STANDING FOR CHANGE IN PEACEKEEPING OPERATIONS

Project for a UN Emergency Peace Service (UNEPS)
Global Action to Prevent War
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<td>AMIS</td>
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<td>Responsibility to Protect</td>
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<td>Multinational Standby High Readiness Brigade</td>
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<td>Standing Police Capacity</td>
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<td>United Nations Mission in Liberia</td>
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DEFINITIONS

WHAT IS GENOCIDE?
According to the Convention on the Prevention and Punishment of the Crime of Genocide (1948) genocide is defined as;

Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: Killing members of the group; Causing serious bodily or mental harm to members of the group; Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; Imposing measures intended to prevent births within the group; Forcibly transferring children of the group to another group.

WHAT IS A CRIME AGAINST HUMANITY?
According to the Rome Statute, which provides jurisdiction to the International Criminal Court, a crime against humanity is any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

Murder; Extermination; Enslavement; Deportation or forcible transfer of population; Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; Torture; Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender, or other grounds that are universally recognized as impermissible under international law; Enforced disappearance of persons; The crime of apartheid; Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

WHAT IS THE RESPONSIBILITY TO PROTECT?
The definition in the World Summit Document (September 2005) paragraph 138-139 states;

Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means.

The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity...In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

WHAT IS STANDING PEACEKEEPING CAPACITY?
A coherent, complementary, service-integrated peacekeeping capacity maintained in readiness with pre trained and well equipped personnel, available for immediate deployment once authorized. Proposed Standing Capacity at the UN would consist of individually-recruited UN personnel under strict mandates to respond to outbreaks of genocide and crimes against humanity. This semi-autonomous capacity would be based at designated UN sites and would be expertly trained under a unified UN command, allowing the UN to respond more effectively to outbreaks of severe violence as a last resort when diplomacy and prevention fail.
Executive Summary

A growing number of government and civil society voices from diverse cultures worldwide are joining to convince Member States that the time has come for the UN to have at its disposal diverse tools and capacities to respond to genocidal violence, crimes against humanity and other complex humanitarian emergencies.

While the UN is still seen by many as a legitimate setting for new peacekeeping capacities, that legitimacy has also been compromised as peacekeeping operations are more numerous and costly, are deployed too little and often too late, fail to stem the violence and are being used, more and more, as a substitute for robust political engagement. In the ‘Global South,’ where any new peacekeeping tools are most likely to be used, people are especially keen to know, ‘When diplomacy fails and the cry for help goes out, who will respond? How will they respond? What are the available options for response? What mandate will guide that response? When will the initial wave of peacekeeping capacities leave and what will happen next?’ These questions from the end of the ‘deployment chain’ are mirrored by diverse issues raised by Member States and critics of UN-based standing peacekeeping capacity, including implications for state sovereignty, the role of the Security Council as a legitimate authorizing body, the limited political will available to support peacekeeping reforms, and the perception that new peacekeeping tools will strengthen the capacity of large states to sanction armed intervention within smaller ones.

The aim of this paper is to broaden the debate on peacekeeping operations and the need for UN-based standing peacekeeping capacity through the inclusion of diverse regional perspectives (via interviews) on the potential impact and opportunities of a UN-based standing peacekeeping capacity. Understanding the security, cultural, linguistic and social needs and concerns of governments and civil society in different regions is crucial for the advancement of the standing capacity debate. While this publication is unable to provide full regional coverage, our intention is to initiate a conversation we believe to be essential to the continued health and viability of the UN system. We also intend to explore further opportunities for interaction and capacity-building in diverse global regions over the coming years.

In preparation for the first chapter of this paper, the UNEPS Secretariat conducted over 30 interviews with senior academics, current and former diplomats, UN and government officials, UN mission staff and experts from leading non-governmental organizations working on issues of peace and security. Interviewees represented such diverse regions as Africa, Latin America, Southeast Asia, Europe, North America, and Australia.
Research work undertaken by Annie Herro and Stuart Rees at the Centre for Peace and Conflict Studies (CPACS) at the University of Sydney has also been incorporated. These two colleagues conducted over 40 interviews with a cross-section of professionals in Australia and Southeast Asia. Both sets of interviews focus on how regional, political and cultural perspectives influence the assessment of the viability of UN and regional peacekeeping operations, the feasibility for UN standing peacekeeping capacity and prospects for building political will. In addition, opinions, discussions and interactions from previous UNEPS conferences, regional workshops and meetings have been incorporated into this analysis.

In the second chapter of this paper, Juan Méndez provides a deeply insightful analysis of the challenges to the prevention of genocide, based on his 32 months as the first Special Advisor to the UN Secretary General on the Prevention of Genocide (2004-2007). He highlights the lack of political will, difficulty in obtaining troops, lack of resources and equipment and other ‘ready-made excuses’ that often lead to inaction. His opinion piece looks to standing peacekeeping capacity and specifically a UN Emergency Peace Service (UNEPS) as a possible answer but notes that “UNEPS is not a substitute for diplomacy and policy-making but a very valuable instrument of policy”. His chapter reemphasizes the importance of prevention, civilian protection and the need for a diverse capacity (with military and non-military components). Finally the importance of galvanizing public support, utilizing existing norms and institutions and expanding the circle of UNEPS proponents are offered as key strategies to move forward with the proposal and the standing capacity debate.

The interviews and Juan Méndez’s analysis provide an important base to understand the benefits and limitations of standing capacity and represent a critically important stage in the evolution of the project for a United Nations Emergency Peace Service (UNEPS). For the past several years, UNEPS has been designed and promoted by a group of international experts as a standing, service-integrated, complementary capacity, under a unified command structure, that can respond rapidly and effectively to outbreaks of genocide and crimes against humanity. UNEPS is intended as a ‘first-in, first-out’ service that would work in tandem with existing UN and regional peacekeeping operations. Its individually-recruited personnel would receive the highest levels of training, including respect for human rights and sensitivity to gender perspectives and cultural differences. Based on regional perspectives, key recommendations have been made to refine the UNEPS proposal, push forward the standing capacity agenda and ensure that UN peacekeeping can respond effectively to the humanitarian and security emergencies for which it is ultimately held accountable.
In the pages that follow, five challenges are identified that we believe are critical to the debate on standing peacekeeping capacities such as UNEPS. The text integrates diverse responses to questions about capacity deficiencies in UN peacekeeping, the political and operational repercussions of these deficiencies, and the potential role of UNEPS (and other complementary proposals) in successfully addressing these capacity gaps.

Gaps and Challenges in UN Peacekeeping Operations

**Department of Peacekeeping — Operational Burdens:** Here we highlight a recent and growing dependence among Members States on expensive, late-arriving, inadequately trained, peacekeeping operations that fail to stem violence in its earliest stages and create needless risks for peacekeepers.

**Political Will and the Challenge of Sovereignty:** Here we draw attention to the political obstacles that prevent Member States from authorizing the development of UN-based standing peacekeeping capacity. We discuss measures to build more political will to support peacekeeping initiatives.

**Authorization of Standing Capacity:** Here we draw attention to the authorization and command obstacles posed by the current structure of the Security Council and highlight modest proposals for reform and more effective authorization.

**Civilian Protection and Standing Capacity:** Here we draw attention to the inadequacy of existing peacekeeping tools to ensure that the international community can effectively fulfill its Responsibility to Protect civilian populations from genocide and crimes against humanity.

**Regional Considerations:** Here we draw attention to assessments of the credibility of the UN’s current, complementary role in providing and maintaining security alongside regional peacekeeping capacities. This includes how to best integrate culture, language and social and political expectations of emerging global regions into peacekeeping policies and operations.
The recommendations below have been filtered by the UNEPS Secretariat based on regional interviews, discussions with policy makers, previous UNEPS publications and academic research. These recommendations are categorized along the lines of the previously identified 'gaps and challenges' to UN peacekeeping and are analyzed in further detail in the upcoming chapter.

- Recommendations on Building Political Will
  - **Build on Existing Precedent:** The UN’s Standing Police Capacity (SPC), established in 2005 with the approval of the General Assembly, can be regarded as a modest step towards acceptance of a more expansive standing peacekeeping capacity at the UN. This is an important precedent that must be built upon by proponents of standing capacity.
  
  - **Legislation:** Promote and assist in the development of formal legislation at the national level in support of standing peacekeeping capacity to increase recognition and credibility of the concept. In the case of UNEPS, some legislative progress has been achieved in Japan and further outcomes are being sought through the US Congress.
  
  - **Partnerships with Military and Police Experts:** UNEPS proponents must continue to engage with and collect input from diverse security professionals to ensure ongoing development of a robust, credible and well-constructed proposal.
  
  - **Civil Society Involvement:** Garner civil society and media support to raise the profile of standing capacity proposals like UNEPS. This paper represents an effort to cultivate such strategic partnerships with civil society actors operating at the regional and local levels.

- Recommendations on Authorization of Standing Capacity
  - **Security Council:** The need to ensure both the legitimacy and credibility of peacekeeping missions places the question of UNEPS authorization firmly within the confines of the Security Council.

  *However, due to concerns regarding the Council’s narrow representation and the use of veto power, various respondents and UNEPS supporters have proposed alternative means of authorization, including:*

  - **General Assembly:** Under Article 11 of the UN Charter and the “Uniting for Peace” Resolution of 1950, the General Assembly retains the ability to recommend the authorization of peacekeeping missions when the Security Council is unable to take action, due to use of the veto. The General Assembly therefore represents an alternative authorization body for standing peacekeeping capacities.
Secretary General: The Secretary General might fulfill a similar function, authorizing the use of a UNEPS when the Security Council is prevented from doing so. This alternative mechanism for authorization has received mixed support, but warrants further analysis and debate.

Regional Peacekeeping: Regional capacities have been suggested as a potential fallback when Security Council authorization has been blocked by a veto and a regional organization (such as the EU) has the capacity, expertise and resources to respond rapidly to a crisis.

Recommendations on Civilian Protection and Standing Capacity

Tools vs. Prose: The Responsibility to Protect (R2P) principle, which strongly promotes civilian protection, currently lacks sufficiently robust and effective ‘tools’ to implement its protection agenda. The complementary goals of rapid response capacity and R2P could provide a plausible framework for the adoption of capacities like UNEPS and more robust discussions on actionable protection.

Focus on Prevention vs. Intervention: Political sensitivities and regional concerns dictate that UNEPS and other standing capacity proposals are firmly placed on the preventative end of the civilian protection spectrum, rather than being primarily designed as tools for intervention.

Recommendations on Incorporating Regional Considerations

Strengthen Regional Peacekeeping Capacity: While maintaining the long-term goal of establishing a standing peacekeeping capacity at the UN, the UNEPS Secretariat also recommends the strengthening of regional peacekeeping capacities, with a focus on African bodies such as the African Union (AU) and the Economic Community of the West African States (ECOWAS). While many challenges remain, there are attainable benefits through financial, logistical and resource assistance to strengthen and sustain such regional peacekeeping operations.

Regional – UN Synergy: Respondents in Australia and Canada promote the concept of “Regional-UN Synergy”. This proposed regional service would involve leadership from a regional power and include neighboring states (through government collaboration and individual recruitment) but would be authorized and mandated through the UN, providing necessary legitimacy while maintaining regional autonomy.

Standing Capacity at the UN i.e. UNEPS: The UNEPS Secretariat strongly recommends providing the UN with sufficient autonomy and resources to formulate structures and mandates that would enable rapid and effective mission deployment. UNEPS affirms a complementary role for a UN-based rapid deployment service with regional peacekeeping missions, but firmly places authority and resources in the hands of the UN.
Global Action to Prevent War (GAPW) is a transnational network dedicated to practical measures for reducing global levels of conflict and to removing the institutional and ideological impediments to preventing armed violence and severe human rights violations.

Our Program Statement grounds the goal of conflict prevention in specific integrated phases over a three to four-decade period and demonstrates in a concrete way how we can move from an international system based on conflict and power relations to one grounded in law and multilateral institutions.

We highlight and promote action towards advances in early warning, the prevention of armed conflict, nonviolent means of conflict resolution, post-conflict peacebuilding, conventional disarmament, the implementation of standing, rapid-response peacekeeping to combat genocide and crimes against humanity, along with other hopeful, confidence building measures.
Background

With the 2006 release of “A United Nations Emergency Peace Service: To Prevent Genocide and Crimes Against Humanity,” our core UNEPS Secretariat team began offering detailed training and operational suggestions to diplomatic, military and policy leaders who have been striving to make peacekeeping operations more timely and effective. Our goal, then as now, is to magnify the potential of UNEPS as a trustworthy, complementary capacity that can minimize the need for complex, expensive, longer-term UN and regional peacekeeping operations. In this paper, we also make clear our intent to ensure that the development of the UNEPS proposal (or any other new peacekeeping tools) is informed by the security needs, and political and cultural perspectives of diverse global regions.

The UNEPS proposal continues to evolve as early supporters such as Lt. General Satish Nambiar (Force Commander, United Nations Forces in Former Yugoslavia), Juan Méndez (former UN Special Advisor for the Prevention of Genocide) and other prominent individuals have helped us push the international community to address gaps and capacity deficiencies in peacekeeping operations.

At the same time, researchers such as Peter Langille of Canada, Hussein Solomon of South Africa, Stuart Rees and Annie Herro in Australia and Kavitha Suthanthiraraj in the U.S. have sought out the most effective responses to important technical, political and cultural challenges posed by diplomats, military and civil society leaders. We welcome such challenges as they help ensure that our proposal effectively communicates the urgency of the need for and the political feasibility of UNEPS.

