



# Confronting complex emergencies in Africa

Imperatives of a search for a new doctrine of humanitarian 'security' interventions

## INTRODUCTION

The end of the Cold War brought about significant changes in the nature and impact of violent armed conflicts in Africa. The impact of these conflicts was aptly summed up in the Secretary-General's report to the United Nations Security Council (UNSC) titled: 'The causes of conflict and the promotion of durable peace and sustainable development in Africa'.<sup>1</sup> In that report, Kofi Annan stated that:

... 14 of the continent's 53 countries were afflicted by armed conflict in 1996 alone, and over 30 wars have occurred ... since 1970, mostly within states. These accounted for more than half of all the war-related deaths worldwide and caused over 8 million people to become refugees, returnees and displaced persons.

Given this reality and the sharp contrast between the nature of these armed conflicts and the majority of those that took place during the Cold War, the complex humanitarian emergencies engendered by the new conflicts demanded at least two fundamental changes in international intervention and conflict resolution. One of those imperatives involved the use of 'humanitarian interventions' to legitimise 'military interventions'.<sup>2</sup> The other imperative involved the rapid evolution of ad hoc conceptual approaches such as multidimensionality and integration.

The second, unprecedented shift saw a departure from the widely held doctrine espoused by Dag Hammarskjöld,<sup>3</sup> who had argued that 'peacekeeping is not a job for soldiers, but they are the *only* (emphasis added) ones who can do it'.<sup>4</sup> To the contrary, all contemporary United Nations (UN) peacekeeping deployments in Africa since 2003, for instance, have been multidimensional, involving police and civilian components, in addition to the military. Even in the case of the African Union (AU), the deployment of the AU Mission in

Sudan-Darfur (AMIS) saw the historic involvement of a significant number of police monitors.

The reality is that the AU and sub-regional organisations such as the Economic Community of West African States (ECOWAS) have been compelled by the new post-Cold War reality to bear increasing responsibility for peacekeeping within their own regions, in addition to their obligations to the UN System. However, the key argument is that the international community needs to examine the doctrine of peace missions and peace-support operations, or humanitarian military intervention, in terms of the use of force (military and police), towards civilian protection. This includes the normative protection of vulnerable populations.

The paper is informed by the moral imperative of humanitarian intervention and the implication of that imperative, in relation to the principle on the use of force. From a historical perspective, it is understandable that the UN Charter imposed restrictions on the use of force in international relations, including its use in response to violent armed conflict. However, given the imperatives of post-Cold War complex emergencies, post-Cold War humanitarian intervention (in Africa and elsewhere) demands more of the 'coercive use of force' to restore security. The objective of such use of force should be to protect vulnerable populations and (re)build collapsed and/or failed institutions. This sequencing of the primary effort in the use of force to restore security is premised on the argument that it is the security deficit that precipitates humanitarian emergencies in the first place.

Given the violent nature of armed conflicts by state- and non-state actors:

- Humanitarian military interventions must be envisioned and designed to contain and deal with the devastating impact of violent armed conflict, stemming from sources of security threats

- In consequence, the deployment of robust multidimensional peace operations does not constitute a realistic, effective response to armed conflicts and their devastating impact within Africa
- Beyond the mere statement of robust mission mandates, there is need to examine the doctrine of ‘humanitarian security intervention’ that devolves on the use of deterrent force in defeating armed violence that leads to civilian vulnerabilities
- The imperatives of the proposed ‘humanitarian security intervention’ doctrine should be the basis for designing capacity-building initiatives. Given the misalignment between the two ends of demand and supply, the existing infrastructure for capacity building should be overhauled

A new doctrine of humanitarian security intervention is needed, in which the primary effort of intervention is focused on restoring and maintaining security as a sine-qua-non strategy for creating requisite conditions for economy of effort in meeting the other imperatives.

By focusing on the narrow, limited meaning of humanitarian aid, humanitarian interventions and humanitarian military interventions have missed the objective of speedily and materially impacting on the safety and wellbeing of affected populations. Harsh as this may seem, the primary objective and focus of humanitarian military intervention in armed conflict, of the kinds experienced in Somalia and Darfur, should be to restore and maintain security. This is what is meant by the notion of humanitarian security intervention.

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The paper starts with an examination of the nature, focus and scope of humanitarian intervention approaches. It highlights the mismatch between salient features of violent armed conflict and the humanitarian military intervention approach. The dichotomy between the imperatives of complex emergencies and the ambivalent approach of the international community is drawn on to argue for a new doctrine of intervention devolving on the use of force to restore and maintain security, in order to protect civilians

and support humanitarian assistance. By implication, existing regional capacity building approaches within the African continent must be reconsidered.

The examination of these issues helps to determine the extent to which, if at all, African regional institutions and capacities for peace-support interventions contribute to addressing the key imperatives of the nature and impact of modern conflicts. It also helps to highlight the kind of synergies that should exist between African, UN and other international community intervention tools, in order to avoid the replacement of an international community intervention with that of Africa, which is nascent and will continue to be limited in scope and leverage.

The last section of the paper provides a synopsis of key elements of the proposed doctrine of humanitarian security intervention.

Even though the analysis focuses largely on the military, it highlights the imperatives and challenges of police capacities for humanitarian military interventions. This is done to underscore the role of police in the protection of displaced civilian populations, in accordance with the principles of international humanitarian law and human rights law.

## THE HUMANITARIAN INTERVENTION NARRATIVE: DILEMMA OF DOCTRINAL ADAPTATION AND TRANSFORMATION

Peacekeeping started as a Cold War mechanism of deploying international inter-positioning forces, normally after ceasefire agreements and peace accords. Because these conflicts were largely inter-state, it was easily possible to position such forces in security or buffer zones, or on armistice lines, in order to separate the opposing forces of the states at war, and with the sole purpose of supervising the ceasefires or peace accords.<sup>5</sup> Sometimes, multinational forces (MNF) were used sequentially or in tandem with peacekeeping, especially in the Arab-Israeli conflict(s) in Egypt (Sinai) and Lebanon.<sup>6</sup>

The significance of the utility of peacekeeping as a tool for conflict resolution was captured vividly in a statement by Jean-Marie Guéhenno that:<sup>7</sup>

Over the past sixty years, United Nations peacekeeping has evolved into one of the main tools used by the international community to manage complex crises that pose a threat to international peace and security.

In fulfilling its primary responsibility for the maintenance of international peace and security, over the years the UNSC has deployed peacekeeping operations within the ambit of Chapter VI of the Charter, dealing with the ‘peaceful settlement of disputes’.<sup>8</sup>

Perhaps bolstered by adherence to the principle of ‘great power unanimity’ the five permanent members<sup>9</sup> of the Security Council deemed it expedient to support the deployment of such peacekeeping operations by the UN as part of the greater strategy of global power balance. Since the end of the Cold War, however, changing dynamics in global power relations have arguably served to alter the unanimity with which the key members of the UNSC and other emerging (regional) political, economic, military powers – Brazil, India and South Africa<sup>10</sup> – agree on the approach to the resolution of disputes and conflicts that threaten international security. The leverage of some of the powerful states, notably the triple alliance of the United States (US), the United Kingdom (UK) and sometimes France, in shaping international opinion has been tainted by perceptions of the **regime change** agenda and the war on terror. This has made the achievement of broad consensus within the UNSC more difficult.

## Humanitarianism and humanitarian military intervention dichotomy

This section seeks to assess the degree to which the interventions in Somalia and Darfur met humanitarian imperatives on the ground.

The incidence of complex emergencies involving massive population displacements, systematic, gross violations of human rights law (HRL) and breaches of IHL, by state- and non-state actors alike, is well documented.

The tenuous debate over the political utility of humanitarian military intervention as an approach in conflict management and resolution by the international community may well have started with the humanitarian crisis in Liberia in the wake of Charles Taylor’s invasion in late 1989, and the deployment of the ECOWAS Monitoring Group (ECOMOG) in Liberia (1990). Given that the Liberian crisis was comparatively less dramatic than other subsequent humanitarian crises, the ‘controversial’ interventions that followed that of ECOMOG brought the issue of humanitarian military action to centre stage of the debate.<sup>11</sup>

What needs continuing examination is a way out of the moral and political dilemmas of humanitarian military interventions, and answers to the questions: what has been their real impact; how effective have they been in relieving the massive population displacement and the gross violations of human rights by state- and non-state actors; how well are they adapted to addressing the root causes of conflict; and how can they mitigate the aggravating, triggering and prolonging factors of violent armed conflict, especially within Africa?

That there was need for a new intervention approach has never been in question. What is in question is the precipitate action of the UN system and the international community, as entrepreneurs of norm building, in

merely orchestrating a moral justification for humanitarian intervention. Schweizer, for instance, points out that in contrast with classic organised charity as a domain of religious orders, contemporary humanitarianism has taken on an unprecedented secular character, especially following the establishment of the original Geneva Convention (1864). For all practical purposes and intent, Schweizer underscores Leader’s caution that the principles on which humanitarian action are founded:<sup>12</sup>

... cannot be seen as the expression of a universal ethic, because they were historically a compromise between military-political necessity and the dictates of conscience and humanity.

Leader’s most important argument is that the terms of the ‘humanitarian deal’ need to be constantly renegotiated. This argument has relevance to the debate over the perceived intrusion of humanitarian ‘military’ intervention into the domain of classic humanitarian intervention. As Schweizer puts it, humanitarian ‘military’ intervention is gaining (or has gained) unprecedented currency as one of a range of political tools, or political frameworks of response, to conflict, by the international community.

After an illuminating debate on humanitarianism and humanitarian military intervention, Schweizer concludes on the terse note that ‘this humanitarian space must be kept clearly distinct from “humanitarian” military interventions.’<sup>13</sup> But is the key issue about humanitarian space, and should the paradigms of humanitarianism and political-military utility be mutually exclusive? Or, as Leader argues, should the debate not be seen as part of the constant need for renegotiation of the humanitarian ‘deal’ in order to make humanitarian military intervention more relevant to contemporary imperatives?<sup>14</sup>

Indeed, even though arguing in the context of the humanitarian principle of neutrality, Schweizer may seem to suggest an answer to this dilemma when he posits that:<sup>15</sup>

The moral dilemma (between neutrality and political activism), however, remains difficult to solve for humanitarian organizations. The two approaches seem mutually exclusive but when seen pragmatically are complementary. It might in fact be in the interest of victims of oppression and violence that both philosophies coexist, albeit represented by different organizations (and different mandates and objectives).

Otherwise, that point of departure from Schweizer’s conclusion can borrow from the sense of Macrae’s observation.<sup>16</sup> Given the enormous humanitarian catastrophe in the wake of such violent conflicts as in

Somalia and Darfur, the narrow conceptual framework definition of humanitarian intervention designed to mitigate the impact of war (in its classical sense), should be to make room for a new normative framework definition of humanitarian security intervention that is more responsive to these realities and is designed to focus its efforts first on the restoration of security and then on supporting humanitarian assistance. Nicholas Leader was apt in suggesting that nineteenth-century-based humanitarian principles (and the nature of warfare) in a changing world cannot remain fossilised. His pragmatic summary is more to the point that:<sup>17</sup>

The humanitarian impulse may be universal and timeless, but the rules and institutions through which it is expressed, and the extent to which these are respected, are historically determined.

On the one hand, it can be assumed that UN and other regional humanitarian military interventions, and the discourse around humanitarianism and humanitarian military intervention, have contributed to norm building. On the other hand, that assumption sometimes is affected by the false hopes of a 'quick fix' and exit strategy of humanitarian intervention. These conflicting dimensions may be answered in the next section, which examines proximate inconsistencies in humanitarian intervention or humanitarian military intervention.

### Proximate inconsistencies in humanitarian military intervention

The tension between humanitarianism and humanitarian military intervention is not the only dimension of the debate affecting unimpeded norm building around humanitarian intervention. The debate extends to tensions over state sovereignty and responsibility. Deng argues cogently that sovereignty equates to the responsibility of the state to protect populations within state borders as the basis of the legitimacy of governments, and the accountability of such governments to international norms and standards. To this end, Deng argues that:<sup>18</sup>

The critical question ... is under what circumstances the international community is justified in overriding sovereignty to protect the dispossessed population within state borders. The common assumption in international law is that to justify such action there must be a threat to international peace and security.

Such thinking found resonance with the UN system in 1992 when Boutros Boutros-Ghali, the then UN Secretary-General, emphasised the utility of the concept

of consent-based, sovereignty-sensitive 'preventive deployment' as a tool for his Agenda for Peace (1992):<sup>19</sup>

... in a variety of instances and ways ... in conditions of crisis within a country ... to alleviate suffering and to limit or control violence... assistance in maintaining security, whether through military, police or civilian personnel, could save lives and develop conditions of safety in which negotiations can be held ... in these situations of internal crisis the United Nations will need to respect the sovereignty of the State; to do otherwise would not be in accordance with the understanding of Member States in accepting the principles of the Charter ...

Perhaps this agenda was suited to the time of minimalist UN intervention. With hindsight, however, the concept suffers from at least three significant weaknesses. The first relates to the difficulty in securing a 'reasonably comprehensive' consent, or maintaining the respect of warring parties for an existing framework of consent. The report of the Brahimi Panel underscores the dilemmas around the exploitation of consent and its potential as a conflict-prolonging tool when it is withheld or withdrawn.<sup>20</sup> Wesley has argued that by their nature, civil war adversarial groups have the capacity for rational calculations about their relative strengths vis-à-vis that of UN missions. In that dynamic relationship, they are able to calculate the inherent weaknesses in the design — mandate, force level, force capabilities, mission presence and military balance — that enable them to choose their tactics and non-permissive attitudes towards such missions. He argues that where belligerents perceive critical weaknesses in humanitarian intervention missions, they are inclined to withhold cooperation or be blatantly hostile.<sup>21</sup>

Second, the state may be unwilling or unable to extend that reasonable consent, or may itself be complicit in gross violations of the human rights of the population. This dilemma, time and again, has frustrated and even impeded mandate implementation, as was particularly true of Sudan's Darfur conflict.

