

UNITED NATIONS PEACEKEEPING OPERATIONS IN CROATIA, SOMALIA AND BOSNIA

Asist. Prof. Dr Ezeli AZARKAN*

I. INTRODUCTION

On March 16, 1994, the U.N. Secretary-General, faced with the choice of withdrawing the U.N. Protection Force (UNPROFOR) that had been unable to complete its mandate in Croatia, or leaving it in a situation for which its size was inadequate, remarked that “the choice in Croatia is between continuing a mission that is clearly unable to fulfil its original mandate in full or withdrawing and risking a renewed war that would probably result in appeals for UNPROFOR to return to restore peace. Given such a choice, soldiering on in hope seems preferable to withdrawing in abdication.”¹ The remark exemplifies the choice facing the Security Council in a number of post-Cold War civil war situations. Doing nothing would have been seen as an “abdication” of responsibility, especially where the United Nations was the only organization available to act, and yet, for certain robust operations, the number of troops offered by Member States would clearly be unequal to the required tasks. Nevertheless, in the face of warning signs regarding the unlikelihood of Member States contributing troops or of the parties in conflict cooperating, the

* Asist.Prof.Dr., Dicle University Faculty of Law

¹ Report of the Secretary-General Pursuant to Resolution 871 (1993), U.N. SCOR, p.45, U.N. Doc. S/1994/300 (1994).

Security Council authorized U.N. operations, *faute de mieux*, in the hope that something would be better than nothing.

In the light of a series of operations in which something was arguably not better than nothing, it is necessary to examine other ways in which the Security Council might meet its responsibility for the maintenance of international peace and security. This Note will examine the consequences of the Security Council's decisions to deploy under-resourced operations to civil war situations and various proposed means by which the Security Council might more effectively fulfill its responsibilities. Part II will look at a number of post-Cold War U.N. operations in civil wars—UNPROFOR in Croatia and Bosnia, United Nations Operation in Somalia I (UNOSOM I), and show how, at least partly because of the Security Council's failure to ensure that the operations it authorized were provided with sufficient numbers of adequately equipped troops, significant mandate elements could not be achieved.

II. THE OPERATIONS

A. UNPROFOR (Croatia)

1. Introduction

In 1991, Croatia, one of the six republics of the Socialist Federal Republic of Yugoslavia, declared itself independent. The federal government, through the Yugoslav National Army (JNA),

intervened in opposition.² On January 2, 1992, representatives of Croatia and the JNA signed an Implementing Accord on a cease-fire.³ At the end of January, the U.N. adopted the “Vance Plan,” which called for the creation of “U.N. Protected Areas” (UNPAs), overlapping with the areas which had contained a substantial proportion of Serbs before the war.⁴ Once the agreement of Serbia, Croatia and the Croatian Serbs had, at least nominally, been obtained, the Security Council passed Resolution 743, establishing a United Nations Protection Force (UNPROFOR) for the UNPAs.⁵

2. Tasks and objectives

Among the tasks of UNPROFOR as envisaged in the Secretary-General’s Report of December 11, 1991, was to ensure that the UNPAs “remained demilitarized and that all persons residing in them were protected from fear of armed attack.”⁶ 14,000 peacekeepers were authorized for the UNPAs,⁷ but deployment was slow.⁸ It was not fully achieved until February 1993, one year after authorization.⁹

² T. Modibo Ocran, *How Blessed Were the UN Peacekeepers in Former Yugoslavia? The Involvement of UNPROFOR and Other UN Bodies in Humanitarian Activities and Human Rights Issues in Croatia, 1992–1996*, *Wisconsin International Law Journal*, Vol.18,2000,s.193.

³ S.C. Res. 727, U.N. SCOR, 47th Sess., 2, U.N. Doc. S/INF/46 (1992).

⁴ Marcus Tanner, *Croatia: A Nation Forged In War* (New Haven: Yale University Press. 1997).

⁵ S.C. Res. 743, U.N. SCOR, 47th Sess., 3055th mtg. 2, U.N. Doc.S/RES/743 (1992).

⁶ Report of the Secretary-General Pursuant to Security Council Resolution 721 (1991), U.N. SCOR, 12, U.N. Doc. S/23280 (1991). Resolution 743 approved this mandate element. S.C. Res. 743, *supra* note 6,

⁷ *Id.*

3. Failure to Implement

UNPROFOR failed to ensure that the UNPAs were demilitarized or that all UNPA residents were protected from armed attacks. With respect to demilitarization, UNPROFOR did succeed in ensuring the complete withdrawal of the JNA from the territory of Croatia.¹⁰ However, paramilitary forces were created in the UNPAs in violation of the U.N. peacekeeping plan, and the number of armed Serbs in the UNPAs, rather than decreasing, significantly increased.¹¹ As for fear of armed attack, “the peacekeepers were largely ignored in Croatia as the violence”— and de facto Serb control—“continued around them.”¹² Attacks from outside the UNPAs included incursions by the Croatian government in January and September of 1993. As for attacks from within, the period of UNPROFOR’s deployment saw coercion of residents of all of the UNPAs¹³ and on both sides of the conflict.¹⁴

⁸ Wolfgang Biermann & Martin Vadset, *From UNPF to IFOR: Windows of Opportunity 1991 to 1996*, in *Un Peacekeeping In Trouble: Lessons Learned From The Former Yugoslavia* (Wolfgang Biermann & Martin Vadset eds., 1998), p.63,69.

