although the Security Council welcomed the report, General Assembly remained reserved about robust peacekeeping capacities, which consequently hampered the implementation of the report’s recommendations.¹⁶⁶

164. Fréchette, “20 Years of Reform,” 7–8.

165. William J. Durch, Victoria K. Holt, Caroline R. Earle, Moira K. Shanahan, “The Brahimi Report and the Future of UN Peace Operations,” The Henry L. Stimson Center (Washington, DC, 2003), 6, <http://www.stimson.org/images/uploads/research-pdfs/BR-CompleteVersion-Dec03.pdf>.

166. Ibid., 7–8.

Report comprehensively reviews the UN peacekeeping system on the issues of (1) doctrine and strategy, (2) institutional capacity for anticipating, planning, and managing operations, and (3) rapid and effective deployment. Following is a short summary of report's recommendations and steps taken accordingly.

a. Issues of Doctrine and Strategy

(1) The Need for Preventive Action and a Peacebuilding Strategy. The report called for greater use of fact-finding missions in areas of tensions. Although there are funding problems, both Security Council and Secretary-General has recognized this call and increased the use of fact-finding missions. Report also urged for a better-integrated peacebuilding strategy; however, the resulting peacebuilding Plan of Action could not go beyond general guidelines, and the need for better strategy remains.¹⁶⁷

(2) The Need for Clear, Credible, and Achievable Mandates. According to the report's recommendations, Security Council increased its consultations with troops contributing countries when drafting or changing mandates; however, the Security Council did not establish a standing subsidiary body for troop contributing consultations. Secretariat took recommendation of the report for active involvement in mandate process and began to tell the Security Council about the limits of the peacekeeping capacity of organization. For example, Secretariat declined to take a military role in Afghanistan.¹⁶⁸

(3) Requirements for Effective Peacekeeping in Complex Operations. Report called for the recognition of the need for use of force in situations other than self-defense. This is especially important in case of protecting civilians. Mandates for missions in DRC and Liberia met this requirement and allowed peacekeepers to use force to protect civilians.¹⁶⁹

167. Ibid., XVI.

168. Ibid.

169. Ibid., XVII.

(4) Requirements for Effective Peacebuilding in Complex Operations. To provide credibility to the UN operation and improve the local conditions, report recommended Quick Impact Projects (QIPs). Moreover, funding for Disarmament, Demobilization, and Reintegration (DDR) is recommended to support peacebuilding projects. Funding for QIPS and DDR are added to mission budgets to meet the recommendation of the report. Finally, Brahimi report recommended a comprehensive approach on rule of law including, in addition to the civilian police units, judicial, legal, and human rights expert. Though steps were taken to create a rule of law framework, enough staffing was not provided for this recommendation.¹⁷⁰

b. Capacity For Anticipating, Planning, And Managing Operations

(1) Strategic Analysis and Knowledge. To increase the institutional learning and information management capacities, Brahimi report recommended establishing an ECPS-based information and strategic analysis staff (EISAS). However, member states opposed the recommendation and provided Secretariat only a small support.¹⁷¹

(2) Integrated Mission Task Forces. Report recommended establishing Integrated Mission Task Forces (IMTFs) to better coordinate the efforts of all UN bodies participating in peacekeeping operations. Although IMTFs have been created since 2000 to improve horizontal coordination, they have not had decision authority. Peacekeeping system planning still works through single decision-making chain.¹⁷²

(3) Rebuilding the Secretariat. Report addressed the issue of understaffing of peacekeeping related bodies. DPKO received new posts according to the report's suggestions. However, DPA still suffers understaffing.¹⁷³

170. Ibid.

171. Ibid., XIX.

172. Ibid., XX.

173. Ibid., XX–XXI.

c. Rapid and Effective Deployment

(1) Defining Deployment Benchmarks: The Secretary-General and member states agreed on recognizing the Brahimi reports rapid deployment benchmarks as a UN definition. Report recommended deployment of a traditional peacekeeping mission within thirty days and a complex operation within ninety days of receiving the mandate.¹⁷⁴

(2) Advance Planning and Spending Authority: The Brahimi report recommended that mandates be written according to the troops contributed to the operation. The Security Council offered planning mandates instead to allow the Secretary-General to garner the troop contributions.¹⁷⁵

(3) Improving Mission Leadership: The report recommended measures to improve mission leadership. However, continued employment of political candidates fails to recognize the emphasis of the report on managerial talent and experience as qualifications for mission leadership.¹⁷⁶

(4) Recruiting and Deploying Capable Military Forces: To meet the requirements of rapid deployment, reports urged for better use of UN Stand-by Arrangements System (UNSAS), the voluntary roster of member states' contribution for peace operations. UNSAS was reorganized and now includes four levels of commitment, including a new Rapid Deployment Level to meet deployment benchmark of thirty and ninety days.¹⁷⁷

(5) Recruiting and Deploying Capable Police and Other Criminal Justice Personnel: Although the panel urged for developing on-call lists of civilian police and other rule of law elements, member states have not committed such lists.¹⁷⁸

174. Ibid., XXII–XXIII.

175. Ibid., XXIII.

176. Ibid., XXIII.

177. Ibid., XXIV.

178. Ibid., XXV.

(6) Recruiting and Deploying Capable Civilian Field Staff. Secretariat has put job applications online to attract a wider range of applicants. Measures were taken to improve the conditions and incentives of civilian staff such as offering training opportunities.¹⁷⁹

(7) Logistics Support for Rapid Deployment. To reduce problems of providing equipment to operations, the Secretariat created ready-to-go Strategic Deployment Stocks to be maintained at a UN Logistics Base in Brindisi, Italy.¹⁸⁰

3. Establishment of a Peacebuilding Commission in 2005

In preparation for 2005 World Summit, Secretary-General Kofi Annan appointed a High-Level Panel to review and assess current threats to international peace. Report of the panel provides a comprehensive account of factors that fuel civil wars and threatens regional and international stability. On the issue of peacekeeping, report emphasized the need to increase operational capacities to meet the challenges posed by diminishing resources committed to peacekeeping.¹⁸¹ Report recommended establishing a Peacebuilding Commission and a Peacebuilding Support Office. Peacebuilding Commission was offered to strengthen UN's capacity for peacebuilding by providing coherency and effectiveness in peacebuilding efforts. Report recommended a Peacebuilding Support office in Secretariat to support Commission to integrate system-wide peacebuilding policies.¹⁸² Secretary-General recognized the recommendations of the Panel in his March 2005 report *In Larger Freedom* and offered member states establishing an inter-governmental Peacebuilding Commission and a Peacebuilding

179. Ibid., XXV.

180. Ibid., XXVI.

181. Ahmed, Keating and Salinas, "Is There a Doctrine in the House?," 20–21.

182. United Nations, Report of the High-level Panel on Threats, Challenges and Change (A/59/565), 2 December 2004, 69–70, <http://www.un.org/secureworld/report.pdf>.

