

**Center on International Cooperation
Project on Transformations in Multilateral Security Institutions
Implications for the UN**

**Consultant: Ian Johnstone
Associate Professor of International Law
Fletcher School of Law and Diplomacy, Tufts University
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Introduction

This is the third and final in a series of periodic reviews of recent scholarly writing on peace-keeping and related issues. This review offers perspectives from developing regions on peacekeeping, peace-building and humanitarian intervention.

I. Developing world perspectives generally

The Fund for Peace, *Neighbors on Alert: Regional Views on Humanitarian Intervention*. Summary Report of the Regional Responses to Internal War Program (October 2003)

Fund for Peace, *African Perspectives on Military Intervention* Conference Summary (December 2001)

Fund for Peace, *Perspectives from the Americas on Military Intervention* Conference Summary (June 2002)

Fund for Peace, *Perspectives from Asia on Military Intervention* Conference Summary (September 2002)

In autumn 2001, the Fund for Peace launched a two-year program aimed at systematically probing global views on military intervention in humanitarian and other kinds of crises. Conferences were held on four regions: Africa, the Americas, Asia and Europe. Twenty-five to thirty high-level opinion leaders from the region participated in each conference, plus several “cross-regional” representatives who participated in all four. The participants, carefully chosen from a list of nominees, included scholars and academics, military officials, government officials, civil society leaders and media representatives.

The participants at each conference were asked to consider a number of questions about military intervention: when it was required, who can authorize it, where the forces should come from and how it should be carried out. They were encouraged to produce an agreed-upon document at the end of each conference, which would seek to address those questions.

In varying degrees, all regional representatives recognized a growing “responsibility to protect” civilians. But they differed on when, who and how action should be taken to fulfill this responsibility. The African group was the most forward leaning, both in terms

of the circumstances that would justify intervention and a willingness to act. In the Americas, a strong commitment to democracy and human rights did not translate into a clear endorsement of military intervention to uphold those principles. The Asian participants expressed a strong preference for quiet diplomacy and non-coercive intervention, but did not rule out the possibility of military intervention in “extraordinary and exceptional” cases. Highlights of each conference are elaborated below.

Africa

The Africa conference was held in October 2001, just after 9/11 and at a moment when the decision to convert the OAU into the AU had been taken, but the new organization did not yet exist. Two points stood out. First, participants agreed that new challenges had prompted African states and institutions to move away from traditional non-interventionist approaches to conflict management. Second, they expressed more confidence in the potential of sub-regional organizations to help resolve internal conflicts than either the UN or OAU. In response to a questionnaire, 62% either “completely” or “mainly” trusted sub-regional organizations to stop mass killings, whereas only 35% trusted the UN and 14% the OAU to do so. “The most notable decision of the group was that sub-regional organizations have the moral and political authority, if not the legal authority, to intervene militarily.” (Africa report, p.6).

The final conference statement adopted by consensus included the following points:

- The UN Security Council is the preferred body to authorize intervention but, in urgent cases, regional and sub-regional organizations may do so. In the latter circumstances, “ex post facto SC approval must be sought”.
- Military intervention is legitimate when mass killings, mass atrocities, ethnic cleansing or genocide is occurring or threatened. It is also legitimate when an internal war threatens the stability of the region or sub-region. Intervention *may* be considered when other means have failed to restore a democratic government overthrown by force.
- Troops participating in military interventions in Africa should come from the region or the sub-region, and act under the auspices of the appropriate organization. Troops from outside Africa should participate in interventions only under UN auspices. A vote was taken that showed a majority of conference participants supported an African coalition acting prior to authorization from any organization, in exceptional cases, provided it sought authorization ex post facto.
- Military interventions should be carried out in accordance with the following guidelines: clear purpose; do more harm than good; proportionate; even-handed; consistent with international law; properly resourced. The criteria may justify intervention, but should not be read as constituting an obligation to intervene. Nor should they be applied rigidly, but rather as a general framework for deliberations on particular cases.
- While the focus of the conference was on the propriety of military intervention, participants stressed that it could not be considered in isolation; it is only one tool in a continuum of measures that should be undertaken in a holistic framework.