⁹ *Id.*

¹⁰ Report of the Secretary-General Pursuant to Resolution 871 (1993), *supra*note 1.

¹¹ Elgin Clemons, Note, *No Peace to Keep: Six and Three-Quarters Peacekeepers*, *New York University Journal of International Law & Politics*, Vol. 26, No.107, 1993, p.126-127.

¹² Richard Holbrooke, *To End a War* (New York: Random House, 1998), p.32-33.

¹³ Report of the Secretary-General Pursuant to Security Council Resolution 762 (1992), U.N. SCOR, 14–18, U.N. Doc. S/24353 (1992).

¹⁴ Report of the Secretary-General Pursuant to Security Council Resolution 743 (1992), U.N. SCOR, 7, U.N. Doc. S/23777 (1992).

4. Assessment

The chances that UNPROFOR would succeed were lessened by the initial failure to achieve rapid deployment.¹⁵ With ethnic cleansing continuing almost unopposed,¹⁶ most non-Serbs had been expelled from the UNPAs by the time that UNPROFOR was operational.¹⁷ Yet it was unrealistic to hope that even the full authorized force of 14,000 lightly armed peacekeepers could ensure the freedom from fear of all inhabitants of the protected areas: The force was far too small to complete its mandate without meaningful cooperation from the parties in conflict.¹⁸

B. UNOSOM I

I. Introduction

In January 1991, President Siad Barre fled Somalia when his army was routed by an alliance of opposition forces.¹⁹ However, the alliance soon splintered into competing groups. The

United Somali Congress, which controlled Mogadishu, split into two factions under the leadership of Ali Mahdi and Mohamed Farah Aidid,

¹⁵ David. J. Scheffer, "United Nations Peace Operations and Prospects for a Standby Force", *Cornell International Law Journal*, Vol.28,1995, p.649,652.

¹⁶ Ramsbotham, Oliver, and Tom Woodhouse, *Encyclopedia of International Peacekeeping Operations*, Santa Barbara, Calif.: ABC-CLIO, 1999,s.279.

¹⁷ *Id.*

¹⁸ John Hillen, *Blue Helmets: The Strategy Of Un Military Operations* Brassey's UK Ltd; 2 edition,175 2000,p.175.

¹⁹ Clement E.Adibe, *Learning from Failure of Disarmament and Conflict Resolution in Somalia*, in *A Future For Peacekeeping?* (Edward Moxon-Browne ed., 1998),p.118.

respectively.²⁰ Mahdi had been named interim President,²¹ but the country lacked a central government. “From November 1991, there was heavy fighting in Mogadishu” between these two, and other, factions. On March 3, 1992, the two main parties signed cease-fire agreements, including provisions for the implementation of measures aimed at stabilizing the cease-fire through the deployment of U.N. monitors.²² Aidid and Mahdi signed agreements on March 27th and 28th respectively, specifying that the United Nations would deploy 50 observers to monitor the cease-fire, as well as “adequate” security personnel for humanitarian relief operations.²³

2. Tasks and objectives

UNOSOM I was created by Resolution 751 of April 24, 1992, in which the Security Council requested the Secretary- General to deploy 50 military observers immediately²⁴ and, “in principle,” a security force of 500 “as soon as possible.”²⁵ The security force was to be lightly armed; to provide security for relief personnel, equipment

²⁰ Id.

²¹ Michael Wesley, *Casualties Of The New World Order*, St. Martins Press ,1997, p.68

²² S.C. Res. 746, U.N. SCOR, 3060th mtg., U.N. Doc. S/RES/746 (1992).

²³ Boutros Boutros-Ghali, *Introduction to The United Nations, The United Nations And Somalia: 1992–1996*, 1996,p.19.

²⁴ S.C. Res. 751, U.N. SCOR, 3069th mtg., at 3, U.N. Doc. S/RES/751 (1992).

²⁵ Id.

and supplies at Mogadishu's port and airport; and to escort convoys of relief supplies.²⁶

3. Failure to Implement

Not until August 12, 1992 did Aidid and Mahdi agree to the deployment of the 500-strong security force envisaged in the Resolution of April 24,²⁷ and the troops did not arrive until

October. Once in Mogadishu, they were met by forces of vastly superior size and weaponry²⁸ who prevented them from leaving the airport, let alone carrying out their mandate.²⁹ On December 3, 1992, the Security Council approved the U.S. offer to, in the words of Resolution 794, "establish a secure environment for humanitarian relief operations,"³⁰ since UNOSOM's existing course would be an inadequate response to the situation.³¹ The requirement of consent was abandoned; the multinational force, UNITAF, was given Chapter VII authorization to use all necessary means to fulfill its mandate.

²⁶ The Situation in Somalia: Report of the Secretary-General, U.N. SCOR, 47th Sess., 27, U.N. Doc. S/23829 (1992).

²⁷ Boutros-Ghali, *supra* note 28, at 26.

²⁸ Jane Boulden, Peace enforcement: the United Nations experience in Congo, Somalia, and Bosnia Praeger Security International, Greenwood Publishing Group, 2001, p.56

²⁹ William Shawcross, Deliver Us from Evil: Peacekeepers, Warlords and a World of Endless Conflict, Simon & Schuster 2000, p.87.

³⁰ S.C. Res. 794, U.N. SCOR, 3145th mtg., at 7, U.N. Doc. S/RES/794 (1992).