Support office in the Secretariat to “strengthen collective capacity to employ the tools of mediation, sanctions and peacekeeping.”¹⁸³

As an outcome of 2005 World Summit, the Peacebuilding Commission was established along with a multi-year standing fund and a small peacebuilding support office in the Secretariat. Peacebuilding commission was established to facilitate joint planning across the UN system. Main purposes of the Commission are:

(a) to bring together all relevant actors to marshal resources and to advise on and propose integrated strategies for post-conflict peacebuilding and recovery;

(b) to focus attention on the reconstruction and institution-building efforts necessary for recovery from conflict and to support the development of integrated strategies in order to lay the foundation for sustainable development;

(c) to provide recommendations and information to improve the coordination of all relevant actors within and outside the United Nations, to develop best practices, to help to ensure predictable financing for early recovery activities and to extend the period of attention given by the international community to post-conflict recovery.¹⁸⁴

Commission consists of two bodies (1) the Organizational Committee and (2) country-specific meetings. The Organizational Committee consists of members of the Security Council (including all permanent members), members of the Economic and Social Council, top providers of assessed and voluntary contributions to the United Nations, top providers of military personnel and civilian police to UN missions and seven additional members. All Organizational Committee members are invited to participate in the country-specific meetings, in addition to the country under consideration, countries in

183. United Nations, In Larger Freedom: Towards Development, Security and Human Rights for all, Report of the Secretary-General (A/59/2005), 21 March 2005, 31, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N05/270/78/PDF/N0527078.pdf?OpenElement>.

184. United Nations, 2005 World Summit Outcome (A/RES/60/1), 24 October 2005, 24, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N05/487/60/PDF/N0548760.pdf?OpenElement>.

the region who participate in the post-conflict process, the senior UN field representatives in the field, and major contributors of finance, troops and civilian police.¹⁸⁵

4. Restructuring the Department of Peacekeeping Operations (DPKO) 2007

With the almost 50 percent growth in peacekeeping operations in 2000s, DPKO's capacities were stretched thin in particular within the Office of Operations. To meet the increase in the number and complexity of operations, incoming Secretary-General Ban Ki-moon made DPKO reform a priority. However, his first call for the re-structuring of the department and the establishment of a separate Department of Field Support (DFS) was rejected by the General Assembly in February 2007. Members from the Group of 77 contended that such reform had to proceed according to the established legislative procedures of the Organization. A resolution was adopted in March 2007 and after the General Assembly's 5th Committee adopted the budget, a new peacekeeping structure has become effective in July 1, 2007. In the new structure, DPKO focuses on operations, whereas the newly created DFS handles management and logistics. However, the General Assembly rejected the Secretary-General's proposal to give DFS the authority over procurement for peacekeeping operations, which will remain within another body, the Department of Management. Although the SG had initially called for 400 new posts, 284 newly created positions were added to the structure.

5. Capstone Doctrine (2008)

Articulating the principles and guidelines of peacekeeping operations, DPKO/DFS published a capstone doctrine in 2008 to be the highest guiding document of peacekeeping doctrine. Though parallel with the Brahimi report, Capstone addresses the issue of principles of peacekeeping more broadly reserving an entire chapter to them. In addition to the traditional principles, Capstone adds other success factors: legitimacy, credibility and promotion of national and local ownership.¹⁸⁶

185. Ibid., 24–25.

186. Colin Christensen, "Evaluating the Effectiveness of the Capstone Doctrine in Addressing UN Peacekeeping Challenges" (master's thesis, the Fletcher School, 2010), 36–38, dl.tufts.edu/file_assets/tufts:UA015.012.077.00003.

6. New Horizon (2009)

New Horizon—the latest reform program initiated to address the problems of peacekeeping—started in 2009. New Horizon is designed as a process to (1) assess the current and future policy and strategy dilemmas of peacekeeping and (2) improve the dialogue between the stakeholders in peacekeeping.¹⁸⁷

B. ASSESSING THE UN'S INSTITUTIONAL CAPACITY TO EMPLOY PMSCS

This section evaluates the institutional capacity of the UN peacekeeping system according to Thomas Bruneau's three dimensional civil-military relations theory. Bruneau's framework includes control, effectiveness, and efficiency dimensions. Control dimension requires institutional mechanisms to assert control and authority over military assets. Although peacekeeping operations are executed under the legal authority of the Secretary-General given by the Security Council, due to the political challenges of peace process, this authority remains as a loose coordination function to enhance cooperation among the several participants of peacekeeping operations. Effectiveness dimension requires an operational doctrine to provide a common understanding of missions, an overarching institutional agency to provide coordination, and providing required resources to implement the assigned missions. Though the UN has developed a peacekeeping doctrine based on the past experiences, current document mostly deals with macro issues of peacekeeping and far from providing guidance on the field. Additionally, since peacekeeping operations involve several UN or non-UN actors, there is a crucial need for a coordination mechanism, which has been emphasized in reform proposals. However, the attempts to create an institution responsible for the coordination of overall activities in peacekeeping operations have either increased the complexity of peacekeeping system or remain consultative without a formal authority. Integrated Mission Task Forces and the Peacebuilding Commission have been major attempts to increase coordination in peacekeeping. Finally, although the UN has increased its logistical capacity to provide resources to operations, the main focus of the UN's logistics

¹⁸⁷ United Nations, "The New Horizon Process," <http://www.un.org/en/peacekeeping/operations/newhorizon.shtml>.

system is to enable rapid deployment of a mission and is still dependent on the member states on major equipment. The third dimension of the framework is efficiency to determine at what cost the armed forces do their assignments. This is the most problematic issue in peacekeeping. Since it is hard to define a timeframe or benchmarks in achieving peace, determining efficiency in peacekeeping operations is difficult. Thus, engaging a profit-seeking actor in peacekeeping operations, where there is not a clear end time, would not be cost-effective solution. Overall, if the UN would employ PMSCs in peacekeeping operations without meeting the requirements of control, effectiveness, and efficiency, PMSCs would not provide better solutions than the national troops.