There was broad understanding that the capacity of sub-regional organizations and the AU had to be strengthened. More US and other Western assistance would be welcomed, especially in the areas of logistics, intelligence, training and equipment. However, the providers of such assistance should coordinate better (rather than “divide up the continent”) and work with sub-regional organizations and the AU, rather than bilaterally.

Americas

The Americas conference was held in April 2002, several months after the release of the ICISS Report on *The Responsibility to Protect* (R2P). Interestingly, the conference began with a flat denial that the issue of humanitarian intervention applied to the region, but concluded with an understanding that problems associated with fragile political systems and economies could deteriorate into humanitarian emergencies requiring intervention. There was a call for strengthening regional mechanisms to address internal strife, and a set of guidelines for intervention in “rare and exceptional” cases was adopted. A desire to circumscribe unilateral US action was a strong undercurrent in the discussions.

The conference was characterized by a tension between historical adherence to the principle of non-interference in internal affairs and an emerging consensus about the need to counter threats to democracy and human rights violations. The recently adopted Inter-American Democratic Charter was lauded, and the R2P language was accepted. Using force to quell internal violence, however, was hard for the group to contemplate. Ultimately, they agreed that military intervention to protect civilians from mass killings and gross violations of human rights could not be ruled out. But they rejected it as a legitimate response to the overthrow of a democratically-elected government.

The SC has the primary responsibility to authorize intervention. Should it fail to act, “alternative options include consideration by the General Assembly under the ‘uniting for peace’ procedure and the by OAS” (Americas report, p.14). In a survey, 79% of participants either “completely” or “mainly” trusted the UN to stop mass killings, but a number of participants expressed skepticism, with one noting that the Americas “have more illusions” about the UN, simply because “we have not had the experiences in peacekeeping operations or peace-building that Africa or other regions have had” (Americas report, p. 6). Opinion was divided over whether military intervention by a coalition would be legitimate to address a humanitarian catastrophe, but a majority seemed to oppose this. Unilateral intervention was seen as both illegal and illegitimate.

The group agreed that any intervention should adhere to the following guidelines: clear humanitarian purpose; quick implementation; militarily sustainable; accompanied by peace-building; reasonable prospect of success; proportional to the ends; sensitive to social and economic impact; international community as a whole should bear costs; no spillover; and respect for human rights by intervening troops. They stipulated that interventions should be carried out by a multilateral force, with troops preferably from the Americas, and stressed the need to strengthen global, regional and sub-regional organizations to deal with internal conflicts and threats to civilians.

Asia

The main conclusion of the opinion-leaders from Northeast and Southeast Asia who met in July 2002 was that events of the previous decade were obliging Asian governments to address the tension between regional norms of sovereignty and calls for action to respond to humanitarian crises. There was a near consensus that East Asian states were enjoying a greater capacity to govern, manage national resources and maintain political autonomy than at any time in the past hundred years. Consolidation of the nation-state in turn has led to greater responsiveness to social demands for domestic accountability and more debate over whether and how to respond to mass atrocities in other countries. While military intervention for humanitarian purposes is “a Western, superpower concept”, it cannot be dismissed as entirely irrelevant to Asian governments and their regional organizations (Asia report, p. 3).

Internal conflicts are not new to Asia, many of which are rooted in the nation-building process. And yet perhaps more than any region, geopolitical competition and rivalry dominate relationships among states. This is certainly true of Northeast Asia, and to a lesser extent, Southeast Asia. Because of this dynamic, East Asian governments and regional organizations hold firmly to principles of sovereignty and non-interference.

Nevertheless, the conference participants agreed that military intervention by outside forces in an internal humanitarian crisis may be considered as “an extraordinary and exceptional response” (Asia report, p. 18). While hesitant to bind themselves to criteria for intervention, they recognized the value of discussing guidelines. In the end, they agreed that military intervention should be considered, as a last resort, in response to: genocide; massive loss of life (actual or imminent); massive displacement of persons; systematic and gross violations of human rights; and/or a threat to regional security.

There was a strong preference for UN action and in fact 75% of the participants had confidence in the UN’s effectiveness. No other organization or actor received higher than 40%. Action by a coalition of the willing was acceptable to a majority of the group, as long as it was “properly authorized”, which for most meant by the Security Council or by a 2/3 vote in the General Assembly. Opinions were divided on whether authorization by a regional or sub-regional organization would be adequate to justify intervention.