We also welcome the efforts of policymakers in diverse global regions to take ownership of the UNEPS idea and attempt to make it relevant and feasible within their own societies and institutional cultures. UNEPS proponents from across the globe, including the people interviewed for this paper, continue to contribute valuable expertise to help us identify and address training and deployment gaps in existing peacekeeping operations. These officials and civil society leaders have also assisted in sharpening our efforts to build political will for UNEPS through international conferences, workshops, publications, UN advocacy and legislative action in the US Congress, the Diet of Japan and other parliamentary bodies.
Efforts to establish standing capacities within the UN, including proposals like UNEPS, are now achieving wider attention with the emergence of various proposals from prominent think tanks and nongovernmental organizations (NGOs). The Stimson Center, for instance, has developed an excellent proposal for standing police capacity. In addition, Nonviolent Peaceforce has been promoting nonviolent civilian capacity for many years, the Canada-based Civilian Peace Service has undertaken extensive strategic planning on civilian standing capacity, and Uganda is experimenting with Community Security Committees. Other NGOs and policy centers in Asia and Africa have made important contributions to proposals that can build the UN's capacity for effective, rapid response to large-scale violence. It is for this reason that we strive to explore and strengthen partnerships with these and other organizations working to promote standing capacity.

History of Standing Capacity

The notion of a standing rapid deployment force at the UN is neither new nor revolutionary. Article 43 of the UN Charter calls for the establishment of military forces at the UN, asking all members “...to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.” However, it is important to note that Article 44 calls for direct national contingent contribution, removing independence from any UN force.

The onset of the Cold War and its political tensions meant that this UN force did not develop; however, the desire and calls for standing UN capacity didn’t disappear. From 1948 to 1994 more than a dozen proposals were made, ranging from former UN Secretary General Trygve Lie’s call for a UN Guard Force,* to NGO proposals by the Carnegie Endowment for International Peace, and Ronald Reagan’s call at the end of his presidency for a “standing UN force – an army of conscience.” Further, Sir Brian Urquhart, a former UN Under-Secretary General for Special Political Affairs and a strong supporter of UNEPS, has been a longstanding champion of standing UN peacekeeping capacity.

* UN Secretary General Trygve Lie in 1948 made a speech at Harvard University proposing the establishment of a UN Guard Force consisting of 1,000-5,000 men at the disposal of the Security Council. He later renamed it a UN Guard and reduced the proposed strength to 300 troops.
The end of the Cold War and a groundbreaking report entitled “An Agenda for Peace” (1992) by former UN Secretary General Boutros Boutros-Ghali created another opening for standing capacity. In his report Boutros-Ghali stated that the “ready availability of armed forces on call could serve, in itself, as a means of deterring breaches of the peace...” As a result, in 1993 the UN Standby Arrangements System (UNSAS) was created with the aim of improving the UN’s access to readily available deployment capabilities. UNSAS is based upon conditional commitments by Member States to contribute specified resources within pre-agreed response times for UN peacekeeping operations. The resources agreed upon remain on "stand-by" in their home country, where necessary preparation and training is conducted.

Government activity during this time was also strong with the Netherlands (1994) proposing a UN Rapid Deployment Brigade and Canada (1995) conducting an in-depth study into the feasibility of rapid reaction capability at the UN. The Canadian study, while calling for the “creation of an integrated model for rapid reaction from decision-making at the highest level to the deployment of tactical level in the field,” advised incremental reform rather than the creation of a permanent UN service.

In January 1995, the Danish government announced work towards a complimentary rapid deployment initiative called Multinational Standby High Readiness Brigade (SHIRBRIG). This program involved like-minded countries that agreed to develop a unit of 4-5 thousand troops that could be deployed within a 15-30 day timeframe.* However, much like UNSAS, SHIRBRIG suffered from some of the same issues that plague the Department of Peacekeeping Operations (DPKO): inadequate training, burdensome negotiations to obtain troops from participating countries and slow decision-making; preventing these initiatives from achieving their rapid response objective.

UNEPS designer Peter Langille, in his book “Bridging the Commitment and Capacity Gap”, provides in-depth analysis into the above and other initiatives such as the Friends of Rapid deployment (chaired by Canada and Denmark), the Rapidly Deployable Mission Headquarters and the benefits and limitations of these initiatives.   

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* For more details on SHIRBRIG visit: www.shirbrig.dk
In 2002, based on earlier efforts in this area, an international team of security experts and civil society leaders gathered in Santa Barbara, California. Their task was to develop the concept of UNEPS as a standing, individually-recruited, gender-mainstreamed, rapid response capacity under a unified UN authority that can respond effectively to outbreaks of genocide, crimes against humanity or other humanitarian disasters anywhere in the world. Deliberations around the framework and details of UNEPS were refined and published in the 2006, “A United Nations Emergency Peace Service: To Prevent Genocide and Crimes against Humanity.” In-depth analysis, definitions and challenges associated with UNEPS are outlined in this publication, providing substantive background to the proposal.

As outlined in the 2006 publication, UNEPS as a, ‘first in, first out' service will provide robust, integrated capacities that can both stop the violence and, as a complimentary service to existing UN and regional peacekeeping operations, lay the groundwork for the successful implementation of longer-term security and humanitarian assistance. UNEPS will provide high quality, comprehensive training and will be organized under a unified command to ensure rapid, competent and humane responses that can protect civilians and fully respect international human rights obligations. UNEPS will also stimulate the development and sharing of ‘best practices' in training and operations as a significant contribution to complimentary regional peacekeeping activities.

Among those seeking to address these concerns through the development of UNEPS, there continues to be considerable debate on issues ranging from the breadth of the service’s mandate to the ‘triggers' within the UN for deployment of the service. However, there are certain principles that most partners agree to hold in common as they conduct their diverse, networked activities:

- UNEPS will be a permanent standing capacity based at UN-designated sites.
- UNEPS will be capable of rapid response to a humanitarian emergency (48-72 hours).
- UNEPS will be coherently organized under a unified UN command.
- UNEPS will initially involve as many as 18,000 personnel, individually-recruited from many different countries and demonstrating skills in conflict resolution, humanitarian assistance, law enforcement and other peacekeeping capabilities.
- UNEPS personnel will receive comprehensive, expert training in peacekeeping with an emphasis on human rights and gender issues.
- UNEPS will complement existing UN and regional peacekeeping operations.
- UNEPS will be financed through the regular UN budget.
As illustrated in the historical section, there have been bursts of demand for standing capacity at the UN, with outcomes (like UNSAS and SHIRBRIG) that filled some of the gaps in UN peacekeeping without successfully addressing the urgent need for rapid response.

**Skeptics would be wise to ask, what makes UNEPS different and how will it succeed where others have failed?**

This paper will attempt to address (from the interviews conducted) some of the factors impacting the implementation of UN standing capacity, such as the lack of political will, the challenges of state sovereignty and issues of authorization. However, key differences do exist between UNEPS and prior proposals. UNEPS is a departure from a ‘military only’ proposal; instead it involves an integrated capacity, with diverse skill sets and training (involving civilian and police capacity), an independent recruitment process, and is designed to be complementary to other regional and UN peacekeeping operations. UNEPS is also firmly situated on the preventative end of the political spectrum. Some of these components are outlined in more detail below;

**Individual Recruitment:** A major challenge facing the timely organization and deployment of peacekeeping missions is the over-dependency on the will of Member States to contribute trained troops and to provide adequate technical and logistical support. The current method of recruitment has often proven to be painfully slow and just as often results in operations being staffed by inadequately trained personnel. UNEPS’ personnel will be recruited and trained on an individual basis, thereby removing the delays and inadequacies associated with troop contribution and the political difficulties that arise from country-specific participation in sometimes dangerous, life-threatening missions.

**Diverse Capacities:** In extensive interviews and consultations, our partners have emphasized the importance of a service-integrated capacity that includes military, police and non-military/civilian staff. While UNEPS proposes a military and police component to undertake protective functions, it places equal emphasis on civilian, non-military capacities. Certain UNEPS personnel would be trained in mediation, conflict resolution and monitoring skills, enabling them to perform certain peace-building as well as peacemaking functions. Civilian/Military units would consist of individuals trained with wider professional competencies: social workers, health professionals, human rights lawyers and gender specialists.
Gender Integrated: Security Council Resolutions 1325 and 1820 call on the Security Council and Member States to ensure greater participation of women in UN peacekeeping missions. Such participation would enhance the ability of peacekeeping missions to fulfill their protection mandate and would serve to address issues of sexual and gender-based violence. Expanding on these recommendations, we propose highly visible women’s leadership within UNEPS, along with active recruitment of women and the inclusion of gender specialists and units within missions. The inaugural all-female police unit provided by India to the UN Mission in Liberia (UNMIL) has contributed to increased participation of women in the security sector and is steadily tackling the issue of gender-based violence.

Culture and Skills Integration: Critical to UNEPS’ success is its individually-recruited personnel from diverse cultural, religious, social and geographical backgrounds. This diversity is intended to both facilitate better interaction between the host community and peacekeeping personnel and to remove some of the ‘western colonial’ stigma that is often attributed to UN peacekeeping capacities and other humanitarian interventions. While recruiting a diverse pool is important in itself, these individuals must also be trained in cultural and religious sensitivities pertaining to their operational environments, as well as possess context-appropriate communication skills. While initial stages of UNEPS may not achieve such high standards, due to limitations of resources, time and expertise, striving towards these goals is of crucial importance.

Complementarity: UNEPS has always been promoted as a rapid-response, “first-in, first-out” complementary capacity to existing UN peacekeeping and regional missions. UNEPS is also to be seen as complementary to other essential capacities for keeping the peace, such as early-warning systems, preventive diplomacy, peace-building initiatives and peace negotiations. UNEPS is not a cure-all nor is it a substitute for either robust diplomacy or competently-engaged, longer-term, UN and/or regional peacekeeping operations.

As former UN Under-Secretary-General for Special Political Affairs Sir Brian Urquhart suggests, UNEPS “is of the greatest importance both to the UN as a responsible institution and to the millions as of yet unknown, innocent victims who might, in the future, be saved by this essential addition”. As you read through the analysis and comments that follow, we welcome your own contributions and participation in our efforts to develop and eventually implement new peacekeeping capacities that can help to ensure timely, secure, respectful, successful and cost-effective protection for victims of the most severe violence.

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* See Appendix One: Peacekeeping Resolutions, Reports and Legislation

** See Appendix Five for more details on this unique unit
The Challenge for UN Peacekeeping

Alain Le Roy, Under Secretary General for UN Peacekeeping Operations, spoke of the unrealistic expectations which oftentimes accompany UN peacekeeping, with the “constant strain between mandates and resources...expectations and capacity to deliver...”\textsuperscript{10} He also noted that “as peacekeeping is deployed [more frequently] where there is little peace to keep, there is a need to consider what other tools the international community has at its disposal...to address the challenge”.\textsuperscript{11}

This paper supports Le Roy’s argument that UN peacekeeping is not the exclusive or ultimate tool in conflict resolution; rather, peacekeeping should be a complementary, discriminating-deployed capacity alongside early warning mechanisms, robust diplomacy and other conflict prevention tools. What is essential is that peacekeeping capacities, when needed, be deployed with greater speed, with clearer mandates and better training and more representative personnel with diverse skills and capacities.

In addition to DPKO’s operational burdens, which often prevent rapid and effective deployment, we will analyze the impact of limited political will (from the international community and UN), authorization constraints due to Security Council dynamics, the difficulty in implementing civilian protection norms (i.e. Responsibility to Protect) and finally examine all these constraints through a regional lens.

Department of Peacekeeping — Operational Burdens

The post-Cold War era has witnessed an exponential growth in the incidence of peacekeeping operations, with almost 112,000 UN peacekeepers currently deployed to 18 missions around the world.\textsuperscript{*} Peacekeeping operations have grown more complex and multidimensional with most deployments now under Chapter VII of the UN Charter, thereby requiring more robust rules of engagement. There has also been a shift in peacekeeping mandates with stronger emphasis on civilian protection and changing attitudes towards the ‘use of force’.

\textsuperscript{*} These figures are accurate as of 31 March 2009.
The Department of Peacekeeping Operations (DPKO) is charged with the immense task of establishing and maintaining security in situations of intense conflict, while working to bring about the conditions for a sustainable peace. In assessing recent peacekeeping operations, those interviewed for this study agreed that though improvements have been made in recent years, DPKO must be further empowered in the form of additional financial and personnel resources and more robust standing capacities, in order to fulfill its expanding peacekeeping mandate.\(^\text{12}\)

**Troop Contributions**

The Department of Peacekeeping Operations must ensure that sufficient troops and equipment are committed to fulfill any mission mandate.\(^\text{13}\) In the current peacekeeping framework, these resources are contributed by Member States on a voluntary basis. This often proves problematic given that such commitment is uneven and is especially weak among the most powerful states.\(^\text{14}\) As a consequence of this arrangement, the capacity of DPKO is largely determined by the will of Troop Contributing Countries (TCCs) and those Member States, especially in the Security Council, that exert undue influence over the process.

Further, this dependency on often reluctant Member States to contribute troops and supply machinery and logistical support impairs the timely deployment of peacekeepers. This process often undermines the overall efficacy of a mission: the *ad hoc* approach to deployment reflects a willingness to accept troops merely on the basis of availability, without giving due consideration to whether or not those troops possess the necessary training and skill sets to adequately manage an unfolding crisis.\(^\text{15}\)

Increasingly, the majority of UN personnel are provided by states in the ‘Global South’, with a large portion from Asian (39.1\%) and African (29.8\%) countries.\(^\text{16}\) While a significant number of peacekeeping missions are currently situated in Africa and representation from this region has benefits, there is also concern about the disproportionate burden placed on countries with limited resources, equipment, and training capacity for increasingly complex missions.