1. Control

The UN peacekeeping system has a straightforward chain of command; however, there are problems in throughout the chain that hampers an effective control. The highest degree of authority belongs to the Security Council. UN Charter designates the Security Council responsible for the maintenance of international peace and security. Peacekeeping operations are deployed after the Security Council issues a mandate that, in addition to providing basic legitimacy to the operation, defines the scope of the operation, goals to be met, and the limits. Thus, the Security Council provides legal authority, high-level strategic direction and political guidance for peacekeeping operation. The Security Council vests the operational authority of operations in the Secretary-General. Under Secretary-General for Peacekeeping Operations (USG DPKO) has the responsibility for the administration and direction of all peacekeeping missions (including both civilian and military personnel) in the name of Secretary-General. In the field, generally a Special Representative of the Secretary-General (SRSG) has the overall authority over the operation as the senior UN representative.¹⁸⁸

188. United Nations, Authority, Command, and Control in United Nations Peacekeeping Operations, February 2008, 6–7, <http://www.peacekeepingbestpractices.unlb.org/PBPS/Library/Authority,%20Command%20and%20Control%20in%20UN%20PKOs%20FINAL%20SIGNED%2015%20Feb%2008.pdf>.

a. Security Council

Most important problem in the control dimension is the gap between the Security Council mandates and the field operations. Although the mandates provide the legitimacy and reflect the political will of the international community on resolving a conflict, the field operations may suffer from the absence of the means to implement the mandates. Since the Security Council is a heterogeneous political body, mandates are mostly result of a considerable political compromise, which may fail to provide the necessary means to the field to implement missions. Civilian leaders are not aware of the military tools in their disposal and may authorize more than the troops on the field can achieve. This situation creates a “fantastic gap”¹⁸⁹ between the grand strategic level and the field level of peacekeeping system. Most dramatic example of this situation is the safe haven policy imposed by the Security Council in Bosnia. The Security Council created safe areas in Bosnia to stop Serbian attacks on civilians to alleviate the public outrage. Troops on the ground were neither mandated to defend these areas nor have the necessary force to do so. Additionally, all of the safe areas were enclaves within the Serbian territory and dependent to Serbian compromise for transportation. Thus, this policy only helped Serbian forces to do their job easier.¹⁹⁰

The most important reason for this gap is the absence of sufficient military advice during drafting a mandate. The Brahimi report recommended the participation of the Secretariat and the troop contributing countries to mandate process. The Security-Council recognized the idea and incorporated Secretariat’s contribution into draft process. In current situation, the Security asks the Secretary-General for advice whether a peacekeeping operation should be deployed and what it should be mandated to do.¹⁹¹ However, Secretary-General’s advice provides only the political portrait of the situation: whether it threatens international peace, a cease-fire exists, or parties consent to the

189. Doyle, “War Making,” 537.

190. Michael C. Williams, “Civil-Military Relations and Peacekeeping,” Adelphi Paper 321 (London, International Institute of Strategic Studies, 1998), 26–28.

191. United Nations, The Establishment and Functioning of UN Peacekeeping Operations, 11, <http://peacekeepingresourcehub.unlb.org/PBPS/Library/CPTM%20Unit%202%20-%20Parts%201–2%20May%202009.pdf>.

operation. Moreover, other recommendation of the Brahimi report to take the advice of participating countries is still lacking. UN peacekeeping operations rely on the funds, troops, and police contributed by member states. Therefore, they must be involved in the planning process.

A better solution for providing sufficient military advice could be revitalizing Military Staff Committee (MSC), which is the only subsidiary body specifically named in the UN Charter. Article 47 of UN Charter establishes a Military Staff Committee “to advise and assist the Security Council on all questions relating to the Security Council’s military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.”¹⁹² Although MSC, made up of the Chiefs of Staff of the permanent members of the Security Council, began its meeting in 1946 and provided some reports on disarmament initially with agreement among its members, by August 1948 a deadlock was declared as the Cold War really set in.¹⁹³ MSC could provide the Security Council the crucial military advice needed when drafting a mandate. However, MSC should be reorganized to include representation from all Security Council members.¹⁹⁴ In addition to the advice in mandate process, MSC can provide a global licensing system for PMSCs to oversee overall activities and ensure compliance with international law and human rights.¹⁹⁵

b. DPKO/DFS

Under Secretary General for Peacekeeping Operations is in the day-to-day command of all peacekeeping operations, but the institutional capacity of UN headquarters is inadequate to provide a strict military command and control. Since peacekeeping was not a concept mentioned in the UN Charter, institutional capacity within the headquarters grew in time as a response to the necessities of peacekeeping

192. UN Charter, Article 47.

193. Felicity Hill, “The Military Staff Committee: A Possible Future Role in UN Peace Operations?” Global Policy Forum (2001), <http://www.globalpolicy.org/component/content/article/199/40932.html>.