³¹ *Id.*

4. Assessment

The Force Commander, Imtiaz Shaheen, has stated that while he was “very satisfied with the rules of engagement,”³² the force “was simply too small to be effective.”³³ Even before the deployment of the 500 troops began, it was clear to the Secretary-General that there were far too few peacekeepers³⁴ given the “lawlessness and violence in Mogadishu.”³⁵ 37,000 troops were subsequently used in the U.S.-led UNITAF. As Katherine Cox argues, it had become apparent that UNOSOM I was “essentially a traditional peacekeeping operation that failed primarily because the situation into which it went was not conducive to peacekeeping.”³⁶

C. UNPROFOR (Bosnia)

I. Introduction

On March 3, 1992, the Bosnian government declared the country’s independence. Within a month, conflict broke out between Bosnian Muslims and Bosnian Serbs³⁷ who hoped to create a “greater

³² Keith B. Richburg, Top U.N. Officer in Somalia Says Tactics Were Apt, WASH. POST, Jan. 23, 1993.

³³ Id.

³⁴ Jeffrey Clark, Debacle in Somalia: Failure of the Collective Response, in *Enforcing Restraint* Lori Fisler Damrosch ed., 1993, s.205.

³⁵ Boutros-Ghali, *supra* note 28, at 26.

³⁶ Katherine E. Cox, Beyond Self-Defense: United Nations Peacekeeping Operations and the Use of Force, *Denver Journal of International Law and Policy*, Vol 27, 1999, p.239.

³⁷ Ved P. Nanda et al., Tragedies in Somalia, Yugoslavia, Haiti, Rwanda and Liberia—Revisiting the Validity of Humanitarian Intervention under International Law—Part II, *Denver Journal of International Law and Policy*

Serbia” from the former Yugoslavia’s constituent republics.³⁸ By the end of 1992, the Serbs controlled 70 percent of Bosnian territory. After fighting intensified in eastern

Bosnia in March 1993, with Bosnian Serb paramilitaries attacking several cities, including Srebrenica, the Security Council adopted Resolution 819, which demanded that all parties treat Srebrenica and its surroundings as a “safe area” free from any hostile act.³⁹ In Resolution 824 of May 6, five more towns—Tuzla, Zepa, Gorazde, Bihac, and Sarajevo— were declared “safe areas,”⁴⁰ and a month later the Security Council mandated a role for UNPROFOR within them in order “to ensure full respect for the safe areas.”⁴¹

2.Tasks and objectives

Resolution 836 of June 4, 1993, extended UNPROFOR’s mandate in order to enable it “to deter attacks against the safe areas, to monitor the cease-fire, to promote the withdrawal of military or paramilitary units other than those of the Government of the Republic of Bosnia and Herzegovina and to occupy some key points on the ground.”⁴² It authorized UNPROFOR, “in carrying out [this] mandate . . . , acting in self- defence, to take the necessary measures, including

Vol. 26, 1998,p.839-840.

³⁸ Wesley, *supra* note 24, at 31.

³⁹ S.C. Res. 819, U.N. SCOR, 3199th mtg., 1, U.N. Doc. S/RES/819 (1993).

⁴⁰ S.C. Res. 824, U.N. SCOR, 3208th mtg., U.N. Doc. S/RES/824 (1993). This resolution was described by Madeleine Albright, who voted for it, as “a palliative.” U.N. SCOR, 3208th mtg., at 12, U.N. Doc. S/PV.3208 (1993).

⁴¹ S.C. Res. 836, U.N. SCOR, 48th Sess., at 14, U.N. Doc. S/INF/49(1994).

⁴² *Id.*

the use of force, in reply to bombardments against the safe areas by any of the parties or to armed incursion into them.” Resolution 844 of June 18, 1993, authorized the deployment of 7,600 troops to the “safe areas,”⁴³ yet it took a year for them to arrive and be deployed.⁴⁴ Fewer than 3,000 had arrived by January 7, 1994,⁵⁵ and only 5,200 by March 11, 1994.⁴⁵ In 1995, when the “safe areas” came under sustained attack by Bosnian Serb forces, full deployment had not been achieved.⁴⁶

3.Failure to Implement

Up to 20,000 people were killed in and around the “safe areas.”⁴⁷ In none of the areas did UNPROFOR successfully implement its mandate to deter attacks. The most shocking demonstration of the United Nations’ inadequacy came at Srebrenica, where, in July 1995, the Serbs, having captured the “safe area,” murdered some 7,414 men and boys.⁴⁸ Serb bombardments caused numerous civilian casualties in Tuzla and Gorazde. In November 1994, air attacks were mounted by the “Krajina Serbs” into the Bihac pocket in support of Bosnian

⁴³ S.C. Res. 844, U.N. SCOR, 48th Sess., at 15, U.N. Doc. S/INF/49 (1994).

⁴⁴ Report of the Secretary-General Pursuant to Security Council Resolution 959 (1994), U.N. SCOR, 54, U.N. Doc. S/1994/1389 (1994).

⁴⁵ Report of the Secretary-General Pursuant to Security Council Resolution 900 (1994), U.N. SCOR, 9, U.N. Doc. S/1994/291 (1994).

⁴⁶ Mats R. Berdal, *The Security Council, Peacekeeping, and Internal Conflict After the Cold War*, Duke Journal of Comparative & International Law, Vol.7,1996.p.83.