**Troop Deployment Timeframe**

Many academics and practitioners whom we interviewed perceived that there was room for substantial improvement in terms of the timing and quality of peacekeeping missions. There are troublesome delays in decision-making by the Security Council and the Secretary-General is regarded by some as too slow in preparing his recommendation report.\(^\text{17}\) Once a mission is authorized, the timeframe for deployment is often frustratingly slow.\(^\text{18}\)
The Report of the Panel on United Nations Peacekeeping Operations (also known as the Brahimi Report) stipulated that, in order to achieve effective deployment, missions must be deployed within 30 days, with more complex missions taking up to 90 days. While not ideal, these benchmarks were seen as reasonable and achievable. The Brahimi recommendations have, in actuality, rarely been achieved.

Recent analysis conducted by the UNEPS Secretariat indicated that of 15 UN missions authorized within the past 15 years, initial deployment occurred on average, 46 days after a formal authorization. A further concern is the delay in achieving maximum troop deployment, as authorized by the relevant Security Council resolution. In 9 of the 15 missions reviewed, less than 15% of the authorized force was deployed within the first 90 days and, on average, full deployment was not achieved until nearly 13 months later.

The delay between Security Council authorization and the actual deployment of troops and other peacekeeping capacities can seriously impede any mission’s ability to restore security and provide humanitarian protection and assistance. Respondents further observed that failing to establish a set timetable for peacekeeping operations and the tendency to extend mission mandates can cause discouragement on the ground and offers little incentive for parties to the conflict to broker a peace agreement.

Re-Hatting of Regional/Multilateral Troops

‘Re-hatting’, a practice by which existing regional or multilateral forces are reassigned to serve as UN troops, has emerged as one means of expediting the initial deployment process. Oftentimes, initial deployment figures reflect the practice of re-hatting and therefore even those missions that boast a high initial deployment rate may not receive newly deployed troops for many months. For instance:

“In Liberia (UNMIL) while 3,600 ECOWAS troops were ‘re-hatted’ into the UNMIL mission within 12 days (representing 24% of the authorized mission strength), deployment of the entire force did not occur until 2 years after the initial Security Council resolution.”

Of the 15 UN missions reviewed, more than 50% of peacekeepers, or 30,000 personnel, had been re-hatted. Though re-hatting can address the need for rapid response in the short term, it is problematic for a number of reasons: re-hatting can give rise to troop fatigue; it exposes disparities in command structure and force mandates; and it does not allow for adequate, unified training to fulfill new mission responsibilities.
Composition of Service: Military and Other Capacities

Throughout our interviews, the composition of current peacekeeping forces was often criticized for failing to reflect a holistic approach to peacekeeping and for failing to recognize that protecting civilian populations requires not only military force but also civilian, police and humanitarian personnel. Neglecting to approach peacekeeping with multifaceted capacities renders sustainable peace-building difficult, for simply halting the violence in the short-term does not alone translate into a lasting peace.

To date, military forces have played the central role in peacekeeping operations, with non-military capacities regarded as secondary. Military forces fulfill the much needed function of establishing security and stability, which allows for the protection of civilians and relief workers and facilitates the restoration of the legitimate mechanisms of governance. The presence of military forces further serves to dissuade potential spoilers from derailing the peace process.

However, in order to fulfill its peacekeeping mandates, the UN does not merely require well-trained troops; the UN requires access to up-to-date weapons; it requires effective transportation for troops and humanitarian aid; it requires strategic and logistical support. The active involvement of developed and industrialized states can therefore greatly advance the efforts of effective and efficient peacekeeping.

An effective military response is itself a massive logical undertaking; nevertheless, a strictly military force would serve only to quell the overt violence. On the other hand, a multidisciplinary capacity would be better equipped to address structural violence and, in so doing, create the conditions for a more sustainable peace. Proponents of the inclusion of non-military capacities envision that relevant personnel would be equipped to serve as civilian police; provide medical services and psychosocial support; promote judicial and economic reform; and begin the restoration of infrastructure. Thus, military forces ought to be regarded as but one component within a more expansive spectrum of peacekeeping tools that are both preventative and committed to nonviolent conflict resolution strategies.


** See Appendix Two: Initial Troop Deployment

*** See Appendix Three: Full Troop Deployment
Case Study: African Union—United Nations Hybrid Mission in Darfur

The Western region of Darfur in Sudan has been ravaged by conflict since 2003, when fighting broke out between the Government of Sudan, allied with the Janjaweed militia, and other armed rebel groups. In the intervening years, as many as 300,000 people have died and more than two and half million people have been displaced. Under the auspices of the African Union (AU), and with the support of the United Nations (UN), the Darfur Peace Agreement was signed in May 2006. Though the document represented progress toward reconciliation, several key rebel groups refused to accept it and violence continues in the region.

The African Mission in Sudan (AMIS) was launched in April 2004 to serve as an UN-supported, AU peacekeeping operation. The initial contingent of AU forces was later enlarged, reaching a total of 7,000 (by October 2006), in response to the escalating violence. The security situation nevertheless continued to deteriorate and it was determined that the UN ought to assume a more active role; firstly through supporting AMIS with the Light and Heavy Support Packages (2006-07) before a joint African Union-United Nations Hybrid Mission in Darfur (UNAMID) was authorized on 31 July 2008 through Security Council Resolution 1769.

The Resolution authorized UNAMID to take necessary action in order to support the effective implementation of the Darfur Peace Agreement, as well as provide protection for its personnel and civilians. Toward that end, the mission was to monitor and verify compliance with the various ceasefire agreements; ensure that the political process was inclusive and respectful of human rights; promote the rule of law through an independent judiciary; and establish the necessary security conditions such that humanitarian assistance could be safely distributed and economic reconstruction undertaken. The mission’s mandate was originally for a period of 12 months and was subsequently extended through 31 July 2009.

At full strength, UNAMID was to include 19,555 troops, more than 6,400 police, and a significant civilian component. As of 31 March 2009, 15,351 uniformed personnel had been deployed, including 12,737 troops, 188 military observers and 2,426 police officers (representing about 60% of the authorized force level). UNAMID’s full deployment has been stymied by both political and logistical factors including: the government of Sudan’s non-cooperation, delays in deployment on the part of Troop and Police-Contributing Countries, and a shortage of available transport/aviation equipment, in particular light tactical helicopters. Secretary-General Ban Ki-moon has repeatedly appealed to the international community to supply the needed equipment to enable the mission to fulfill its mandate and adequately protect the people of Darfur.
Darfur and the Argument for Standing, Rapid-Response Capacity

The delays and deficiencies highlighted in the Darfur case study permit us to better explore the role that might be filled by a UN Emergency Peace Service, as outlined below:

Given the political, administrative and logistical constraints which accompany the formation of *ad hoc* peacekeeping operations, it typically takes many months before a mission is fully operational. In the case of Darfur, personnel and equipment promised in the UN Light and Heavy Support Package suffered from deployment delays. Further, UNAMID forces were first deployed a full five months after their authorization and full deployment has yet to be achieved. UNEPS, with its readily deployable standing capacity of personnel, may have been able to dramatically reduce the time gap between Security Council authorization and full deployment. UNEPS could have responded quickly to the Security Council’s call in December 2006 for support packages to assist AMIS.

The UNAMID mission has been widely deemed unsuccessful to date due to certain practical and political constraints, chief among them a lack of trained personnel, equipment and resources to implement a timely, viable peacekeeping mission. UNEPS, in contrast, would have at its disposal well-trained and properly equipped personnel to engage in effective short-term peacekeeping. UNEPS personnel would receive gender sensitivity training and would be briefed in international human rights law, allowing them to more effectively leverage assistance for the numerous victims of sexual and gender-based violence in Darfur.

The lack of political will to undertake a robust peacekeeping operation in Darfur can be attributed, at least in part, to concerns about the safety of peacekeepers and the potential political backlash from peacekeeping casualties. As a properly-equipped, integrated, combat-ready service, UNEPS could serve to reassure contributing states that the risk to personnel and equipment would be minimal.

The Sudanese government initially prevented UN troops from entering the country, precisely because it perceived those forces to be advancing Western interests. UNEPS personnel would be individually-recruited and would be drawn from diverse nationalities, thereby removing cause for the accusation that a given operation represents neo-colonial interests.
Political Will and the Challenge of Sovereignty

The single greatest impediment to establishing rapid response capacity at the UN is the difficulty related to mobilizing sufficient political will. This lack of will fits into the wider question of national sovereignty and the increased political stake associated with adopting standing peacekeeping capacity with limited enforcement powers and recruited on an individual basis.

In discussions with interviewees, 90% affirmed this sentiment and acknowledged the difficulties that arise when developing a politically sensitive proposal such as UNEPS. As discussed earlier in the publication, UNEPS is not the first (or only) attempt to introduce some form of standing peacekeeping capacity at the UN. The ability to rejuvenate the notion of limited standing capacity and ensure its political viability will be the most challenging element of this campaign.

There was however unanimous agreement among respondents regarding the ‘urgent need’ for standing, rapid response peacekeeping capacity. Many raised concerns regarding the inability of current UN peacekeeping missions to fulfill their mandates and voiced the need for a complementary service to help stop the violence. Interestingly, some respondents linked the credibility of the UN in the area of peace and security to the establishment of a standing service, with a director at a prominent NGO noting: “establishing UNEPS is extremely urgent to enable people to believe in the UN’s ability to do its job. Without rapid deployment and professionally trained capacity, the UN will lose its credibility in the public domain.”

Respondents debated a range of considerations and challenges, including those outlined below, which may impact the viability of UNEPS or other standing capacity proposals:

State Sovereignty: The definition of national sovereignty enshrined in the Treaty of Westphalia (1648) has been the founding principal on which the UN and the international system have been organized. The UN is comprised of 192 individual Member States who interact and make decisions based on this strong notion of sovereignty. In discussing sovereignty with relation to UNEPS and other standing capacity based at the UN, critics point to the enforcement component of the service and its move away from the current troop contributing model as key challenges to this predefined notion of sovereignty.
Are Member States willing to cede some part of their military security and control over troops to the UN? To answer this question it is important to understand the changing nature of sovereignty. States have evolved since Westphalia and, as argued by Thomas Weiss and Sam Daws, sovereignty is no longer absolute and unchangeable, with the UN at times being “responsible for both its triumph and the erosion of state sovereignty”. ‘Triumph’ at those times when state interests override collective interests and protection mandates. ‘Erosion’ through the growing willingness of states to ‘exchange’ or ‘give up’ some part of their sovereignty for actual or perceived gains in political or security areas.

The 2005 World Summit and the universal endorsement of the Responsibility to Protect doctrine are examples of this movement away from absolute notions of sovereignty. The International Criminal Court (ICC) is also a clear model of the rethinking of state sovereignty, with even sitting heads of states now within the reach of the courts. Though both examples face limitations, with back-stepping by Member States on their R2P commitments and the difficulties faced by the ICC implementing and enforcing its indictments, these are precedents that indicate not-so-subtle shifts in absolute notions of sovereignty and need to be built upon.

Jonas von Freiesleben from the Center for UN Reform Education (CURE) noted that UNEPS would be a ‘drastic departure’ from current achievements as it “reflects an underlying and systemic reluctance of countries to hand over major power to any foreign entity, be it the Security Council, the General Assembly or the Secretary General, which individually they cannot control and which, if in charge of a military force could commit governments to risky situations that could be counter-productive to their national interests”. Such concerns are valid and are often associated with any politically sensitive idea in the international arena. However, it is important to analyze the proposal beyond its military capacity (as outlined earlier in this paper), acknowledge the changing notion of sovereignty and understand that any final product is unlikely to be beyond the control of Member States (especially as authorization sits within the UN). This paper is only able to touch on this expansive debate and much further consideration is required to ensure that any capacity initiatives marry the urgent need for rapid humanitarian response with existing political realities.

**Neo-Imperialist Influence:** Respondents voiced concerns over a ‘northern bias’ in the proposal and the potential for any standing service to become an instrument by which powerful states would leverage their considerable influence at the expense of weaker states. This fear that state sovereignty will be compromised in the name of humanitarian intervention is palpable throughout the Global South. Several respondents in Southeast Asia perceived the UN as a puppet of the US/the West and suggested that any standing capacity under UN authority might, therefore, lack legitimacy.
Authorization: The mechanism by which a UNEPS deployment would be authorized is of critical importance to many Member States and must be considered carefully. Currently the UNEPS proposal focuses on the Security Council as the key vehicle for authorization (though other options are debated in the later section of this paper). Some Member States would want to ensure that regional or other multilateral organizations (such as NATO) would not be granted the authority to deploy UNEPS. For other states, fairer representation in the Security Council would be a prerequisite for the development and endorsement of a standing peacekeeping capacity.

Steps and Recommendations towards Building Political Will

In order to achieve greater political engagement and will for the development of UN standing capacities and UNEPS, proponents of these proposals will need to engage in the following advocacy activities: building on existing UN initiatives such as Police Standing Capacity, promoting more progressive national legislation, forging stronger partnerships with police and military experts and encouraging civil society involvement.

The Precedent of Standing Police Capacity

In 2000, the Report of the Panel on United Nations Peace Operations (also known as, the Brahimi Report)* recommended a series of rapid deployment options including: “a revolving on-call list of about 100 police officers and related experts to be created in UNSAS [United Nations Stand-By Arrangements System] to be available on seven days notice with teams trained to create the civilian police component of a new peacekeeping operation, train incoming personnel and give the component greater coherence at an early date.” This was reiterated by the 2004 High-level Panel on Threats, Challenges and Change, which also called for a standing police service to “undertake mission assessments and organize the start-up of police components of peace operations, and the General Assembly should authorize this capacity.”