194. Williams, “Civil-Military Relations,” 31.

195. Hill, “Military Staff Committee.”

operation. Although most appropriate Charter body to command peacekeeping was MSC, Cold War tensions locked this opportunity. Until 1992, peacekeeping operations were managed by Office for Special Political Affairs. However, with the post-Cold War surge in peacekeeping operations, office began to lose its control over the field. In 1992, Secretary-General Boutros Boutros-Ghali restructured the peacekeeping system by separating all political offices into the new Department of Political Affairs (DPA) and turning old office into Department of Peacekeeping Operations (DPKO) responsible for operational business. The last change in the UN peacekeeping structure was the creation of Department of Field Support (DFS) in 2007 by Secretary-General Ban Ki-Moon. DFS is responsible for providing “support in areas of finance, logistics, Information Communication and Technology (ICT), human resources, and general administration.”¹⁹⁶

Despite UN has been continuously adapting to the challenges of administrating several peacekeeping operations including hundreds of thousands of personnel all around the world, there are several flaws of the system. First, peacekeeping structure has suffered from under-staffing. During 1990s, DPKO was supported by 130 gratis military personnel—with expertise in mission planning, logistics, and other operational specialties—loaned by member states free of charge to the UN. However, with the decline in operations at the end of 1990s, the General Assembly ordered an end to the use of gratis personnel. Departure of gratis officers depleted the support capacity and institutional memory of DPKO.¹⁹⁷ Since 1999, DPKO has struggled with UN procedures to increase its personnel. In December 1999, the General Assembly approved 67 new posts. After Brahimi Report, DPKO gained an increase of 191 personnel by 2003.¹⁹⁸ Last personnel increase came after the creation of DFS with 284 new posts.¹⁹⁹ Despite the weak headquarters capacity, DPKO currently leads 15 peacekeeping

196. United Nations, “Department of Field Support,” <http://www.un.org/en/peacekeeping/about/dfs/>.

197. Durch, Holt, Earle, and Shanahan, “The Brahimi Report,” 3.

198. Ibid., 52.

199 Timo Pelz and Volker Lehmann, “The Evolution of UN Peacekeeping (2): Reforming DPKO,” Dialogue on Globalization, Fact Sheet (November 2007), 2, <http://library.fes.de/pdf-files/bueros/usa/04977.pdf>.

operations and one political mission around the world including 112,840 personnel.²⁰⁰ In addition to the number of personnel, complex peacekeeping operations include several functions—protecting civilians, DDR, establishing or strengthening rule of law, training security forces, facilitating peace process, organizing elections—requiring different types of strategic guidance and resources.

Second, UN has had problems to identify and recruit specialized civilian staff. To overcome this problem, UN developed an Internet-based system called Galaxy that automated staff recruitment procedures, including job profiles, vacancy announcements, applications and selection. Additionally, to increase retention rates of qualified personnel DPKO has implemented programs providing career advice to staff in the field; offering career support workshops, training and online learning modules; providing information on a broad range of career issues; and creating career resource centers in the field.²⁰¹ Finally, last reform of splitting DPKO into two increased the coordination problems. Though creation of DFS aimed to increase the headquarters capacities to manage peacekeeping operation more effectively, new structure poses new coordination problems. A new support department out of the control of DPKO adds another level of coordination need and challenges the unity of command principle. Moreover, DFS is headed by an Under Secretary-General, a position equal to the USG DPKO in UN hierarchy. This equality may create a bureaucratic fight increasing the problems of coordination.

c. Special Representative of the Secretary-General

The highest UN authority in the field is the Special representative of the Secretary-General (SRSG). SRSG is not only responsible for peacekeeping or political mission, but also for the wider UN effort.²⁰² Although this definition reminds a military-like command, the diversity of the range of functions weakens the potential power of

200. United Nations, “Peacekeeping Fact Sheet,” <http://www.un.org/en/peacekeeping/resources/statistics/factsheet.shtml>.

201. Fréchette, “20 Years of Reform,” 11.

202. Cedric de Coning, “Mediation and Peacebuilding: SRSGs and DSRSGs in Integrated Missions,” *Global Governance* 16 (2010): 283.

SMSG. Thus, the real role of SMSG is to facilitate a process that generates and maintains coherence among the myriad of actors involved in peacekeeping.²⁰³ Complex peacekeeping operations include political, security, development, human rights, and humanitarian functions. SMSG acts as a facilitator to achieve coherence in this diverse environment with many actors executing different or overlapping functions.²⁰⁴

Most important problem is that SMSG has no direct authority, other than the power of persuasion and the expectation of conformity. SMSG does not have the authority to hire or fire, nor has the ultimate control over mission's resources. SMSG's authority over almost all issues is subject to negotiation, contrary to a military command structure. SMSG's authority is especially questionable in the relations with the headquarters, which control the resources.²⁰⁵ However, SMSG represents the will of the international community as expressed by the UN Security Council. This tacit authority and the active political support expressed by the international community provide the SMSG with political capital. Thus, SMSG is not powerless.²⁰⁶

However, there is a need to strengthen the role of SMSG. First, personality of SMSG is a key factor for implementing authority in the broad context of complex peacekeeping.²⁰⁷ Thus, Secretariat should be selective in assigning SMSGs with higher managerial skills as well as political background. Second, SMSGs should have direct control over the resources and have funds at their direct disposal. SMSGs need material power to exert authority.

2. Effectiveness

In UN peacekeeping operations, effective implementation of peacekeeping operations has more important impacts on both peace and UN itself. First and most obviously, ineffective peacekeeping operations would not serve as a tool to restore peace

203. Ibid., 282.

204. Ibid., 291.

205. Ibid., 290.

206. Ibid., 296.

207. Ibid., 297.

in conflict areas, and protracted conflicts have the potential of spilling over and threaten the international peace. Second, UN's legitimacy as a peacekeeper and as a collective security apparatus is dependent on the success of peacekeeping operations. Although UN is an effective international organization in a wide range of peace related international issues, it is still an organization existing over the political will of its members. After all, as an organization dedicated to peace, the UN's legitimacy stands over its functionality in serving as a peacekeeper—not only in peace operations but also in overall UN activities.

Effectiveness dimension of proper civil-military relations have crucial requirements to ensure the effective implementation of tasks assigned to the security forces. First, a doctrine is needed to codify general principles that reflect the institutional insight on a particular issue. Doctrine guides all elements of the system, though executing different tasks, in the same direction to achieve a shared goal and prevents redundant efforts, duplications, and misconduct. Second, coordination among the several agencies involved in a system should be based on an institutional structure. Although doctrine provides a common understanding, an institutional capacity is needed to ensure compliance with the doctrine. A well-written doctrine does not guarantee an institutional effectiveness without an overarching institution that oversees different activities of sub-elements of the system. Finally, effectiveness requires resources to be provided to properly implement missions assigned to the security forces.