The third weakness lies in the assumption that the mandate and design of each deployment and mission, pursuant to the fundamental principles of humanitarian assistance, would be contextually adaptable to the doctrine of peacekeeping.

It is indisputable that the Agenda for Peace was insufficient and unsuitable doctrinally for meeting the humanitarian and security imperatives of the post-Cold War era. Consequently, in its characteristic incremental approach to issues, the UN tasked the Brahimi Panel with 'assess[ing] the shortcomings of the existing system and [making] frank, specific and realistic recommendations for change'. It is fair to say that the report of the Brahimi Panel (2000)<sup>22</sup> was a reasonable attempt to



deepen thinking within the UN system on the need to mainstream humanitarian military intervention, among others, into peacekeeping.

The panel's report contextualises the need for UN peace operations not to be inhibited in using force to silence a source of deadly fire directed at UN troops, the people they are mandated to protect, or to cede the initiative to their attackers. It emphasises the need for commensurately larger well-resourced forces with clear, credible and achievable mandates, with explicit authority to use force as a deterrent, while accepting the risk of operational casualties. It is obvious that, while not being exact in its words, the panel underscores the need for a new doctrinal posture, informed by a 'credible deterrent threat', for neutralising, if not destroying, armed threats to mission mandates.

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Even though the panel emphasised that this posture should be in contrast with the 'symbolic, non-threatening peacekeeping posture', UN peace operations have probably continued in the same vein of 'peacekeeping', largely owing to the UN's tendency towards adaptation rather than a new bold and holistic doctrine of humanitarian security intervention. That in turn owes to the tendency of the Security Council and member states to craft and support ambiguous, inconsistent and underfunded mandates in non-permissive conflict zones.<sup>23</sup> However, this dilemma stems from the entrenched aversion of the permanent members of the UNSC, as well as the other member states of the UN system, to 'warlike' interventions, in spite of the reality and effect of such operations, in eastern DRC for instance.

The problem is one of failure of the Security Council and the wider international community to establish an effective doctrine for humanitarian military intervention. This point is best explained by borrowing from a generic definition of 'doctrine' as a term of political and military science that humanitarian military intervention doctrine should be 'what we believe about the best way to conduct humanitarian intervention'.<sup>24</sup> Based on such a definition, it is questionable whether the Security Council and the wider international community believe that the existing paradigm of humanitarian interventions is the best way to resolve humanitarian and security

imperatives arising from the incidence of violent intrastate armed conflict.

However, the lacuna over norm building around a doctrine of humanitarian security intervention is also a political issue. Weil, for instance, argues that one of the reasons that explain the lack of a consistent humanitarian intervention penetration in armed conflict revolves around the still contentious issue of legitimacy in its three component variants: ethical; legal; and procedural authority.<sup>25</sup>

Her argument principally is that lack of international consensus on the socially constructed notion of legitimacy detracts from its strength as a trigger for humanitarian intervention. As she argues, confusion over the meaning of legitimacy stems from the norm of non-intervention arising, for instance, from Immanuel Kant's interpretation of the 'just war' theory. Proponents of non-intervention argue that in order to be legitimate, humanitarian intervention must first be ethical or consistent with the underlying principles or moral authority of the theory of 'just war': just cause, use of force as the last resort, proportional means, and a high prospect of success or a positive outcome.<sup>26</sup>

The achievement of all the objective ethical criteria for 'just war' would be almost impossible in many of today's complex emergencies; classically, they could not be achieved in the conflicts in Somalia and Darfur, largely as a result of the dynamics of intra-state conflict (including the conflicting interests of the parties involved) as opposed to inter-state conflict, with respect to which the 'just war' theory was postulated.

The dilemma in the tension between state sovereignty and the need to avoid going down in history as an era in which society stood idly by in the face of devastating conflicts underscores the international community's quandary in choosing between its normative procedural 'right to intervene' and the moral 'duty to intervene'. The obvious conundrum is a legitimacy-legality gap,<sup>27</sup> and the pitfall of using legitimacy to achieve legality for an otherwise illegal intervention, in the context of the new normative definition of security that encompasses state and human security.<sup>28</sup>

Within the framework of the recommendations of the Brahimi Panel Report, the process of norm building towards humanitarian military intervention came to devolve on the principles of the normative definition of state sovereignty espoused by the International Commission on Intervention and State Sovereignty (ICISS):<sup>29</sup>

State sovereignty implies responsibility, and the primary responsibility for the protection of its people lies with the state itself ... 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 importance of that new normative definition is that states cede their sovereign 'responsibility to protect' to the international community, which would then exercise the remit to prevent, react and rebuild. On the surface, therefore, 'responsibility to protect' appears to provide a reasonable caveat for intervention, and safeguards against the violation of state sovereignty.

Incidentally, however, the drive towards that norm building has been affected by the decision of the UN General Assembly in favour of customised, case-specific early and flexible response only when prevention fails. In reframing the norm (which it refers to as a concept only), the General Assembly is espousing a three-pillar strategy devolving on the protection responsibilities of the state; international assistance and capacity-building; and timely and decisive response. It emphasised that:<sup>30</sup>

... we [member states] 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.

In practice, the collective will of the UN, as always, will appear to continue to hinge on the complex self-interest politics of the UN Security Council which, in many instances, derail the speed with which norms are built generally, as well as compromise the specific elements of early, decisive action.<sup>31</sup>

As a matter of fact, the sensitivity of the UN and its member states is to blame for the almost complete demise of the movement that started in the 1990s (1994–97) towards the 'prevention of armed conflict'.<sup>32</sup> As Langille explains, the movement sought to ensure rapid and effective responses to armed conflict, focusing on a range of intervention mechanisms, such as a UN rapid reaction force using peace enforcement units and Article 43-type (national standby forces) arrangements, as well as the idea of a UN legion.

The movement led, among others, to the emergence of such initiatives as the UN's rapidly deployable mission headquarters; the UN Standby Arrangements System (UNSAS) to provide for some degree of guaranteed contributions by member states; and the Denmark-based 13-member multinational Standby High Readiness Brigade (SHIRBRIG). Indeed, the motivations and

rationale for the establishment of the African Standby Force (ASF) stem from this movement.

Admittedly, some initial progress was achieved in the materialisation of the UNSAS in the mid 1990s. The SHIRBRIG<sup>33</sup> was fully operational in 1996, deploying in 2000 to the United Nations Mission in Ethiopia-Eritrea (UNMEE) in that year, and establishing a headquarters element for the United Nations Mission in Liberia (UNMIL) in 2003.<sup>34</sup> In addition, the ASF is slowly making progress towards full operationalisation in 2010. Furthermore, the implementation of the recommendations of the Brahimi Panel has led to the institutionalisation of the integrated mission planning process, including the application of integrated mission task forces.<sup>35</sup>

In spite of these achievements, Langille points out that the limitations of the various mechanisms arise from lack of full commitment on the part of the UN and member states in signing up to the arrangements. In addition, the Brahimi Panel notes a number of key shortcomings of UNSAS, as not being fully dependable for the supply of capable resources, and lacking coherent multidimensional brigade-size forces.<sup>36</sup> The reality is that the momentum towards a full operationalisation of an effective, comprehensive and harmonised mechanism has all but fizzled out. This is largely as a result of the focus of the UN and the international community on pragmatic incremental reforms and strengthening existing structures.

Going back to the earlier debate, as a more recent example, the prospects for a rapid humanitarian intervention in Darfur on an international scale were not only hampered by the absence of a rapid deployment capability, they were virtually smothered by two factors: the prolonged conflictual debate over whether the situation there constituted genocide; and the intransigence and opposition of the government to the issue of 'foreign forces'. The circumstances surrounding the AU (and subsequently AU/UN) intervention in Darfur underscore the difficulties involved in that determination.<sup>37</sup> On the ground, the impact of these missions has been hampered by the lack of an effective humanitarian security intervention doctrine.

The critical questions will appear to be: What are the objective criteria for a humanitarian military intervention? How can the UNSC preclude the violation of the sovereignty of the state? Will the reality on the ground possess the required gravitas? How will that gravitas help to shape and tilt the collective view of the Security Council (and member states and regional organisations)? Or does state sovereignty still preoccupy the minds and interests of UN member states and other regional organisations? The clear answer is, yes, it does. However, that these questions are being asked is even more astonishing in light of the abysmal failure to resolve the debacle in Somalia, and the resultant disengagement from Somalia since 1995.

To some extent though, humanitarian military intervention erroneously seems to have become a compulsive tool of choice by the international community, including the AU in Africa, even though that norm retains an element of being contrary to that of state sovereignty. The dilemma is that the mantra of humanitarian intervention has been invoked in Africa (particularly in Somalia and Darfur), although the political conditions for the intervention (the so-called humanitarian ceasefires or peace agreements) were neither comprehensive nor substantive. Empirically, they appear to have been invoked for the sole objective of 'giving peace a chance' and for the AU to appear to underscore its commitment towards the constitutional provision on:<sup>38</sup>

... the right of the Union to intervene in a member state ... in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity.

In reality, however, the lack of comprehensive ceasefires or peace agreements as a basis for interventions in Somalia and Darfur, for instance, speaks to the tenuous balance of power between the state and those who accuse it of all the causes of instability (socio-economic and political failure) and therefore contest the state's monopoly over coercive instruments of power.

## Key generic challenges in existing conceptual frameworks

The necessity for humanitarian military interventions naturally leads to a need for an analysis of framework definitions of three inter-related notions: humanitarian intervention; protection; and civilian protection; as well as three conceptual approaches: multidimensionality; integration; and integrated missions.

The UN (OCHA) suggests that humanitarian intervention is a doctrine generally meaning:<sup>39</sup>

Coercive action by States involving the use of armed force in another State without the consent of its government, with or without authorisation from the UN Security Council, for the purpose of preventing or putting to a halt gross and massive violations of human rights or international humanitarian law.

It is striking that this suggested definition excludes the use of 'less-coercive force', or the threat of its use,<sup>40</sup> in conflict and post-conflict settings, to prevent and/or protect serious violations of human rights and relieve the unprecedented humanitarian catastrophe.<sup>41</sup> Nevertheless, not all interventions need to be, or are necessarily coercive. Furthermore, the practical examples of humanitarian intervention that fit with the OCHA

definition are wide and varied. They include the UN's operations in Northern Iraq and Somalia, and NATO's operation in Kosovo (cited by OCHA), as well as those in Haiti, Liberia, Rwanda, Bosnia and Sierra Leone.

The ambivalence of the international community's commitment towards humanitarian intervention (which will be examined later) possibly compromises the objective UN (OCHA) definitions first of 'protection' as:<sup>42</sup>

A concept that encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of human rights, refugee and international humanitarian law. Protection involves creating an environment conducive to respect for human beings, preventing and/or alleviating the immediate effects of a specific pattern of abuse, and restoring dignified conditions of life through reparation, restitution and rehabilitation.

And second of 'protection of civilians (in armed conflict)' as:

Structures and policies developed by the UN, States and other humanitarian actors, and based in international humanitarian law, human rights and refugee law, to protect vulnerable populations from the effects of armed conflict, ranging from the most immediate priorities of minimising civilian casualties to more long-term priorities of promoting the rule of law and security, law and order within a State.

In principle, these definitions entail considerable critical imperatives arising from the nature and impact of violent armed conflict and the use of appropriately commensurate force to influence those imperatives for the safety, security and wellbeing of the victims of conflict and for international security. Furthermore, given that no two conflicts are the same, the constituent elements of the impact of armed conflict need to be prioritised and the use of force customised in proportion to the dynamics and imperatives of each particular conflict. That proposition differs from the current use of humanitarian military intervention as a standard template in situations of conflicts ranging from self-determination by minorities to bringing down dictatorships and ushering in democracy, and ending occupation by invading armies, even where such counter-occupation struggle employs the use of terrorism as a weapon of war.

