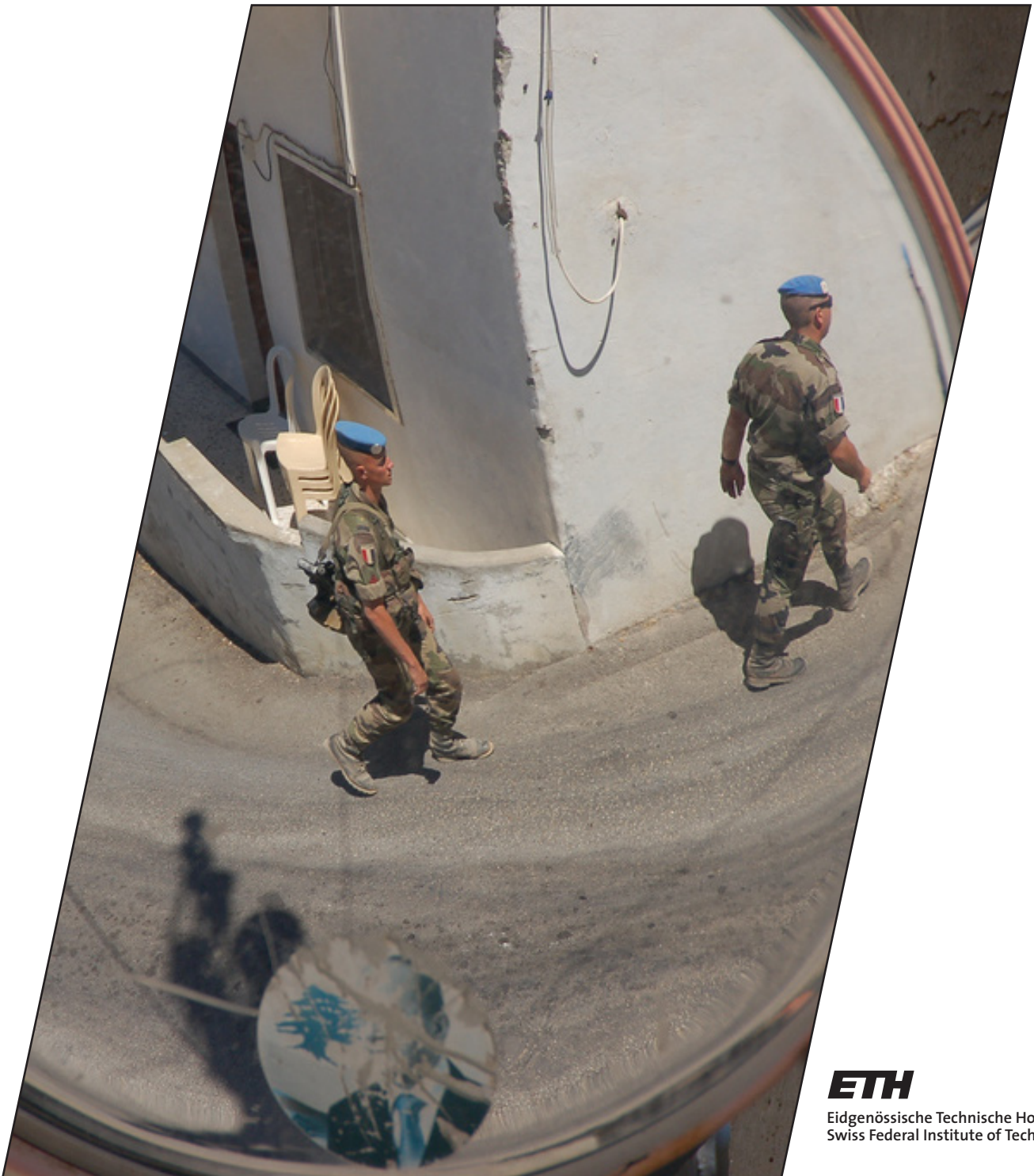


INTERNATIONAL RELATIONS AND SECURITY NETWORK

# UN PEACEKEEPING IN LEBANON: A CASE STUDY



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**Ray Murphy**



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In July 2006, the UN Interim Force in Lebanon (UNIFIL) faced its most serious challenge since the 1982 Israeli invasion when fighting broke out between the Hizbollah militia and Israel. The leaders of the G8 industrial nations and UN Secretary General Kofi Annan were quick to call for the swift deployment of international troops in southern Lebanon to end the escalating violence.<sup>1</sup> UK Prime Minister Tony Blair proposed a stabilization force or some similar multinational force deployment in southern Lebanon.<sup>2</sup> Among the suggestions made was one from French President Jacques Chirac, who called for the establishment of a border surveillance *cordon sanitaire* along the Israeli-Lebanese armistice line, and a mandate that included disarming the Hizbollah militia. It seemed to be forgotten that there was already a UN peacekeeping force present in the region and that it had been there since 1978.

It took much longer than it should have for the Security Council to act considering the circumstances. Israeli action in southern Lebanon caused a large scale humanitarian crisis to which the UN and the EU were unable to respond in an effective way. UN Security Council Resolution 1701, which called for a ceasefire and a withdrawal of Israeli troops among other things, on the situation in Lebanon was long overdue when eventually adopted.<sup>3</sup>

The situation in Lebanon presented a serious dilemma for the UN. Intervention in such a conflict is fraught with pitfalls. The organization is often blamed for failing to resolve intractable problems not of its making. Any UN peacekeeping operation can only succeed if given the mandate and the means to do so. There was much talk of an aggressive or robust mandate for the proposed force, but it is difficult not to conclude that many commentators did not appreciate the complexity of the issues.

The matter of determining the nature of any such operation is also crucial. Traditional peacekeeping operations are approved under Chapter VI (Peaceful Settlement of Disputes) of the UN Charter and rely on the cooperation of the parties to the conflict.<sup>4</sup> The original UNIFIL mission was such an operation. In recent years, the Security Council has approved operations under Chapter VII (Enforcement Operations) and the mandate and nature of such missions is substantially different from those approved under Chapter VI. Initially, there were mixed signals from the Israeli government about the plan to deploy another international force, but

later they made it clear that the preferred choice was a reconfigured UNIFIL with a 'robust' mandate under Chapter VII. The problem was that potential contributing states did not want to commit forces to what might turn out to be a combat-like role in Lebanon. A ceasefire agreement was essential in the first instance and in the first few weeks Hizbollah and the Israelis seemed to want to continue fighting. Without the agreement of the parties to a conflict of this nature, there can be no prospect of UN force deployment. As UNIFIL discovered to its detriment cost in 1978, even agreement by leaders or governments does not always translate into cooperation on the ground. UNIFIL did not have an agreed area of operations at the outset and this significantly impeded its deployment in the early days. It is unlikely that this basic lesson was considered by those advocating a new peacekeeping force. Other more fundamental issues also needed to be taken into account and addressed. The situation in Lebanon could not be classified as a simple inter-state conflict. Lebanon had not attacked Israel and had already demonstrated that it did not have the capacity to restrain or disarm the Hizbollah militia. UN Resolution 1559 (2004) called for the disbanding and disarmament of all Lebanese and non-Lebanese militias (a clear reference to Hizbollah).<sup>5</sup> It also supported the extension of government control over all Lebanese territory. Any reconstituted UNIFIL force could not ignore this resolution but it presented an almost impossible challenge for any such force.