UN Member States responded to these recommendations during the 2005 World Summit, at the end of which a “Standing Police Capacity (SPC)” unit was established within DPKO. The SPC unit was designed to respond to the demand for UN police deployment, which had increased by 60% in the previous three years alone and the need to achieve that deployment in a rapid and effective manner. Currently the SPC has a team of 25 officers who have provided rapid start up capability for police components in MINURCAT (Chad), UNMIL (Liberia) and MINUSTAH (Haiti). While current numbers are well below the 2004 High Level panel’s recommendations, the SPC is noteworthy in attaining General Assembly approval for rapid deployment capacity and can be seen as a modest step towards acceptance of an expanded standing peacekeeping service at the UN.
The Stimson Center, in its report “Enhancing United Nations Capacity to Support Post Conflict Policing and Rule of Law”, noted that it took on average nine months to get the authorized number of police officers to the field. To fill this gap and support Police Standing Capacity, the Center proposed “creating a larger, standing cadre of police and rule of law experts to help plan, deploy, and fill key leadership posts of new missions in their critical first year and provide support to other, ongoing peacekeeping operations.”

Alain Le Roy (Under Secretary General for Peacekeeping Operations) noted that: “Standing Police Capacity has proven to be an effective rapidly deployable tool to help start up new operations and reinforce existing ones”. In a statement to the Special Committee on Peacekeeping Operations (2009), Le Roy emphasized his support for standing capacity by proposing the creation of a small “Rule of Law Standing Capacity”. This unit would be comprised of justice and correction experts and seek to assist peacekeeping missions early on in the process.

The potential of the SPC unit to serve as a precedent for UNEPS or other standing capacities was also noted by our respondents, with one interviewee from a UN Association affirming that the police standing initiative can provide the foundation to build towards a more expansive range of standing peacekeeping tools.

**UNEPS Legislation**

Respondents noted that formal legislation at the national level can bestow on standing peacekeeping proposals a degree of credibility and recognition that will serve to bolster political will and state motivation in support of standing peacekeeping capacity. In the case of UNEPS, some legislative progress has been achieved in Japan and further outcomes are being sought through the US Congress. In January 2008, the Upper House of the Japanese Parliament adopted a proposal, submitted by the opposition Democratic Party of Japan (DPJ), regarding Japan’s assistance to war-torn Afghanistan. The bill, known as the Terror Elimination Bill (short for “Special Measures Law for Reconstruction Assistance to Afghanistan for the Prevention and Elimination of International Terrorism”), included articles specifically addressing the concept of “Responsibility to Protect” and the establishment of a new UN service “capable of immediately taking necessary measures to respond to threats to international peace and security.”

In August 2008, the Democratic Party of Japan took further initiatives through a public symposium on its new Okinawa Vision 2008. The ‘Vision’ outlined that a part of Okinawa’s private airport (the Shimojishima Airport in Miyakojima) could be utilized as a stationing base for UNEPS in the future.

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** For more information on UNEPS and activities in the Japanese Diet visit: [http://uneps-japan.blogspot.com/2008_01_01_archive.html](http://uneps-japan.blogspot.com/2008_01_01_archive.html)
Legislation has also been initiated in the United States: In March, 2007 Resolution 213 in the House of Representatives addressed the need for a United Nations Emergency Peace Service to prevent genocide and crimes against humanity and bolster the UN’s peacekeeping efforts. “The United States,” it declared, “should use its voice, vote, and influence at the United Nations to facilitate and support the creation of a United Nations Emergency Peace Service (UNEPS).” The resolution framed UNEPS as promoting the national security interest of the United States. The resolution, which has not yet made it out of committee, pointed to the immense cost of dealing with the aftermath of genocide and identified UNEPS as a critical means of strengthening the UN’s preventive capabilities.

**Partnerships with Military and Police Experts**

To develop a credible proposal involving military and police components, active participation and input from experts in these professions is indispensable. To date, UNEPS proponents have engaged this audience through presentations and interviews with military attachés in UN missions (the Military and Police Advisory Community), current and former UN mission (DPKO) generals and US, Indonesian, Australian and European military experts. In an article for the Irish Defense Review (2008), Global Action reiterated that expertise from diverse security professionals is essential to building confidence for standing peacekeeping capacity. Nevertheless, this expertise must be integrated in a careful and holistic manner to ensure that any standing peacekeeping proposal is not reduced to military infrastructure needs and protocols.

**Civil Society Involvement**

Civil society has been a powerful voice of moral clarity leading to the establishment of transformative and now normative multilateral institutions and conventions. These include the Ottawa Landmines Convention, the International Criminal Court and the recent Cluster Munitions Convention. Likewise, civil society and media involvement are vital for garnering government support for rapid response capacity and raising the profile of proposals like UNEPS. Greater strategic partnerships and networks must be established among civil society organizations and across diverse regions, enabling these groups to more effectively engage governments and civilian populations about standing capacity and boost support for new peacekeeping tools.

Global Action has strived to engage civil society over the past few years through workshops, conferences, panel discussions and supporting local capacity expansion. This paper is an important step in reaching out to civil society at a regional level, with workshops being conducted in Japan, Philippines, Indonesia and more to follow. The UNEPS secretariat and our regional affiliates including; Centre for International Political Studies (Australia), Martin Luther King Jr. Memorial Foundation (LUKMEF-Cameroon), Centro de Educación e Investigación para la Paz (CEIPAZ-Spain), the Centre for International Political Studies (South Africa) and many more are committed to broadening and deepening these partnerships.
Authorization of Standing Capacity

The Security Council is the UN body with “primary responsibility for the maintenance of international peace and security” and without question is the most powerful organ at the UN. The Security Council plays a key role in negotiating, mandating and authorizing peacekeeping missions. This renders the Council the central decision-making and authorizing body for any proposed standing capacity tool. While the Security Council would be the first and most legitimate body to authorize UNEPS, our respondents raised concerns regarding the Council’s lack of political will, its unrepresentative membership, the indiscriminate use (or threat of use) of veto power, and a general tendency towards inaction or action that is ‘too little, too late’.

The “ineffective and inconsistent” record of the Council in dealing with matters of civilian protection, humanitarian intervention and mission authorization were all raised by our respondents as critical limitations that need to be addressed. The Security Council’s lack of consensus and political will to address the early stages of genocide in Rwanda, its willingness to accept diluted mission structures such as UNAMID in Darfur, and its authorization of additional personnel for the dangerous operations of MONUC in the Democratic Republic of the Congo without the willingness to also provide additional troops are examples which have raised concerns about the credibility of the Council in matters of peacekeeping.

In examining the question of the appropriate body or mechanism for authorization of standing capacity deployment, we utilized feedback from policy makers, government and UN officials. Further, discussions through recent interviews have reinforced these recommendations which align closely with the International Commission on Intervention and State Sovereignty (ICISS) report.

Authorization Recommendations

**Security Council:** The decision to intervene to prevent mass atrocities and protect civilians must be “decided collectively and not by individual countries,” to ensure legitimacy, credibility, international backing and legal justification for intervention. This need for widespread consensus places the question of UNEPS authorization firmly within the Security Council. However, this does not diminish the many concerns raised by respondents; rather, as suggested by the ICISS, the solution may not be finding “alternatives to the Security Council as a source of authority, but to make the Security Council work much better than it has.”
General Assembly: In spite of the considerable limitations of the Security Council, most respondents acknowledged its role as the ‘first point’ of authorization for UNEPS. Many interview participants, along with the esteemed panelists in the ICISS report, do however question whether it should be the last. Article 11 of the UN Charter gives the General Assembly a certain degree of responsibility in the maintenance of international peace and security – though its function is to provide recommendations rather than make binding decisions. Additionally, the “Uniting for Peace” Resolution (1950)\(^{54}\) was created to recommend authorization during the Cold War standoff for operations in Korea, Egypt and the Congo. This loophole provides an opportunity for the General Assembly to take action when Permanent Members of the Security Council exercise their veto power repeatedly to prevent UN action. In such situations, the General Assembly can put forward a recommendation, provided all Member States are represented and a two-thirds majority is in favor, to ensure the legitimacy of any subsequent intervention.

Secretary General: Some respondents look to the Secretary General to authorize a capacity like UNEPS, but again only in cases where a veto in the Security Council prevents action (and where authorization for action receives the support of more than nine Security Council members). This recommendation has raised concerns about the potential abuse of power by the Secretary General and the negative political ramifications of such an authorized intervention. Thus it has been proposed that the Security Council would retain its power to forestall or withdraw a UNEPS deployment by passing a resolution to that effect.\(^{55}\) This alternative mechanism for authorization has received mixed support, but deserves further debate and analysis.

Regional Peacekeeping: The past decade has seen a dramatic rise in the number of peacekeeping operations led by or otherwise involving regional organizations. Many of these have resulted from Security Council resolutions but others have been authorized regionally. The spill-over effects of conflicts and their ability to cause regional instability has at times convinced regional bodies such as the AU to create appropriate capacities that can take necessary actions. However, as will be discussed later, this can also lead to power politics and regional hegemonies intervening for reasons beyond state stability and civilian protection. While some respondents did not fully support regional options, it was seen as a potential fallback when Security Council authorization was blocked by a veto and a regional organization had the capacity, expertise and resources to respond to a crisis.
Security Council Reform

The question of Security Council reform has provoked much heated debate, with many equating successful Council reform with the success or failure of the UN more generally. The Council’s narrow representation and the impact of veto power have grave implications for humanitarian intervention and the authorization of UNEPS or any other standing peacekeeping capacity. This section will not attempt to address the extensive history of Council reform;* but will instead focus on the reform agendas of Council expansion and veto power and the potential impact on the establishment and ultimate authorization of a standing capacity like UNEPS.

A Council of fifteen members that does not fully embrace the expanding influence of Asia, Latin America and Africa and that relies on post-war definitions of influence will continue to face sharp criticism. Expanding membership, making the Council more representative and incorporating developing countries would serve to raise the legitimacy and positive profile of the Council. One participant insight, that “the Permanent Five are influenced by their own interest and not forward thinking,”56 could be addressed through more diverse voices and perspectives in the Council. However, others caution that greater membership will merely complicate power politics, with new members seeking to establish their own agenda. Such dynamics would not ensure speedy authorization of peacekeeping operations and might merely increase bureaucracy.

When questioned on the likelihood of Security Council reform, respondents replied that Council expansion has received much attention with little success to date. The last Council expansion, undertaken in 1965 (Resolution 1991 A (XVIII)), increased the number of non-permanent seats from six to ten. Further expansion would require amendments to the UN Charter.57

The Permanent Members (P5) have been widely criticized for their use (or threat of use) of the veto power, and in particular for exercising the veto to prevent authorization or deployment of a peacekeeping mission. This was sadly illustrated in the Darfur crisis when China (and at times Russia) used and/or threatened to use veto power to prevent sanctions against the Khartoum regime, dilute resolution language and prevent the establishment of a mission in the early stages of the conflict. While a rudimentary mission has now been deployed, it is six years late and only occurred after China relented in the face of mounting international and civil society pressure.

* For a detailed review and history of Security Council Reform, refer to: Managing Change at the United Nations, Center for UN Reform Education, April 2008.
In spite of the widespread objections to the veto system, reform in this area is unlikely, as the P5 have no incentive to relinquish privilege. Thus, efforts to minimize the use of veto power should instead appeal to the P5’s moral obligation to heed two relevant recommendations of the High-Level Panel on Threats, Challenges and Change; namely, that the veto should be “limited to matters where vital interests are genuinely at stake” and the P5 should “pledge themselves to refrain from the use of the veto in cases of genocide and large scale human rights abuse.” Nearly all our respondents agreed that removing or restricting veto power was a near impossibility and some even felt restructure of veto power would not serve to promote international peace and security, but would instead complicate matters further.

Is Security Council reform crucial for deployment of UNEPS? The legitimacy and ultimate credibility of any last resort humanitarian intervention proposal will be dependent on its prompt authorization via international consensus. An expanded, more representative body that reflects the needs and concerns of the global regions in which peacekeeping operations are likely to be deployed can assist in this quest for credibility. However, the Security Council has authorized many missions to date and does not need additional members to undertake this function effectively. Consultations through the General Assembly and other informal forums should be used and can provide adequate venues to voice concerns that can subsequently be incorporated into Council resolutions.

To address the veto issue and ensure that UNEPS (once created) is not constrained by familiar authorization delays, it is crucial that Council members adhere to the policy and ethical guidelines outlined in the High-level Panel on Threats, Challenges and Change: If self-interest prevents rapid action, then alternative authorization (as outlined above) must be considered to ensure the veto power of the Council does not result in needless human suffering.
Civilian Protection and Standing Capacity

Civilian protection has long been understood to be the underlying goal of peacekeeping missions, to be achieved through the promotion of ceasefires and efforts to ensure long-term peace and security. With the growing complexity and internal nature of modern conflict, there has been a more formalized and explicit incorporation of civilian protection within peacekeeping mandates. In UN Security Council Resolutions for DRC, Sierra Leone, Cote d’Ivoire and Haiti, for instance, strong language referencing protection of civilians, “under imminent threat of physical violence”, were authorized citing Chapter VII of the UN Charter. Further, of the current 18 UN peacekeeping missions, 8 have a ‘protection of civilians’ mandate. However, the stronger language in the mandate is oftentimes not accompanied by corresponding troop training, logistical resources and guidance on how civilians will be protected in unstable and violent environments. This was demonstrated in Goma, DRC (Feb 2009) when citizens descended on a UN compound, protesting against the peacekeeping force’s inability to protect civilians. Many felt frustrated that violence continued unabated despite the presence of the UN’s largest peacekeeping force (more than 17,000 troops).