As for who should carry out the intervention, the Asian conference maintained that a geographically balanced force organized and commanded by the UN, and drawn from the largest possible number of countries, offered the best hope of success. There was a general feeling that regional and sub-regional organizations would be asked to do more to address conflicts and humanitarian crises in the region, but not much obvious support for strengthening their capacity for peacekeeping or other forms of military intervention.

Mohammed Ayob, “Third World Perspectives on Humanitarian Intervention and International Administration”, *Global Governance* 10 (2004), pp. 99-118.

Ayob’s article appears in a special issue of *Global Governance* journal devoted to the phenomenon of international administration (IA) of war torn-territories. He finds that

Third World perspectives on IA are closely linked to perspectives on humanitarian intervention (HI). The thrust of his argument is that developing countries are suspicious of both, but to varying degrees across regions.

Ayoob defines the 'third world' as all post-colonial states, who are in the early stages of state-making and nation-building. Their suspicion of HI stems from concerns about the erosion of recently-acquired sovereignty. 'State-making' is often accompanied by a certain amount of violence, which can lead to charges of human rights violations and the "slippery slope to external intervention and international tutelage" (p.101). The process by which decisions about HI and IA are made exacerbate these concerns. Bargaining among the P5 and US dominance of the SC is part of it, but even more disconcerting are the interventions without explicit SC authorization. Combined with the failure to act in Rwanda, there is substantial suspicion of the real motives behind these interventions.

Ayoob goes on to summarize the differing regional perspectives on the propriety of HI and IA. Because there is greater risk of state collapse, "African states south of the Sahara are likely to be more receptive to arguments for humanitarian intervention than their Asian, Latin American and North African counterparts" (p. 106). Indeed they may be more keen to promote intervention than the great powers themselves, whose relative neglect of African conflicts is resented in the region. Intervention followed by IA is seen in Africa as "a short-term measure that in the long run must help to restore sovereignty and the declining authority of states."

There is less enthusiasm for intervention in Asia, where states are more protective of sovereignty and more suspicious of great power motives. There is some support for UN or UN-authorized intervention, but deep opposition to coalitions acting without SC authorization (as in Kosovo). Interestingly, the two largest Asian countries -- India and China -- have adopted similar positions on HI and IA, at least in official pronouncements.

The Latin American position is similar to the Asian one. But there were quite significant differences among major LA countries on the Kosovo intervention. Argentina and Chile were moderately supportive, Mexico was strongly opposed, and Brazil stood in the middle. More generally, the LA approach is coloured by the history of US interventions in the region – which translates into strong opposition to "unilateral" action.

Concerns about selectivity and double standards are felt most acutely in the Middle East. The international reaction to Israeli's on-going defiance of SC resolutions is compared to the reaction to Iraq's defiance in the minds of the "politically conscious Arab and Muslim publics" (p. 111). According to Ayoob, the failure of the SC to act in response to Israel's policies and practices makes it and the US vulnerable to criticism that concern for humanitarian issues is less than sincere, and makes other cases of HI and IA suspect in the eyes of much of the third world.

Ayoob acknowledges that third world states also apply double standards when it suits them (supporting actions in Bosnia and Kosovo but not Iraq, for example). But lacking the capacity to engage in HI or set up IAs, the exercise of double standards by them is

less harmful to world order. He argues that responsibility for maintaining that order, and preserving its legitimacy, lies squarely on the shoulders of the major powers.

II. Asian perspectives

Dipankar Banerjee, “Current Trends in UN Peacekeeping: A Perspective from Asia”, *International Peacekeeping*, Vol. 12(1), Spring 2005, pp. 15-27.

Banerjee begins with the Brahimi Report’s frank account of the mixed success of UN peacekeeping in the post-Cold War era. He describes four “phases” of peacekeeping: traditional, during the Cold War; second-generation, in the early 1990s; a third phase, when a serious attempt was made to “regionalize” peacekeeping; and a fourth phase that began in 1999 with the “exponential resurgence of peacekeeping” in failing and failed states. All of these led to a determination to put in place ‘corrective measures’ to strengthen and improve peacekeeping.