Reporting on UNIFIL in 1978, the UN Secretary General Kurt Waldheim outlined three conditions that needed to be met for the Force to be effective. These included the full backing of the Security Council, the full cooperation of all parties concerned, and the ability to function as an integrated and efficient military unit.<sup>6</sup> In 1983, the now-retired under secretary general of the UN with special responsibility for peacekeeping operations, Brian Urquhart, elaborated upon this when writing about the multinational force in Beirut and stated that successful peacekeeping depends, *inter alia*, on a sound political base, a well-defined mandate and objectives, and the cooperation of the parties concerned.<sup>7</sup> The requirement of such a mandate and objectives was a somewhat glaring omission from the secretary-general's otherwise pragmatic report.<sup>8</sup> In discussions related to the international force for Lebanon in 2006, many of these fundamental issues were not given due consideration, especially in the early stages of

the crisis. As with all such crises, the urgency to find a quick fix solution became the overriding consideration. This case study argues that the current UNIFIL force has yet to overcome serious obstacles to achieving its mandate, and this in turn is linked to broader national and regional political and security issues that need immediate attention in order to facilitate a resolution of the problems confronting Lebanon as a whole.

### BACKGROUND TO THE DEPLOYMENT OF UN FORCES IN 1978

Israel's actions in south Lebanon during 2006 could reignite long-simmering religious and political tensions there. Civil war, not unlike that which broke out in April 1975 between Christian factions and leftist Muslim Lebanese supported by the Palestinian Liberation Organization (PLO), remains a very real prospect. This led to the collapse of the Lebanese administration, the division of the security forces and Syrian intervention to protect the Christian population in June 1976. The confessional system<sup>9</sup> on which the allocation of political power was based also facilitated outside intervention. The Riyadh Peace Plan of October 1976 saw the deployment of an Arab League peacekeeping force (the Arab Deterrent Force) to end hostilities and keep the peace. This was a predominantly Syrian force with token representation from other Arab states. When deployed, it was perceived as posing a serious security threat to Israel. The other Arab forces soon began to withdraw, ultimately leaving some 25,000 Syrian forces in Lebanon, the last of which were not withdrawn until April 2005.<sup>10</sup> The civil war proved to be a crucial event in the forging of an Israeli-Christian Lebanese alliance. This involved support to local militias along the Israeli-Lebanese Armistice Line and a more strategic alliance involving Israeli Defense Forces aid to the Christian Phalange militia.<sup>11</sup> Palestinian camps had existed around Beirut for some time; however, an influx of fighters meant that the PLO became a dominant force in the south and in raids launched across the Lebanese-Israeli Armistice Line.

The establishment of the UNIFIL in 1978 was prompted by an Israeli invasion after a group of Palestinian guerrillas from bases in southern Lebanon attacked a civilian bus along the Haifa-Tel Aviv highway killing 37 Israelis and injuring another 76. Four days later the Security Council adopted Resolutions 425 and 426 establishing UNIFIL.<sup>12</sup> The prompt international response then is in stark contrast with that of the July 2006 crisis.

The controversy surrounding the actual adoption

of Resolution 425 provides important clues to understanding the problems confronted by the force on the ground. Then, like now, there was a lack of political consensus within the Security Council. The mandate ultimately agreed upon did not reflect the problems associated with the presence of the PLO in southern Lebanon at the time, and Israel's determination to occupy part of this by proxy.<sup>13</sup> Rather, Resolution 425 defined the UNIFIL mandate in the following terms:

- to confirm the withdrawal of Israeli forces;
- to restore international peace and security; and,
- to assist the government of Lebanon in ensuring the return of its effective authority in the area.

The fact that the 1978 debate ignored the Palestinian problem and the need for a comprehensive settlement of the overall Middle East question, caused many members to vacillate in their express support for the force. Consequently, the establishment of a peacekeeping force with ambiguous and unrealistic objectives and terms of reference was hastily agreed to in order to solve the immediate crisis.<sup>14</sup> Like today, the urgency of reaching some agreement on the crisis precluded consideration of a more long-term solution. It is hardly surprising, therefore, that UNIFIL encountered major difficulties in implementing its mandate. It is evident that Israel was not happy with all aspects of the mandate but was forced to succumb to US pressure. As a result, Resolution 425 (1978) was greatly resented in Israel.<sup>15</sup>

### QUESTIONS TO BE CONSIDERED IN RELATION TO ANY NEW UN AUTHORIZED OR MANDATED FORCE

When the proposal to establish UNIFIL was made in 1978 some senior UN officials expressed strong reservations regarding the organization assuming such a role.<sup>16</sup> There was grave concern at some of the assumptions that US policy was based upon. An Israeli withdrawal from all of south Lebanon was central to the success of UNIFIL's mission. How was a peacekeeping force to restore Lebanese government authority in the south of the country, when the Lebanese army was divided and the government concerned probably couldn't maintain control for very long anyway? There was no clear policy either on how the peacekeeping force would deal with the various armed elements, or what action it would take if the Israelis did not withdraw

completely. In the end, the necessity to alleviate the immediate crisis while there was some broad consensus in the Security Council meant that such misgivings had to be put aside. Further prolonged discussion could therefore have jeopardized the whole initiative.<sup>17</sup>

### LACK OF AN AGREED AREA OF OPERATIONS AND COOPERATION FROM THE PARTIES IN LEBANON

A second condition identified essential to the success of the force - that it receives the full cooperation of the parties concerned - was also unmet. Many of the parties did not follow through as anticipated or as promised in some cases. Some of the problems that arose in this regard were directly related to other assumptions made concerning the deployment of the force. The ill-defined reference to an area of operations was the most serious such flaw. However, it was impossible to be more specific at the time, as discussions in the Security Council and consultations with the governments of Israel and Lebanon revealed profound disagreement on the subject. Major problems arose when the force attempted to deploy in certain areas where the PLO maintained strongholds and in places where the Israeli Defense Forces had withdrawn without handing over to UNIFIL.