⁴⁷ Report of the Secretary-General Pursuant to General Assembly Resolution 53/ 35: The Fall of Srebrenica, U.N. GAOR, 54th Sess., Agenda Item 42, ¶ 3, U.N. Doc. A/54/549 (1999).

⁴⁸ Shawcross, *supra* note 36, at 176

Serb forces advancing toward the “safe area.”⁴⁹ In Sarajevo, the launching of Serb shells into the “safe areas,” often with civilian rather than military targets, began in April 1992, and continued, off and on, until August 1995.

4. Assessment

According to Karsten Prager, the “spate of resolutions”⁵⁰ designating the “safe areas” was “one of the most poignant examples of Security Council overreach.”⁵¹ Fulfilling the mandate of deterring attacks in “safe areas” would have required a larger number of troops than was ever supplied. The Serb advance in November 1994 towards the town of Bihac, in an enclave inhabited by 170,000 people, was not halted by the presence of a company-strength unit.⁵² Nor were the Serb forces deterred from their offensive on Gorazde, an enclave with an estimated population of 65,000, by the presence of eight military observers from the United Nations.⁵³ At the time of the fall of Srebrenica, with its 40,000 Muslim inhabitants, some 600 U.N. personnel were deployed in the “safe area,” but only 300 were infantry

⁴⁹ Report of the Secretary-General Pursuant to Security Council Resolution 959 (1994), *supra* note 54, p.16.

⁵⁰ Karsten Prager, *The Limits of Peacekeeping*, TIME, Oct. 23, 1995, *available at* <http://www.time.com/international/1995/951023/cover2.html>.

⁵¹ *Id.*

⁵² Report of the Secretary-General Pursuant to Security Council Resolution 959 (1994), *supra* note 54, p. 27.

⁵³ Report of the Secretary-General Pursuant to Security Council Resolution 900 (1994), *supra* note 56, p. 16.

soldiers; the remainder served in various support capacities.⁵⁴ The U.N. presence in Zepa, with its 16,000 residents, comprised, at the time of its fall, a single battalion of Ukrainian troops⁵⁵ who, in the assessment of the Srebrenica Report, were “clearly incapable of resisting a concerted Serb attack.”⁵⁶

The force level had indeed been envisaged, in the Secretary-General’s Report of June 14, 1993, as insufficient “to resist a concentrated assault.”⁵⁷ Advice from the Force Commander had indicated that 34,000 troops would be needed in order to provide effective deterrence, but the Security Council voted for the “light option” of 7,600. Since this option could not completely guarantee defense of the “safe areas,”⁵⁸ it relied on the threat of NATO airpower.⁵⁹ NATO, however, was not only an insufficient deterrent,⁶⁰ but also a problematic partner.⁶¹ Obvious drawbacks included the kidnappings, bombardments⁶² and obstruction of UNPROFOR’s

⁵⁴ Srebrenica Report, supra note 58, p.226.

⁵⁵ Id.,p.395

⁵⁶ Id. See also id. .,p.318

⁵⁷ Report of the Secretary-General Pursuant to Security Council Resolution 836 (1993), U.N. SCOR, p.4, U.N. Doc. S/25939 (1993).

⁵⁸ Id.,p.5

⁵⁹ Id. See also id.,p.4.

⁶⁰ Michael Stopford, “Peace-Keeping or Peace-Enforcement: Stark Choices for Grey Areas”, University of Detroit Mercy School of Law's Law Review, Vol.73, No.499, 1996, p.510.

⁶¹ Report of the Secretary-General Pursuant to Security Council Resolutions 982 (1995) and 987 (1995), supra note 60, p. 6.

⁶² Report of the Secretary-General Pursuant to Security Council Resolutions 982 (1995) and 987 (1995), supra note 60, p.12.

primary humanitarian mission,⁶³ as well as perceptions of U.N. partiality that followed NATO action. Another was that U.N. troops took on, in addition to their mandated duties, the task of patrolling the exclusion zones declared by NATO, even though the high levels of manpower required put a further strain on the resources allocated to the “safe areas.”⁶⁴ In Bihac,⁶⁵ Srebrenica, and Gorazde,⁶⁶ the threat of air action failed to keep the Serbs away from the “safe areas,” and in Srebrenica and Gorazde the use of air action was avoided because of fears for the safety of U.N. hostages. Even before the fall of Zepa and Srebrenica, the Secretary-General had concluded that NATO’s support was insufficient to make the “safe areas” concept viable: He stated on December 1, 1994, that “[t]he experiences at Gorazde and Bihac provide stark evidence that in the absence of consent and cooperation, the ‘light option,’ adopted as an initial measure and supported by air power alone, cannot be expected to be effective in protecting the safe areas.” The consent and cooperation on which the light option relied⁶⁷ were never forthcoming.

⁶³ Report of the Secretary-General Pursuant to Security Council Resolution 959 (1994), *supra* note 54, p.41.

⁶⁴ Report of the Secretary-General Pursuant to Resolution 908 (1994), U.N. SCOR, p.41, U.N. Doc. S/1994/1067 (1994).

⁶⁵ Report of the Secretary-General Pursuant to Resolution 959 (1994), *supra* note 54, p. 16.

⁶⁶ Yasushi Akashi, “The Use of Force in a United Nations Peace-Keeping Operation: Lessons Learnt from the Safe Areas Mandate”, *Fordham International Law Journal*, Vol.19,1995,p.312, 319.