A broader framework of protection and security was addressed at the 2005 World Summit, where Member States unanimously endorsed the Responsibility to Protect (R2P) doctrine, which challenged the norms of non-intervention enshrined in the UN Charter. The 2001 International Commission on Intervention and State Sovereignty (ICISS), commissioned in response to the horrors of Rwanda (April 1994) and Srebrenica (July 1995), emphasized that state sovereignty came with rights and responsibilities, with the primary responsibility being the protection of its people. The ICISS report also sought to define the responsibility of the international community; to prevent, react and rebuild in accordance with the definition: “Where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect.” The High-level Panel on Threats, Challenges and Change, in its report “A More Secure World: Our Shared Responsibility”, also emphasized the duty the UN carries to address “large scale human rights abuses and genocide”. In particular, “when a State fails to protect its civilians, the international community has a further responsibility to act, through humanitarian operations, monitoring missions and diplomatic pressure – and with force if necessary…”

While the R2P doctrine achieved initial universal support and rejuvenated discussions on humanitarian intervention, prevention of genocide and crimes against humanity, recent years have witnessed a decline in enthusiasm by States and a slide back towards more nation-centered notions of sovereignty. Promotion of R2P has been impacted by this backsliding and has in many instances limited political debate on R2P in the media and general public.
Our respondents also commented on the narrow discussion space currently available on R2P, noting that its outreach and public image will need to expand in order for R2P to achieve greater awareness, political will, grassroots support and actionable outcomes. For instance, according to a practitioner at a Latin American Academic Institution, “Only a few NGOs seem active in this area...only discussed in a limited space...with minimal follow up in Latin America. This lack of knowledge has translated into a defensive stance on R2P.”

Recommendations for Civilian Protection and Standing Capacity

Tools vs. Prose

R2P currently suffers somewhat from an abundance of high-quality prose that is not yet linked to sufficiently robust and effective ‘tools’ to implement its protection agenda. The complementary goals of rapid response capacity and R2P could provide a plausible framework for the adoption of capacities like UNEPS and discussions on actionable protection. For many of our respondents, UNEPS represents a ‘last resort’ instrument that can meet our Responsibility to Protect through rapid deployment, independent and highly trained units, uniform command and control structures and diverse military, police and civilian functions to address urgent humanitarian needs.

Focus on Prevention vs. Intervention

The ICISS report on the Responsibility to Protect outlined three areas of action: responsibility to prevent, react and rebuild. Only in “extreme and exceptional cases” does the report refer to the need for military action. Unfortunately, recent flawed and misleading interpretations of R2P have led to an excessive focus on military intervention and not enough emphasis on the prevention components of the proposal. As noted by an academic at an Australian university, R2P is being interpreted as a tool of powerful states against less powerful ones and, at times, a moral cover for politically motivated unilateral interventions. Both R2P and UNEPS must constantly address and distance themselves from these important objections.

It is important that UNEPS and other standing capacity proposals aren’t burdened with a purely intervention based framework. Political sensitivities and regional concerns all dictate that UNEPS is firmly placed on the preventative end of the civilian protection spectrum. In his opinion piece for this paper (below), Juan Mendez outlines the philosophical link between the International Criminal Court (ICC) and standing capacity, “UNEPS is to protection what the International Criminal Court is to accountability”. Both are tools which hold perpetrators accountable for their actions, in the form of legal repercussions for the ICC and rapid response for UNEPS. While initially functioning as part of an intervention framework, both mechanisms must help create an environment in which intervention of any kind is needed less and less. In the case of the ICC, the fear of prosecution may assist in ending impunity and deterring perpetrators of mass crimes (though we must be conscious of its limitations as seen recently with the indictment of the Sudanese president). For UNEPS, the fear of rapid intervention might serve to motivate governments either to protect their own citizens or to rely more urgently on diplomatic methods of conflict resolution.
Regional Considerations

In the development of standing peacekeeping tools like UNEPS, it is essential that regionally-specific cultural, political and linguistic elements are considered, as these factors will greatly determine the feasibility and eventual implementation of some form of standing peace-keeping capacity. This need to accommodate regional considerations reaffirms the importance of vetting any new peacekeeping or related proposals in ‘Global South’ countries where new initiatives like UNEPS are most likely to be deployed. Toward that end, we asked interviewees to comment on local perceptions of UN peacekeeping; to identify the most appropriate language for describing UNEPS; and to assess the viability of a regionally-deployed standing peacekeeping capacity.

UN Peacekeeping and Public Opinion

In assessing public opinion of UN peacekeeping missions, interviewees based in Cameroon, South Africa, the DRC and Uganda provided fairly negative feedback, stating that the UN’s performance in the realm of international peace and security falls far below expectation in terms of both the timing and quality of its actions. Others noted that during crisis and emergency situations, the bureaucratic structure of the UN and delayed reaction time of Member States render UN action “too slow to be of importance or have impact.” Slow and insufficient deployments in the DRC and Darfur have further harmed the public relations impact of peacekeeping missions, with civilians often disillusioned by the peacekeepers’ inability to protect the population and deter violence by insurgents and/or government-sponsored groups.

Other respondents took a more moderate approach, asserting that “while the UN lacks the capacity and political will to adequately respond to mass human rights violations or ‘failed states’, its endorsement brings important legitimacy to peace operations.” Many agreed that UN peacekeeping needed a massive overhaul and that a standing peacekeeping capacity like UNEPS could aid in stemming the violence and rebuilding the general credibility of peacekeeping operations.

Language and Culture

When questioned on the cultural and political sensitivities of UNEPS and other standing capacity initiatives, interviewees across a variety of regions noted that a proposal dominated by the US or another developed nation would meet with considerable suspicion and resistance. As noted by a former Indonesian Ambassador, Western countries are the only ones talking about peacekeeping because there is little or no risk that it will be used in their countries.
A senior member of a Spanish think tank also emphasized that UNEPS required “more countries to feel ownership of the proposal, it must be better known in regional centers and published in more languages.” Similarly, a senior academic from a leading Jakarta-based security studies think tank said that having “white faces” (understood as American, Australian or European) in a peace operation will always evoke ideas about neo-colonialism. (Such sentiments have propelled the UNEPS Secretariat to develop a special fund, The Wallach Fund for the Eradication of Genocide, targeting capacity-building and proposal analysis in regional centers in settings such as South Africa, Cameroon, Nigeria, Costa Rica, Indonesia and Brazil).

The language used to describe capacities such as UNEPS emerged as a key consideration for nearly all interviewees when discussing cultural sensitivities and strategies for garnering governmental support in diverse nations and regions. Many respondents affirmed efforts to situate standing capacity proposals like UNEPS on the prevention end of the security spectrum rather than on the intervention end. As noted by a former UN Peacekeeping Mission leader, “one term that should be definitely avoided is intervention.” Others warned that even words like ‘service’ could be seen as militaristic and that softer language referring to ‘integrated capacity’ or ‘support’ operations would be more palatable.

The desire to mute the military component led some practitioners working in regional NGOs to suggest more of a focus on civilian peacekeeping missions. They argued that a military presence would compromise neutrality and the ability to ‘sell’ the proposal to ‘Global South’ governments. These respondents suggested that civilians and police could be used in the initial stages of a UNEPS deployment and a well trained but limited military element could be deployed once a conflict reached a certain level of severity.

While concerns over the appropriate role of military remain, most respondents acknowledge that marrying civilian capacity with highly trained, gender mainstreamed, military components is critical for the credibility and effectiveness of UNEPS. A consultant to a Washington-based NGO emphasized that the military element must not be downplayed too much, as that professional competency would be key in the effectiveness of any humanitarian tool.

**UNEPS - Regional or at the UN?**

In workshops, conferences and Q&A sessions, participants have often questioned whether it might be more politically and culturally viable to expand on regional peacekeeping operations rather than develop a standing UN-based service. Many pointed out the degree to which complementary structures for working with regional operations are already in place at the UN (see “Spotlight: Regional Players” below).
One interviewee noted that UNEPS and other standing capacity proposals may strike greater resonance regionally as they are perceived as having greater effectiveness without the “burden of UN structures.” Another respondent observed that regional groups could possibly operate with more credibility and flexibility than the UN, due to mistrust of the Security Council and its ‘imperialist’ actions. Others noted that neighboring states have a vested interest in the stability of their region and therefore have greater incentives to respond to emerging conflicts in a timely and effective manner. These factors, coupled with the generally diminished assessment of UN reliability, suggest that there may be political impetus for establishing regional, standing, rapid response capacities.

Those who advocate UNEPS being housed within and deployed via regional centers highlight the importance of local/regional knowledge, cultural/political awareness and ‘local faces for local problems’. As noted earlier, regional peacekeeping operations are not as burdened with legacies of western imperialism, the Security Council’s political maneuverings or regional unfamiliarity. Further, the need for regional stability and concern about spillover effect has prompted certain regional bodies to pursue rapid reaction capacities.

Operational regional peacekeeping bodies like the African Union (AU), European Union (EU) and Economic Community of the West African States (ECOWAS) are all important players in fulfilling aspirations of civilian protection, peace and stability. These regional groupings have aided overstretched UN peacekeeping operations, providing stopgap measures to remedy some of the UN’s funding and personnel limitations. However, these regional bodies face their own limitations associated with capacity, legitimacy (within and outside their home region), potential regional hegemonies and a lack of political will.

Some interviewees raised additional concerns, including: regional institutions may lack the resources to undertake effective missions; the capacity and experience of regional organizations vary greatly (with ASEAN having no experience and the African Union having had broad experience in peacekeeping operations); and powerful regional players often have mixed motivations for involvement in peacekeeping operations. As noted by a respondent, “Regional is not always the answer, invested players are not always honest brokers.”

Spotlight: Regional Players

When considering standing regional deployment options, valuable lessons (both positive and negative) can be gleaned from previous and current peacekeeping arrangements such as: hybrid regional and UN missions (e.g. UNAMID in Darfur), exclusively regional missions (e.g. AU in Somalia), and regional missions operated under the auspices of the UN (e.g. EU in Chad and Central African Republic). Further, regional standing capacity ‘packages’ currently exist such as the EU Rapid Reaction Force (ERRF), EU Battlegroups, NATO Response Force (NRF) and the African Standby Force (ASF).
The Hybrid UNAMID mission would be considered by many critics as more limiting and ineffective than a strictly UN mission (see UNAMID case study box for more details). Troop deployment has been abysmally slow with only 11,415 troops deployed (of an authorized 26,000) nearly 18 months after its authorization in Resolution 1769.\cite{77} The reliance on Member States’ commitment, mission-specific negotiation process, and recent attempts by the host government to influence the composition of the peacekeeping force are all factors resulting in slow and ineffective troop deployment in Darfur. For the people of Darfur, facing a further deterioration of the security situation and threats against their own lives, this deployment process could already be years too late!

In the case of the African Union (AU) peacekeeping missions in Somalia and previously in Darfur this regional body has faced difficulty recruiting and implementing effective missions due to lack of financial resources, logistic capacity and expertly trained personnel.\cite{78} The mission in Somalia (AMISOM - with 2,500 troops), is also facing similar restrictions, with constant attack from Islamic extremists and the ability to only patrol a small section of Mogadishu.\cite{79} A recent AU-UN panel noted the need to support AU peace-keeping missions and “in particular start-up funding, equipment and logistics” and recommended the establishment of two financial mechanisms to support this notion.\cite{80} The African Standby Force while slated to commence operations in 2010 is also facing financial difficulties with the Foreign Minister of Nigeria commenting, "The African Standby Forces have not been receiving the support that we envisaged from our development partners like the US".\cite{81}

In March, 2008 the European Union (EU) launched a yearlong peacekeeping mission (with 3,700 troops), known as EUfor, in Chad and the Central African Republic (CAR). The EU forces operated under a UN mandate and were tasked with protecting civilians and delivering humanitarian aid to those displaced by the Chad War and to refugees fleeing the Darfur conflict in neighboring Sudan.\cite{82} On March 15\textsuperscript{th} 2009 with the expiration of EUfor’s mandate a UN mission consisting of 5,200 troops was authorized to take over from the EUfor mission. In regards to standing capacity, in 2007 the EU established battlegroups, consisting of 1,500 troops, able to deploy in 15 days and sustainable for 1-3 months. They have been specifically designed to be used in response to requests from the UN to reinforce overstretched peacekeeping missions.\cite{83}

While the availability of EU personnel for rapid deployment (although Chad mission was not part of battlegroup and experienced some delays) provides a crucial resource to UN peacekeeping, it is important to note that the EU reserves the right to decide on a case by case basis whether to launch a UN mission (irrespective of Security Council authorization) or even to launch autonomous operations.\cite{84} Further, the existence of ‘foreign’ troops such as a predominantly French force (in Chad) has prompted skepticism that such missions are somehow linked to colonial legacy.\cite{85} This questioning of motive relates to the problem of legitimacy for non-UN housed peacekeeping missions.
Recommendations on Incorporating Regional Considerations

**Strengthen Regional Peacekeeping Capacity**

Acknowledging the long-term goal of a UNEPS service, the UNEPS Secretariat also recommends simultaneous strengthening of regional peacekeeping capacity. With over 65% of peacekeeping missions currently operating in Africa, this recommendation focuses on bodies such as the AU and ECOWAS which have taken a leadership role in peacekeeping activities. The establishment of the African Union Standby Force (ASF) initiative and missions in Darfur, Somalia, and perhaps elsewhere on the continent indicate a desire for ‘home-based’ solutions. While many challenges remain, there are clear benefits to providing financial, logistical and resource assistance to strengthen and sustain current and future regional peacekeeping operations.

**Regional – UN Synergy**

Annie Herro, of the Centre for Peace and Conflict Studies conducted a series of interviews with senior Australian officials and military officers to assess the role of a regionally deployed UNEPS. From these interviews Ms. Herro concluded that “Regional-UN synergy” provided a suitable strategy moving forward. This involves critical states like Australia, which have the resources and budget to take a lead in setting up a “regional UNEPS”. The proposed regional service would include neighboring states (through government collaboration and individual recruitment) but would be authorized and mandated through the UN, providing the necessary legitimacy while maintaining regional autonomy. Another version of this synergy was suggested in a paper by the United Nations Association of Canada, which recommended that the UN set up regional ‘command and control’ headquarters around the world to enable rapid deployment and stimulate greater regional knowledge.