The dangers of not defining the precise area of operations became all too evident when UNIFIL troops from the French contingent attempted to deploy around key PLO strongholds.<sup>18</sup> The organization put up strong resistance to French presence in this area and this was combined with a diplomatic campaign in New York by Arab states on their behalf. The PLO objected to UNIFIL's deployment in these areas because they had never been occupied by the Israeli Defense Forces. The matter was complicated by the so-called "Cairo Agreement" which legitimized the PLO's presence in Lebanon and supposedly governed its activities there.<sup>19</sup>

At the time, the UNIFIL Force commander and the Lebanese government were in favor of taking stronger action against the PLO within UNIFIL's area of operations.<sup>20</sup> However, the Force was not a combat or enforcement mission, and the PLO stronghold had been bypassed by the much more militarily capable Israeli Defense Forces. Furthermore, UNIFIL was a very precarious political creation and it is almost certain that the Soviet Union, and the pro-Palestinian lobby at the UN, would have strenuously objected. UNIFIL was a peacekeeping mission under a Chapter IV resolution of the Security Council and, as such, it

relied on the cooperation of the parties concerned. Any problem of this nature had to be resolved by negotiation, however unsatisfactory a subsequent agreement arrived at in this manner turned out to be. It is no surprise that deployment in the area "was not pressed."<sup>21</sup> Later the secretary general was able to report that relations with the PLO in the area had not created major problems.<sup>22</sup> But the agreement did have its drawbacks and propaganda value to those opposed to UNIFIL. It also provided the Israeli-backed *de facto* forces of Major Saad Haddad with an ideal excuse for refusing to allow UNIFIL to deploy in the area under their control.

Initially it appeared that Israel would fully withdraw from Lebanon and that some kind of working relationship could be established with the *de facto* forces of Haddad. Unfortunately, the Lebanese government and the UN then made a major error in judgement when Haddad was provisionally recognized as *de facto* commander of the Lebanese forces in his area for the purpose of facilitating UNIFIL's mission.<sup>23</sup> This put UNIFIL in a difficult position and compromised the effort to implement the Security Council mandate.

As events unfolded, it became clear that the Israel's and Haddad's forces would not cooperate with UNIFIL. There were strong objections to the agreements concluded with the PLO.<sup>24</sup> If the UN did not take full control of the PLO territory, then it would not be permitted to deploy in the areas controlled by the *de facto* forces.<sup>25</sup> From their perspective, UNIFIL was allowing the PLO to re-establish itself in its area. This was not true, but having backed down from confronting the PLO, it was not unreasonable to assume it would do so again in this case.

By the time the Lebanese government decided to revoke the provisional recognition given to Haddad, much valuable time and ground had been lost.<sup>26</sup> As far as Israel was concerned, it had fulfilled its part in the implementation of Resolutions 425 and 426, which, it was claimed, did not require control of any area to be turned over to UNIFIL.<sup>27</sup> This was a narrow and erroneous interpretation of the resolutions in question, and that led to serious confrontations with the peacekeeping force. A central task of the newly-constituted and reconfigured UNIFIL<sup>28</sup> is the disarmament of Hizbollah. This is not the first UN mission involving disarmament of one of the factions. The problems encountered by the UN missions in Somalia and Kosovo provide insight into how difficult such operations can be in practice.

### UN FORCES IN SOMALIA AND THE DISARMAMENT OF THE WARLORDS

UN intervention in Somalia arose from the urgent need to respond to the famine and appalling suffering in the country. As the security situation deteriorated and the UN Operation in Somalia (UNOSOM I) floundered in late 1992,<sup>29</sup> the US indicated that it would be prepared to spearhead a UN-sanctioned mission to use force under Chapter VII to establish a secure environment for humanitarian operations. Not surprisingly, with no capacity to launch a similar UN-commanded operation, the Security Council agreed.

Despite the Unified Task Force's (UNITAF) Chapter VII mandate, the US relied heavily on traditional peacekeeping principles. This would have been admirable in another context, but neutralising the Somali clan's heavy weapons and disarmament was essential to creating a secure environment. It is easy to portray an operation that sets itself limited goals as an unqualified success when it fulfils these limited objectives. The reality may be somewhat different, especially if the force has the capability to achieve much more. UNITAF was such an operation, and in its execution of the mandate it avoided the main obstacles to a long-term restoration of peace.<sup>30</sup>

The US's refusal to live up to the consequences of its intervention was especially damaging to this critical issue.<sup>31</sup> With around 30,000 troops, under a unified system of command, UNITAF certainly had the capacity to disarm the warlords.<sup>32</sup> But the political rhetoric did not translate into effective action on the ground. Instead UNITAF chose to evade this difficult task by requesting that weapons be moved out of the areas controlled by it to other locations. Although adopting such an approach did avoid confrontation and inevitable casualties, the policy was flawed. A concentrated effort to remove and destroy the Somalis' heavy weapons, including the infamous "technicals" (civilian pick-up truck with mounted crew-served weapon), was an achievable goal that would have laid the ground rules for a subsequent UN operation. It would also have been an ideal way of showing serious intent to restore order. While it is fair to argue that Mogadishu could no more be disarmed than urban areas in Western countries, in order to create a secure environment, it was necessary to confiscate weapons carried openly and seize the "technicals".<sup>33</sup> Failure to do so meant that those with the most weapons continued to wield most power.

The warlords realized that they would not face a

serious challenge from UNITAF and that by biding their time, this would be replaced by a militarily weaker UN force. There were no long-term strategic or political objectives that might threaten the warlord's supremacy. It soon became apparent that adopting a "wait-and-see" approach was the most prudent response until UNITAF left. By the time the US formally acknowledged that disarmament of the clans was necessary, it was too late. It seemed that despite pleas by the UN to remain longer, UNITAF wanted to ensure the mission was deemed a success and that the situation was ripe for a handover to the UN mandated and commanded UNOSOM II mission in May 1993. Although a much less militarily capable force, the mandate of UNOSOM II was wider and sufficiently imprecise to "offer many hostages to fortune."<sup>34</sup> Acting under Chapter VII, the new force would not be constrained by the issues of consent or the use of force in self-defense. The "demands" on disarmament and "requests" for national reconciliation and the "consolidation, expansion and maintenance of a secure environment throughout Somalia" contained in Resolution 814 (1993) were easy to make but later proved impossible to achieve in the circumstances.<sup>35</sup>

One of the main problems with disarmament was the related issue of consent and confrontation. Any task of this nature is a delicate balance between cooperation and confrontation.<sup>35</sup> The risks are high, and there is the added dimension of how different national contingents might interpret the rules of engagement, as well as how the policies of differing contributing states might conflict with UNOSOM's goals. UNOSOM II showed that some national contingents are not prepared to take part in enforcement operations.<sup>37</sup> Later, delay in weapons control implementations eroded the trust between UNOSOM II and the parties, and led to increased boldness of the warring factions.<sup>38</sup> The Somalia case illustrates how quickly a UN force can slide into combat when enforcing compliance. The stricter rules regarding disarmament enforced by UNOSOM II led to tense relations between the UN and the clans, especially when contrasted with the more lax policy of UNITAF.