⁶⁷ Report of the Secretary-General Pursuant to Security Council Resolution 959 (1994), *supra* note 54, p.27,55.

In each of these operations, warning signs indicated either that the consent and cooperation on which the authorization of small numbers of troops was based would not be forthcoming or that the authorized number of troops was not likely to be provided with any speed. It is not just hindsight that leads to the conclusion that the Security Council's decisions were taken in the face of, rather than in ignorance of, these warnings.

III.CHANGE WITHIN THE U.N. SYSTEM

Given that these operations were authorized in the face of clear warnings that their allocated troop levels would be inadequate, or would not be made rapidly available, it appears that a lack of information is not the most pressing problem facing U.N. peacekeeping. Rather, it seems that the system needs to be altered so as to avoid resolutions that make unrealistic demands or promises. Part A will examine various changes that have been suggested to ensure that mandates receive the authorized number of troops; Part B will examine those that have been suggested to ensure that resolutions authorize a sufficient number of troops.

A.Avoiding unrealistic demands

Operations would be less likely to falter because of a gap between the number of troops authorized by a Security Council resolution and the number of troops made available if the Security Council could pass resolutions with the knowledge that there existed a guaranteed source of troops. Such a source might be a U.N. force, “on

call” for deployment to any peacekeeping operation; Member States who had pledged troops to the operation; Security Council members themselves; or even private military companies. This section will examine each of those sources.

1. Help

Under the original scheme envisaged by the U.N. Charter, the Security Council could have authorized operations with confidence that the authorized number of troops would be provided, since Article 43 was designed to create an obligation on the part of Member States to contribute armed forces to the United Nations. Mandate failures such as those outlined above have led some to call for the creation of an alternative, whether in the form of earmarked troops that would remain in their home countries or a standing army of volunteers training in one location.⁶⁸

Rwanda is cited as a prime example of an operation where the speed to be gained by a force able to deploy immediately, without delay caused by negotiations over troop reimbursements or by the need to find adequate equipment and transportation, would have been invaluable. Rapid deployment capability would help to protect cease-

⁶⁸ Brian Urquhart, *The Case for Rapid Response*, in Brian Urquhart and Francois Heisbourg, *Prospects for a Rapid Response Capability: A Dialogue*, in *Peacemaking and Peacekeeping For The New Century*, Olara A. Otunnu & Michael W. Doyle eds., 1998, p. 189, 194.

fires,⁶⁹ and for this reason would have been welcome in Somalia and Croatia.

One argument used by critics of the notion of a standing force is that the United Nations Standby Arrangements System (UNSAS) is “the closest we can get to a standing army, and even that doesn’t work.”⁷⁰ UNSAS may take us one step nearer to a rapid reaction capability,⁷¹ but it is not yet a dependable resource.⁷² The system was launched in the mid-1990s in order to enhance the U.N.’s rapid deployment capabilities and is, according to the Brahimi Report on United Nations Peace Operations, “a database of military, civilian police and civilian assets and expertise indicated by Governments to be available, in theory, for deployment to United Nations peacekeeping operations”⁷³ The important phrase is “in theory,” since for those seeking a mechanism that will allow the Security Council to be confident of troop supplies, the crucial drawback of this system is that it still allows countries to say “no” to any individual operation. Furthermore, “Member States are saying ‘no’ to deploying . . . military units to U.N. peacekeeping operations far

⁶⁹ Implementation of the Recommendations of the Special Committee on Peacekeeping Operations and the Panel on United Nations Peace Operations: Report of the Secretary General, U.N. GAOR, 55th Sess., Annex, Agenda Item 86, p. 312, U.N. Doc. A/55/977, 2001.

⁷⁰ Verheul, supra note 215.

⁷¹ Progress Report of the Secretary-General on Standby Arrangements for Peacekeeping, U.N. SCOR, U.N. Doc. S/1999/361, 1999, p.19

⁷² Report of the Panel on United Nations Peace Operations, U.N. GAOR, 55th Sess., ¶ 84, U.N. Doc. A/55/305 2000.

⁷³ Brahimi Report, supra note 224, http://www.un.org/peace/reports/peace_operations/ p.102.

more often than they are saying ‘yes.’⁷⁴ Indeed, none of the nineteen countries that had entered into peacekeeping standby agreements prior to the summer of 1994 was willing to offer troops to meet Rwanda’s urgent need. Rather than guaranteeing troop provision, the system has the potential only to play a more limited role, namely preventing the Security Council from authorizing an operation or troop level that is clearly impossible.

2. Consultation

Consultation with potential troop contributors prior to the passing of a resolution authorizing troop deployment is one means of increasing the confidence with which the Security

Council can call for such troops. The Brahimi Report emphasizes its importance,⁷⁵ and its use has increased. The danger of authorizing operations without such assurances of support is shown by the situation in Rwanda, where the Secretary-General obtained no commitments from Member States that they would supply the authorized number of troops. The Brahimi Report’s proposal that the Secretary-General should have the authority to canvass formally members of the standby system prior to the authorizing of an operation attempts to avoid such a situation.⁷⁶ Yet consultations are no guarantee against unilateral withdrawal of contingents, which remains, as the Secretary-General noted during the Bosnian conflict, the

⁷⁴ Id., p.103.

⁷⁵ Id.,p.61

⁷⁶ Id.