Banerjee comments on the following principal issues and/or challenges “as perceived from Asia”:

- The concept of human security has been quite well-received.
- Intra-state conflicts and ethnic tensions are best dealt with within a region, but Asia lacks any regional organization chartered to conduct peace operations
- Issues of doctrine, particularly the nature and amount of force to be used in peace operations, need to be clarified. “In situations in Asia, there may be conditions of ethnic strife where counter-violence at an early stage by well-trained peacekeepers may well avoid considerable bloodshed later” (p.25). There may also be situations where the threat of force may obviate the need to actually use it.
- Preventive action and the tackling of root causes may require establishing foundations for developing improved governance.
- The use of police forces to maintain peace may well be a distinguishing feature of peace operations in the future. This should be welcomed, particularly in Asia, where sensitivities regarding use of regional military forces remain high.

Banerjee concludes with an appeal for caution with respect to unilateral humanitarian intervention. “The view from Asia would suggest that it is law, fairly and equitably developed, that must define justice and the use of interventionary force” (p. 26)

Pang Zhongying, “China’s Changing Attitude to UN Peacekeeping”, *International Peacekeeping* Vol. 12(1), Spring 2005, pp. 73-87.

Pang finds that China is increasingly well-disposed towards and likely to participate in UN operations, but worried about ‘mission creep’ in view of the changing nature and context of peace operations. Policy has evolved considerably since the 1970s, in part out of concern about the geo-political challenge posed by a US-dominated world. Official statements of the Chinese government reflect a view that the future success of UN operations hinges on greater “democratization of international relations”. This implies legitimation by the SC, wider participation in the missions, and greater consultation between the Council and peacekeeping contributors.

China has participated in 13 missions since 1990, deploying a total of 2000 soldiers and several hundred police. Among the motives behind China's greater participation in peacekeeping, he lists the desire:

- to be a responsible global player;
- to give effect to its "new security concept": peace and cooperation, as opposed to class struggle
- to maintain a "low profile" foreign policy while engaging more actively in international affairs
- to promote its economic interest in a peaceful global environment
- to promote China's "peaceful rise" as a regional player, without projecting itself as a strategic competitor to the US.

Pang notes that there is a gap between China's capacity to supply peacekeepers and the demand for more contributions. Moreover, China has not offered much innovative insight into how to conduct peace operations. As a general matter, it adheres to a traditional concept of peace-keeping. This could hold back its ability to contribute to new thinking and to participate fully in UN operations. Pang senses the emergence of a more flexible attitude, moving away from rigid application of the principles of state sovereignty and non-interference in international affairs. As China learns more about "new ideas, concepts and processes", it will be in a position to play a more significant role.

III. African perspectives

Nozizwe Madlala-Routledge and Sybert Liebenberg, "Developmental Peacekeeping: What are the Advantages for Africa?", *African Security Review* Vol. 13(2), 2004, pp. 125-31.

Madlala-Routledge is a former Deputy Minister of Defense of South Africa and current Minister of Health. She and Liebenberg assert that Africa needs a new "developmental peacekeeping" doctrine. Their argument is in two parts. First, that the main drivers of conflict in Africa are resource-based. Secondly, that an overly military approach to peace-keeping is misdirected and ought to be replaced by a more multidimensional, developmental approach.

Elaborating on the nature of African conflicts, they stress that many societies have become "war economies", where the expulsion of populations, killing and large-scale human rights violations are a means of accumulating resources. The resulting economic and political collapse reduces the ability of post-conflict societies to return to more normal economic relations and structures.

The authors claim UN peacekeeping in Africa has largely ignored this dynamic. The focus is on disarming combatants but not dismantling war economies or effectively re-integrating ex-combatants, for example. More generally, they regret the long time lapses before "peace-building interventions" are implemented. The authors offer developmental peacekeeping as an "African alternative". They define the concept as "post-conflict reconstruction intervention which aims to achieve sustainable levels of human security

through a combination of interventions aimed at accelerating capacity building and socio-economic development...” (p.128). Two features distinguish it from current approaches: 1) the focus on human as opposed to state security and 2) it collapses peacekeeping and peace-building into one process.