a. Doctrine

Establishing a doctrine that defines general principles of peacekeeping has been a main subject during efforts reforming UN peacekeeping system. The most recent and official document that defines the peacekeeping doctrine is *United Nations Peacekeeping Operations: Principles and Guidelines* (Capstone Doctrine) issued in 2008. However, since peacekeeping has been an ad hoc process, official UN reports were the primary documentary on peacekeeping during 1990s and early 2000s.²⁰⁸ An Agenda for Peace and the Supplement to the Agenda for Peace were the first efforts to define the peacekeeping and its principles. The main discussion of the Secretary-General Boutros-

208. Christensen, "Evaluating Capstone Doctrine," 27.

Ghali was the reinterpretation of the traditional concept of consent of all parties to the conflict. Agenda implied that consent was no longer an absolute requirement as it had been in traditional peacekeeping. However, challenges of the 1990s revealed that local actors could easily withdraw their consent to the UN presence and jeopardize the peace process. Thus, Supplement revived a more restrictive interpretation of consent principle and emphasized the need for consent of all parties. The Brahimi report also addressed the issues related to peacekeeping principles. The Brahimi report, while recognizing the importance of the local consent, argues that peacekeepers should be given the capacities to defend themselves and the mandate against potential spoilers. Moreover, report also questioned the principle of impartiality and separated it from absolute neutrality. Brahimi report suggested that peacekeepers should confront spoilers who act against the will of majority. Finally, the Brahimi report tackled the issue of protecting civilians suggesting that “peacekeepers—troops or police—who witness violence against civilians should be presumed to be authorized to stop it, within their means, in support of basic United Nations principles.”²⁰⁹

Building on the past experiences, Capstone Doctrine adds more to the principles of peacekeeping by going into more detail; however, there are still flaws in the doctrine. First, Capstone clarifies the principle of consent of all parties. Consent of the main parties to the conflict is necessary to avoid UN peacekeeping being dragged into the conflict as an actor; on the other hand peacekeepers must have the skills (including the use of force) to confront a breakdown in local consent. However, as non-state actors in an intrastate conflict are often multi-faceted and complex, naming a spoiler still challenges the principle of consent. Second, on the principle of impartiality, Capstone illustrates peacekeeping in the image of a referee who is impartial but still penalizes infractions. Capstone emphasizes the need for transparency, openness, and effective communication as an effective way of implementing this kind of impartiality. However, openness does not necessarily bring acceptance. Most probably, openness will not change the perception of local population, who supports the specific faction confronted by UN peacekeeping. The most important contribution of the Capstone to the peacekeeping doctrine is

209. Brahimi Report, 11; Christensen, “Evaluating Capstone Doctrine,” 27–31.

expanding the principle of non-use of force except in self-defense to the defense of the mandate as well. This expansion has many implications. Since mandates often include civilian protection, this expansion provides a basis to interpret use of force other than self-defense. Finally, Capstone expands principles by adding three other success factors: legitimacy, credibility and promotion of national and local ownership. These ideas are not new, but Capstone codifies them for the first time. Legitimacy must be ensured both internationally (derived from a Security Council mandate) and locally (based on how the PKO conducts itself and shows respect to local culture). Credibility refers to a mission's capability, effectiveness and ability to manage and meet expectations. Finally, the promotion of national and local ownership is a vital part of long-term peacebuilding, and necessary to ensure a self-sustained peace after the withdrawal of a UN peacekeeping operation.²¹⁰

These success factors are closely linked to the peacekeeping principles. "For example, a local spoiler might initially be reluctant to consent to a PKO until the threat of force is presented. However, this threat of force will only be taken seriously if the mission has sufficient capabilities to be seen as a "credible" force. Furthermore, the extent to which the PKO maintains high ethical conduct, and demonstrates respect for the culture and people it is protecting, will have a profound effect on whether the population views the mission as "legitimate," and thus whether they pressure their political leaders to give their consent to the mission. This support then becomes a crucial component in the mission's ability to promote local and national."²¹¹

Although Capstone defines the principles of peacekeeping in detail, there is still a gap in peacekeeping doctrine in addition to the conceptual controversies mentioned. Since Capstone Doctrine deals mostly macro level issues, it is questionable whether it can provide guidance on the field. Contrary to a military doctrine, which provides strategic guidance with tactical referrals as well, Capstone Doctrine mostly deals with macro aspects of peacekeeping.

210. Christensen, "Evaluating Capstone Doctrine," 34–38.

211. Ibid., 38.

b. Coordination

Since most of the post-Cold War peacekeeping operations involved in civil conflicts where the states do not exist or cannot provide rule of law, most of the recent peacekeeping operations includes missions related to strengthening or creating state institutions. Peacekeeping operations require contribution of many UN or non-UN agencies each has different or, most of the time, overlapping goals. Involvement of many different agencies makes coordination a real challenge in peacekeeping operations. Throughout the dispersed UN entities, governance structures, administrative policies, business practices, human resource systems, evaluation standards, funding processes, procedures and organizational cultures varies. In addition to the main organs of the UN—the General Assembly, Security Council, Economic and Social Council, Trusteeship Council, International Court of Justice and Secretariat—the UN system comprises of 16 specialized agencies, 14 funds and programs, and 17 departments and offices.²¹² In the field, the UN peacekeeping operations include “Department of Peacekeeping Operations . . . the United Nations Development Programme . . . the Department of Political Affairs . . . and some 31 other agencies, funds and programmes. In addition . . . representatives of international community . . . include international financial institutions, regional organizations, individual UN Member States and coalitions, national development agencies, intergovernmental organizations outside UN structure and international non-governmental organizations.”²¹³ All entities that play a crucial role in peacekeeping report to their own governing bodies. These vertical coordination structures do not guarantee effectiveness and hamper the efficient use of resources. Reports that urged for reform in peacekeeping emphasized the need for increased coordination among the actors involved in peacekeeping operations. Though some steps have been taken to improve coordination, peacekeeping system still suffers from lack of coordination. Along with the recommendations of Brahimi report, Integrated Mission Task Forces were employed to bring all UN agencies together to increase coordination. Additionally, after 2005 World

212. Susanna P. Campbell and Anja T. Kaspersen, “The UN’s Reform’s: Confronting Integration Barriers,” *International Peacekeeping* 15, no.4 (2008): 477–478.

213. Ponzio, “Peacebuilding Commission,” 6.

Summit Peacebuilding Commission (PBC) was established to bring all relevant actors involved in peacekeeping operations to increase coherency and coordination. However, both IMTFs and PBC remain as advisory bodies without formal authority.