“sovereign right” of states. Nor is the Brahimi Report’s further proposal—that resolutions contemplating sizeable force levels for new operations should remain in draft form until the necessary troop commitments have been received ⁷⁷—acceptable to those who believe that a Security Council Resolution is necessary in order to be able to solicit troops.

3. Mandatory Commitments

Another suggestion regarding how resolutions could be adopted with confidence that the authorized troop numbers would be supplied involves guarantees that the Security Council members will themselves provide troops. Shashi Tharoor draws from the failures in Rwanda and Bosnia the lesson that the Security Council can “routinely pass resolutions without being obliged to provide the troops to implement them.”⁷⁸ Thus, we find demands for some form of connection between the Security Council’s creation of mandates and Member States’ commitment of peacekeepers.

Thorvald Stoltenberg calls for commitments of troops from all Security Council members, suggesting that this would prevent such destructive conflicts as occurred in the Security Council between those who had troops on the ground in Bosnia and those, notably the U.S., who did not.⁷⁹ Some suggest that responsibility should fall on those who sponsor a resolution, in contrast to what occurred after

⁷⁷ Id.. p.60.

⁷⁸ Tharoor, *supra* note 229, p.424.

⁷⁹ BOULDEN, *supra* note 34, p.114.

Resolution 836 regarding the “safe areas” was passed and all of the co-sponsors refused to contribute any more of their own troops to the huge and perilous expansion of UNPROFOR’s mandate that they were initiating. Kofi Annan has suggested that responsibility should lie with all those who vote for a resolution. Particular pressure, however, may fall on those Permanent Members who are most able to contribute resources. The number of troops contributed by the Security Council’s Permanent Members has fallen dramatically.⁸⁰ (It is not true, however, that they commit no troops at all; according to the last available monthly report, China and the United States had each contributed one soldier in the service of U.N. peacekeeping.)⁸¹

4. Professional Help

Another proposal is for the United Nations to combat the problems of slow deployment and insufficient troops through the use of mercenaries. This might offer greater reliability than the U.N. system, where Member States may withdraw their contingents at any time without adverse consequences. It might also be more cost-effective, since troop provision could be determined by what was contracted for, rather than what happened to be available. In the words of David Malone, “large chunks of peacekeeping” are already

⁸⁰ Brahimi Report, *supra* note 224, p.103–04.

⁸¹ United Nations, Monthly Summary of Contributors (Military Observers, Civilian Police, Troops) as of 31 March 2002, at <http://www.un.org/Depts/dpko/dpko/contributors/mar02.htm> (Accessed January 18 2005).

contracted out, but only in the area of logistics; the arrival of the Professional mercenary among the ranks of frontline personnel may well be greeted by what Frederick Forsyth calls the “politically correct cries of ‘Yuck.’” Indeed, while the Secretary-General has not rejected the idea, he has acknowledged the strong opposition of Member States. This opposition is illustrated by the reaction to a February 2002 Green Paper, in which the U.K. Foreign Office mooted the idea that mercenaries employed by private military companies might be hired for peacekeeping operations.⁸² One Labour Party M.P., and member of the House of Commons Foreign Affairs Select Committee, Andrew Mackinlay, described the proposals as “repugnant,” and stated that even to “contemplate giving such companies a veneer of respectability” was “breathtaking in the extreme.”⁸³ He claimed that the proposal “would create the potential for wrongdoing by companies that could then dissolve themselves and lose themselves in remote parts of the world, unaccountable for their conduct or stewardship of war.”⁸⁴ Another M.P. asked the Prime Minister whether he supported the idea of employing mercenaries “who often work for the most odious regimes and whose only loyalty is to money.”⁸⁵ Yet we might question the idea that the use of mercenaries would necessarily mean

⁸² Peacekeeping ‘Role’ for Mercenaries, BBC News Online, Feb. 13, 2002, at http://news.bbc.co.uk/2/low/uk_news/politics/1817495.stm. (Accessed January 23 2005).

⁸³ Id.

⁸⁴ Peacekeeping ‘Role’ for Mercenaries, BBC, Feb. 13, 2002, at <http://www.globalpolicy.org/security/peacekpg/general/2002/uk.htm> (Accessed March 2005).

⁸⁵ Prime Minister’s Questions, (Feb. 13, 2002), at http://www.publications.parliament.uk/pa/cm200102/cmhansrd/vo020213/debtext/20213-03.htm#20213-03_spnew9 , (Accessed March 2005).

abandoning any moral strengths of the U.N. peacekeeping system, particularly as regards incentives and accountability. After all, the claim has been made that the national contingents that typically form a U.N. peacekeeping operation are chosen “not for martial prowess but because their governments are willing to send them, often for no better reason than to collect a daily stipend.”⁸⁶

B.Avoiding Unrealistic Promises

The Brahimi Report acknowledges the danger of deploying small numbers of peacekeepers in the kind of operation suited to a cooperative environment when indications suggest that the environment will be anything but cooperative. Relying on best-case scenarios is unsuitable where the parties have exhibited “worst-case behaviour.”⁸⁷ Yet the Report’s suggested solution, namely the deployment of “bigger forces, beter equipped and more costly,”⁸⁸ is problematic. Firstly, bigger forces must mean fewer U.N. operations, since U.N. resources are already “pared to the bone.” In addition, the proposal threatens the traditionally consensual nature of U.N. peacekeeping. The Brahimi Report deems it essential that peacekeepers be aware that consent is manipulable. Yet the recommendation of Ian Johnstone that they should assume that consent is unreliable, though it differs little in substance, would be, according to one staff member at the Secretary- General’s Executive

⁸⁶ Max Boot, “Paving the Road to Hell: The Failure of U.N. Peacekeeping”, *Foreign Affairs.* , Vol.79, Mar.-Apr. 2000,p.143, 145.