### COMMAND AND CONTROL

The command and control mechanism agreed upon for the proposed international force will be an important factor in determining its effectiveness on the ground. There are numerous precedents to examine in deciding an appropriate command structure. The UNOSOM II mission

provides some good lessons on how not to frame a command structure in the context of a hostile environment and a peace enforcement operation. The establishment of UNOSOM II had many similarities with that of a traditional peacekeeping force such as UNIFIL. Turkish General Cevic Bar commanded the force and had contingents from a wide political spectrum under his control. The force was established under Resolution 814 (1993), which included a provision to the effect that it would be supervised closely by the secretary general and the Security Council.<sup>39</sup> More importantly, it cited Chapter VII, which expressly authorized UNOSOM II to use force. This was the first such occasion since the ONUC operation in the Congo prevented the attempted secession of the Katanga province that a UN operation of this nature was authorized to use force in this way.

UNOSOM II took over formally from UNITAF/ UNOSOM I on 4 May 1993.<sup>40</sup> The US continued to play a leading role in every facet of UNOSOM II's organization and mandate.<sup>41</sup> In many ways this suited the UN Secretariat and Secretary General Boutros-Ghali, who realized that the operation depended on US military and political support. The US agreed to provide logistical and tactical support under a complex command and control arrangement, but this among other things was to cause a serious rift between the administration of then-US president Bill Clinton and the Secretariat.<sup>42</sup>

While in theory the US had handed back control of the operation to the UN, the reality was much different. A convenient mechanism to allow the US to ensure that one of its own officers retained full command of US troops in Somalia was put in place by the appointment of Major General Thomas Montgomery as deputy force commander. It was no coincidence either that an experienced NATO officer would command this "strange and fragmented operation," or retired US Admiral Jonathan Howe would act as the secretary general's special representative.<sup>43</sup> The force commander reported directly to the special representative, who in turn reported to the secretary general. This gave significant influence to the US, even if it did not formally command the mission. In addition, this complex system was made even more cumbersome by the decision of the US to establish a quick reaction force outside the UN chain of command.<sup>44</sup> This amounted to the establishment of a parallel US chain of command that was intended to exist alongside, but independent from, the UN command structure. It is difficult to describe this set up as anything other than a recipe for confusion and

ultimate disaster. How it was intended to operate in times of crisis in the context of an already complex multi-dimensional operation involving around 30 nations and many non-governmental organizations, is a question that must not have been addressed seriously by military planners in Washington and the Department of Peacekeeping Operations in New York. Continued US domination proved to be a mixed blessing for UNOSOM II, and events showed that the structures put in place proved unable to maintain cohesion under pressure and ultimately contributed to the demise of the force.

The problem of double allegiance is not a significant consideration in all multinational forces. The commander of a peacekeeping force has both civilian and military functions and the troops are usually considered international civil servants for the duration of their UN service. Nevertheless, they continue to remain part of the armed forces of their respective countries. It is now accepted that contingents will consult their national governments on decisions which may not conform to defense or foreign policy directives back home. Serious problems did arise in the course of the operation in the Democratic Republic of Congo (ONUC 1960-1964), when contributing states disagreed with UN policy, in particular its apparent reluctance to take stronger action to resolve the situation in Katanga.<sup>45</sup> Unfortunately, one of the practical lessons from UN involvement in Somalia (and the former Yugoslavia) is that the organization "cannot manage complex-political military operations."<sup>46</sup> The well-publicized differences between the commander of the Italian contingent and the UNOSOM II force commander show how serious this problem was.<sup>47</sup> It caused operational difficulties on the ground and hindered the effectiveness of the force at a critical period. Other contingents had less-publicized difficulties in this regard also. As contingents are usually placed under the operational control, and not under the full direction of a force commander of multinational forces, these problems will inevitably reoccur.

### LESSONS FROM THE NATO-LED KOSOVO FORCE (KFOR) AND THE UNITED NATIONS MISSION IN KOSOVO (UNMIK)

The NATO-led KFOR in Kosovo was cited as a possible model to follow in the deployment of a reconfigured UN force in Lebanon.<sup>48</sup> Resolution 1244 approved the establishment of a UN mission in Kosovo with a NATO-led military force under a Chapter VII mandate. The overall duty given to UNMIK and KFOR was unprecedented in its complexity and the broad range of tasks undertaken by a UN transitional administration.<sup>49</sup>



The resolution required the demilitarization of the Kosovo Liberation Army (KLA), and an agreement to this effect was signed on 20 June 1999. Under Resolution 1244, KFOR is a NATO-led multinational force responsible for the overall security environment in Kosovo. It was originally comprised of four multinational brigades (now multinational task forces) areas and is specifically tasked with:

- Establishing and maintaining a secure environment, including public safety and order;
- Monitoring and verifying when necessary, and enforcing compliance with the agreements that ended the conflict; and,
- Providing assistance to UNMIK, including core civil functions until these were transferred to UNMIK.

Although minorities are not expressly referred to, the protection and promotion of human rights is stated to be one of the main responsibilities of the international civilian presence. The failure to expressly mention the need to protect minorities was a serious omission in the resolution, especially as their protection is central to the justification for the continued international presence in Kosovo.

The demilitarization of the KLA and the prevention of a civil war between rival factions was a significant accomplishment in the early period of UNMIK and KFOR's deployment. Resolution 1244 demanded that the KLA and other armed Kosovar Albanian groups bring an immediate end to all offensive actions and comply with the requirements for demilitarization as laid down by the head of the international security presence in consultation with the Special Representative of the secretary general. The KLA were quick to realize the necessity of cooperating with NATO. It took just 10 days for the Undertaking of Demilitarisation and Transformation to be signed between KFOR and the KLA. The first article of the agreement mandated the KLA's "disengagement from zones of conflict, subsequent demilitarisation and reintegration into civil society." A timetable was also agreed, as was a policy of preferential access to available places in the Kosovo Protection Corps (KPC) and the Kosovo Police Service (KPS). Despite the presence of KFOR, population displacements continued and the Serb and Roma segments in particular were the subject of significant levels of violence.