**Standing Capacity at the UN i.e. UNEPS**

A central role for the UNEPS Secretariat is to highlight the challenges and limitations facing UN peacekeeping operations and the importance of enhancing autonomy and capacity of the UN itself. UNEPS would provide the UN with sufficient autonomy and resources to formulate structures and mandates that would enable rapid and effective ‘last resort’ mission deployment. Basing a service firmly within the UN addresses legitimacy issues that can compromise other regional capacities. Even the most robust regional missions i.e. EU mission in CHAD/CAR, faced limitations that would prevent it from becoming the standard model for a standing capacity proposal. Though the EU mission was authorized by the UN, it lacked the full legitimacy associated with a neutral UN operation that would be individually-recruited and gender-mainstreamed. The added cultural, linguistic and social benefits from a diverse, widely recruited model as espoused in the UNEPS proposal also provides credibility for addressing the legitimate concerns of civilians and their governments about how peacekeeping operations are structured, funded, authorized and deployed. UNEPS strongly promotes the complementary role for a UN-based rapid deployment service with regional peacekeeping missions, but firmly places authority and resources in the hands of the UN.
UNEPS — The Campaign

The functional Secretariat of the UNEPS project is located in the offices of Global Action to Prevent War (GAPW), which promotes peacekeeping reform tied closely to programs focused on conventional disarmament, women’s policy leadership, genocide prevention and war abolition. In close association with the World Federalist Movement-Institute for Global Policy, the Lawyers Committee on Nuclear Policy and other key NGOs in diverse global regions, GAPW has assumed leadership for a variety of UNEPS-related tasks including conferences, publications, communications, UN advocacy and partnership development. We seek to coordinate and inspire global activities by providing strategic input and opportunities that guide the development and dissemination of our proposal and lead the way towards adoption of diverse tools and capacities that can protect civilians and reduce risks for peacekeepers. The UNEPS campaign undertakes the following strategies and activities:

Advocacy

The Secretariat’s advocacy work targets UN officials and governments in favor of standing capacity to raise the profile and political viability of standing capacity and UNEPS. The Secretariat has established important links within the UN, enabling careful vetting and adaptation of the proposal to reflect the concerns and realities of the UN and Member States.

We work with partners in Washington DC, most notably Citizens for Global Solutions (CGS), to ensure a robust effort to promote UNEPS within the US Congress. We helped CGS author a ‘White Paper’ on UNEPS for the Albright-Cohen ‘Genocide Prevention Task Force’ and helped introduced the paper at a 2008 meeting of the Partnership for Effective Peacekeeping. We continue to press for adoption of Resolution 213, now stalled in the Foreign Affairs Committee of the US House of Representatives. Efforts to move the bill from Committee will continue throughout 2009.

The Secretariat also seeks to strengthen the case for standing capacity by promoting and engaging the work of diverse partners including; the Stimson Center, EarthAction, the World Federalist Movement, Nonviolent Peaceforce, World Federation of UN Associations and Canada’s Civilian Peace Service. These organizations have a long-standing interest in improving peacekeeping and civilian protection. Together we can develop and promote strategies to convince diplomats and UN officials that they cannot solve gaps in UN peacekeeping and institutionalize the ‘responsibility to protect’ until and unless the UN is permitted to recruit, train and deploy (with Security Council or alternate approval) its own individually-recruited rapid response capacities.
Research

With support from Caritas Australia and the UNEPS secretariat, Stuart Rees and Annie Herro of the Sydney Peace Institute have embarked on a two year research project entitled “From Reaction to Prevention: Perspectives of leaders in South East Asia on the creation of a United Nations Emergency Peace Service.” These colleagues are collecting regional reactions to the UNEPS proposal and are creating a research template that can be adapted for use in other global regions. Many of those responses have found their way into these pages.

Building on the important, groundbreaking work by Peter Langille, Robert Johansen, Saul Mendlovitz and others, the current UNEPS research team, including Hussein Solomon in South Africa, is conducting studies on topics such as ‘interoperability’ with regional peacekeeping operations, the costs (and cost savings) of a UNEPS, regional responses to standing rapid-deployment capacity, and other key questions. A recent paper by GAPW’s Kavitha Suthanthiraraj, "Enhancing Capacity for Rapid and Effective Troop Deployment," looks carefully at the time lapses between the outbreak of violence in a region and a credible, practical response from UN and regional peacekeeping bodies.

Regional Partnership and Activities

Global Action is committed to providing encouragement and capacity support to ensure that more and more of our core research, advocacy and leadership functions are coordinated outside of the US. Our current regional partnerships in South Africa (where we did a month of outreach to policymakers and the religious community in spring 2008), Japan, Australia, Cameroon, Brazil and Spain will be supplemented in the coming year by efforts to establish strong regional affiliations in Indonesia, Liberia and Costa Rica.

In late 2007, we helped to establish the Ira D. Wallach Fund for the Eradication of Genocide specifically to seed new partnerships and program initiatives in the ‘Global South’. Through the Wallach Fund, we are currently pursuing a variety of policy outreach opportunities including in Australia (with Caritas and the Sydney Peace Foundation), Costa Rica (University for Peace), Canada (the University of Alberta), Spain (Fundación para las Relaciones Internacionales y el Diálogo Exterior), Germany (Bonn International Center for Conversion) and the Netherlands (European Centre for Conflict Prevention). We are also strengthening our program connections in Japan, South Africa, Brazil, Cameroon and other sites in order to take full advantage of the diverse wisdom and expertise available to improve UNEPS’ political viability and ensure that some bridge capacities between the more robust preventive capacities we desperately need and full blown peacekeeping operations can be built in the near future.

Standing for Change

This paper has sought to highlight key aspects of the UNEPS proposal and to analyze the role of standing capacity to address gaps and challenges facing UN peacekeeping as understood primarily through the testimonies of regional experts. We have noted the importance of diverse perspectives in UNEPS proposal development, viability and credibility throughout this paper. Our interaction with regional respondents has proven invaluable towards understanding the cultural, social, security and linguistic implications of developing standing peacekeeping capacity at the UN.

Political will (or the lack thereof) and the challenges of sovereignty, were noted as key impediments to the development and implementation of any standing capacity initiatives. Issues relating to the evolving notion of sovereignty and its implications for humanitarian intervention, neo-imperialist influence, troop command and troop authorization have been highlighted. To address the problem of political will we have undertaken and reviewed a range of advocacy and outreach initiatives that can help us carefully push standing capacity at the UN in a way that does not permit for continued excuses for inaction.

The issue of political will interlinks with the Security Council and its role as the central authorizing body. This paper highlights other secondary authorization options (General Assembly, Secretary General and regional bodies) yet still places primary responsibility on the Security Council. Issues of Security Council reform in relation to Council expansion and veto power and its potential impact on UNEPS were also reviewed. Our sense is that while Council reform is crucial, it is the veto power that causes the greatest distress and we therefore urge members to use it more sparingly.

The important normative development in civilian protection is critical for UNEPS. This paper has analyzed the complementary goals of rapid response capacity and Responsibility to Protect, but cautions against focusing on intervention at the expense of prevention. We identify UNEPS as, ultimately, a tool designed to help prevent genocide and crimes against humanity before they start. In this way, we can best honor the good will of our predecessors and the many civilians worldwide who continue to petition the international community for a strong and integrated response to mass atrocities.
Finally, the role of rapid deployment and regional peacekeeping has been reviewed in detail within this paper. The positive impact of local/regional knowledge, cultural/political awareness and ‘local faces for local problems’ have been noted by many proponents of the regional model as a precondition for any viable, regional or UN peacekeeping initiative. At the same time, capacity limitations, legitimacy (within and outside its region) and the role of regional hegemonies caused others to caution against excessive dependence on regional models. The question of where UNEPS should be primarily promoted - within a regional framework or within the UN itself - will be an ongoing debate and both options will be explored by the UNEPS Secretariat and our partners as we advocate for viable, standing capacities.

The obstacles that we have highlighted and analyzed will continue to be intentionally and skillfully addressed by our network. As Juan Mendez emphasizes in his upcoming essay, obstacles are not excuses for inaction. In our view, the UN’s credibility is tied to its ability to develop and embrace limited capacities so that it can respond rapidly and effectively to genocide and other gross human rights violations – violations for which the UN, rightly or wrongly, is held at least partially responsible by a large segment of the global population.

UNEPS is one of the tools that can help maintain legitimacy for multilateral security and hope for victims. In just five years, UNEPS has grown from an ‘idea whose time is coming’ to an expanding global movement of UN officials, civil society leaders and others who are both seeking affiliation with the UNEPS secretariat and taking initiative on their own to help refine and promote the proposal and the needs it seeks to address. Through interactions with a diverse array of academics, policymakers, military leaders and government officials, we continue to improve the political and technical viability of UNEPS. We promote UNEPS as an important contribution to solving some of the most glaring UN and regional peacekeeping deficiencies that continue to impede efforts to eradicate genocidal violence and address other complex humanitarian disasters.

We welcome comments and outcomes from all global regions, but especially from the regions where new peacekeeping tools are most likely to be used and where skepticism over a strengthened UN peacekeeping capacity seems most legitimate.
Juan E. Méndez is President of the International Center for Transitional Justice. From July 2004 through March 2007, he also served concurrently as the Special Advisor to the Secretary- General of the UN on the Prevention of Genocide. A native of Lomas de Zamora, Argentina, Mr. Méndez has dedicated his legal career to the defense of human rights and has a long and distinguished record of advocacy throughout the Americas.

For 15 years, he worked with Human Rights Watch, concentrating his efforts on human rights issues in the Western hemisphere. In 1994, he became general counsel of Human Rights Watch, with worldwide duties in support of the organization's mission, including responsibility for the organization's litigation and standard-setting activities. From 1996 to 1999, Mr. Méndez was the executive director of the Inter-American Institute of Human Rights in Costa Rica, and between October 1999 and May 2004 he was professor of Law and director of the Center for Civil and Human Rights at the University of Notre Dame, Indiana. Between 2000 and 2003 he was a member of the Inter-American Commission on Human Rights of the Organization of American States, and served as president in 2002.
Preventing mass atrocities is very difficult for a variety of reasons, as I learned during the 32 months in which I acted as the first Special Advisor to the UN Secretary-General on the Prevention of Genocide (2004-2007). Sometimes, events have a way of getting out of hand at a time when the international community is preoccupied with other matters and not paying due attention. Other times, even when we can see a situation unravel and deteriorate into genocide, we are uncertain of what measures can be effective in altering the course of events. These and other reasons are often very real, but more frequently they are excuses for inaction on the part of the international community. In that sense, I have no doubt that the greatest contributing factor to humankind’s inability to protect vulnerable populations from slaughter is the absence of political will to act on the part of leaders that do have the solution at their disposal.

Those leaders never state explicitly that they have no appetite to act in those circumstances; there are always other reasons or excuses offered. We must, however, be clear in recognizing that political will is never there to begin with; if it appears at all it is constructed over time by the force of public opinion that can shame leaders out of their complacency and into effective action. That construction takes place, in effect, by taking away, one by one, the excuses that world leaders make for refusing to rescue lives at risk.

Lack of political will does not apply only to the decision to mobilize and deploy military force to protect vulnerable human groups. It is a factor in regards to all of the forms of action that can effectively prevent mass atrocities, such as humanitarian assistance, forceful diplomacy, establishing accountability for crimes already committed, and political and economic sanctions against those responsible. But undoubtedly the absence of political will is more evident when the most urgent task is the physical protection of vulnerable populations through armed contingents acting from a position of neutrality. Every time armed protection is sorely needed, world leaders will offer very similar excuses. The first is that a contributing country’s own troops are otherwise engaged and cannot be distracted from their tasks in various trouble spots around the world. Another is the cost: even if smaller countries are willing to put troops on the ground, they will need material support from richer countries to pay for transportation, logistics and salaries of their personnel. A third reason is that, in order to be effective as a truly neutral force, the contingents must come from several different countries and not be dominated by any powerful nation. This in turn gives rise to another excuse: that forming and deploying a truly effective force will take so much time and energy that the situation simply cannot bear the wait (amazingly, this “reason” for inaction amounts to saying that because we cannot act instantly we should not act at all).
Even if countries are willing to offer forces, the troops they contribute will almost certainly be untrained for this type of mission; they will be operating in unfamiliar terrain; and – by and large – will have no language ability to be applied in the region in question and no experience or sensitivity to operate in vastly different cultural settings. Unfortunately, this excuse is given credence by the behavior of some troops in recent peace-keeping operations, notably the participation of international troops in sexual enslavement in the Democratic Republic of Congo (while successful and exemplary conduct by most troops in other situations is not given due credit).

All of these excuses lead to inaction or, at best, to half-measures that do not really stabilize a dangerous situation and maintain affected populations in a state of constant danger. In the last two decades the UN has had multiple experiences with peace-keeping and in every situation at least some component of the mission has been the protection of vulnerable populations. Although there has been many efforts to learn lessons from experience, it is still a fact that every time the UN has to decide on the deployment of a protective force it has to start from scratch. The decision has to be made by the Security Council to send troops; line units in the Secretariat then begin the planning process, and then each country is asked to volunteer some contingents, while other countries have to agree to finance the operation. This laborious process involves arduous diplomacy and political horse-trading, as well as the engagement of multiple actors who do not always act in the common interest of saving human lives.

The locus of decision-making authority is generally in the Security Council, but in fact the various line units of the UN Secretariat easily fall into the trap of thinking only in terms of what the traffic will bear. In making proposals and in planning for operations, UN officials will more likely concentrate on what they think is possible than on what would truly be necessary to protect people and avert humanitarian disasters. A misguided sense of “realism” limits the horizon of what is to be done; what is understood to be possible becomes, inevitably, the least common denominator of what the international community is willing to do. In this context, the failures or shortcomings of experiences past do not become an opportunity to learn but instead are offered as “reasons” not to act.