(1) Integrated Mission Task Forces. The Brahimi report recommended that “Integrated Mission Task Forces (IMTFs) be created, with staff from throughout the United Nations system seconded to them, to plan new missions and help them reach full deployment, significantly enhancing the support that Headquarters provides to the field. There is currently no integrated planning or support cell in the Secretariat that brings together those responsible for political analysis, military operations, civilian police, electoral assistance, human rights, development, humanitarian assistance, refugees and displaced persons, public information, logistics, finance and recruitment.”²¹⁴

Following the recommendation of the Brahimi report, the first full-time IMTF was established in New York to improve coordination in planning a new mission among UN entities for the mission in Afghanistan, but the task force was prematurely disbanded well before the mission was fully deployed.²¹⁵ However, the concept IMTFs has continued to develop in the post-Brahimi report period. These task forces were aimed to bring all relevant UN entities in the planning and coordination of a peacekeeping operation. Although these IMTFs have proven to be useful vehicles for sharing information and improving coordination, they have largely failed to provide integrated strategic planning and management. Despite the improvements in functioning of IMTFs since 2005, their record remains mixed.²¹⁶

(2) Peacebuilding Commission. The main goal of the establishment of Peacebuilding Commission was to create an overarching institutional body to achieve coordination in peacekeeping. However, the end result was not more than duplication of efforts by adding another entity to the system. There are several reasons for the failure of PBC in increasing coordination. First, PBC is a subsidiary body

214. Brahimi Report, xiii.

215. Ponzio, “Peacebuilding Commission,” 7.

216. Fréchette, “20 Years of Reform,” 9.

of both the General Assembly and the Security Council as both organs have strong claims on international peace. However, this dual authority raises questions about reporting lines and implementation of PBCs recommendations. Additionally, PBC is only a consensus-based advisory body without a formal authority depending on the quality of its recommendations, the relevance of information it shares, and its ability to generate resources. However, due to the lack of formal authority, it might be difficult to achieve coordination even when consensus is reached.²¹⁷

Moreover, PBC is bogged down in procedural matters because of wide membership of its main organs: the Organizational Committee and the country-specific meetings. The Organizational Committee consists of members of the Security Council (including all permanent members), members of the Economic and Social Council, top providers of assessed and voluntary contributions to the United Nations, top providers of military personnel and civilian police to UN missions and seven additional members. All Organizational Committee members are invited to participate in the country-specific meetings, in addition to the country under consideration; countries in the region participate in post-conflict process, senior UN field representative in the field, and major contributors of finance, troops and civilian police.²¹⁸ The PBC Organizational Committee met for the first on 23 June 2005. However, due to the diverse and wide membership of the committee (committee had 31 members in 2007); first six months were preoccupied with procedural issues in a climate of suspicion.²¹⁹

Finally, there are concerns about PBC that it duplicates, confuses, and diverts scarce resources dedicated to international peace. Although country-specific meetings develop Integrated Peacebuilding Strategies to increase coherency by providing a holistic approach, almost all of the countries under post-war reconstruction already have home-grown strategies. For example, Sierra Leone, on which the second country-specific meeting was held, already has a Poverty Reduction Strategy, a Medium-Term Expenditure Framework, and a Peace Consolidation strategy. In addition to these

217. Ponzio, "Peacebuilding Commission," 8.

218. 2005 World Summit outcome, 24–25.

219. Ponzio, "Peacebuilding Commission," 9.

strategies, PBC country-specific meeting agreed on addressing four critical areas in Sierra Leone: youth empowerment and employment, consolidating democracy and good governance, justice and security reform, and capacity building.²²⁰

c. Resources

Providing required equipment quickly and in sufficient numbers along with support systems has been, and continues to be one of the biggest challenges facing UN. Although Brahimi report defined rapid deployment benchmarks as deployment of a traditional peacekeeping mission within thirty days and a complex operation within ninety days of receiving the mandate, these benchmarks rarely have been satisfied. Since peacekeeping operations are deployed in war torn countries, which can provide little or no capacity to provide basic services such as electricity, clean water, food, banking services, transportation etc., peacekeeping operations require huge organizational logistics capacity. UN has introduced several reforms and innovations to accelerate deployment times and improve logistics. However, despite numerous logistic capabilities, UN peacekeeping system is still dependent on the contribution of member states in major equipment and self-sustainment capabilities.

Following is short analysis of development of UN's logistic capacity to support peacekeeping operations:

(1) Peacekeeping Reserve Stocks: In 1989, Peacekeeping Reserve Stocks were established to overcome the long time delays due to procurement process in deploying operations. Stocks aimed to improve the reaction time of peacekeeping operations and relieve delays by UN-owned equipment and supplies common to peacekeeping operation.²²¹

(2) Mission Start-up Kits: On 22 December 1995, the General Assembly approved the strategic reserve stock, later took the form of Mission Start-up Kits, to provide logistics to new peacekeeping operations. Each start-up kit would include the equipment needed to establish a 100-person mission for 100 days and be packed and

220. Ibid., 10.

221. Fréchette, "20 Years of Reform," 16.

ready to deploy. The main goal of these kits was to reduce the lead times, some of which lasted as long as 27 weeks, before major equipment would reach the mission area. The first permanent logistic base to support peacekeeping operations was established at Brindisi Italy in 23 November 1993. The United Nations Logistics Base (UNLB) is used to store the start-up kits and other provisions. The UNLB start-up kits are replenished with the budgets of new missions that received kits stored at Brindisi. Upon the closure of a peacekeeping operation, durable and non-disposable equipment are returned to the UNLB.²²²

(3) Strategic Deployment Stocks: Although the Mission Start-up Kit system worked well for smaller missions of mid to late-1990s, by the turn of the century UNLB was completely depleted of its resources without budgetary tools in place to replenish them. In 18 July 2002, the General Assembly approved the proposal of the Secretary-General to create strategic deployment stocks. To avoid stockpiling large quantities of equipment, Strategic Deployment Stocks were agreed to be established for only one complex mission, with the one-time cost of \$146.2 million. With the Strategic Deployment Stocks system, UN would stock, at Brindisi, key pieces of equipment—vehicles, communication and engineering equipment, accommodation and ablution units—for rapid deployment to new peacekeeping operations. The role of Brindisi was expanded to include maintenance, shipment, and inspection of reserve equipment. However, stocks were once again severely depleted by 2004.²²³