The KFOR multinational task force areas are dominated by individual states.<sup>50</sup> KFOR troops come from 36 NATO and non-NATO member countries.<sup>51</sup>

Although this undermines the military effectiveness of the force as a whole, it is not the biggest problem confronting KFOR. Each task force/brigade is responsible for a specific area of operations and under Resolution 1244 they are under the unified command and control of Commander KFOR from NATO. This is a military term that in reality involves only a limited transfer of power over troops. In addition, each contributing state has entered caveats in respect of the participation of its troops. In fact, multinational task force commanders have a significant degree of autonomy of command, and the overall KFOR commander has limited operational command and control. He or she can certainly task the commanders, but there is no real sanction should they decide to ignore the "orders" emanating from headquarters. This means that national governments have a decisive role in the strategy and policies adopted by KFOR. Not surprisingly, there are significant differences in the priorities and standard operating procedures adopted in each multinational task force area.

In order that an international UN force be acceptable to the Security Council, to the parties involved and to the international community, it is necessary to ensure that there is a wide geographic distribution and political balance among the contributing states. However, this is often detrimental to operational effectiveness. When disparities in culture, training and experience are taken into account, it is remarkable that a multinational force can operate at all. The initial proposals for an enhanced international force in Lebanon called for military personnel from developed countries, and a lead nation probably from a NATO country. At first this caused significant difficulties for the UN as countries such as France initially seemed unwilling to commit significant numbers.<sup>52</sup>

### UN DEPLOYMENT IN LEBANON 2006 AND RESOLUTION 1701

Resolution 1701 contains a number of important provisions, some of which may prove very difficult to implement. The resolution is much longer than Resolution 425 (1978) and in essence calls for:

- a full cessation of hostilities;
- deployment of Lebanese armed forces along the borders with Israel and Israeli withdrawal;
- financial and humanitarian assistance for Lebanon; and,
- cooperation from all parties.

Operative paragraph 8 is especially important and

calls for Israel and Lebanon to support a permanent ceasefire and a long-term solution based on the following principles and elements:

- Full respect for the Blue Line by both parties;
- Security arrangements to prevent the resumption of hostilities, including the establishment between the Blue Line and the Litani river of an area free of any armed personnel, assets and weapons (other than those of the government of Lebanon and of UNIFIL as authorized in paragraph 11);
- Full implementation of the relevant provisions of the Taif Accords, and of Resolutions 1559 (2004) and 1680 (2006), that require the disarmament of all armed groups in Lebanon, so that, pursuant to the Lebanese cabinet decision of 27 July 2006, there will be no weapons or authority in Lebanon other than that of the Lebanese state;
- No foreign forces in Lebanon without government consent;
- No sales or supply of arms and related materiel to Lebanon except as authorized by its government; and,
- Provision to the UN of all remaining maps of land mines in Lebanon in Israel's possession.

Paragraph 11 reflects the Security Council decision to authorize an increase in the strength of UNIFIL to a maximum of 15,000 troops, and that the force shall, in addition to carrying out its mandate under resolutions 425 and 426 (1978):

- Monitor the cessation of hostilities
- Accompany and support the Lebanese armed forces as they deploy throughout the south, including along the Blue Line, as Israel withdraws its armed forces from the country
- Coordinate its activities with the Lebanese and Israeli governments
- Extend its assistance to help ensure humanitarian access to civilian populations and the voluntary and safe return of displaced persons
- Assist the Lebanese armed forces in taking steps toward the establishment of the demilitarized zone between the Blue Line and the Litani river
- Assist the Lebanese government, at its

request, to secure its borders and points of entry

Operative paragraph 12 authorizes UNIFIL to “*take all necessary action in areas of deployment of its forces and as it deems within its capabilities, to ensure that its area of operations is not utilized for hostile activities of any kind, to resist attempts by forceful means to prevent it from discharging its duties under the mandate*” [emphasis added] of the Security Council, and to protect UN personnel, facilities, installations and equipment, ensure the security and freedom of movement of the organization's personnel, humanitarian workers, and, without prejudice to the responsibility of the government of Lebanon, to protect civilians under imminent threat of physical violence.

While the mandate is more clear and comprehensive than other resolutions in relation to UNIFIL in a number of respects, it is far from clear how it will be implemented. Even the maintenance of “full cessation of hostilities” is problematic.<sup>53</sup> Especially difficult is paragraph 8 which calls for “security arrangements to prevent the resumption of hostilities and the creation of a demilitarized zone between the so-called Blue Line between Israel and Lebanon and the Litani river.”<sup>54</sup> Even if Hizbollah agreed to this provision, it merely means having to move their rocket launchers and similar weapons to above the line of the river. This is not a long-term solution to the problem of disarming Hizbollah. At first it seemed that Israel had learned something from its chequered past in Lebanon and that Israeli forces were eager to hand over positions to the newly-constituted UN force and/or the Lebanese army.<sup>55</sup> However, an August 2006 commando raid on Hizbollah in breach of the UN ceasefire and numerous Israeli overflights since then of Lebanese territory by manned and unmanned aircraft are all too reminiscent of past Israeli actions in Lebanon.<sup>56</sup> Furthermore, the token reference to the protection of civilians and earlier resolutions on the Middle East that have been ignored to date does not inspire confidence.<sup>57</sup>

The resolution did not expressly state who should disarm Hizbollah, but the implication was that it should be the Lebanese armed forces, with assistance from the reconfigured UNIFIL. But the “modalities,” to use UN terminology for such action, are not explained, nor is there any disarmament, demobilisation or re-integration program proposed. The Israelis had high expectations for UNIFIL in terms of disarmament of Hizbollah. However, these were never realistic. The Lebanese government and

armed forces are too weak and divided to be able to take any kind of offensive military action against Hizbollah fighters.<sup>58</sup> It was said that the proposed rules of engagement were “robust but not offensive.” What does this mean in practice? Can UNIFIL use force to disarm Hizbollah? The answer must be no, otherwise the UN will eventually attempt to do what the Israeli forces could not achieve by force. Hizbollah’s tenacity has given it mythic status in Arab eyes<sup>59</sup> and any attempts by UNIFIL to forcibly disarm the militants will ensure UNIFIL will be perceived as an occupying army with all the consequences that this will cause. French and US forces sustained serious casualties when part of the multinational force deployed in the 1980s. A similar fate awaits any international force that takes on Hizbollah in south Lebanon.<sup>60</sup> In military terminology, there is no concept of operations. The command and control structures and rules of engagement are also uncertain. The UN is not equipped or prepared for the kind of operation required in South Lebanon. It was not feasible to authorize a lead country as part of a coalition of the willing to undertake such a task either.