On a practical level, this means African missions should be multi-disciplinary, with a mandate to develop an integrated post-conflict reconstruction programme, even if there is no ceasefire. Mega infrastructure public works projects should be central to the programmes, not least because they can absorb ex-combatants in productive labor. Ultimately, this would help achieve NEPAD’s objectives of sustainable development, strong local economies, and regional integration. The authors conclude that developmental peacekeeping doctrine ought to be formalized within the African Union, and institutionalized as a guide to training and the channeling of resources.

Adekeye Adebajo, “In Search of Warlords: Hegemonic Peacekeeping in Liberia and Somalia”, *International Peacekeeping*, Vol. 10(4), Winter 2003, pp. 62-81.

Adebajo compares what he calls “hegemonic peacekeeping” by the US in Somalia and Nigeria in Liberia. The thrust of his argument is that the two interventions are quite similar, yet have been portrayed very differently in the media. The lead interventionists in both cases were a regional and global power who shared a historic missionary zeal, both were frustrated by powerful warlords and both cases eventually changed from attacking to appeasing the warlords.

He defines ‘hegemonic peacekeeping’ as a situation in which a powerful state is able to deploy a preponderance of troops in a bid to manage a conflict and is able to convince other states to accept its leadership. By that definition, the US and Nigeria were hegemonies in the respective missions.

Both ECOMOG and UNITAF grossly underestimated the political support and military prowess of the factions they would encounter. As a result, they had to ratchet up to a more robust approach. But in both cases, policy eventually changed from attacking to appeasing the ‘spoilers’. The US, more sensitive to domestic public opinion and with less immediate national interests in Somalia than Nigeria had in Liberia, felt compelled to withdraw after a year when things turned sour. Nigeria, on the other hand, stayed for eight years and eventually succeeded in disarming the factions and organizing elections.

Adebajo is critical of the contrasting portrayals of the two interventions in the Western media. ECOMOG troops were seen as murderers, mercenaries and criminals; there were many more civilian deaths in Somalia and yet very little negative reporting or scholarly analysis of the excesses of UNITAF.

About ‘hegemonic peacekeeping’, he concludes that such leadership is often indispensable, but ways must be found of broadening decision-making. “The strength of Gulliver is still needed, but it must be harnessed to greater cooperation and burden-sharing with his Lilliputian allies” (p. 77). ECOWAS’ security mechanism is a way of doing that, but it may be more sensible to deploy a preponderance of Nigerian

peacekeepers in a UN mission. The UN umbrella provides legitimacy and financial and logistical resources. The US, meanwhile, must be encouraged not to abandon peacekeeping or to stand in the way when others are prepared to lead UN missions.

IV. Latin American Perspectives

Herman Vales, “The Latin American View on the Doctrine of Humanitarian Intervention”, *The Journal of Humanitarian Assistance*, February 2001 (available at www.jha.ac/articles/a064.htm)

Vales analyses the doctrine of humanitarian intervention from a legal perspective and traces the changing attitude towards it in the region. He identifies a “progressive relaxation” of the principle of non-intervention, admitting the possibility of humanitarian intervention in some circumstances.

The non-intervention principle has a long pedigree in Latin America. It was enshrined in regional customary law, then treaty law (the Montevideo Convention of 1933) and finally the Charter of the Organization of American States (especially Articles 19 and 21). But Latin American attitudes evolved in the second half of the 20th century, reflected in:

- Votes on the 1950 Uniting for Peace resolution in the UN General Assembly (17 Latin American states voted in favor, only Argentina abstained)
- The application of a “balancing test” between human rights and the principle of non-intervention in connection with the Dominican Republic crisis of 1965
- Mixed reactions to the Kosovo intervention of 1999, ranging from moderate support to open opposition

In conclusion, Vales finds that Latin American countries would accept intervention, within certain limits. The original reasons for opposing it, such as the imperialist implications and the possibility of abuse, are less of a worry. He argues that the adoption of clear criteria would provide even greater reassurance. Intervention should be truly international in character and only occur with Security Council authorization. A special right of humanitarian intervention should not be carved out for the Americas, but Latin America should “actively take steps towards a change in the law according to its beliefs”.