(4) Predefined Modules and Service Packages: In 2010 Global Field Support Strategy, the secretary-General Ban Ki-Moon proposed to improve the speed, quality, and cost-effectiveness of deploying missions through the development of Pre-defined Modules and Service Packages. The General Assembly agreed to an initial phase of 200-person camp design, developed from existing stocks, including accommodations, a medical facility, a rapidly deployable security perimeter system, water treatment, and waste management and energy systems, along with on-call technical

222. Ibid.

223. Ibid., 16–17.

support. At the same time, the composition of the strategic deployment stocks was agreed to be reviewed to ensure the modularization.²²⁴

(5) Establishment of a Regional Service Centre at Entebbe: As a part of the 2010 Global Field Support strategy, a service hub was established in Entebbe, Uganda to provide centralized support to the four different peacekeeping missions. Regional Service Centre innovation aimed to improve efficiency by combining capacity, reducing infrastructure and staffing in individual missions, and optimizing the use of high-value assets. This concept is still under close review; however, developing other regional service hubs is under consideration.²²⁵

(6) Contingent Owned Equipment System: Despite these innovations and developments in logistics support capacities, the UN peacekeeping system is still dependent on the member states on major equipment. A Memorandum of Understanding (MOU) agreement is established between the United Nations and the contributing country for every deployed unit. The MOU details the major equipment, self-sustainment services and personnel, which the contributing country will provide. UN provides fuel, water, accommodation and rations for contingents. Additionally, contingents make use of aviation, cargo, and passenger movement, and medical facilities provided by the UN. Although details are agreed in the MOU, troop or police contributing countries provide major equipment and self-sustainment capabilities including vehicles and generators.²²⁶

3. Efficiency

Efficiency is the third dimension of the institutional CMR framework and most difficult to assess for UN peacekeeping operations. Efficiency is the evaluation of at what cost security forces achieve their assigned missions. The most important requirement of efficiency is the statement of goals to achieve. Peacekeeping operations require certain indicators of success to determine a proper withdrawal time. Especially in today's

224. Ibid., 17.

225. Ibid.

226. United Nations, "Field Support," <http://www.un.org/en/peacekeeping/issues/fieldsupport.shtml>.

complex peacekeeping missions, which are entangled with peacebuilding efforts, defining specific timeframes or certain events as an indicator of success and time to withdraw is challenging. Although improving rapid deployment capacities have been a major subject of reforms, the UN peacekeeping operations have experienced more challenges in withdrawals. Five of the thirteen peacekeeping operations launched during Cold War are still in place, and there is not a clear agenda to terminate these missions. The most convincing motive of privatizing peacekeeping is the efficient use of scarce resources dedicated to UN peacekeeping. However, engaging private businesses, which inherently seek to sustain their income and maximize profits, into peacekeeping operations, where defining a desired end state and a predictable withdrawal time is difficult, do not promise an efficient alternative to traditional national troops.

Since the Security Council mandate authorizes the deployment of a peacekeeping operation or its withdrawal, the Capstone Doctrine accepts the completion of mandate provisions as the indicator of success. However, it recognizes the differences between a traditional and a complex peacekeeping operation. Since traditional peacekeeping involves in interstate conflicts, a mutually agreed conflict settlement can be an obvious indicator of success. However, traditional peacekeeping operations have the risk of lasting long since they do not involve in diplomatic efforts to facilitate conflict resolution process. On the other hand, Capstone Doctrine is hesitant on “determining whether a multi-dimensional United Nations peacekeeping deployed in the aftermath of a violent internal conflict has successfully completed its mandate is far more challenging given the number of complex variables involved.”²²⁷ Doctrine defines the goals of complex peacekeeping mission engaged in intrastate conflicts as (1) restoring State’s authority; (2) re-establishing rule of law and strengthening human rights; (3) fostering institutions of governance; and promoting socio-economic recovery.²²⁸

Accepting the difficulty of applying to all situations, capstone offers some indicators of success towards the consolidation of peace after a civil war:

227. Christensen, “Evaluating Capstone Doctrine,” 87.

228. *Ibid.*, 88.

- “(1) The absence of violent conflict and large-scale human rights abuses, and respect for women’s and minority rights;
- (2) Completion of the DDR of former combatants (male and female, adults and children) and progress in restoring or establishing responsible state institutions for security;
- (3) The ability of the national armed forces and the national police to provide security and maintain public order with civilian oversight and respect for human rights;
- (4) Progress towards the establishment of an independent and effective judiciary and corrections system;
- (5) The restoration of State authority and the resumption of basic services throughout the country;
- (6) The return or resettlement and reintegration of displaced persons with minimal internal disruption or conflict in the areas of return or resettlement;
- (7) The successful formation of legitimate political institutions following the holding of free and fair elections where women and men have equal rights to vote and seek political office.”²²⁹

Each of the goals and benchmarks stated in the Capstone doctrine refers to an element of state building, which is hard to achieve and to determine whether it is achieved. Thus, doctrine warns about the optimistic progress assessments. Finally, despite the importance of the subject, doctrine devotes five pages to ending peacekeeping operations with a relatively vague language. This is especially important to show that the UN peacekeeping system has mostly improved capabilities to rapidly start and support operations, but does not have a clear agenda on ending them.

229. Ibid., 89.

IV. CONCLUSION

This thesis attempted to shed light on the institutional infrastructure of the UN peacekeeping system and to assess its ability to employ PMSCs in peacekeeping operations. With growing demand on the UN involvement in conflicts, peacekeeping bills have grown dramatically exceeding the regular UN budgets most of the time. Additionally, unsuccessful peace operations risk the future of peacekeeping by affecting the voluntary contribution of the UN member states. As a growing sector following the end of Cold War, PMSCs are offered as a cost-effective solution to peacekeeping compared to the traditional national troops. However, because of the controversial aspects of PMSCs, any institution hiring them needs mechanisms to control and monitor them to ensure the proper operation and effectiveness. Most important problem related to PMSCs is the lack of national or international mechanisms to hold them accountable.