## CONCLUSION

An often overlooked fact in the criticism of the UN is that the UN is called upon by states most often when it suits their purposes and the problem they face seems insoluble. The situation created by the 1978 invasion of Lebanon was such an instance. This is not to say that organizational failures such as those identified by the 2000 Brahimi Report did not contribute to the difficulties, but this was just part of the problem.<sup>61</sup>

The establishment of UNIFIL was primarily sponsored by the US to facilitate a speedy withdrawal of Israel from Lebanon in 1978 and to ensure that the Camp David Accords were not further jeopardized by Israeli actions. The force would also help prevent the outbreak of another major conflict between Syria and Israel. Israeli cooperation was vital to the success of UNIFIL. When it became clear that this was not forthcoming, the United States never brought sufficient pressure to bear on the Israelis to ensure they would submit. The mandate agreed upon for UNIFIL was unrealistic and lent itself to different interpretations by opposing parties. Many elements of the overall plan for the deployment of UNIFIL had obvious deficiencies. In this way, its success has remained dependent on factors outside its control. This scenario is repeating itself in many ways today.

A number of recent multinational interventions, whether under the banner of the UN or an

independent coalition, have often failed to make a long-term improvement in the situation.<sup>62</sup> There has been a tendency to rely on short-term political expediency to the detriment of long-term strategic policies at the operational level. In general, the military component of multi-dimensional operations has developed a doctrinal approach that largely ignored the realities of the crisis environment and instead sought to rely on the limited version of the problem that could be resolved by military means.<sup>63</sup> This is a natural response from a conventional military force that perceives its role as essentially limited to the provision of security; and even then, its first priority will always be its own security.

Part of the initial reluctance to participate by European states in UNIFIL may stem from an appreciation that the concept of security encompasses much more than keeping the lid on things and must embrace the security of the local population, disarmament, reconstruction and rehabilitation. The failure to disarm the clans was a serious flaw in the implementation phase of the UN operation in Somalia, but even this would have been insufficient without the creation of a safe environment. If you want to create a secure environment, then peace must be made with all the parties. The narrow focus on humanitarian and military issues meant the underlying political problems did not receive sufficient attention. In a world in which the challenges of Darfur and Kosovo will reoccur, we face the painful dilemma of being damned regardless of what is done.<sup>64</sup> All sides in a conflict can manipulate events for their own purposes. The NATO campaign in Kosovo did not lead to a formal peace agreement, but rather a cessation of hostilities. This and the mandate of the UNMIK administration left political and constitutional issues unresolved.

All peacekeeping operations need the support of the members of the Security Council, irrespective of the particular nature of the operation. Problems will arise when missions are ill-defined, and this was compounded in the case of Somalia by a dispute about the authority to use force, and in Kosovo by uncertainty regarding the future status of the province. The Brahimi Report called for more robust rules of engagement in operations involving intra-state/transnational conflicts and bigger and better equipped forces. It did not seem to take full cognizance of the fact that the use of force must be accompanied by political will, a clear mandate and strategy, a willingness to accept

casualties, and a need for an effective command and control mechanism to ensure cohesion and uniform application. It also failed to address the issues raised by regional peacekeepers or “coalitions of the willing” acting under the authority of the UN.

KFOR did succeed in facilitating the return of one million refugees and displaced persons to their homes in Kosovo. However, it later presided over the ethnic cleansing of Serbs and failed to protect other vulnerable communities in Kosovo. The credibility that the initial intervention earned for NATO has since been undermined. Somalia shows that robust rules of engagement and increased size are not enough, and while it is imperative not to employ an emasculated UN force, it is important to have a clear military and political strategy agreed to at the outset. The long-term strategy was unclear at the time of inception, but by the end of the operation it was non-existent. The unfolding events showed that US and UN forces failed to appreciate the contradictions and inconsistencies in their confused roles of peacekeeping, peacemaking and peace enforcement. When this was combined with US domination, and key positions held by difficult personalities, it was hardly surprising that UNOSOM II became a major protagonist in a conflict it was supposed to help resolve.

In many cases, the Security Council acts as if the mandate will be self-executing once the troops are deployed. When the UNIFIL mandate proved impractical, the *de facto* mission of the Force became the provision of a secure environment for the local population. It took nearly 23 years for UNIFIL to implement the mandate, but its ultimate success in achieving this goal may be said to have vindicated the role of traditional peacekeeping. The same may not be said of the intervention in Somalia. Apart from the loss of life on all sides, the tragedy of Somalia is the failure to learn the right lessons from a situation where the UN was called upon to fulfill a range of impossible and confused tasks.

UNIFIL and Lebanon still confront major obstacles. The UN secretary general remains ‘deeply concerned’ at the volatile political and security situation in Lebanon as a whole.<sup>65</sup> There have been increased threats against UNIFIL from militant groups. Six UNIFIL personnel serving with the Spanish contingent were killed in a roadside explosion on 24 June 2007. The situation along the so-called Blue Line remains tense and fragile with sporadic standoffs between Israeli and Lebanese

forces. A serious incident occurred in June 2007 when three Katyusha rockets were launched into Israel by unidentified militants. Hizbollah denied any responsibility and Israel has so far refrained from taking retaliatory action.<sup>66</sup> Nevertheless, Israeli violations of Lebanese air space are a cause of significant concern. In October 2006 the French contingent came close to firing on Israeli aircraft violating Lebanese air space.<sup>67</sup> Such incidents highlight the volatility of the situation and the uncertainty surrounding the mandate and rules of engagement of UNIFIL. While Israeli forces have not harassed UNIFIL forces, as happened in the early days of the 1978 operation, Israel has not yet cooperated in handing over information relating to the cluster munitions used during the conflict in 2006. Syria needs to cooperate in facilitating a resolution of the Shebaa (Shab’a) Farms dispute and finalising a delineation of its border with Lebanon.

It seems that all of Lebanon’s neighbors are contributing in one way or another to its security problems. There are persistent reports pointing to breaches of the arms embargo along the Lebanese-Syrian border by Syria and Iran. Both have a vested interest in maintaining a weak central government in Lebanon.<sup>68</sup> Israel claims that Hizbollah is rebuilding its military capacity, especially outside the UNIFIL area of operations. It is widely believed that Syria is providing weapons to Hizbollah and Palestinian factions engaged in fighting Lebanese forces.<sup>69</sup> Such actions add considerably to the already difficult task confronting the overstretched Lebanese forces. Irish troops withdrew from Lebanon after a year deployed providing security to Finnish troops part of UNIFIL. The issues that precipitated the 2006 crisis are not yet resolved. Despite the presence of a large UNIFIL contingent, the overall political and security situation remains unpredictable. It is likely there will be further conflict in Lebanon and the region as whole before the issues outlined are resolved.