The merits of focusing on emergency relief — feeding mouths, sheltering bodies and seeking welfare — are immediately obvious. They are media friendly; they highlight the focus of society on the plight of the needy victims of conflict; they assuage the moral failings of society by highlighting its compassionate side; and

**Table 1 Matrix of mandates of selected missions**

Designation	End State/Mission Statement	Essential Tasks
UNOSOM 1 (April 92– March 93) <sup>45</sup>	To monitor the ceasefire in Mogadishu ... and to provide protection and security for UN personnel, equipment and supplies at the seaports and airports in Mogadishu and escort deliveries of humanitarian supplies ... to distribution centres in the city and its environs	
UNOSOM II (March 93–March 95) <sup>46</sup>	To take appropriate action, including enforcement measures, to establish throughout Somalia a secure environment for humanitarian assistance, and complete the task of UNITAF through disarmament and reconciliation	<ul style="list-style-type: none"> <li>■ Monitoring cessation of hostilities and other hostilities</li> <li>■ Preventing resumption of violence and, if necessary, taking appropriate action</li> <li>■ Maintaining control of heavy weapons of factions brought under international control</li> <li>■ Seizing small arms of unauthorised armed elements</li> <li>■ Securing ports, airports and lines of communications required for delivery of humanitarian assistance</li> <li>■ Protecting personnel, installations and equipment of UN and agencies, ICRC, NGOs</li> <li>■ Continuing mine clearing, and</li> <li>■ Assisting in repatriation of refugees and displaced persons in Somalia</li> </ul>
UNITAF (December 92- May 93) <sup>47</sup>	<b>Chap VII:</b> To use all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia	<ul style="list-style-type: none"> <li>■ Security operations/tasks: air assault, patrols, cordon and search, main supply routes, military and NGO convoys, critical facilities</li> <li>■ Combat operations in support of humanitarian agencies</li> <li>■ Construction (re-construction): 1 100–2 000 km road and Bailey bridges</li> <li>■ Escorts: convoy and VIP protection</li> <li>■ Disarmament (weapon confiscation)</li> <li>■ Provision of theatre communications</li> <li>■ Customs, arrest, detention of local civilians suspected of felony crimes</li> <li>■ Criminal investigation support</li> <li>■ Reconnaissance and information (human intelligence) gathering</li> <li>■ Mine and unexploded ordnance clearance</li> <li>■ Water well drilling</li> <li>■ Airfield upgrading and maintenance</li> <li>■ Civic action projects (schools, orphanages, hospitals, water supplies)</li> </ul>
AMIS (2004- 2007) <sup>48</sup>	<p><b>End state:</b> restoration of a secure situation throughout Darfur, which is underpinned by a political settlement, allowing a safe environment for the return of IDPs and refugees.</p> <p><b>Mandate (enhanced AMIS October 2004):</b></p> <ul style="list-style-type: none"> <li>■ Monitor and observe compliance with HCFA</li> <li>■ Verify compliance with HCFA</li> <li>■ Investigate alleged violations of HCFA</li> <li>■ Assist/promote process of confidence building (aerial/vehicular patrols, and show AU presence)</li> <li>■ Contribute to secure environment for delivery of humanitarian relief and support return of IDPs</li> <li>■ Contribute to improvement of overall security situation in Darfur</li> <li>■ Be prepared to protect civilians under imminent threat in immediate vicinity, within capabilities; be prepared to protect static and mobile humanitarian operations under imminent threat and in immediate vicinity, within capabilities; and provide visible military presence by patrolling and establishment of temporary outposts to deter uncontrolled armed groups from committing hostile acts against the population</li> <li>■ Submit periodic (monthly) reports of HCFA violations to Joint Commission</li> <li>■ Submit operational reports to AU PSC (DITF)</li> </ul>	<ul style="list-style-type: none"> <li>■ Liaise with local authorities of all parties</li> <li>■ Monitor/verify activities of all parties and security situation in/around declared safe areas</li> <li>■ Monitor/verify provision of security for returning IDPs and in vicinity of IDP camps, through the Government of Sudan (GoS)</li> <li>■ Monitor/verify cessation of hostile acts by parties</li> <li>■ Monitor/verify hostile militia activities against population.</li> <li>■ Monitor/verify overall security situation within the AOR</li> <li>■ Monitor/verify attempts of GoS to disarm govt controlled militias</li> <li>■ Investigate/report allegations of violations of HCFA</li> <li>■ Protect AU personnel, equipment and installations</li> <li>■ Protect observer patrols on vehicle and heli-borne deployment as required</li> <li>■ Be prepared to protect civilians under imminent threat in immediate vicinity, within capabilities</li> <li>■ Be prepared to protect static and mobile humanitarian operations under imminent threat and in immediate vicinity, within capabilities</li> <li>■ Provide visible military presence by patrolling and establishment of temporary outposts to deter uncontrolled armed groups from committing hostile acts against the population</li> </ul>



Designation	End State/Mission Statement	Essential Tasks
UNAMID (31 July 2007–) <sup>49</sup>	Acting under Chap VII of the Charter of the UN: a) decides that UNAMID is authorised to take the necessary action, in the areas of deployment of its forces and as it deems within its capabilities in order to: i) protect its personnel, facilities, installations and equipment, and to ensure the security and freedom of movement of its own personnel and humanitarian workers, ii) support early and effective implementation of the DPA, prevent the disruption of its implementation and armed attacks, and protect civilians, without prejudice to the responsibility of the GoS	
IGASOM <sup>50</sup>	To provide security support to the TFG, in order to ensure its relocation to Somalia, guarantee the sustenance of the outcome of the IGAD peace process, and assist with the re-establishment of peace and security, including training of the police and the army	
AMISOM (January 2007–) <sup>51</sup>	To provide support to the Transitional Federal Institutions (TFIs) in their efforts towards the stabilisation of the situation in the country [Somalia] and the furtherance of dialogue and reconciliation	<ul style="list-style-type: none"> <li>■ Support dialogue and reconciliation in Somalia, working with all stakeholders</li> <li>■ Provide, as appropriate, protection to the TFIs and their key infrastructure, to enable them carry out their functions</li> <li>■ Assist in the implementation of the National Security and Stabilisation Plan of Somalia (NSSP)</li> <li>■ Provide, within capabilities and as appropriate, technical and other support to the disarmament and stabilisation efforts</li> <li>■ Monitor, in areas of deployment of its forces, the security situation</li> <li>■ Facilitate, as may be required and within capabilities, humanitarian operations, including the repatriation and reintegration of refugees and the resettlement of IDPs,</li> <li>■ Protect its personnel, installations and equipment, including the right of self-defence</li> </ul>

Source Author's own data compilation

therefore they instil in the collective conscience of society a sense of achievement.<sup>43</sup>

The demerits are not so obvious, even though many of them have long been the subject of intense debate in academic and policy circles, generally in the context of the failings of UN interventions.

### The mandate lacuna: pragmatic incremental ambiguities and mismatched means

The deployment of the UN Operation in Somalia (UNOSOM) and the United Task Force (UNITAF) in the early 1990s possibly marked the beginning of UNSC's perennial confrontation with the dilemmas over the degree of force permissible to ensure security for the delivery of humanitarian aid and agencies; protection of civilians; and force protection. The mistaken aversion of the UN Security Council to establishing missions with the requisite mandates led to the establishment of missions with 'robust' Chapter VI, or 'Chapter 6½' mandates in the early 2000s.<sup>44</sup> The challenges to some of these missions, such as UNAMSIL and UNMIL, convinced the Security Council of the inappropriateness and ineffectiveness of

that normative mandate. As a result, subsequent missions from 2003 have been established under Chapter VII provisions, specifying their security and protection of civilian responsibilities.

Appearing to be in denial that the exigencies of specific complex emergencies, such as those in Somalia and Darfur, require higher threshold Chapter VII mandates, the Security Council continues to establish missions with 'robust' Chapter VII mandates, denominated by conditionalities that, coupled with mandates-means lacunae, only serve to detract from the higher intent in the UNSC's mandates. Using table 1, the rest of the discussion will highlight the dilemmas of mandates in humanitarian military interventions from the 1990s to the present conditional robust Chapter VII mandates.

### Conundrum of the operational application of protection mandates

Mandate statements, whether by the Security Council or regional organisations like the AU, are crucial to the security and safety of civilians in armed conflict, especially in Africa. Invariably since 1990, Security Council

security and protection mandates – from Rwanda’s ‘never again’ genocide, through UNAMSIL’s Resolution 1289 (2000), to the UN Organisation Mission in the Democratic Republic of the Congo (MONUC)’s Resolution 1291 (2000) and UNAMID’s Resolution 1769 (2007)<sup>52</sup> – have revolved around the following key expressions:

- Acting under Chapter VII of the UN Charter
- (May) take the necessary action, within its capacity
- In the areas of deployment, within its capabilities
- To ensure the security and freedom of movement of its personnel, installations and equipment or
- To restore lasting peace and bring about national reconciliation
- Afford protection to, or to protect, civilians, under imminent threat of physical violence
- Taking into account, or without prejudice to, the responsibilities of the Government (of the respective host nation)
- Protect humanitarian agencies, humanitarian assistance and other friendly organisations

The culmination of the protection of civilian mandates<sup>53</sup> is best exemplified in UNAMID’s mandate:

Acting under Chapter VII of the Charter of the United Nations, the Security Council, by its Resolution 1769 (2007) decided that UNAMID is authorised to take the necessary action, in the areas of deployment of its forces and as it deems within its capabilities in order to:

- Protect its personnel, facilities, installations and equipment, and to ensure the security and freedom of movement of its own personnel and humanitarian workers
- Support early and effective implementation of the Darfur Peace Agreement, prevent the disruption of its implementation and armed attacks, and protect civilians, without prejudice to the responsibility of the Government of Sudan

The protection of civilians has different components that are based in the new wider normative meaning of human security, deriving from new interpretations of the imperatives of human rights law, and international humanitarian law, and these entail physical security of populations. Given the prevalence of serious violations of human rights in complex emergencies, the fundamental question relates to why the Security Council persistently seeks to limit the use of force and range of action in dealing with human insecurity in conflict and post-conflict environments. The Security Council formulation of conditional mandates therefore falls short of the imperatives of the security and protection of civilians in such low-high intensity conflicts into which peace operations are deployed. It is equally unproductive to expect states and governments<sup>54</sup> that are

weak or complicit in violations of fundamental rights to afford protection to citizens.

Contrary to the reality that these violations demand commensurate Chapter VII authority, the conditionalities have had the force of limiting the initiative and freedom of action of the operation, thereby creating a situation in which hostile forces can withhold or withdraw cooperation from the operation, further impairing mission accomplishment. The situation of a lack of a clear, comprehensive doctrine on humanitarian military intervention is not helped much by the Capstone Doctrine (2008),<sup>55</sup> which takes a more definitional approach to security and protection (including a security and protection role of the police). The perceived aversion of the UNSC to ‘fighting wars’ strongly suggests its inclination towards political expediency.

The continuing political stance and its detraction from restoring security in post-conflict situations is conflictual with the well-informed observation by the Brahimi Panel that UN peace operations are deployed to create post-conflict conditions by working to maintain security. It is even more disconcerting that in spite of the instructive experiences from the conflicts and interventions in Somalia, Rwanda and the Democratic Republic of the Congo (DRC), to Sierra Leone and Darfur, the slow, incremental approach of the Security Council (and the General Assembly) is far from commendable.

The existing framework of Chapter VII mandate statements does not seem to have contributed substantively to the realities on the ground. Indeed, even the UNITAF operation (Restore Hope), without the benefit of such an ‘explicit’ mandate statement, probably contributed more to security in Somalia. The problem therefore may not relate merely to the question of statements, but to the whole approach and objectives of humanitarian military interventions.

## Old and new lessons from Somalia and Darfur

### ■ *The case of interventions in Somalia in the 1990s*

With its centre of attention on humanitarian emergency and the limited scope of its mandate focusing on Mogadishu, coupled with its ridiculously small uniformed strength, UNOSOM I has gone down in history as a classic case of the UN’s minimalist approach to intervention. In a low- to high-intensity theatre such as Mogadishu in the early 1990s, the mission was bound to fail, owing to the lack of vision and cosmetic commitment of the UN to an effective resolution of the conflict.

One wonders therefore why the US-led UNITAF (1992–93), which successfully redeemed UN’s image, was withdrawn in the face of limited casualties, arising from contradictions in its mandate with a

humanitarian focus in an environment of worsening security. UNITAF's withdrawal after barely five months of a rather effective security and humanitarian assistance operations nailed any hopes of a timely, effective resolution of the conflict.

Overall, in spite of qualified achievements in the humanitarian field, as well as limited success in strengthening the rule of law, the various interventions failed for a number of reasons, including:<sup>56</sup>

- The weakness of mandates, especially of UNOSOM I, which focused on monitoring a shaky ceasefire and, with less than 18 per cent of its authorised uniformed strength, lacked the political-military means to affect the complex Somalia situation
- Preoccupation of UNITAF and UNOSOM II with the alleviation of the humanitarian catastrophe, and the lack of sustained operations to restore and maintain security, which had precipitated the humanitarian emergency to start with
- The lack of a balanced, well-thought-out concept and plan for the disarmament of the various factions, rather than focusing the efforts of UNITAF and UNOSOM II on General Farah Aideed's USC/SNA faction, especially from June–October 1993<sup>57</sup>
- Failure to institutionalise durable transitional structures to restore effective governance in Somalia. This applies to other regional efforts by OAU/AU, the League of Arab States (LAS), the international partners and IGAD, which failed in deploying a regional mission, IGASOM
- The precipitate withdrawal of UNITAF in the face of fatalities that pale into insignificance when compared with those in similar stability operations, notably in Iraq and Afghanistan. Following the withdrawal of UNITAF, the US provided support for the withdrawal of UNOSOM II. The cumulative crisis and damage limitation interventions did more harm than good in efforts towards the early resolution of the conflict
- The counter-productive policy of propping up external proxies (US, Ethiopian and Eritrean), such as

the Alliance for the Restoration of Peace and Counter-Terrorism (ARPCT) in 2006

These short-term initiatives have helped to turn Somalia into an international arena in the defeat of Islamic/Al Qaeda tendencies and presence in Somalia, a 'non-existent' state whose conflict has been fuelled by a sanction-busting<sup>58</sup> proliferation of weapons. Neither this policy nor the ineffectual presence of the AU Mission in Somalia (AMISOM),<sup>59</sup> which is under-resourced, undermanned and outgunned, constitutes a constructive attempt at addressing the complex security and humanitarian situation in the country. Nor do they resolve or address the fundamental dynamics of the pan-Somali project, even though that motivation is itself undermined by clan political antagonisms.