Peacekeeping, therefore, must be brought to a higher level of preparedness and competence, if only to remove the ready-made excuses that decision-makers are always going to offer. And that is where the proposal for a United Nations Emergency Peace Service (UNEPS) acquires new currency and even urgency. If the UN had at its disposal a deployment-ready force with both military and civilian capabilities, trained on the basis of the accumulated experience of previous peace-keeping operations, it would be less possible to allege that the international community’s hands are tied, and less likely that the lack of political will to act, will again condemn us to frustration.
A UN Emergency Peace Service as the Answer

To be sure, UNEPS is an answer to many of the difficulties outlined above, but unfortunately not to all. It will not substitute for the political will necessary to adopt decisions to act, but it will remove important obstacles. Grass-roots mobilization and smart diplomacy will always be necessary, both in the initial decision to deploy a UNEPS contingent, and later to continue the road to stabilization, defusing of tensions and ultimately to peace and reconstruction. In all of those stages, UNEPS is not a substitute for diplomacy and policy-making but a very valuable instrument of policy.

In this regard, UNEPS is to protection what the International Criminal Court (ICC) is to accountability. In the past it may have been possible to live with impunity for mass atrocities because there was no clear instrument of justice to break a particular cycle of impunity. With the creation of the ICC there are now less excuses to let perpetrators get away with mass murder, and individual criminal responsibility has become an important instrument of statecraft in dealing with punishment but also with prevention of human rights violations. A permanent, neutral, impartial and credible International Criminal Court makes all the difference in dealing with both past and ongoing violations. This is not to say that the task of breaking the cycle of impunity is now easy or that the ICC does not face immense challenges; but when the stakes are high and spoilers continue to threaten a precarious peace or impeding peace-making, it helps to have an ICC that can inject a measure of justice into the equation.

Preventing genocide or mass atrocities will always require coordinated, sustained and concerted action in four areas: protection, accountability, humanitarian assistance and peace talks.* Just like the ICC is now an instrument of justice, relief and peace-making also have their readily available instruments of state-craft. The multiple humanitarian organizations, coordinated at the UN by the Office of Coordination of Humanitarian Affairs (OCHA) are a formidable tool that can very quickly turn a catastrophe around and save literally thousands of lives that would otherwise be lost. Likewise, there is a well-trained cadre of professional mediators and conflict resolution specialists, some working for the UN under the Division of Political Affairs (DPA) but many more working for governments, academic centers and think tanks, and non-governmental organizations. Provided there is a will to sit down and talk, mediators with extensive experience are there to facilitate negotiations.

* I learned this 4-pronged approach through my analysis of what needed to be done in Darfur, and I proposed it in an opinion article in the Financial Times (Action is needed to resolve the Darfur crisis, March 7, 2005) and then regularly applied it to other situations in my role as Special Advisor to the UN Secretary-General on the Prevention of Genocide.
In fact, of the four general areas of prevention outlined above (protection, accountability, humanitarian assistance and peace-making), protection is the only one for which there is no instrument of a permanent nature ready to facilitate policy decisions and their immediate implementation. When it comes to protection, the international community is condemned to start over every time a contingent is needed to prevent harm to populations at risk. Every time it is determined that vulnerable people have to be protected, the international community has to obtain consent of the territorial state, raise the funding necessary to deploy, convince Member States to contribute troops, organize the necessary training for a highly specialized mission, and then provide oversight and disciplinary proceedings so that the conduct of the troops on the ground does not itself become a problem.

Clearly, the UN Department of Peacekeeping Operations (DPKO) has accumulated quite a lot of experience over the years and has made a monumental effort to learn lessons and apply them to new ventures. It has also benefitted at times from officers that have done repeated tours of duty in different peacekeeping operations. There is also, by now, a large cadre of international civil servants with expertise on the many civilian aspects of peacekeeping, monitoring of interim accords and post-conflict reconstruction. But it is still very much the case that each mission has to be conceived of virtually from scratch, especially in the protective aspects that are frequently the key to the success or failure of every other task embarked upon.

That is why it is crucial to professionalize peacekeepers and to create skillful, disciplined contingents of soldiers and civilians who are steeped on the problems of peacekeeping and able to apply its fundamental principles under highly variable conditions and circumstances. In addition, those contingents should be ready to deploy on short notice, and constantly trained and equipped so as to minimize any delay between the decision to deploy them and the actual performance of their tasks.

They should also be organized and trained under the general principles of peacekeeping, as taught by experience. First, they must be neutral and act accordingly. This means they have to deal with the parties to the underlying conflict at arm’s length and refrain from any conduct that favors one party’s strategic position over the other’s. Of course, neutrality should not be understood as an obstacle to the force’s main objective: the protection of the civilian population. Even if hostilities are still taking place, international humanitarian law offers clear guidance as to how to distinguish legitimate military targets from prohibited ones. Thirdly, the force can sometimes be placed in a way to separate fighting forces from each other so as to enforce a cease-fire or a truce. This mission, when applicable, should not be conducted at the expense of the protection of the civilian population.
In addition, a professional peace-keeping force should engage in certain actions that are not strictly military, like monitoring and reporting on violations of interim accords between the parties. Accurate and timely investigations and reports contribute enormously to breaking the spiral of retaliation and resort to violence, and constitute confidence-building measures that lead to ultimate resolution of the conflict. Most importantly, by reducing tension, independent and impartial monitoring effectively protects vulnerable populations from the ravages of war. Depending on the nature of the interim accords, monitoring and reporting can go well beyond violations of the cease-fire or truce, and cover the whole spectrum of rights of the civilian population, including an active monitoring of the effectiveness of the response of State institutions and rebel command structures to allegations of human rights violations. In this sense, a professional and permanent contingent can assist enormously in post-conflict State reconstruction. Finally, the peacekeeping force should include specialists in mediation who can generate new interim or long-term accords, especially on the ground and in highly localized settings. These professionals should be able to bring the parties to agree to respect the neutrality of relief delivery agents, of the peacekeeping force itself, and to refrain from actions that endanger the civilian population.

The idea of looking to a standing force to be applied in crisis situations is meant to address a major source of frustration for the international community in trying to respond to humanitarian emergencies, namely, the enormous lead time that almost always exists between the decision to intervene and the actual recruitment, preparation and deployment of a peacekeeping force. It should be clear, however, that quickness of response is only one of the many reasons why a standing force makes more sense than the present ad hoc arrangements. Specialization, professional and disciplined behavior and the certainty of neutrality are equally important, and there is no doubt that a standing force would offer much better assurances of effectiveness in all those areas. Nevertheless, the possibility of rapid deployment is an advantage that a standing force would undoubtedly contribute, and it would represent huge progress over our present circumstances. In Darfur, the successive AMIS and UNAMID forces have never reached the numbers of troops planned – never even come close to their targets – even though the forces requested were arguably much less than those actually needed, as planners continually adjusted to “realistic expectations.”

* Excellent though little-known examples of this reporting are the tasks performed by UN field personnel in Darfur and in Côte d’Ivoire. I met several members of this highly specialized staff of the UN, generally contributed by the Office of the High Commissioner for Human Rights and integrated into the respective missions. Their discreet information-gathering on the ground, and their accurate and reliable reporting not only helped the UN understand the real nature of evolving factual situations; it also generated a measure of confidence among the affected population that there was indeed a forum to which
A much swifter ability to respond is necessary, not only to protect civilians and save many lives that will be lost while we get ready, but also to stabilize a dangerous situation and give diplomacy a chance to work. It may be unrealistic to expect a standing force to be deployed in hours or days, as would be desired. Yet any measure by which the lag time between decision and deployment is shortened will result in invaluable advantages. And, if a professional, well-trained and ready force is standing by, it is not too optimistic to expect that vulnerable populations can be protected in a matter of days or weeks (as opposed to months, as in the current state of affairs).

Elsewhere in this paper there are thoughtful insights on who should decide to order a standing force to deploy. When faced with the possibility of a consensual deployment (i.e., where the territorial State agrees to allow it), there are many possibilities. In recent practice the Security Council has made those decisions, but nothing in the current state of international law would prevent the Secretary-General or the General Assembly from agreeing to a request by a territorial State and other States or an international organization mediating in the conflict and seeking UN assistance. The only reason for the Security Council to be involved in consensual situations is the possible need of a credible threat of non-consensual intervention if all else fails. In non-consensual situations, Chapter VII of the Charter places the responsibility of the use of force solely in the Security Council as part of its duties to safeguard the peace and security of nations. The only other legitimate use of force in international law is self-defense. An intriguing question is whether the SG or the GA could deploy a standing force without the consent of the territorial State ad referendum of a decision by the Security Council. Since the latter has the ability to meet on very short notice, the actual likelihood of decisions taken by bodies other than the Security Council is not great.
Obstacles and State of the Question

Beyond the question of who decides on actual deployment, there is the preliminary matter of the decision to create a standing force in the first place. For a variety of reasons that has not been possible until now. The issue, however, deserves more serious treatment. Lack of interest on the part of powerful nations should not be the end of the matter. At the very least, the Permanent Five and other reluctant actors should be put in a position to articulate serious reasons why they would oppose it. Unquestionably, there are thorny questions as to which countries should contribute forces and about how to organize the chain of command for officers and troops that owe allegiance to a Member State, because we must assume that at least initially the force would be formed with officers and troops with considerable peacekeeping experience and who are still in active duty in their respective States. A careful blueprint for the creation of a standing force like UNEPS should be able to address these questions satisfactorily.

There will also be objections raised on the basis of the cost of initial and ongoing investments in salaries, training courses, location and maintenance of headquarters, equipment and materiel, and so on. Again, a careful plan must estimate those costs and establish how and by whom they will be borne. But it should be possible to make a very good case that the cost of this investment far outweighs that of more costly and less effective solutions under the current system.

It is important to conceive of UNEPS in the integrated, comprehensive manner referred to above. If the standing force is understood narrowly as exclusively designed to perform a military function, the objections raised by opponents of the idea will carry some weight; it is easy to picture the idea as creating a military bureaucracy with limited utility to some extraordinary situations and that would need to be supplemented even in those limited cases. Paradoxically, a more comprehensive and integrated concept of UNEPS may be more expensive but could have a better chance to overcome the stated objections because its utility to a broader range of situations would be readily apparent. In addition to strictly protective (i.e., military) functions, the standing force should consist also of civilian personnel who are properly trained to conduct mediation and conflict resolution, who can monitor and report on conditions on the ground, and who discharge the many duties that UN field operations have been performing in the past decades.
The Way Forward

The road to the creation of a UN Emergency Peace Service will be long and arduous. The same factors that prevent the international community from acting forcefully to protect populations at risk are also at play to oppose the buildup of structures and means to operationalize the commitments to which all nations pay lip service. World leaders have agreed that they have a responsibility to protect vulnerable populations from loss of life,* but they are reluctant to introduce changes in an architecture of international relations that has proven, again and again, to be inadequate to that task.

On the other hand, the situation is far from hopeless. In several recent cases it has been possible to shame world leaders into action where passivity could have resulted in massive loss of life. If it is possible in certain cases to raise enough awareness in public opinion to make it impossible for world leaders to ignore the risk of humanitarian catastrophe, it should be possible also to bring about a serious debate about the preparation needed to confront crises before they deteriorate into genocide.

The playing field in these examples is clearly not the same: in the face of an imminent crisis it is always possible to build public opinion by showing video and photographs that can put a human face on the ongoing suffering; that possibility is unavailable when we discuss preparations in abstract terms for hypothetical coming crises. Still, the memory of Rwanda and Srebrenica – and a detailed explanation of what could have been done and wasn’t – is not hard to raise.

There is already the legacy of several Stockholm conferences on the prevention of genocide, as well as the beginning of so-called “regional fora” designed to expand commitments to prevent mass atrocity from the developed world to a broader circle of Members States of the United Nations, as well as to promote engagement by regional organizations.** It is imperative that those meetings, and any follow-up to them, start discussing in some detail the proposal to create a permanent, independent military-civilian protective force.

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* The “Responsibility to Protect” doctrine was formally adopted by the Summit of Heads of State and Government at the UN in September 2005.

** The first regional forum, with the support of the governments of Argentina and Switzerland, took place in Buenos Aires on December 10-12, 2008.
An initial step must be to expand the circle of proponents of UNEPS from its current composition of academics, faith-based institutions and non-governmental organizations. Several democratic governments have accumulated lessons from their participation in UN field operations and count on a strong cadre of experienced soldiers and civilian practitioners. Some of those governments have started to meet with their peers to devise means of deploying such personnel in specific post-conflict reconstruction tasks, like the initiative called “Justice Rapid Response.”* Such efforts could be linked to a more comprehensive and unifying project like UNEPS.

The ongoing debates about the Responsibility to Protect doctrine, including the push-back that is evident from some States that are overly protective of absolute notions of sovereignty and non-intervention, provide an opportunity to engage with other NGOs and opinion-makers. There are many new civil society organizations ready to defend the R2P doctrine and to make it operational, and they would probably welcome ideas to show that practical, effective action to protect vulnerable populations is not impossible.

The main difficulty, of course, is the weakness and atomization of the network of non-governmental organizations that some have called “an international civil society.” It is also true, however, that the network has been growing in strength and achievement in the past few years, and that its presence in the formation of public opinion is now undeniable. It could certainly use a unifying theme like R2P to organize around, and a set of detailed proposals like UNEPS to demonstrate the viability of more effective preventive efforts. In sum, the proponents of UNEPS need to do two things, if possible simultaneously: one is to develop their ideas further with the assistance of government leaders and experienced peacekeepers, so that the UNEPS proposal can be discussed in far greater detail and addressing all possible objections to it. The other is to conduct an aggressive campaign to broaden the appeal of the idea by generating access to the media and to opinion-makers, in order eventually to construct a powerful, world-wide movement linked to the various networks working on conflict-resolution, human rights and post-conflict reconstruction.