## ENDNOTES

- <sup>1</sup> *CNN report* (17 July 2006) and *ABC News International* (20 August 2006).
- <sup>2</sup> M Crutsinger, "Blair, Annan call for troops in Israel," *Associated Press* (17 July 2006) and P Baker and R Wight, "Push made for Peacekeeping Force to go into Lebanon," *Washington Post* (18 July 2006) A15.
- <sup>3</sup> UNSC Res. 1701 (11 August 2006) UN Doc. S/RES/ 1701.
- <sup>4</sup> See B Simma (ed.), *The Charter of the United Nations: A Commentary* (2nd edition, Oxford OUP 2002) 648-700; N White, *Keeping the Peace* (2nd edition, Manchester University Press 1997) 207-284; United Nations, *The Blue Helmets- A Review of United Nations Peacekeeping* (3rd edition United Nations New York, 1996) 3-9.
- <sup>5</sup> Res. 1701 above n. 4.
- <sup>6</sup> UNSC Doc S/12611 (19 March 1978) para 3.
- <sup>7</sup> B Uruqhart, "On U.N. Peacekeeping," *The New York Times* (19 December 1983) 19.
- <sup>8</sup> *The Report of the Panel on UN Peace Operations (Brahimi Report)* UN Doc. A/55/305-S/2000/809 (21 August 2000) recommended that UN peacekeepers have, inter alia, "clear, credible and achievable mandates."
- <sup>9</sup> The 1943 National Pact that established the political foundations of modern Lebanon, allocated political power on an essentially confessional system based on the 1932 census. Seats in parliament were divided on a 6-to-5 ratio of Christians to Muslims, until 1990 when the ratio changed to half-and-half. Positions in the government bureaucracy are allocated on a similar basis.
- <sup>10</sup> On 2 September 2004, the Security Council adopted Resolution 1559 calling for the withdrawal of all foreign forces from Lebanon.
- <sup>11</sup> B Morris, *Righteous Victims: A History of the Zionist-Arab Conflict, 1881-2000* (New York, Vintage, 2001), 502.
- <sup>12</sup> Security Council Res. 425 (19 March 1978) and Security Council Res. 426 (19 March 1978).
- <sup>13</sup> B Uruqhart, *A Life in Peace and War* (London, Weidenfeld and Nicolson, 1987) 289.
- <sup>14</sup> In this regard, the secretary general had this to say: "When a peacekeeping operation is firmly based on a detailed agreement between the parties in conflict and they are prepared to abide by that agreement, it is relatively easy to maintain [...] (e.g. UNEF and UNDOF) [...] when, however, an operation is mounted in an emergency with ambiguous or controversial objectives and terms of reference, and on assumptions which are not wholly realistic, it is likely to present far greater difficulties. This is undoubtedly the case with UNIFIL." K Waldheim, in R Schiffer (ed.), *Building the Future Order* (London, Collier Macmillan, 1980), 45.
- <sup>15</sup> C Cruise O'Brien, *The Siege: The Saga of Israel and Zionism* (London, Weidenfeld and Nicolson, 1986), 584. See also N A Pelcovits, *Peacekeeping on Arab-Israeli Fronts* (Boulder, Westview Press, 1984), 18.
- <sup>16</sup> I J Rikhye, *The Theory and Practice of Peacekeeping* (London Hurst and Company, 1984), 109.
- <sup>17</sup> United Nations, *The Blue Helmets, A Review of United Nations Peacekeeping* (3rd edition United Nations New York, 1996) 88-89.
- <sup>18</sup> UN Doc. S/12845 (13 September 1978) paragraphs 36-38 and *The Blue Helmets*, ibid at 88-89.
- <sup>19</sup> The text of the agreement is given by W Khalidi, *Conflict and Violence in the Lebanon: Confrontation in the Middle East*, 39 *Harvard Studies in International Affairs* (Harvard, 1979) 185-187.
- <sup>20</sup> Interview with Lt Gen Erskine, former Force Commander UNIFIL (Dublin, July 1986). See also, G Tueni, *Une guerre pour les autres* (Paris Jean Claude Lattes 1985) 203-204 and S/12620/Add.5 (13 June 1978), paragraph 13.
- <sup>21</sup> UN Doc. S/12845 (13 September 1978), paragraph 37.
- <sup>22</sup> UN Doc. S/12929 (18 November 1978), paragraph 18.
- <sup>23</sup> UN Doc. S/12620, Add 5, *op. cit.*, paras. 15-17. The Lebanese army command was to issue instructions to Haddad to facilitate UNIFIL's mission and deployment.
- <sup>24</sup> Letter dated 13 June 1978, from the representative of Israel to the secretary general, UN Doc. S/12736. For the secretary-general's description of the 'accommodation' reached with the PLO see UN Doc. S/12845 dated 13 September 1978, paras 39-42. It was agreed, inter alia, that UNIFIL would only deploy in areas physically used or held by the Israeli Defense Forces, and that armed PLO elements (140 approx. in six positions) in the UNIFIL area would be allowed remain but these would not be used for military purposes..
- <sup>25</sup> See the reports in *The Irish Times*, 8 June 1978 and 19 June 1978.
- <sup>26</sup> Interview with senior Irish officer with UNIFIL at the time (Galway, March 1999).
- <sup>27</sup> S/12840, letter dated 8 September 1978, from the representative of Israel to the UN secretary general.
- <sup>28</sup> Res. 1701, above n. 4 at paragraph 8.
- <sup>29</sup> UN Doc. S/24868 (30 November 1992).
- <sup>30</sup> B Boutros-Ghali, *Unvanquished: A US-UN Saga* (New York Random House 1999) 59-60. Boutros-Ghali believed that three critical steps were needed: disarming the warring groups, establishing