■ *The case of the AU Mission in Somalia*

In a symptomatic culture of not learning lessons, the 8 000–9 000 strong multidimensional AMISOM-force military (nine infantry battalions), police and civilian components, supported by maritime and air elements, have been mandated in the same ineffectual fashion: to 'provide support to the Transitional Federal Institutions' (TFIs).<sup>60</sup>

Since its establishment in 2007, AMISOM has been hampered in the accomplishment of its mandate largely by constipation in force generation, while its operational environment has grown worse through Al Shabaab's determined offensives. Thus, with only 64 per cent (5 100) of its authorised strength, which is underestimated, AMISOM has been confined to the presidential locality of Mogadishu, and key positions at the airport and seaport, while different groups control a large number of such other facilities. Furthermore, in similar circumstances to AMIS, the presence of police in a mission envisioned to be multidimensional has lagged far behind that of the military, and has suffered from the same dilemma of lack of police contributions. The contribution of a purely

**Table 2** AMIS protection force generation (2005-2007)

Contributing Country	Force Strength	Categories/Capabilities
Rwanda	1 707	3 battalions (525, 533 and 649)
Nigeria	2 040	3 battalions (each 680)
Senegal	522	1 battalion (487, 35 military observers)
South Africa	611	1 battalion (571, 40 military observers, reserve company, engineers, explosive ordinance disposal)
Gambia	217	1 company (196, and 21 military observers)
Kenya	60	2 military police platoons

Source Author's own data compilation

monitoring police component cannot therefore add any significant capabilities to the mission.<sup>61</sup>

■ *The case of the AU Mission in Sudan-Darfur*<sup>62</sup>

The AU end state for AMIS, the 'restoration of a secure situation throughout Darfur, was overly ambitious, given the size of the force (maximum of 7 700)<sup>63</sup> in relation to the expanse of its area of operational responsibility (the size of France), poor communications within the area, insufficient force enablers (rotary wing aircraft), poor conditions of peace, and the lack of a respectable ceasefire on the part of the protagonists who outgunned the mission. On the one hand, given its initial soft tasks (liaison, monitoring, verification and investigation), AMIS was certainly not pre-disposed to ensure compliance with the Humanitarian Ceasefire Agreement (HCFA) of 2004.<sup>64</sup> Though commensurate with its limited means, the softness of these tasks implied that the mission was less capable of influencing the reality on the ground. AMIS thus lost the goodwill of the international community, which was unrealistic in its expectations of a quick-fix outcome in Darfur.

Tragically, even after the enhancement of the mandate (October 2004) – with the more arduous task of protecting all categories of AU personnel, equipment and installations, as well as civilians and aid workers – the mission's capabilities were not commensurately enhanced (see table 2). Given the insufficient generation of forces throughout its existence, AMIS lacked the means to protect itself against incessant, flagrant

violations of the HCFA or the incomprehensive Darfur Peace Agreement (DPA) of 2006<sup>65</sup> that failed to make any material improvements in the realities on the ground.

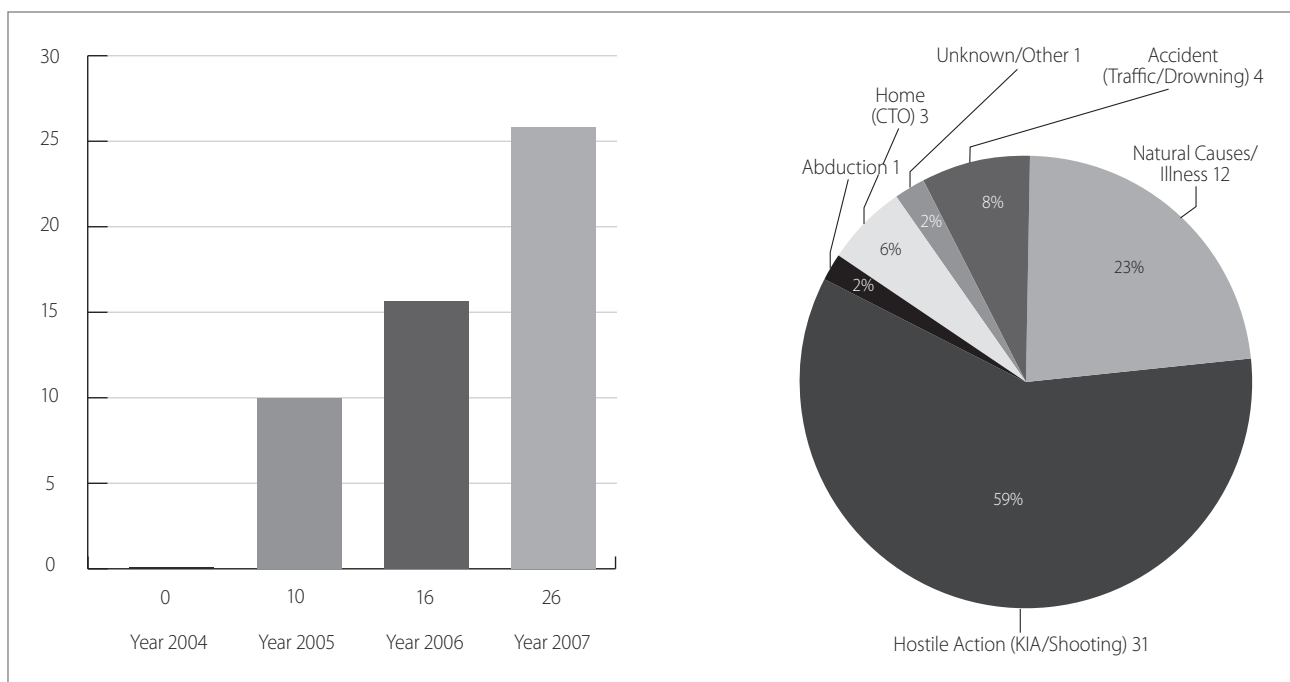
Contrary to the provisions of the legal framework of the Status of Mission Agreement (SOMA) of June 2004, AMIS administration and operations were hampered by Sudanese government restrictions, such as curfew and burdensome custom procedures. In addition, rather than the unhindered access and freedom of movement in the SOMA, the mission was kept in check by illegal checkpoints and roadblocks at which warring parties and bandits robbed its personnel of mission equipment and personal items. Even though AMIS was able to offer some degree of protection to vulnerable groups in the areas where it was deployed, overall it found it difficult to provide protection to such groups, which continued to suffer from serious violations of human rights and war crimes.

The fatalities of the mission (figure 1) from hostile action speak to the non-permissive nature of AMIS's operational environment. They also underscore the mismatch between the realities of that environment, the capabilities of the mission, and its pre-disposition not to use force to achieve its assigned mandate.

***Abdication, regionalism and spineless capabilities***

Since the Somalia debacle, Western and other developed countries have withdrawn from direct participation in peace operations in Africa. Such countries appear to base their abdication on the absence of a peace to keep and commitments to other threats to international security (terrorism), and therefore now choose to extend funding, logistical

Figure 1 AMIS fatalities (2004–2007)



Source Author's own data compilation



**Table 3 AU and African peace support interventions (1990–to date)**

Mission	Duration	Mandate
ECOWAS Monitoring Group (ECOMOG) in Liberia; peak strength of 13 500 from 2 600	1990–1998	Peacekeeping and peace enforcement; DDR, security sector reform; election monitoring
57 strong neutral military observer group (NMOG I) in Rwanda	1991–93	Ceasefire monitoring
70 strong neutral military observer group (NMOG II) in Rwanda	1993	Arusha Ceasefire monitoring and supervision of Arusha
47 strong OAU Mission in Burundi (OMIB I)		Assistance to restore confidence, promotion of dialogue; withdrawn in wake of Major Pierre Buyoya's 1996 coup
20 strong OAU Mission in the Comoros (OMIC I)	1997	Monitoring, observation, deterrence of escalation; withdrawn in wake of Colonel Assumani Azzali's 1997 coup
800–1 100 strong Inter African Mission in Central African Republic (MISAB)	1997–1998	Military assistance to restore peace and security, including disarmament
12 000 strong ECOMOG II operations in Sierra Leone (incrementally from 4 000 to 7 000 then to 12 000)	1997–2000	Peacekeeping, peace enforcement
Multinational SADC Coalition operations in DRC	1998–2000	Military assistance; counter invasion
14 strong OAU Mission in the Comoros (OMIC II)	2001–02	Monitoring of arms collection
39 strong OAU Mission in the Comoros (OMIC III) <sup>66</sup>	2002	Election monitoring
Joint Monitoring Commission and neutral military investigators (NMI) in DRC	1999–2004	Arusha Ceasefire monitoring; NMI withdrawn in 2000 in wake of funding problems
OAU Liaison Mission in Ethiopia-Eritrea (OLMEE)	2000–2004	Assistance and complementary support to UNMEE; showing OAU presence
2 700 strong African Mission in Burundi (AMIB) <sup>67</sup>	2003–2004	Ceasefire implementation; subsumed in UN Operations in Burundi (UNOB)
1 430 strong ECOWAS Mission in Côte d'Ivoire (ECOMICI)	2003–3004	Contribution to peaceful resolution of crisis and implementation of peace accord; guarantees of security and freedom of movement
3 566 ECOWAS Mission in Liberia (ECOMIL) <sup>68</sup>	2003	Stabilisation operations; opposing forces separation; secure of ceasefire line; and creation of conditions for ISF deployment
AU Mission in Sudan (AMIS): initially 120 strong military observers (Milobs), and with 308 strong protection force; eventually about 7 700, including 1 339 police	2004–2007	Ceasefire monitoring
AU Mission in Somalia (AMISOM) <sup>69</sup>	2007-	Support to the Transitional Federal Institutions (TFIs)

Source Author's own data compilation

strategic airlift and other support to regional-mandated missions, within the framework of external initiatives (hybrid and parallel operations). In addition, they have chosen to establish an 'overblown' capacity-building industry.

Granted that there are synergies from Western support to regional missions, there are also demerits in such 'peacekeeping apartheid'. One significant implication of this paradigm is the increasing burden of the AU and other (sub-)regional organisations to assume responsibility for insufficiently resourced and 'spineless' humanitarian interventions (see table 1). The reality from this experiential table is that AU member states lack sufficient political will to contribute adequate human resources, while the AU lacks the institutional expertise and means to undertake these operations successfully and effectively.

Although AU interventions are commendable, tables 2 and 3 portray the hidden weight of the disproportionate division of responsibilities between the AU and African regional organisations, which increasingly must bear responsibility for less effective missions, supported through external initiatives.

#### *Implications of unfavourable relative capabilities*

The unmatched capabilities between missions and protagonists serve as encouragement to the protagonists to withhold cooperation from missions. They are emboldened to resort to attacks, ambushes and other tactics such as illegal roadblocks that enable them to monitor missions and virtually neutralise them. The same mismatch results in the propensity of warring parties to deny humanitarian access, and to attack or loot

humanitarian materials, including transport and logistical equipment. Through such tactics, warring parties render inconsequential the huge humanitarian industry and infrastructure. Indeed, such obstructive measures (curfews or outright exit orders) by the government of Sudan, for example, hamper humanitarian access, as occurred in the aftermath of the ICC prosecutor's indictment and arrest warrant<sup>70</sup> for its president.

Thus, rather than being palliative, humanitarian intervention and assistance have become objects of political scorn and manipulation. The end result of all this is the prolongation of conflicts to the detriment of regional and international security, which exacerbates their impact on civilian populations.<sup>71</sup>

The next paragraphs of this section provide a synopsis of the practical aspects and implications of these weaknesses.

### **Multidimensionality: hybridity versus integration**

Technically speaking, the deployment of UNOSOM and UNITAF was a classic case of the paradigm of hybridity (hybridisation) or joint multinational operation conducted by the UN and the US coalition under different command and control, rules of engagement and status of forces arrangements.<sup>72</sup> In this operation, the US-led coalition (UNITAF) projected its operational capabilities (amphibious, air support, marine, firepower) in the opposed landings and seizure of carefully selected vital grounds and other key terrain such as airheads, beachheads and bridgeheads in Mogadishu, Baidoa, Kismayo and Badera.

Unfortunately, the initiative of the combined UNITAF and UNOSOM intervention was compromised by UNITAF's contradictory mandate that focused on the need for enforcement action and authorised it to use 'all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia'.<sup>73</sup> However, the primary objective of that Chapter VII enforcement action in creating a secure environment was the delivery of food aid. In other words, UNITAF's mission critical task was the protection of humanitarian assistance; all its security-related mission essential tasks and other activities were geared towards this, and not the long-term establishment of security for the protection of the civilian population. The successful accomplishment of that mission lay in the fact that it was able to transfer the mandate to UNOSOM II in May 1993.<sup>74</sup>

Multidimensionality should therefore not be merely in the composition of military, police and civilian. The emphasis should be on multidimensional capabilities to effectively address the imperatives of complex humanitarian emergencies and the wider political and security imperatives of post-conflict countries.

## **The police dimension in humanitarian military interventions**

The presence of police capabilities in Somalia in the early 1990s was not envisaged because hitherto the role of police in UN peacekeeping was limited and sporadic.<sup>75</sup> Since then, however, police have become an integral part of modern peacekeeping, largely as a result of the imperatives of complex emergencies, the consequential humanitarian interventions, the complexity of mandates (including peacebuilding functions), the multidimensionality of peacekeeping, and the surge in demand for peacekeeping resources.

These normative changes have led to fundamental differences in the mandate of police from the traditional monitoring, observation and monitoring roles, similar to their military counterpart. In order to act as a corrective mechanism on national law enforcement agencies in multidimensional peacekeeping, police mandates now involve advisory, mentoring and training functions. They also include three broad mandate-specific functional categories: interim law enforcement; security support to national police and law enforcement agencies; and reform, restructuring and rebuilding of national police and law enforcement agencies.<sup>76</sup> The Panel on UN Peace Operations (2000) has since recommended that the primary goal of UN police components of peace operations should be:<sup>77</sup>

... to focus primarily on the reform and restructuring of local police forces in addition to traditional advisory, training and monitoring tasks.