To assess the UN's institutional capacity to properly employ PMSCs in peacekeeping operations, this thesis analyzed the UN peacekeeping system according to the Thomas Bruneau's three-dimensional civil-military relations framework. Seeing the shortcoming of the classical CMR theory that focuses exclusively on the aspect of civilian control of security forces, Bruneau adds effectiveness and efficiency as essential requirements to measure how well the security forces do their job and at what cost. Based on the New Institutionalism, Bruneau's theory emphasizes the importance of institutions rather than individuals.

Chapter II was an historical analysis of the emergence and development of the UN peacekeeping. Analysis shows that peacekeeping is the result of a norm development process. Until the establishment of the League of Nations, balance of power—ad hoc alignment of states to counter specific adversaries—was the main tool for sovereign states to secure their survival. The League system provided the basis of a collective security system. Different from balance of power, collective security system recognizes peace as indivisible and any breaches of peace as an attack to all members of the system, even the attack comes from within its membership. However, the League failed to prevent World War II. The UN was also established as a collective security, though with

more robust mechanisms this time. Decision-making process was improved and the sanctions became binding to avoid the League's legacy, which had done too late and too little. However, this time Cold War prevented the practice of the collective security. The veto power, which was designed to keep the superpowers in the system, crippled the Security Council and prevented the materialization of collective security provisions of the UN Charter. The notion of peacekeeping was introduced as an impartial tool to resolve conflicts and restore international peace. Peacekeeping is not mentioned in the UN Charter. It is a midcourse between the Chapter VI (peaceful settlement of disputes) and Chapter VII (forceful action against breaches of peace) provisions of the Charter. Beginning as the interposition of military forces between warring sides in interstate wars, the peacekeeping has evolved into complex operations that aim to end fighting, facilitate peace process, provide security, restore or strengthen governmental functions in civil conflicts. Since there was not a UN structure to execute peacekeeping function, the UN peacekeeping system has evolved parallel with the needs of the conflicts in which it was deployed.

Chapter III analyzed and assessed the institutional infrastructure of the UN peacekeeping system. Beginning with the end of Cold War and the upsurge of civil conflicts, the UN has started to review and reform its peacekeeping system. The common focuses of the peacekeeping reforms have been strengthening UN's organizational structure and create an institutional understanding of peacekeeping. The first call for reform was the Secretary-General Boutros Boutros-Ghali's *An Agenda for Peace*. Boutros-Ghali called for establishing enforcement units to strengthen the UN's military capabilities to enforce peace. However, this recommendation was not accepted by member states. Boutros-Ghali continued for reforms in two other reports, but the results were limited. The Brahimi report was the most comprehensive review of the peacekeeping system. Report urged for reforms on defining a peacekeeping doctrine and strategy, increasing the UN's planning capacities, and improving rapid and effective deployment capacities. Several reforms were implemented following the report. In 2005, Peacebuilding Commission was established to increase collective capacity of peacekeeping along with a Peacebuilding Support Office within the Secretariat. To ease

the operation of DPKO overloaded with increased and complicated missions, DPKO was divided into two and the Department of Field Support was established in 2007. In 2008, DPKO/DFS issued a Capstone Doctrine to provide general guidelines and principles of peacekeeping. New Horizon is the last reform attempt initiated in 2009, and is still in progress.

The rest of the Chapter III analyzed the results of reforms and development of the UN peacekeeping system by applying Bruneau's three-dimensional CMR framework: control, effectiveness, and efficiency. Though the UN has been a continuously learning organization and adapting its structure to the challenges of international peace and security, the capabilities it has developed do not meet the requirements of Bruneau's CMR framework. First, the UN peacekeeping structure has many deficiencies in command and control, which is the basic requirement of democratic CMR. There is a huge gap between the strategic level decision-making and field operations. The Security Council, designated as the main UN organ responsible for the international security, mandates and authorizes any peacekeeping operation. However, the Security Council lacks the sufficient military advice to mandate achievable missions to the peacekeeping operations, and to provide required resources. Additionally, the UN headquarters organization for peacekeeping is overloaded and does not have the managerial capacities to command peacekeeping operations around the world. Finally, the highest UN authority in the field, the Special Representative of the Secretary-General (SRSG), does not have a strict command authority on the actors participating in peace operation. Rather, SRSGs facilitate coordination among the many elements of peacekeeping system.

In effectiveness dimension, the UN lacks a detailed doctrine, an overarching institutional body for coordination, and resources required for peacekeeping operations. The Capstone doctrine, issued by DPKO/DFS in 2008, provides only a macro understanding for peacekeeping. It defines principles and planning process; however, it fails to provide operational guidance for peacekeepers. As another element of effectiveness, the UN peacekeeping operations do not have a coordinating body. First attempt to create an institutional coordination among peacekeeping actors was the Integrated Mission Task Forces (IMTFs). However, IMTFs do not have authority to

participate decision-making process. The main goal of the international organization in the establishment of Peacebuilding Commission (PBC) was also to provide coordination and coherency among the participants of peace operations. However, PBC also cannot go beyond an advisory agent and does not have formal authority over peace operations. Moreover, two main bodies of PBC (the Organizational Committee and country specific meetings) are bogged down with procedural issues due to wide range of membership. Finally, the UN logistics system, though developed in time to increase rapid deployment capacities, cannot provide all resources required to achieve missions. The UN peacekeeping system is still dependent on member states' contribution on major equipment.

The UN peacekeeping system lacks requirements of efficiency, the third dimension of Bruneau's framework. The most important requirement of efficiency is the statement of end states. However, the most controversial issue in peacekeeping has been to end the operations. Five of the thirteen Cold War era peacekeeping operations persist to exist. Although the Capstone Doctrine offers example benchmarks to decide whether a peace operation has reached its goals, it also acknowledges the requirements of each conflict and need for determining specific benchmarks.

Using the literature on PMSCs and CMR, analysis of the UN system reveals that the UN lacks the institutional mechanisms and infrastructure to control PMSCs in peacekeeping operations. Although PMSCs are often presented as a cost-effective solution to growing peacekeeping expenditures, the UN cannot control PMSCs in peacekeeping operations without developing institutional capacities presented by the CMR theory.

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