- a secure environment and creating a working division of labor between the US and UN on the ground.
- <sup>31</sup> W Clarke and J Herbst, "Somalia and the Future of Humanitarian Intervention," (March/April 1996) 75(2) *Foreign Affairs* 70-85 at 75 and W Clarke and J Herbst (eds), *Learning From Somalia* (Boulder, Westview Press, 1997) 239-253.
- <sup>32</sup> It had a number of well trained and elite units from European armies such as the French Foreign Legion, Belgian Para Commandos and Italian paratroopers.
- <sup>33</sup> Ambassador Oakley makes this point with regard to Mogadishu, see J Hirsch and R Oakley, *Somalia and Operation Restore Hope* (US Institute of Peace Washington, 1995) 105.
- <sup>34</sup> SC Res. 814 (26 March 1993). The quote is from I Lewis and J Mayall, "Somalia," in J Mayall (ed), *The New Interventionism 1991-1994; United Nations Experience in Cambodia, Former Yugoslavia, and Somalia* (Cambridge University Press, 1996), 94-225 at 94.
- <sup>35</sup> SC Res. 814 (26 March 1993) Section A, para 4 and section B, paragraphs 7-14. See F Tanner, "Weapons Control in Semi-permissive Environments: A Case for Compellance," in M Pugh, *The UN, Peace and Force, International Peacekeeping*, 3(4) (Winter 1996), 126-145 at 140.
- <sup>36</sup> See F Tanner, "Weapons Control in Semi-permissive Environments: A Case for Compellance," in M. Pugh, 3 (4) *The UN, Peace and Force, International Peacekeeping*, (Winter 1996), 126-145 at 140.
- <sup>37</sup> See G Anderson, "UNOSOM II: Not Failure: Not Success" in D Daniel, & F Hayes, (eds), *Beyond Traditional Peacekeeping* (New York: St Martin's Press, 1995), 274.
- <sup>38</sup> See questionnaires on Somalia, analyzed by J W Potgieter in *Managing Arms in Peace Processes: Somalia, DCR – Project* (1995) UNIDIR, 135-231.
- <sup>39</sup> SC Res 814 (26 March 1993) paras. 14 and 18.
- <sup>40</sup> In accordance with Resolution 814, *ibid.* It provided for a multinational force of 20,000 troops, 8,000 logistical and 3,000 civilian support staff. The US also agreed to provide a tactical quick reaction force.
- <sup>41</sup> Ultimately this caused serious differences between the secretary general and the Clinton administration, see Boutros-Ghali, above n. 31 at 92-102. For an overview of the experience of the larger European armies involved in Somalia, see G Prunier, "The Experience of European Armies in Operation Restore Hope" in Clarke and Herbst, *Learning from Somalia*, above n. 32 at 135-147. See also *Message from the President of the United States - A Report on the Military Operation in Somalia*, 13 October 1993, (US Government Printing Office, 1993) for US conditions on participation.
- <sup>42</sup> See Boutros-Ghali, above n. 31 at 93-94, and Jonathan T Howe, "Relations Between the United States and the United Nations in Dealing with Somalia," and H Johnson and T Dagne, "Congress and the Somalia Crisis" in Clarke and Herbst, *Learning from Somalia*, above n. 32, 173-190, esp. 179-184 and 191-204.
- <sup>43</sup> This was the description used by Boutros-Ghali, see Boutros-Ghali, above n. 31 at 93.
- <sup>44</sup> The US also deployed a specially constituted Task Force Ranger, which remained at all times under the direct command and control of the commander in chief, United States special operations.
- <sup>45</sup> R Higgins, *The United Nations Operation in the Congo (ONUC) 1960-1964*, (London: Royal Institute of International Affairs 1980) Caption 8, "Relations with Contributing States," 97-124.
- <sup>46</sup> See C A Crocker, "The Lessons of Somalia: Not Everything Went Wrong," (May/June 1995), 74(3) *Foreign Affairs*, 5.
- <sup>47</sup> The secretary general considered that the Italians were a "mistake" and that as a former colonial power they pursued their own agenda, see Boutros-Ghali, above n. 31 at 96.
- <sup>48</sup> Interview with Department of Peacekeeping Operations official, UN Headquarters (New York June 2007).
- <sup>49</sup> See generally M J Matheson, "United Nations Governance of Post Conflict Societies" (2001) 95 *AJIL* 76.
- <sup>50</sup> Originally France, Germany, the United States and Finland. Ireland assumed command of one of the multinational task forces in 2007.
- <sup>51</sup> The NATO member states participation in KFOR (August 2006) were: Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Turkey, United Kingdom, and the United States. The non-NATO participating states are: Argentina, Armenia, Austria, Azerbaijan, Finland, Georgia, Ireland, Morocco, Sweden, Switzerland and Ukraine.
- <sup>52</sup> D De Breadun, 'UN peace mission threatened by lack of support,' *The Irish Times* (19 August 2006) 1.
- <sup>53</sup> Res. 1701, above n. 4 at paragraph. 2.
- <sup>54</sup> See "Paris seeks assurances Hizbollah will disarm," *Financial Times* (16 August 2006) 1.
- <sup>55</sup> F Biedermann and H. Morris, "Israeli handover set to start tomorrow," *Financial Times* (16 August 2006) 2.
- <sup>56</sup> Report of the secretary general on the Implementation of Security Council Resolution 1701 (2006) UNSC Doc. S/2007/392, paragraph 14. N Ladki, "Israeli raid in Lebanon strains truce," *Reuters* (20 August 2006).
- <sup>57</sup> SC Res. 242 (22 November 1967) and SC Res. 338 (22 October 1973).

- <sup>58</sup> See J Solomon, "Rebuilding Lebanon's military is critical to defusing Hizbollah," *The Wall Street Journal* (9 August 2006) 1.
- <sup>59</sup> W Wallis, above n. 60 at 3.
- <sup>60</sup> See generally R Thakur, *International Peacekeeping in Lebanon* (Boulder and London, Westview, 1987).
- <sup>61</sup> *Brahimi Report*, n. 9 above.
- <sup>62</sup> J MacKinlay and R Kent, "A New Approach to Complex Emergencies" (Winter 1997), 4(4) *International Peacekeeping*, 31-49 at 36.
- <sup>63</sup> *Ibid* at 45 & 46. See also A de Waal & R Omaar, "Can Military Intervention Be 'Humanitarian'?" (March-June 1994) *Middle East Report* 5-8; and T Weiss, "Military-Civilian Humanitarianism: The 'Age' of Innocence is Over," (Summer, 1995), 2(2) *International Peacekeeping*, 157-174. For a military perspective see S L Arnold, 'Somalia: An operation Other Than War' (December 1993) *Military Review*, 26-35 and W D Freeman, "Operation Restore Hope – A US Centcom Perspective," (September 1993) *Military Review*, 61-72.
- <sup>64</sup> R Thakur and A Schnabel, "Unbridled humanitarianism: Between justice, power and authority," in A Schnabel and R Thakur (eds), *Kosovo and the Challenge of Humanitarian Intervention* (United Nations University Press, Tokyo and New York, 2000) 496-504 at 497.
- <sup>65</sup> UN Doc. S/2007/392, above n.57 at para. 3 and fifth semi-annual report of the secretary general on the implementation of Security Council resolution 1559 (2004), UN Doc. S/2007/262 (7 May 2007).
- <sup>66</sup> It was reported by *Agence-France Presse* on 23 August 2007 that 'two Palestinian extremists' had been arrested in connection with the roadside bombing.
- <sup>67</sup> "France urges Israel to stop air violations in Lebanon," *ABC News* (26 October 2006); "France – Shots Almost Fired at Israeli Planes," *EJC Israeli Press Review*, (10 November 2006); G. Alon, "Peretz: French UNIFIL commanders say will shoot at IAF overflights," *www.haaretz.com* (6 January 2007), *Le Monde* (29 October 2006).
- <sup>68</sup> UN Doc. S/2007/392, above n. 57 at paragraph 59 and 60.
- <sup>69</sup> *Ibid*, paragraphs 25 and 29.
- <sup>70</sup> *Ibid*, paragraph 32.

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