These imperatives compelled two developments within the continent. First, they informed the provisions of Article 4 of the Constitutive Act of the AU regarding the right of intervention in grave circumstances (crimes against humanity, genocide and war crimes).<sup>78</sup> Second, coupled with the stipulations of the Protocol Relating to the Establishment of the Peace and Security Council of the AU (Article 13),<sup>79</sup> they underscored the establishment of the ASF as a multidisciplinary force composed of military, civilian and police. In October 2004, these imperatives culminated in the unprecedented deployment of over 1 330 AU police, against an authorised strength of 1 560, as part of AMIS. The mission's enhanced mandate was:

**Table 4** AMIS AUPOL by category

Srl	Category	Strength
1	AUPOL	1,337
2	EU Advisors	26
3	US Representatives	30
4	UN LSP	30
5	Total <sup>80</sup>	1,423

**Table 5** AMIS Police by contribution

Srl	PCC	Strength
1	Ghana	425
2	Nigeria	201
3	RSA	126
4	Mali	75
5	Zambia	64
6	Uganda	56
7	Senegal	55
8	Cameroon	51
9	Egypt	50
10	Rwanda	49
11	Niger	42
12	Burundi	39
13	Burkina Faso	36
14	Gambia	30
15	Mauritania	15
16	Lesotho	12
17	Madagascar	10
18	Botswana	2
19	Kenya	1
20	<b>Total</b>	<b>1339</b>

Source Author's own data compilation

The restoration of a secure situation throughout Darfur, allowing the return of IDPs and refugees, in order to contribute to a conducive environment for a peaceful settlement of the conflict.

However, the expectation of AMIS police to contribute to this end state was at variance with its purely monitoring mandate, as well as the mismatch with its limited means and strength (see tables 4 and 5).

The implementation of these mandates and their related mission tasks has in turn created the demand for improved selection, recruitment and rostering of well-trained police officers, with generic and specialist skill sets, especially in the areas of mission planning, mission management, finance and logistics, as well as community policing and criminal investigations and forensics, among others. (The implications of this reality are discussed later.) These requirements inform strenuous externally supported police (and formed units) capacity-building efforts within the framework of the ASF.

In an AU context, the generation of police capabilities will continue to pose problems around such issues as:

- Poor police-civilian ratios of police organisations within the continent, partly as a result of incoherent

recruitment policies, insufficient skills development and retention commitments, and the comparatively high levels of violent and organised crimes, both nationally and internationally<sup>81</sup>

- As a footnote, policing capacities in Africa's fragile or emerging democracies vary widely in norms and standards, with implications for police performance in complex missions, vis-à-vis standards of criminal justice that benchmark national police performance and the development of post-conflict police capacity-building programmes

In addition, however, the most significant doctrinal weakness in the AU police deployment within AMIS was the absence of Formed Police Units (FPU).<sup>82</sup> That weakness should be a matter of concern in the continuing complex emergency in Somalia and the design of AMISOM. In complex missions and non-permissive environments in such countries as Sudan (Darfur) and Somalia, formed units can be used for a range of tasks involving public security and public order management (including crowd management/control, border policing, use of force and firearms), among others.

The role and functions of FPU are manifest in UNAMID, where UN police have been involved in performing inconceivable mission tasks, such as escorting women and children to collect firewood and water, and to the market, farms and schools.<sup>83</sup> However, innovative as this might seem, the use of FPU capabilities for such tasks detracts from the security-related tasks that they should undertake to enhance public security and safety, in displaced camps and in the larger society.

Generally speaking, scant effort has so far been devoted to capacity building for formed units, even though this is changing as the UN DPKO and the AU PSOD are both undertaking processes of developing frameworks to provide guidance on the management and preparation of national FPUs.<sup>84</sup> Furthermore, a coherent police capacity-building policy should seek to establish some degree of integration and synergies with the specialised training infrastructure of the International Criminal Police Organisation (ICPO, Interpol) and regional arrangements, including the AU infrastructure.

### Summation

Empirically, the view that these humanitarian interventions had the right or desired impact on conflict resolution may be faulted, if that view is based only on the degree of humanitarian access or the difficult circumstances under which the UN subsequently deployed follow-on complex peace operations. If one can call the situation in Somalia and Darfur peaceful, the prevalent political view has been to attribute such 'fragile peace' to direct outcomes of the humanitarian interventions.

But such a view is a political and not a scientific one. The empirical evidence, taking into account triggering, prolonging and root causes of conflicts, suggests:

- Political disposition towards interventions aiming to 'keep the sovereign state one' without due regard to the conflict dynamics
- Lack of rapid deployment capabilities, slow force generation and deployment of operations that dissipated heightened expectations of quick fixes
- Low credibility of humanitarian interventions as a result of the weak operational capabilities of humanitarian missions and their lack of rapid deployment capabilities for the protection of the civilian populations
- Lack of respect for instruments of peace, including fatal violations and attacks against missions by better armed and motivated warring parties
- Fragility of peace that is comparatively shorter than the duration of preceding conflicts
- Resultant creation of truce conditions for warring parties to rearm and re-strategise
- Resultant increase in the number of displaced populations, their subjection to repeat displacements and prolonged disruption of livelihoods
- More credibility of coalition missions with right capabilities, appropriate Security Council sanctions

## HUMANITARIAN SECURITY INTERVENTION: TOWARDS A DOCTRINAL FRAMEWORK DEFINITION

The narrative of humanitarianism and humanitarian military interventions speaks to the argument that the primary focus of humanitarian military intervention should not be on such tasks as feeding mouths and sheltering people. These tasks should be secondary to the attainment of the diagnostic objectives in the definitions around humanitarianism, humanitarian military intervention, protection and protection of civilians in armed conflict.

Based on this tenet, the following notes provide a synopsis of salient aspects of a proposed doctrine of humanitarian security intervention. The synopsis of the doctrine does not cover such aspects as force generation, rapid deployment capabilities and capacity building training, not because they are not important, but because in precept and practice there is broad consensus as to what they should entail, or there are processes for defining and refining their scope, and achieving them.

### Higher intent: creating conditions for (political) peace

The rhetoric of creating conditions for the resolution of conflicts is a sound policy stance on the grounds that

there cannot be a durable solution to conflicts without a durable political settlement of the causes of the conflict. This dilemma is accentuated in a situation where there has not been a decisive military defeat – or an induced sense of defeat – of one of the protagonists. Seeking durable peace in any scenario of military stalemate, at best, will therefore be tenuous and at worst impossible. The Brahimi Panel cautioned against deploying where:<sup>85</sup>

Conflict had not resulted in victory for any side, where a military stalemate or international pressure or both had brought fighting to a halt but at least some of the parties to the conflict were not seriously committed to ending the confrontation.

For all intents and purposes, the panel's argument is that operations deployed into conflict situations (as in Somalia and Darfur) ought to create the substantive 'post-conflict' conditions, by working to restore and maintain a secure local environment while peacebuilders should work to making that environment self-sustaining.

By extension, therefore, the mandate of creating conditions for peace in humanitarian security interventions should be understood as an objective to compel or induce through the use of force the withdrawal of occupation forces; the defeat or neutralisation of warring parties, including their disarmament; a substantive cessation of hostilities; or a comprehensive or respectable ceasefire.

### Higher intent: primacy of creating security conditions

In public security and safety terms, protection does not equate to or even imply the protection of every single individual civilian. As a notion of public good, protection is contextualised as a collective dividend of an effective presence and umbrella of security and rule-of-law institutions, as a deterrent to threats. In the context of protection of civilians in armed conflict, security ought to be understood to equate to: *In larger freedom's*<sup>86</sup> normative notion of freedom from fear, harm and want, and the freedom to live in dignity, relative to the degree of destructive or obstructive danger, loss and crime.

The task of security interventions is to affect the state of security by 'detering, coercing, defeating, destroying or accepting the surrender'<sup>87</sup> of sources of tangible and intangible hostile threats and restoring and maintaining stability, in order to induce a positive perception of security among the population. This can be possible with appropriate mandates, force design (strengths, capabilities and deployment) and the willingness to project those capabilities in a manner that progressively denies initiatives to the threats.

The incidence of complex emergencies as a derivative of violent intrastate armed conflicts demands a shift in



emphasis or a new wider interpretation of the provisions of the UN Charter<sup>88</sup> regarding the use of force. The same argument applies to the provisions of the AU's Constitutive Act, the PSC Protocol and the Policy Framework on the Establishment of the ASF (2003), regarding scenarios 5 and 6 functions of the force.<sup>89</sup> In these regards, the higher security intent of the UN Security Council should be reframed as:

Acting under Chapter VII of the Charter of the United Nations, and with intent to creating an environment conducive for the peace process, the Security Council authorises the peace operation to restore and maintain security within the area of operational responsibility, in order to ensure the protection of civilians, humanitarian assistance and aid workers. To this end, it is imperative for the operation to ensure unhindered access throughout its area of operational responsibility, contain and defeat all threats to the peace and security of vulnerable groups in the area of operational responsibility.

The practice of stipulating operational essential tasks, with a plethora of caveats, is far-fetched, and has tended to limit the exercise of initiative by operational-level mission leadership. The point made by Durch et al is valid here that mandates should be spelled out in unambiguous terms.<sup>90</sup> Other politically essential aspects

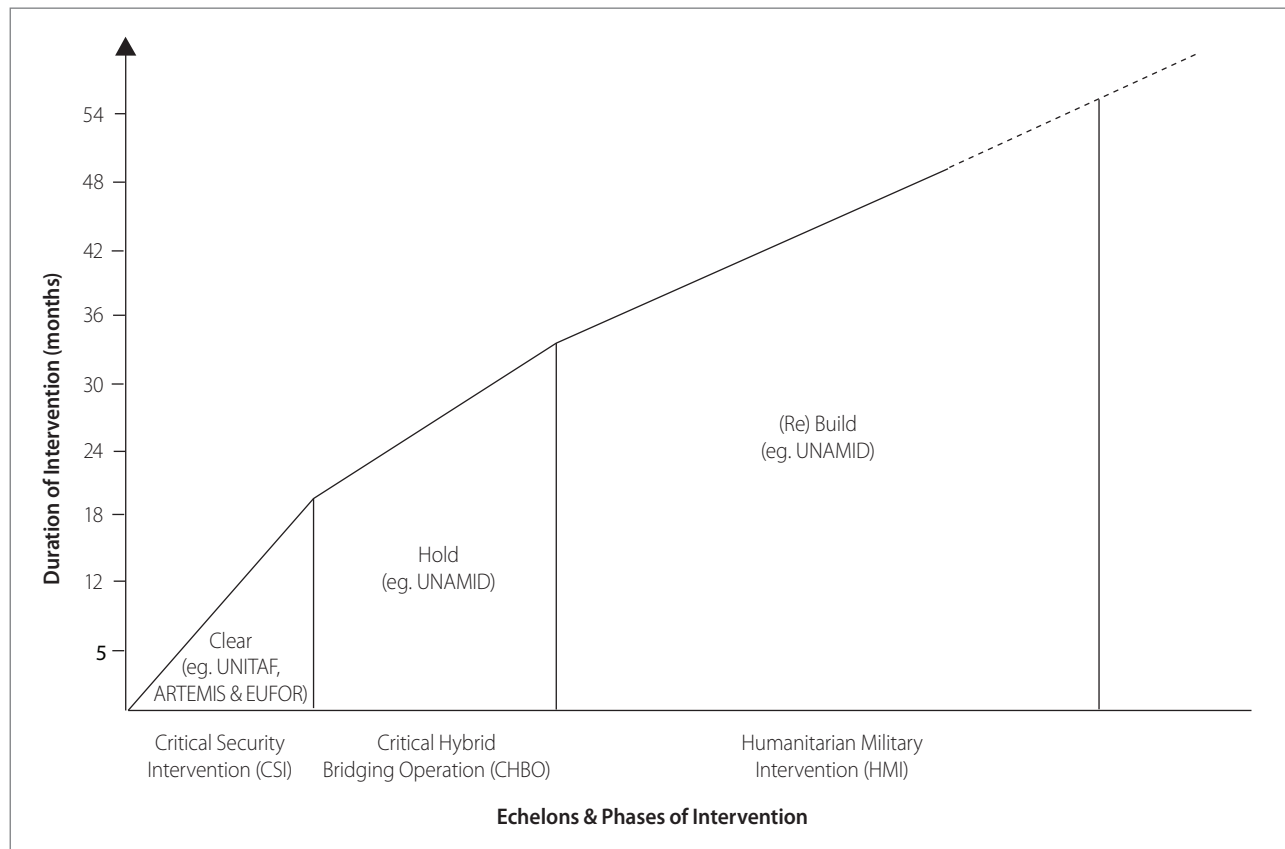
of higher intent on the protection of civilians could be implied in the mission statement. As argued elsewhere, however, these details could also be spelled out in detail in the directives to the mission leadership.