⁸⁷ Brahimi Report, *supra* note 224, p.51.

⁸⁸ *Id.*

Office, the end of peacekeeping. Peacekeeping has traditionally meant assisting parties in the implementation of a ceasefire or a peace agreement. For the United Nations to express doubts about such an agreement “would be an insult, and the UN is not in the business of insulting.”

Less drastic than basing troop numbers on the assumption that consent is unreliable is the option of having contingency plans for each operation, thus avoiding the assumption that all parties to an agreement intend to respect it.

Yet such plans, even if never put into operation, may threaten the extent to which the United Nations is seen to trust any peace agreement and thus, perhaps, the level of trust that the parties place in the United Nations and each other: Indeed, it is due to fears that documents suggesting concerns about a party’s lack of good faith might leak out and lead to accusations of bias that the United Nations has traditionally been reluctant to commit contingency plans to writing.

Thus none of these suggestions provides a means for the United Nations to avoid the problem of inadequate troop provision while continuing its peacekeeping in recognizable form.

Neither the U.N. Standby System, nor SHIRBRIG, nor increased consultation with troop-contributing countries provides any guarantee against refusals by Member States to join or remain within a U.N. peacekeeping operation. Neither a U.N. standing army, nor a

system of mandatory troop contributions by members of the Security Council, nor reliance on mercenaries is politically acceptable. Finally, to base troop levels on the assumption that any peace agreement is unreliable would be a radical departure from U.N. tradition and, on one reading, the end of peacekeeping; widespread use of contingency planning might have similar, albeit less dramatic, implications. Thus it appears that a future deployment of similar U.N. peacekeeping forces into a situation where such warning signs appear would be likely to face similar obstacles.

IV. NEITHER INADEQUACY NOR INACTIVITY

It might then seem that in the face of such warning signs about the number of troops likely to be required or provided, the Security Council should refrain from taking any action at all. After all, the surest way to avoid a gap between mandate and means is to have no mandate. Indeed, disregarding either kind of warning sign can lead to a halfhearted deployment that is worse than no deployment at all. With respect to non-cooperative environments, the Bosnian “safe areas” indicated the dangers caused by an undersized U.N. force and its apparent guarantee of protection. The population of the “safe areas” was increased by refugees seeking protection from ethnic cleansing:⁸⁹

⁸⁹ U.N. SCOR, 49th Sess., 3367th mtg. at 42, U.N. Doc. S/PV.3367, 1994.

Thus, “safe areas” became natural targets for Serbian attacks.⁹⁰ In the case of Srebrenica, the designation of the “safe area” provided the civilian population with a sense of security that was drastically misplaced. Those involved in establishing “safe areas” have agonized over the extent to which their actions may have led to the slaughter of over 7,000 inhabitants of Srebrenica. Addressing failures to achieve the authorized troop levels, the Brahimi Report warns that “to deploy a partial force incapable of solidifying a fragile peace would first raise and then dash the hopes of a population engulfed in conflict or recovering from war, and damage the credibility of the United Nations as a whole.”⁹¹ A loss of U.N. credibility, which is, in Kofi Annan’s words, one of the organization’s “indispensable assets,”⁹² may deter those in conflict from seeking U.N. help in the future. It may also make potential troop contributors less likely to participate in future operations. Thus, the under-resourcing of operations can be self-perpetuating. However, it is preferable to avoid a choice between the Security Council deploying a U.N. force in unsuitable conditions or doing nothing at all. That dichotomy would inevitably lead to further deployment of under-resourced operations, since, as Shashi Tharoor

⁹⁰ Nicole M. Procida, Note, “Ethnic Cleansing in Bosnia-Herzegovina, A Case Study: Employing United Nation Mechanisms to Enforce the Convention on the Prevention and Punishment of the Crime of Genocide”, *Suffolk Transnat’l L. Rev.* , Vol.18,1995,p.655, 677.

⁹¹ Brahimi Report, *supra* note 224,p. 60.

⁹² Report of the Secretary-General Pursuant to Security Council Resolutions 982 (1995) and 987 (1995), *supra* note 60,p. 82

puts it, “for most of the crises that thrust themselves on the United Nations’ agenda, indifference is impossible.”⁹³

UNPROFOR was established, for example, despite the fact that political groups in Yugoslavia continued to object to the U.N. plan,⁹⁴ because the Secretary-General judged “that the danger that a United Nations peace-keeping operation will fail because of lack of cooperation from the parties is less grievous than the danger that delay in its dispatch will lead to a breakdown of the cease-fire and to a new conflagration in Yugoslavia.” The Secretary-General described a similar dilemma after UNPROFOR’s deployment in Croatia, when he stated that “soldiering on in hope seems preferable to withdrawing in abdication.”⁹⁵ Whereas in those circumstances the absence of a U.N. force was presented as a type of abdication, authorizing a force for Rwanda that had no chance of achieving rapid deployment has also been described as part of a conscious abdication of responsibility by the Security Council. In circumstances where warning signs exist with respect to the level of the parties’ consent or of the willingness of Member States to contribute troops, the best way for the Security Council to meet, rather than abdicate, its responsibility for the maintenance of international peace and security may be neither inactivity nor authorization of a U.N. force in unsuitable conditions,

⁹³ Tharoor, *supra* note 229, p.413.