* For more information on Justice Rapid Response, please visit: [http://www.justicerapidresponse.org/]
Background and History of Standing Capacity


A UN Emergency Peace Service

8. Ibid.

Department of Peacekeeping Operations’ Operational Burdens

11. Ibid.
12. Alcides Costa Vaz, Institute of International Relations, University of Brasilia. Interview with Kavitha Suthanthiraraj; Takahiro Katsumi, Aide to Senator Inuzuka, Diet of Japan. Interview with Mariah Quinn; Don Kraus, Citizens for Global Solutions. Interview with Kavitha Suthanthiraraj; Volker Lehmann, Friedrich Ebert Stiftung. Interview with Mariah Quinn; Manuela Mesa, Centro de Educación e Investigación para la Paz. Interview with Mariah Quinn; Satish Nambiar, Retired Lt. General, First Force Commander, United Nations Forces in Former Yugoslavia. Interview with Kavitha Suthanthiraraj.
13. Anwarul K. Chowdury, Former Under-Secretary General for Least Developed States. Interview with Kavitha Suthanthiraraj and Mariah Quinn; Katsumi.
17. Chowdury; Costa Vaz; Nambiar.
18. Nambiar.
19. Suthanthiraraj.
20. Ibid.
22. Suthanthiraraj.
23. Ibid
24. Kenneth Campbell, University of Delaware. Interview with Mariah Quinn; Kraus; Tanyi.
26. Kraus; Nambiar.
29. Katsumi; Nambiar; Romero; Tanyi; Sharon Welch, Meadville-Lombard Theological School. Interview with Mariah Quinn.
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37. “Darfur-UNAMID Background.”

Political Will and the Challenge of Sovereignty
38. Kraus.
41. von Freiesleben.
46. Le Roy.
47. Ibid.
48. Langmore.

Authorization of Standing Capacity
51. Tanyi.
52. Langmore.
55. Johansen.
56. Chowdhury.
58. Stedman

Civilian Protection and Standing Capacity
60. Le Roy.
ENDNOTES


63. Stedman

64. Costa Vaz.

65. “The Responsibility to Protect.”

66. Hilary Charlesworth, Centre for International and Public Law, Australian National University. As stated in a conference on R2P and Peacekeeping (Sydney, 2008).


Regional Considerations

68. Tanyi.


70. Ibid.

71. Mesa.

72. Anonymous respondent.

73. Nambari.

74. Ibid.

75. William Schabas, Irish Centre for Human Rights. Interview with Kavitha Suthanthiraraj.

76. Weschler.


84. Ibid.


86. Herro.


UN Mission in Liberia


Appendix One: Peacekeeping Resolutions, Reports and Legislation

**Security Council Resolution 1325 on Women, Peace and Security, 31 October 2000**
In 2000, the Security Council recognized the important role of women in conflict prevention with the adoption of UNSC Resolution 1325. It recognized that full participation of women in peace processes can contribute to the maintenance and promotion of international peace and security. It also called for the increased representation of women in all decision-making processes and in all institutions or mechanisms of prevention, management and conflict resolution.

**Security Council Resolution 1820 on Women, Peace and Security, 19 June 2008**
Security Council Resolution 1820, condemns all sexual violence committed against civilians in armed conflict. It notes that women and girls, in particular, are often targeted by the use of sexual violence, describing this as a “tactic of war” as well as calling rape a “war crime” and in some cases a component of genocide. It demands the cessation of all form of sexual violence committed against civilians in armed conflict, in particular women and children.

**“Uniting for Peace” Resolution, 3 November 1950**
This resolution, also known as the Acheson Plan reaffirms two purposes of the United Nations which are “to maintain international peace and security” and “to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of people”. It also underlines the danger of the frequent use of the veto. And thus the resolution declares that “if the 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 in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including... the use of armed force when necessary, to maintain or restore international peace and security”.

**Resolution 213 of the U.S. House of Representatives, 5 March 2007**
On March 5th 2007, Representatives Al Wynn (D-MD) and James Walsh (R-NY), introduced a resolution on UNEPS, regarding it as a national security interest, and called for its support to buttress UN peacekeeping. Addressing the millions of dollars spent on humanitarian catastrophes dealing with the aftermath of the scourges of genocide, the resolution called on the implementation of UNEPS as a necessary tool to strengthen the UN's preventive capabilities. “The United States,” it declared, “should use its voice, vote, and influence at the United Nations to facilitate and support the creation of a United Nations Emergency Peace Service (UNEPS).”

**Terror Elimination Bill, Japanese Diet, 11 January 2008**
The Upper House of the Japanese Parliament adopted a counter-proposal bill regarding Japan’s assistance to the war-torn Afghanistan. The proposal “aims to achieve Afghanistan reconstruction assistance, and in particular the rebuilding of people’s lives.” The Terror Elimination Bill, which is short for “Special Measures Law for Reconstruction Assistance to Afghanistan for the Prevention and Elimination of International Terrorism,” included articles specifically addressing the concept of “Responsibility to Protect” and the establishment of a new UN service “capable of immediately taking necessary measures to respond to threats to international peace and security.”

The report responded to concerns of many Member States and UN entities that the UN does not possess adequate resources or systems to support the increasing demand for peacekeeping operations. Key recommendations included:

**Doctrine and strategy:** Called for more effective conflict prevention strategies.

**Mandates:** the Secretariat "must tell the Security Council what it needs to know, not what it wants to hear, when formulating or changing mission mandates".

**Timelines:** "traditional" UN peacekeeping operations should be fully deployed with 30 days; for more complex peace operations, within 90 days.

**Personnel:** Member States should work together to form "coherent, multinational, brigade-sized forces", ready for effective deployment within these timelines.

**Speed and efficiency:** the Secretary-General should be allowed funds to start planning a mission before the Security Council approves it, so that when approved it can be deployed in a timely manner.

Appendix Two: Initial Troop Deployment

<table>
<thead>
<tr>
<th>UN Mission</th>
<th>First Deployment (Troop Numbers)</th>
<th>Authorised Strength</th>
<th>%first deployment vs authorised strength</th>
<th>Deployment Time frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liberia (UNMIL)</td>
<td>3,600</td>
<td>15,000</td>
<td>24%</td>
<td>12 days</td>
</tr>
<tr>
<td>Rwanda (UNAMIR)</td>
<td>211</td>
<td>2,548</td>
<td>8%</td>
<td>27 days</td>
</tr>
<tr>
<td>Burundi (ONUB)</td>
<td>2,641</td>
<td>5,650</td>
<td>47%</td>
<td>11 days</td>
</tr>
<tr>
<td>Angola (UNAVEM III)</td>
<td>418</td>
<td>7,610</td>
<td>5%</td>
<td>21 days</td>
</tr>
<tr>
<td>Haiti (UNMIH)</td>
<td>104</td>
<td>6,000</td>
<td>2%</td>
<td>8 days</td>
</tr>
<tr>
<td>Central African Republic (MINURCA)</td>
<td>100</td>
<td>1,350</td>
<td>7%</td>
<td>19 days</td>
</tr>
<tr>
<td>Somalia (UNITAF)</td>
<td>1,300</td>
<td>37,000</td>
<td>4%</td>
<td>6 days</td>
</tr>
<tr>
<td>Sierra Leone (UNAMSIL)</td>
<td>1,356</td>
<td>6,000</td>
<td>23%</td>
<td>40 days</td>
</tr>
<tr>
<td>Cote d’Ivoire (UNOCI)</td>
<td>800</td>
<td>6,240</td>
<td>13%</td>
<td>36 days</td>
</tr>
<tr>
<td>Sudan (UNMIS)</td>
<td>821</td>
<td>11,465</td>
<td>7%</td>
<td>69 days</td>
</tr>
<tr>
<td>East Timor (UNTAET)</td>
<td>1,176</td>
<td>10,740</td>
<td>11%</td>
<td>90 days</td>
</tr>
<tr>
<td>Haiti (MINUSTAH)</td>
<td>2,127</td>
<td>8,880</td>
<td>24%</td>
<td>32 days</td>
</tr>
<tr>
<td>Democratic Republic of Congo (MONUC)</td>
<td>111</td>
<td>6,000</td>
<td>2%</td>
<td>53 days</td>
</tr>
<tr>
<td>Ethiopia and Eritrea (UNMEE)</td>
<td>3,432</td>
<td>4,300</td>
<td>80%</td>
<td>117 days</td>
</tr>
<tr>
<td>Darfur (UNAMID)</td>
<td>9,000</td>
<td>26,000</td>
<td>35%</td>
<td>154 days</td>
</tr>
</tbody>
</table>

Appendix Three: Full Troop Deployment

<table>
<thead>
<tr>
<th>Initial Deployment</th>
<th>UN Mission</th>
<th>Resolution/ Date</th>
<th>Authorised Strength</th>
<th>Maximum Deployment (Date and Strength)</th>
<th>% Maximum Deployment vs Authorised Strength</th>
<th>Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;=1mth</td>
<td>Liberia (UNMIL)</td>
<td>Res 1509 19th Sept 2003</td>
<td>15,000</td>
<td>14,894 24th August 2005</td>
<td>99%</td>
<td>23 months</td>
</tr>
<tr>
<td></td>
<td>Rwanda (UNAMIR)</td>
<td>Res 872 5th Oct 1993</td>
<td>2,548</td>
<td>2,539 22nd Mar 1994</td>
<td>100%</td>
<td>6 months</td>
</tr>
<tr>
<td></td>
<td>Burundi (ONUB)</td>
<td>Res 1545 21st May 2004</td>
<td>5,650</td>
<td>5,526 5th Nov 2004</td>
<td>98%</td>
<td>6.5 months</td>
</tr>
<tr>
<td></td>
<td>Haiti (UNMIH)</td>
<td>Res 867 23rd Sept 1993</td>
<td>1,350</td>
<td>1,245 15th June 1998</td>
<td>92%</td>
<td>3 months</td>
</tr>
<tr>
<td></td>
<td>Somalia (UNOSOM I)</td>
<td>Res 775 28th Aug 1992</td>
<td>37,000</td>
<td>24,000 U.S. troops 100%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Somalia (UNITAF)</td>
<td>Res 794 3rd Dec 1992</td>
<td>37,000</td>
<td>24,000 U.S. troops 100%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;=3mths</td>
<td>Sierra Leone (UNAMSIL)</td>
<td>Res 1299 19th May 2000</td>
<td>13,000</td>
<td>12,440 Jul 00</td>
<td>96%</td>
<td>3 months</td>
</tr>
<tr>
<td></td>
<td>Cote d’Ivoire (UNOCI)</td>
<td>Res 1528 Feb 27th 2004</td>
<td>6,240</td>
<td>5,877 20th Aug 2004</td>
<td>94%</td>
<td>6 months</td>
</tr>
<tr>
<td></td>
<td>Sudan (UNMIS)</td>
<td>Res 1590 24th Mar 2005</td>
<td>11,465</td>
<td>9,880 27th Aug 2006</td>
<td>86%</td>
<td>17 months</td>
</tr>
<tr>
<td></td>
<td>Haiti (MINUSTAH)</td>
<td>Res 1542 30th Apr 2004</td>
<td>8,880</td>
<td>7,519 31st Jan 2006</td>
<td>85%</td>
<td>21 months</td>
</tr>
<tr>
<td></td>
<td>Democratic Republic of Congo (MONUC)</td>
<td>Res 1291 24th Feb 2000</td>
<td>6,000</td>
<td>4,386 31st Jan 2003</td>
<td>73%</td>
<td>35 months</td>
</tr>
<tr>
<td>&gt;3mths</td>
<td>Ethiopia and Eritrea (UNMEE)</td>
<td>Res 1320 15th Sept 2000</td>
<td>4,300</td>
<td>4,143 1st Mar 2001</td>
<td>96%</td>
<td>6 months</td>
</tr>
</tbody>
</table>

Appendix Four: Map of Missions Administered by DPKO

In January 2007, the United Nations Mission in Liberia (UNMIL) became the first mission to incorporate an all female Formed Police Unit, which was contributed by India. This development reflects the UN’s efforts to attract more women police officers into their peacekeeping operations worldwide. Currently, there are approximately 9,911 officers serving in peace-keeping operations, but only 874 (or 8%) are female officers.88

The female Formed Police Unit (FPU), based in Monrovia and consisting of 125 personnel, provides general support to UN police activities in Liberia, including patrol duties, rapid response assignments, crowd control and general back-up support, protection of UNMIL staff and training local police officers.90

More broadly, the unit strives to fulfill three functions: to participate in training and rebuilding the country’s police force; to address the high incidence of gender-based violence; and to provide leadership and encouragement for women to join the Liberian National Police.

Effectiveness and Impact

The contingent currently patrols with the Liberian National Police (LNP) and other UNPOL (UN police) staff, as one means of sharing policing skills. Unfortunately, night patrolling is limited due to difficulty in ensuring the safety of police women. All security activities are constrained to Monrovia or areas within a one day's journey of the capital.

In commending the police women for their work with victims of sexual violence, UN Special Representative Ellen Margrethe Løj stated: “You greatly contribute to the healing that is needed by all Liberians recovering from the civil war and you have shown that women need not be victims, but healers and protectors in the new Liberia.”91 The female police officers have conducted workshops in local schools in response to heightened demand for leadership training of young women. In another positive development, female enrolment into the LNP has increased threefold since the first contingent of the female FPU arrived.

The relative success of the Indian FPU ought to serve as model for future peacekeeping missions. The experience of the female police officers in Liberia has demonstrated that a gender-mainstreamed peacekeeping operation can promote women’s empowerment within the local community and more adequately address sexual and gender-based violence.