Thus, the doctrine of humanitarian security intervention emphasises the requirement for operational leaders (military and police) to deduce such essential operational tasks within a coherent campaign plan through the estimate (appreciation) of operational constraints and freedoms. The broad courses of action for the plan, each with its advantages and disadvantages, and tested against fundamental legal, moral and political principles in the use of force, should necessarily be cleared with the mandating authority, as and when strategic considerations demand. This process will yield greater initiative in the implementation of the operational tasks than is the case currently.<sup>91</sup>

### Campaign planning: synergy of strategic-operational phases of intervention

Given the continued abdication of Western and other capabilities from direct intervention under UN mandated multinational forces, hybridity (hybridisation) provides a second-best way forward in resolving Africa's complex emergencies. Within specified times and spaces, the operational plan for humanitarian security intervention should be based on three broad phases (see figure 2):

**Figure 2** Conceptual echelons/phases of humanitarian security intervention



- The first phase should devolve on a 'critical security intervention', mounted by a lead nation coalition (framework operation), with less restrictive Chapter VII mandates, to create the necessary security conditions. The critical security intervention could also be mounted by a coalition of African states, where possible, within the framework of the ASF. However, such an ASF coalition would require considerable rapid deployment capabilities. This intervention will aim to deter, coerce, compel, defeat, destroy or accept the surrender of hostile elements. This phase should last up to 18 months from the commencement of the security operations. The period is considered long enough to re-establish an operational level of security, and for follow-on forces to achieve at least initial operational capability
- The second phase should be a critical hybrid bridging operation, during which follow-on UN and/or regional 'robust mandate' missions achieve full operational capability. The role and function of the follow-on hybrid or parallel force should be to dominate ground pacified during the critical security intervention phase. Where an ASF coalition could not be deployed in the critical security intervention phase, the ASF in its generic form could be used as a follow-on force. Following the deployment of the hybrid bridging operation, the critical security intervention force should continue to provide in-mission or over-the-horizon backstopping military security capabilities. Where necessary, this support should include the security of contiguous borders beyond which spoilers enjoy proxy safe havens. This phase should continue for a period of not less than 36 months and dovetail into the last phase of the intervention. By the end of this period, the interventions should have succeeded in establishing and maintaining a security environment that is relatively conducive to unhindered humanitarian access
- The third and last phase will serve as a continuation of the hybrid bridging operation and, in time, settle down into the humanitarian military operation as currently configured, with a robust chapter VII mandate. In addition to consolidating the intervention, with support from the security intervention

**Rapid.** Achieving timely, speedy deployment as quickly as possible, in terms of relevant ASF deployment timelines.

**Deployment.** The movement of designated rapidly deployable (rapid reaction) HQs, units, teams, individuals and materials, from their origins, to the projected mission area, to undertake decisive security operations, in response to an appropriate decision by the AU PSC.

**Capability.** The ability and means to execute the specified course of action. It consists of the capacity and the means to respond to assigned and perform assigned missions and tasks effectively.

force, it will aim to create conditions for sustainable medium- to long-term peacebuilding

## Rapid deployment capabilities

Whether in the context of Africa or not, humanitarian security intervention cannot follow the characteristic slow approach to peace operations intervention by the UN system. This reality informs the need for the ASF to be able to deploy in grave circumstances involving war crimes, genocide and crimes against humanity. These situations, such as the ASF's mission scenario 6 involving genocide, demand a concept that is synonymous with the concept of 'rapid decisive operations',<sup>92</sup> as well as mission scenario 5 that involves complex emergencies with low-level spoilers. In these two scenarios, as well as other situations of crisis or emergency response, and counter terrorism, excessive loss of life and widespread destruction of livelihoods and property can be minimised, if not halted, by rapid deployment of capable forces.

It is therefore imperative for the ASF to possess rapid deployment capabilities (RDC), especially those elements that form part of critical security intervention. This idea is consistent with the original proposal in 2003 of establishing an ASF composed of one rapidly deployable brigade under command and control of the AU Commission, with other standby brigades based on the 5 political regions of Africa. That proposal was discarded because it was not politically correct. Since then, the establishment and full operationalisation of all 5 ASF regional standby brigades has been anything but arduous. An ASF RDC can therefore be established only by capacitating selected forces, wherever they may be located. The approach in developing a multinational, multidimensional formation size force is justified by the comparative speed with which the SHIRBRIG was operationalised in the late 1990s well ahead of the ASF.

The RDC is not a force as is erroneously argued on occasions. As a term of military science, it is a concept consisting of critical doctrinal elements, from strategic to tactical, providing a force with the means to deploy rapidly in situations requiring timely intervention and to deliver such capabilities as help to prevent or halt widespread atrocities against civilian populations. This descriptive definition of RDC should demand such vital elements as:

- Effective early warning mechanisms, prior or advance contingency planning, timely field assessment and strategic-operational level decisions that enhance knowledge and understanding of the operational environment and sound course of action
- Appropriate political mandate that realistically speaks to the situation on the ground and not one that is a mere template of political expediency

- Rapidly deployable (rapid reaction) headquarters and joint integrated civilian, military and police units, teams and individuals, based on a pre-conflict system of earmarked standby capabilities that are tailored towards the relevant mission scenario, with well rehearsed mechanisms for mobilisation and activation
- Coupled with the rapidly deployable headquarters, responsive strategic, operational and tactical level command and control systems capability, to facilitate decision making, and operational deployment and movements
- Training for probable mission scenarios and the relevant range of security tasks at the critical security intervention phase. This should be the focus of ASF training if it is to be able to deploy rapidly as is absolutely and relatively desirable
- Guaranteed strategic lift, integrated logistics and mission sustainment for a period of not less than 90 days, as well as the availability of realistic mission start-up funds

## Concept of operations

In low-high intensity post-conflict environments, consideration should be given to conducting operations in national or multinational brigade formation sectors for effective command and control, and for economy of force in the affiliation of scarce force multipliers. The actual operational activities should be decentralised to integrated battalion areas of operations. This makes it possible for the integrated battalions to achieve mutual support, create a security presence, and respond immediately to violations of the peace instruments.

The notion that police cannot or should not be deployed in such environments is doctrinally misleading. From a generic AU definition of FPU as *specialised police units that provide [a more robust] public order and security presence pursuant to the mission mandate*,<sup>93</sup> these police units have the capability, in conjunction with the military, to provide protection to mission personnel and facilities, as well as to the local population. Indeed, depending on the security situation, even military observers and individual police monitors, both of whom are categorised as ‘experts on mission’, may be deployed as part of such security interventions to undertake specialised tasks and function, including liaison, monitoring and verification. However, like the military, all police units should be deployed in the security phase as integrated structures with the FPU as core elements.

The greatest failing of humanitarian military intervention and peace operations doctrine has been the continued adoption of peacekeeping portable knocked-down camps, even in low intensity environments such as Darfur. This

tendency of adopting conventional approaches to new non-conventional threats and realities is not only doctrinally unsound. It is fatal. Humanitarian security intervention should emphasise the need for integrated military and police units to deploy into operational bases, from which mobile units move out to conduct security operations and return, on relief, to recuperate.

Such in-mission deployment and concept of operations will enhance force protection and provide firm bases for security operations.

## CONCLUSION

That war is a horrible thing is a well-known reality to human societies, including those of Africa, which have suffered centuries of injustice. But borrowing from the idea of Karl von Clausewitz, the nineteenth-century Prussian military thinker, because war is horrible, this should not be the predominant rationale for hastening towards humanitarian interventions, willy-nilly, as a modern conflict resolution tool.

There is no doubt that the use of force, even when sanctioned by the UN Security Council, is controversial at best, and at worst is conspiratorial. However, the exorbitant cost of contemporary civil wars should underscore the merit in using force to end the slow *tsunami* of human suffering as a result of such civil wars. While it may be a bit early to judge the efficacy of ‘robust’ Chapter VII mandates, the empirical evidence suggests strongly that it is still failing to deliver timely, cost-effective solutions to devastating complex emergencies.

While it may be expedient for the Security Council to set political bounds for the operational use of force, its legacy may be affected by its adherence to the Clemenceau doctrine that ‘war is too important to be left to the generals.’<sup>94</sup> Perhaps, that legacy may be redeemed by calculated belief in General Ripper’s contemporary doctrinal riposte that ‘[T]oday, war is too important to be left to politicians.’<sup>95</sup> Unlike the League of Nations, the Security Council’s greatest challenge is not in stopping ‘great wars’. Without taking its eye off the ball of great wars, its enduring legacy certainly lies in using the unique powers vested in it to end human insecurity, especially arising from post-Cold War complex emergencies.

In troubled regions such as the Horn of Africa, historical and other factors have combined to make countries like Somalia and Sudan (Darfur) predisposed to violent armed conflict. The causal explanations and devastating impact of these conflicts demand more than a touch-and-go intervention, focusing on symptomatic imperatives. They demand more resolute, concerted security-focused intervention to create conditions conducive to durable solutions.

Empirical evidence suggests that complex emergencies will continue to be a feature of the political landscape of Africa, stemming from historical and other root and proximate causes relating to contradictions in the nature of African states. Even if one accepts the principle of the inviolability of the borders inherited at independence, the predatory nature of modern African states, fragile democracies, is equally reprehensible. The political objective of humanitarian military intervention should therefore not be to save the state characterised by non-accountable undemocratic rule. The decision on intervention must therefore be informed by three determinants: the causal explanations and nature of the conflict, including the motivations of the protagonists; the intensity of the conflict and its concomitant degree of insecurity; and the nature and scope of the humanitarian emergency.

Consequently, and on the assumption that the contemporary world is opposed to non-indifference and non-intervention, the Security Council, in close conjunction with the AU System and the international community, should devote a great deal of resources towards dealing with their root causes, and preventing them as barbaric, anti-social human activities arising not only from a clash of interests. They must also deal with the incidence of wars and conflict with a view to uprooting the deep inequalities within society, bad governance and lack of respect for human rights by those mandated to protect them.

The infrastructure of multidimensional peace operations should not be merely adapted to the new reality or equated with humanitarian military intervention. That misconception in approach has failed to deliver durable post-conflict security because its associated doctrine of humanitarian military intervention is fatally unsuitable and ineffective, and has resulted in weak and/or ambiguous mandates, lack of appropriate means, especially military capabilities, and unwillingness to use force to achieve mandates, among others.

There is therefore need for a new doctrine of humanitarian security intervention whose strategy is based on focusing the primary effort of the intervention. Within time and space, the objective should be the restoration of security, in order to create conditions for economy of effort in delivering on other humanitarian and socio-political imperatives.

The existing infrastructure for capacity building is out of alignment with the imperatives of intervention and should be given a complete overhaul. Capacity-building training, and logistical and other support from external partners, in assistance to the ASF infrastructure, should focus on the application of military and police capabilities in restoring security, since insecurity has ramifications for the safety of populations.

The rush of the AU to intervene in finding African solutions to African problems has been far from effective and cost-effective. In operational terms, however, regional AU deployments will continue to be fraught with debilitating challenges. In political terms, the primary efforts of the AU System should be to complement the efforts of the UN System by building institutional capacity in the integration of core structures of the APSA, especially in the management and employment of the ASF, and the institutional capacity and expertise in the planning and management of complex missions. The ASF should be re-rolled as part of UN multidimensional peace operations.

The proposed doctrine should not preclude the application of other intervention tools, such as sanctions and referrals to the International Criminal Court (ICC), by the UN. The increasing leverage of the ICC as a force for good, especially within Africa, needs to be recognised.

## NOTES

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- 2 Beat Schweizer, Moral dilemmas for humanitarianism in the era of 'humanitarian' military interventions, *RICR* 86(855) (September 2004), 547.
- 3 Dag Hammarskjöld was UN Secretary-General from 1953 to 1961.
- 4 United Nations, Standby Arrangements System: Enhancing rapid deployment capability, *UN Chronicle*, 1 (1997), Department of Public Information, <http://www.un.org/Pubs/chronicle-arch/1997/p13i1y97.htm> (accessed 19 September 2009).
- 5 See Nina M Serafino, *Peacekeeping and related stability operations: issues of U.S. military involvement*, January 2007, <http://www.au.af.mil/au/awc/awcgate/crs/ib94040.pdf> (accessed 17 June 2009).
- 6 See for instance, Emmanuel Erskine, *Mission with UNIFIL: An African Soldier's Reflections*, London: C Hurst & Co Publishers Ltd, 1989, 122-126.
- 7 United Nations, *United Nations peacekeeping operations, principles and guidelines*, New York: UN, March 2008, 6.
- 8 This role of the Security Council has been the predominant tradition of the United Nations System. However, General Assembly Resolution 377 (V) of 3 November 1950 (Uniting for Peace Resolution) provides 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 in the case of a breach of the peace or act of aggression, the use of armed



- force when necessary, to maintain or restore international peace and security.' See UN General Assembly Resolution 377 (V), *Uniting for Peace*, <http://daccessdds.un.org/doc/RESOLUTION/GEN/NR0/059/75/IMG/NR005975.pdf?OpenElement> (accessed 17 August 2009), 10–11.
- 9 These are China, France, Russia, UK and USA.
  - 10 This is a short list for the purposes of argument only. The notion of 'emerging regional powers' may be subjective. For instance, the European Consortium for Political Research defines a regional power as 'a state belonging to a geographically defined region, dominating this region in economic and military terms, able to exercise hegemonic influence in the region and considerable influence on the world scale, willing to make use of power resources and recognised or even accepted as the regional leader by its neighbours'. See Wikipedia, *Regional power*, [http://en.wikipedia.org/wiki/Regional\\_power](http://en.wikipedia.org/wiki/Regional_power) (accessed 18 June 2009).
  - 11 The subsequent interventions were those in Iraq's Kurd region (1991) in the aftermath of the 1991 Gulf War, as well as in Bosnia and Somalia (1992), the hollow rhetoric of 'never again' around the Rwanda (1994) and the Srebrenica (1995) genocides. See Festus B Aboagye, *ECOMOG, a sub-regional experience in conflict resolution, management and peacekeeping in Liberia*, Accra: Sedco, 1999, 61–62. In 1990, ECOWAS cited humanitarian (and regional security) concerns as the rationale for ECOMOG to intervene in that country, among others, to protect life and property. Incidentally, while the UNSC delayed in sanctioning the intervention, the US categorically labelled the conflict a domestic one that did not warrant an external intervention. See the alternative argument by Schweizer, *Moral dilemmas for humanitarianism in the era of 'humanitarian' military interventions*, 553–554.
  - 12 Nicholas Leader, *The politics of principle: The principles of humanitarian action in practice*, Humanitarian Policy Group (HPG) Report 2, Overseas Development Institute (ODI), London, March 2000, <http://www.odi.org.uk/resources/download/252.pdf> (accessed 17 August 2009), 11. Leader's interpretation is that this was a 'deal' in compromise: defining the limits for warfare, *jus in bello*; the fundamental moral responsibility of states for the safety and wellbeing of citizens; non-interference of humanitarian action in the conflict; and the right of access and medical assistance to battlefield casualties. See also Schweizer, *Moral dilemmas for humanitarianism in the era of 'humanitarian' military interventions*, 548.
  - 13 Schweizer, *Moral dilemmas for humanitarianism in the era of 'humanitarian' military interventions*, 563.
  - 14 Leader, *The politics of principle: The principles of humanitarian action in practice*, 2.
  - 15 Schweizer, *Moral dilemmas for humanitarianism in the era of 'humanitarian' military interventions*, 553.
  - 16 Joanna Macrae, Analysis and synthesis, in Joanna Macrae (ed), *The new humanitarianism: A review of trends in global humanitarian action*, Humanitarian Policy Group Report 11, Overseas Development Institute (ODI), London, April 2002, <http://www.odi.org.uk/resources/download/243.pdf> (accessed 17 August 2009), 17. See also Schweizer, *Moral dilemmas for humanitarianism in the era of 'humanitarian' military interventions*, 553.
  - 17 Leader, *The politics of principle: The principles of humanitarian action in practice*, 11.
  - 18 Francis Deng Mading, *Sovereignty as responsibility: conflict management in Africa*, 1996, 28, 33. In addition, Deng espouses the principles of intervention by a dominant group at the invitation of a strong contesting one, to take into account the broader interests of the community.
  - 19 UN, *An Agenda for Peace: Preventive diplomacy, peacemaking and peacekeeping* (A/47/277-S/24111 17), June 1992, <http://www.un.org/Docs/SG/agpeace.html> (accessed 18 August 2009), paras 28–32. See UN, *Implementing the responsibility to protect* (A/63/677), January 2009, 18–19, in which the UN cites the former Yugoslav Republic of Macedonia (1992–1999) as a classic case of preventive deployment.
  - 20 UN, Report of the Panel on United Nations Peace Operations, 9.
  - 21 Michael Wesley, *Casualties of the New World order: The causes of failure of UN missions to civil wars*, Asia-Australia Institute, University of New South Wales, (1997), 23–27.
  - 22 UN, *Report of the Panel on United Nations Peace Operations*, 9–11.
  - 23 UN, *Report of the Panel on United Nations Peace Operations*, viii–x, 44–45.
  - 24 See Dennis Drew and Don Snow, *Military doctrine, fundamental, environmental and organisational*, <http://www.au.af.mil/au/awc/awcgate/readings/drew1.htm> (accessed 21 August 2009).
  - 25 Carola Weil, *Legitimising humanitarian interventions, from Rwanda to Darfur*, University of Southern California, April 2006, <http://www.google.com/search?hl=en&client=safari&rls=en-us&ei=Os6DSt6KDJKMsaAaMwPCNCA&sa=X&oi=spell&resnum=0&ct=result&cd=1&q=Carola+Weil+legitimizing+humanitarian+intervention&spell=1> (accessed 6 August 2009), 2.
  - 26 Weil, *Legitimising humanitarian interventions, from Rwanda to Darfur*, 4–6.
  - 27 Weil, *Legitimising humanitarian interventions, from Rwanda to Darfur*, 7–13.
  - 28 This wider normative definition is espoused in the UNDP's 1994 Human Development Report, [http://hdr.undp.org/en/media/hdr\\_1994\\_en\\_contents.pdf](http://hdr.undp.org/en/media/hdr_1994_en_contents.pdf) (accessed 19 August 2009). See also UN, *In larger freedom: Towards development, security and human rights for all* (A/59/2005), March 2005, <http://daccessdds.un.org/doc/UNDOC/GEN/N05/270/78/PDF/N0527078.pdf?OpenElement> (accessed 19 August 2009), 24–26, 34, 55–59; and AU, *Solemn Declaration on a common African Defence and Security Policy*, Sirte, 2004, 3–6.
  - 29 ICISS, *The responsibility to protect*, Ottawa: IDRC, December 2001, xi.
  - 30 UN, General Assembly, *Implementing the responsibility to protect, report of the Secretary General* (A/63/677), 12 January 2009, 1, 2, 3ff.
  - 31 For an African perspective of these difficulties, see for instance Issaka K Souaré, *Africa in the United Nations System, 1945–2005*, London: Adonis & Abbey, 2006, 200–202, 208–216.
  - 32 See for instance the policy option paper prepared for the Canadian Centre for Foreign Policy Development by Peter H Langille, *Renewing partnerships for the prevention of armed conflict: Options to enhance rapid deployment and initiate a*

*UN standing emergency capability*, Global Human Security Ideas and Initiatives, 2000, [www.web.net/~wfcnat/langille1.pdf](http://www.web.net/~wfcnat/langille1.pdf) (accessed 10 September 2009).

- 33 The brigade was under-implemented on 30 June 2009, some ten years after being operational. Three main reasons given for this are: the changed environment of peace operations, the evolving needs of the UN, and operational commitments of contributing member states. See SHIRBRIG, [http://www.fmn.dk/Nyt%20og%20Presse/Nyheder/Documents/public\\_statement\\_shirbrig.pdf](http://www.fmn.dk/Nyt%20og%20Presse/Nyheder/Documents/public_statement_shirbrig.pdf) (accessed 19 October 2009). See also, SHIRBRIG, *The end of SHIRBRIG*, [www.shirbrig.dk/html/the\\_end\\_of\\_shirbrig.htm](http://www.shirbrig.dk/html/the_end_of_shirbrig.htm) (accessed 19 October 2009).
- 34 Festus B Aboagye, *The hybrid operation for Darfur, a critical review of the concept of the mechanism*, ISS Paper 149, Pretoria, August 2007, 4.
- 35 For an overview of the implementation of the Brahimi Panel recommendations, see W J Durch, V K Holt, C Earle et al, *The Brahimi Report and the future of UN peace operations*, Washington DC: Henry L Stimson Center, 2003.
- 36 UN, *Report of the Panel on United Nations Peace Operations*, 14–15.
- 37 Aboagye, *The hybrid operation for Darfur, a critical review of the concept of the mechanism*, 8–9.
- 38 See Article 4(h) and 4(j) of the Constitutive Act of the African Union (2000).
- 39 UN, Office for the Coordination of Humanitarian Affairs (OCHA), *Glossary of humanitarian terms, in relation to the protection of civilians in armed conflict*, UN: New York, 2003, 14.
- 40 Weil, *Legitimising humanitarian interventions, from Rwanda to Darfur*, 1.
- 41 See Answers.com, *Humanitarian interventions*, <http://www.answers.com/topic/humanitarian-intervention> (accessed 12 August 2009), 1.
- 42 UN, Office for the Coordination of Humanitarian Affairs (OCHA), *Glossary of humanitarian terms*, 21.
- 43 Schweizer, *Moral dilemmas for humanitarianism in the era of 'humanitarian' military interventions*, 547.
- 44 A classic example of these missions that were established with Chapter VI consent-based mandates, but assigned additional security tasks, was the UN Transition Assistance Group (UNTAG) in Namibia (April 1989–21 March 1990), which was established in accordance with Security Council Resolution 632 (1989) 'to ensure the early independence of Namibia through free and fair elections under the supervision and control of the United Nations, as well as ensure that: all hostile acts were ended; troops were confined to base, and, in the case of the South Africans, ultimately withdrawn from Namibia'. Others were the UN Assistance Mission for Rwanda (UNAMIR) (October 1993–March 1996) under Resolutions 872 (1993), 912 (1994), 918 (1994), 965 (1994), 997 (1995) and 1029 (1995), which adjusted the mission's security commitments as deemed politically expedient for the implementation of the Arusha Peace Agreement (1993); the UN Angola Verification Mission (UNAVEL) III (February 1995–30 June 1997); the UN Operation in Mozambique (ONUMOZ, December 1992–December 1994); the UN Mission in Sierra Leone (UNAMSIL) under Resolution 1270 (1999), until its Chapter VII mandate in February 2000; and the UN Mission in Liberia (UNMIL) under Security Council Resolution 1509 (2003) until its Chapter VII mandate in November 2005.
- 45 Established by UN Security Council Resolution 751 (1992), with authorised strength of 4 269 uniformed personnel. See also Resolution 775 (1992), expanding the mandate and strength to enable the mission to protect humanitarian convoys and distribution centres throughout Somalia. See note 45.
- 46 Established by UN Security Council Resolution 814 (1993), initially with authorised strength of 28 000. See also Resolutions 837 (1993) and 897 (1994). The latter watered down the mandate to assisting the Somali parties in implementing the 'Addis Ababa Agreements', particularly in their cooperative disarmament and ceasefire efforts; protecting major ports, airports and essential infrastructure. See note 47.
- 47 See note 46. The tasks were constructed from Global Security, Operation Restore Hope, [http://www.globalsecurity.org/military/ops/restore\\_hope.htm](http://www.globalsecurity.org/military/ops/restore_hope.htm) (accessed 21 August 2009).
- 48 AU, *Communiqué*, Peace and Security Council, 17th Meeting (PSC/PR/Comm(XVII)), Addis Ababa, 20 October 2004. See also AU, *Briefing note on the renewal of the mandate of the AU Mission in the Sudan (AMIS)*, Peace and Security Council, 42nd meeting (PSC/PR/2(XLII)), Addis Ababa, 20 October 2005.
- 49 Established by Security Council Resolution 1769 (2007), with an authorised strength: up to 19 555 military personnel; 6 432 police, including 3 772 police personnel and 19 FPU comprising up to 140 personnel each; and a significant civilian component. Strength as of 30 June 2009: 13 532 total uniformed personnel, including 12 855 troops, 203 military observers, 2 104 police officers, supported by 1 076 international civilian personnel, 2 330 local civilian staff and 358 UNVs.
- 50 IGASOM was authorised by the meeting of IGAD Heads of State and Government on Somalia (Abuja, 31 January 2005). The IGAD decision was endorsed by the 4th Ordinary Session of the Assembly of the AU and the subsequent decision of the 24th meeting of the AU PSC (PSC/PR/Comm. (XXIV)) on 7 February 2005. See also Wikipedia, AU Mission to Somalia, [http://en.wikipedia.org/wiki/African\\_Union\\_Mission\\_to\\_Somalia](http://en.wikipedia.org/wiki/African_Union_Mission_to_Somalia) (accessed 4 August 2009).
- 51 See AU, *Communiqué of the 69th meeting of the Peace and Security Council*, (PSC/PR/Comm(LXIX)), Addis Ababa, 19 January 2007, 2–3. See also notes 48 and 53; and AU, *AMISOM, Mandate*, 2008, [http://www.africa-union.org/root/AU/AUC/Departments/PSC/AMISOM/AMISOM\\_Mandat.htm](http://www.africa-union.org/root/AU/AUC/Departments/PSC/AMISOM/AMISOM_Mandat.htm) (accessed 4 August 2009).
- 52 See UN, *African Union/United Nations Hybrid Operation in Darfur*, <http://www.un.org/Depts/dpko/missions/unamid/mandate.html> (accessed 27 August 2009).
- 53 These protection mandates may be contextualised with other thematic decisions of the Security Council, such as HIV/AIDS (The situation in Africa: The impact of AIDS on peace and security in Africa), Resolution 1308 (2000); Women, Peace and Security, Resolution 1325 (2000); Children and Armed Conflict, Resolution 1612 (2005); Protection of Civilians in Armed Conflict, Resolution 1674 (2006); Sexual and Gender Based Violence, Resolution 1829 (2008); as well as such normative guidance documents as the OCHA Aide Memoire for the Consideration of Issues Pertaining to the Protection of Civilians (2004). An analysis of these conditionalities

- is exhaustively made by V K Holt and T C Berkman, *The impossible mandate? Military preparedness, the responsibility to protect and modern peace operations*, Washington DC: Henry L Stimson Center, 2006, 5–6, 41–42, 50–53.
- 54 Abdurahman M (Baadiyow) Abdullahi, *Perspectives on the state collapse in Somalia*, in Abdulahi A Osman and Issaka K Souaré (eds), *Somalia at the crossroads: Challenges and perspectives on reconstituting a failed state*, London: Adonis & Abbey, 2007, 45–49. The author points out that weak states include both those developing in a positive direction, towards being a strong state, and those moving in a negative direction towards being a failed state.
- 55 The Capstone Doctrine is in reality *UN Peacekeeping Operations*, published by the DPKO and Department of Field Support, to serve as a guide and introduction to the planning and conduct of UN peacekeeping operations.
- 56 See notes 45, 46 and 47. These deductive lessons and best practices are derived from the UN reports on the three missions.
- 57 Widespread hostilities against UNOSOM II on 5 June 1993 resulted in fatalities to the Pakistani contingent (25 killed, 10 wounded and 54 missing), and subsequent mutilation and outrages to the dead bodies. When Aideed failed to surrender and disarm his faction, as demanded, UNOSOM II, US Rangers and Quick Reaction Force (under US command) launched the attack in October to capture Aideed. The attack succeeded in capturing 24 key suspects, but resulted in downing two Blackhawk helicopters, which influenced the withdrawal of the US force (1994) and the successive weakening of UNOSOM II until its final withdrawal (1995), once again with US support (United Shield).
- 58 See Andrews Atta-Asamoah, *Sanctions and embargoes in Africa, implementation dynamics, prospects and challenges in the case of Somalia*, ISS Occasional Paper 180, March 2009, 4–9, for a sense of the challenges to the effective implementation of the embargoes.
- 59 See AU, *AMISOM, AMISOM Mandate*, 2008, [http://www.africa-union.org/root/AU/AUC/Departments/PSC/AMISOM/AMISOM\\_Mandat.htm](http://www.africa-union.org/root/AU/AUC/Departments/PSC/AMISOM/AMISOM_Mandat.htm) (accessed 4 August 2009). AMISOM was established on the strength of AU 'to provide support to the Transitional Federal Institutions (TFIs) in their efforts towards the stabilisation of the situation in the country [Somalia] and the furtherance of dialogue and reconciliation'. As at 4 August 2009, the status of AMISOM military deployment was 5 100 (about than 64 per cent of the authorised strength of 8 000) from: Uganda, 3 battalions of 850 each; and Burundi, 3 battalions of 850 each; and outstanding pledged contributions: from Nigeria, 1 battalion of 850; Sierra Leone (no firm figures); and Mali (still considering the idea). See Atta-Asamoah, *Sanctions and embargoes in Africa*. See also notes 48 and 113.
- 60 See note 48 and table 2 for details of the mandate and tasks.
- 61 See note 48. It is worth noting that the mission is suffering high levels of fatalities: 33 killed (16 Ugandan, 17 Burundian), 48 wounded (31 Ugandan, 17 Burundian), and over 67 diseased (17 Ugandan, over 50 Burundian), as at July 2009, largely from hostile action (ambushes, road side and suicide bombs) and outbreak of diseases. See Wikipedia, *AU Mission in Somalia*, <http://en.wikipedia.org/wiki/AMISOM> (accessed 4 August 2009).
- 62 For details of the mission's challenges, see S Appiah-Mensah, AU's critical assignment in Darfur: Challenges and constraints, *African Security Review* 14.2. Pretoria: ISS, 2005; and Okumu Wafula, AU/UN intervention: Challenges of protecting civilian populations and ending the conflict in Darfur, AfricaFiles, <http://www.africafiles.org/article.asp?id=21207> (accessed 24 August 2009). See also Alan Vic Mansaray, AMIS in Darfur: Africa's litmus test in peacekeeping and political mediation, *African Security Review*, 18(1) (2009).
- 63 Approximately, the strength included 5 181 military protection force troops, 644 military observers, and 1 337/9 police monitors.
- 64 The HCFA provided for the establishment of a ceasefire commission (CFC), composed of two high-ranking officers from the parties, two high-ranking officers from Chadian mediation, and two high-ranking officers from the international community (UN, EU and USA), under the chairmanship of an AU appointee (force commander), with an EU deputy, and with AMIS as the operational arm of the CFC.
- 65 Besides the Darfur-Darfur dialogue, the DPA (2006) provided for security, power sharing and wealth sharing arrangements. The agreement failed from its inception because only one of the warring factions, the SLA/M/M, and the government of Sudan, signed it. This undermined the 'unity government' that the government subsequently attempted to establish. The agreement was shredded after the withdrawal of SLA/M/M.
- 66 Other interventions subsequently took place, including that in 2008, which involved forces from Sudan, Tanzania and Senegal, with logistical support from Libya and France.
- 67 For an assessment of the AMIB, Festus see Aboagye, *The African Mission in Burundi: Lessons Learned from the First African Union Peacekeeping Operation*, ACCORD, Conflict Trends 2004/2, Durban, 2004, [http://www.accord.org.za/downloads/ct/ct\\_2004\\_2.pdf](http://www.accord.org.za/downloads/ct/ct_2004_2.pdf) (accessed 19 August 2009), 9–15.
- 68 For an assessment of ECOMIL, see Theophilus Tawiah, and Festus B Aboagye, Synergies of regional and UN interventions: the ECOWAS Mission in Liberia and the protection of civilians, in Festus Aboagye, B, and Alhaji M Bah (eds), *A tortuous road to peace the dynamics of regional, Un and international humanitarian interventions in Liberia*, Pretoria: ISS, 2005, 73–94.
- 69 See note 107.
- 70 Omar Bashir was indicted by the ICC in July 2008. In March 2009 the ICC issued a warrant of arrest for the president for crimes against humanity and war crimes committed in Darfur. See International Crisis Group, The ICC indictment of Bashir: a turning point for Sudan? <http://www.crisisgroup.org/home/index.cfm?id=5958> (accessed 21 August 2009). In the wake of the arrest warrant, Sudan ordered 13 of the largest international aid groups to leave the country in early March, accusing them of cooperating and giving false testimony to the International Criminal Court, but it allowed a few to return. See USATODAY, Sudan allows 4 expelled aid groups back, [http://www.usatoday.com/news/world/2009-06-11-sudan\\_N.htm](http://www.usatoday.com/news/world/2009-06-11-sudan_N.htm) (accessed 21 August 2009).
- 71 The author argues hypothetically that there is need for a more scientific (quantitative) assessment of the impact of such weak interventions in the form of multiple (repeat) civilian population displacements and prolonged disruption of livelihoods as a result of unrelenting violence in spineless missions.



- 72 For a more detailed definitional analysis of this mechanism, see Festus Aboagye, *The hybrid operation for Darfur: a critical review of the concept o the mechanism*, ISS Paper 149, August 2007, 2–3.
- 73 Wikipedia, United Task Force, [http://en.wikipedia.org/wiki/United\\_Task\\_Force](http://en.wikipedia.org/wiki/United_Task_Force) (accessed 14 August 2009), 3–4.
- 74 Wikipedia, United Task Force, 3. Even though hostilities continued, it is remarkable that the initial impact of UNITAF's security operations induced various factions to negotiate in the Conference on National Reconciliation in Somalia, which resulted in the Addis Ababa Agreement (1993).
- 75 The first deployment of police was in the UN Operation in the Congo (ONUC 1960–64). Since then, police development and deployments have undergone a sea change, starting with the nomenclature of 'CIVPOL' in 1964, with respect to the UN peacekeeping mission in Cyprus (UNFICYP), the establishment of the post of police advisor in the mid 1980s, followed by a period of sporadic deployments until 1989 when the police component became an independent entity during the UNTAG (Namibia) deployment. Currently, since 2007, the police division at the UN DPKO is grouped under the Office of Rule of Law and Other Security Institutions (OROLSI). In July 2009, the UN was deploying 11 462 police officers in 11 missions, 6 featuring FPUs, and including 4 in Africa. These missions were UNFICYP, MINURSO, UNMIK (initially with FPU), MONUC (with FPU), UNMIL (with FPU), UNOCI (with FPU), MINUSTAH (with FPU), UNMIS, UNMIT (with FPU), UNAMID (with FPU) and MINURCAT.
- 76 In addition, police have been responsible for interim law enforcement since the end of the 1990s in Eastern Slavonia, Kosovo and East Timor.
- 77 See UN, *Report of the Panel on United Nations Peace Operations*, 20.
- 78 AU, Constitutive Act 2000.
- 79 Protocol Relating to the Establishment of the Peace and Security Council of the AU, 2003.
- 80 The minor disparities in the strengths arise from sourcing data from different documents. The AU police component was subsumed by UNAMID at the end of 2007.
- 81 In a paper presented at the 16th Interpol Symposium for Heads of Training (Caesars Palace Hotel, Johannesburg, 5–7 March 2007), the author argued that compared with the developed world, sometimes with lower ratios, but also lower levels of crime and better policing infrastructure, these African police contributions to peacekeeping globally constitute a huge bill in view of the relatively poor police civilian ratios in the continent, coupled with serious levels of violent, organised crimes.
- 82 The ASF Policy Framework for the Establishment of the ASF and Military Staff Committee (Exp/ASF-MS/2(1)), which was endorsed by the 3rd Session of African Chiefs of Defence Staff, 15–16 May 2003, and adopted by the Heads of State and Government at the Maputo Summit in July 2003, provides for the establishment of at least two company-level units (FPU) to support two simultaneous Scenario 5 (complex peacekeeping force) missions and managed along the lines of the RDL, linked to the UN Standby Arrangements System (UNSAS), from central AU logistical infrastructure, and subject to reimbursement of member state contributions.
- 83 The performance of these tasks was started by AMIS police. The greatest challenge to UNAMID police has been the slow generation of the requisite numbers of FPU. As at 30 June 2009, out of the 19 FPUs authorised by the UN Security Council (Resolution 1769, 2007), only 8 units totalling 1 115 personnel (representing 41 per cent of the approved strength) had deployed.
- 84 The question of FPU doctrine, which was not sufficiently addressed in the Capstone Doctrines, remains to be resolved.
- 85 UN, *Report of the Panel on United Nations Peace Operations* viii–ix, 3–5.
- 86 See UN, *In larger freedom: Towards development, security and human rights for all*, 24–26, 34, 55–59.
- 87 UK, *The military contribution to peace support operations*, Joint Warfare Publication 3-50 (second edition), MOD, June 2004, D-5–D-7.
- 88 The relevant referent provisions are Articles 42–46 (Chapter VII) and 52–53 (Chapter VIII).
- 89 Scenario 5 provides for AU peacekeeping force for complex multidimensional peacekeeping mission with low-level spoilers (a feature of many current conflicts), while Scenario 6 covers an AU intervention in such situations as genocide where the international community does not act promptly. See AU, Policy Framework for the Establishment of the ASF and Military Staff Committee (Exp/ASF-MS/2 (1)), Addis Ababa, May 2003.
- 90 See Durch et al, *The Brahimi Report and the future of UN peace operations*, 23–25. See also Aboagye, *The hybrid operation for Darfur*, 18.
- 91 Durch et al, *The Brahimi Report and the future of UN peace operations*, 23–25. See also Aboagye, *The hybrid operation for Darfur*, 18.
- 92 US Joint Forces Command, *A concept for rapid decisive operations*, J9 Joint Futures Lab, RDO Whitepaper Version 2.0, <http://www.google.com/search?client=safari&rls=en-us&q=RDO+Whitepaper+Version+2.0&ie=UTF-8&oe=UTF-8> (accessed 10 September 2009).
- 93 A variant of this definition was adopted at the AUPOL FPU Workshop, which was held in Dakar, Senegal, from 14–16 April 2009.
- 94 Global Security, Clemenceau, <http://www.globalsecurity.org/military/world/europe/clemenceau.htm> (accessed 26 August 2009).
- 95 Speakout.com, IC Insider: Carl von Clausewitz meets Jack D Ripper, <http://speakout.com/activism/opinions/3891-1.html> (accessed 26 August 2009).



Roundtables on:

# Proxy border conflicts

Dynamics and impact on conflict management and  
conflict resolution in Africa

The Peace Missions Programme at the Institute for Security Studies is undertaking an empirical study around the dynamics and impact of post-Cold War intra-state conflicts on Africa's fragile democracies. The study will focus on the dimension of the dynamics of proxy cross-border conflicts and their impact on conflict management tools that are deployed by the international community. The study will involve a roundtable and the publication of a monograph.

The focus of the study is to examine historical origins of specific cross-border disputes; how they impact the dynamics of local conflicts; give an indication of how they complicate the protection of civilians; establish the extent to which identifiable causal dynamics are factored into peace processes; as an adjunct to this, elicit specific provisions in relevant peace instruments; and propose critical analytical factors that need to be factored into such peace processes and implementation. The study will also include a special assessment of the legal culpabilities of actors in such cross-border dynamics under international law.

The objective of the study is to highlight the importance of cross-border dynamics in conflict management and resolution, and provide guidance to interveners (policy makers and implementers) on best practices in mitigating the impact of identified dynamics.

The study will focus on the dimension of cross-border dynamics using the following conflict complexes: the Mano River Union area (Liberia and Sierra Leone); the Horn of Africa (Somalia and Sudan-Darfur); and The Great Lakes Region (Burundi and the DRC).

Individuals who wish to present papers at the roundtables are invited to submit their abstracts by 31 December 2009. The subsequent roundtables are projected to be held during the first half 2010, followed by the publication of a monograph. Abstracts should be sent to:

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## ABOUT THIS PAPER

Because of dramatic changes in the nature and impact of armed conflict since the end of the Cold War, humanitarian military intervention has assumed increasing importance as a conflict management and resolution tool. Given the lethargic nature of UN interventions, moral imperatives have compelled African institutions to deploy intervention forces, sometimes with weak mandates, insufficient means and heavily dependent on external support. On the ground, the use of force by such 'humanitarian' operations has not materially impacted the security situation, or been able to meet heightened public expectations in the protection of civilians. This is because 'robust' multidimensional peace operations have sought merely to adapt the Cold War doctrine of peacekeeping to compelling new realities, primarily focusing on humanitarian assistance, as opposed to the restoration of security. These inadequacies underscore the need for rethinking current responses on a new doctrine of 'humanitarian security intervention' with a mandate allowing a higher remit in the use of force, primarily to restore and maintain security. Such a responsive doctrine promises to address compelling humanitarian imperatives, and meet increasing public expectations of effective civilian protection.

## ABOUT THE AUTHOR

Festus Boahen Aboagye joined the ISS in March 2004 as Head of the Training for Peace Programme at the ISS Pretoria office. He currently serves as senior research fellow in the same programme.

Festus served with the Organisation of African Unity (OAU) from August 2000 to May 2002 as Senior Military Expert for the Ethiopia-Eritrea conflict and peace process. From March 2003 to March 2004 he served the African Union (AU) as Consultant / Panel Member for the development of the Policy Framework for the African Standby Force and later as Senior Military Advisor to the Head of the African Mission in Burundi (AMIB).

Prior to his service with the OAU/AU, Festus served in the Ghana Army and attained the rank of Colonel. He is a veteran of several UN peace operations, as well as with ECOMOG in Liberia.

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