⁹⁴ John A. MacInnis, “Piecemeal Peacekeeping: The United Nations Protection Force in the Former Yugoslavia”, in “The Savage Wars Of Peace”: Toward A New Paradigm Of Peace Operations ,John T. Fishel ed., 1998, p.113,116.

⁹⁵ Report of the Secretary-General Pursuant to Resolution 871 (1994), *supra* note 1, p.45.

but a third option. A U.N. force was deployed “faute de mieux” in Bosnia, in the latter case particularly because of the limited capacity of regional organizations. U.N. partnerships with regional or multinational organizations, to increase their capacities, might be one way of ensuring that, where a U.N. peacekeeping force is inappropriate, there exists a viable alternative. Such an approach would utilize the strengths of the United Nations and of multinational or regional forces, while asking neither to attempt tasks that are beyond their capabilities. According to Dan Lindley, multinational forces offer “relatively streamlined decision-making procedures,” and “tend to be more highly motivated,” than collective security organizations.

The participation of major powers is more likely, and more likely to be effective, than in U.N. operations. As for regional organizations, they may possess greater regional knowledge than the United Nations,⁹⁶ and may be more likely to show lasting commitment to resolving local crises.⁹⁷ Regional peacekeepers may also adjust more rapidly to the situation on the ground than international troops, and their presence has a more obvious justification. Shaharyar Khan finds it clear that, “given the parameters of a debt-ridden UN and donor states reluctant to commit their troops except in their own

⁹⁶ UNA-UK, *Briefing Paper: Regional Security Action*, at [http:// www.una-uk.org/UN&C/regional.html](http://www.una-uk.org/UN&C/regional.html) (Accessed March 2005).

⁹⁷ Id.

backyards, the future trend for peace-keeping is likely to be the greater involvement of regional groups.”⁹⁸

The Security Council might not only extend its support more willingly to regional than to U.N.-led operations, but also, through its active involvement, limit some of the potential drawbacks of regional and multinational forces. The supply of training, equipment, and resources is one example. Regional collective security organizations are less likely than the United Nations to possess military force and financial and political support that are adequate for the situation into which they are deployed, and assets may be particularly limited in the regions where they are most needed. Matthew Vaccaro suggests that regional troops should be given advance training and access to pre-positioned, U.N.-owned equipment, and that, in the case of Rwanda, if such forces had existed, the Member States responsible for the bulk of the U.N. peacekeeping bill might have supported a Security Council decision to deploy them.¹⁰⁰ U.N. involvement may also counteract the danger, identified by Dan Lindley, that members of regional organizations are “influenced by political, economic, ethnic, and other ties.”¹⁰¹ According to Lindley, the “United Nations’s worldwide membership neutralizes some of these sources of bias.”

One counter-argument in response might be that increased use of regional or multinational forces in place of U.N. operations might

⁹⁸ Khan, *supra* note 316, at 215.

⁹⁹ *Id.* p.216.

¹⁰⁰ Vaccaro, *supra* note 113, p.401

¹⁰¹ Lindley, *supra* note 311, p. 556.

lead to the loss of some valuable qualities that only U.N. peacekeeping possesses. Impartiality and universality are two strengths that have traditionally been associated with U.N. operations. Yet, arguably, the extent to which these two qualities are guaranteed in U.N. peacekeeping is easily overstated. With regard to impartiality, the notion that Member States' participation in U.N. operations is apolitical and disinterested is naïve. Even though peacekeeping theory requires a neutral international force, the countries willing to commit their troops to an operation must, according to Matthew Vaccaro, "see their interests served by such participation, which may raise questions about their neutrality."¹⁰² To call for international accountability is to miss the point that, as Edward Luck puts it, "national leaders are ultimately accountable to their people, not just to the rules of international institutions or to the ideals of the international community." As for universality, the current arrangement offers neither universality of troop contributors nor universality of areas of deployment. Whereas under earlier theory and practice, the composition of peacekeeping forces reflected the U.N.'s universality,¹⁰³ the modern reality is more often one that, according to Adriaan Verheul, does not "reflect the solidarity on which the Charter is built."¹⁰⁴ the Security Council "devises a mandate and expects soldiers from poor countries to die for it."¹⁰⁵ Universality of deployment is belied by a lack of commitment to address conflict in

¹⁰² Vaccaro, *supra* note 113, p.397.

¹⁰³ Tharoor, *supra* note 229, p. 414

¹⁰⁴ Verheul, *supra* note 215.

¹⁰⁵ *Id.*

Africa.¹⁰⁶ This erosion of two of the touted strengths of U.N. peacekeeping supports the argument that since its use in operations where the willingness of troop contributors and warring parties is uncertain has proven problematic, and since no politically acceptable proposals exist for how to avoid these problems through the U.N. system alone, attention should turn to alternative ways in which the Security Council can meet its responsibility for the maintenance of international peace and security.

V. CONCLUSION

The inability to carry out these peacekeeping and security mandates can be attributed, at least in part, to an inadequate number of properly equipped troops. In each case, troop levels were authorized in the face of clear signs that they would not rapidly be made available or would nevertheless be inadequate. The fact that the warnings were explicit that the consent neither of the parties in conflict nor potential troop contributors was likely to be forthcoming—indeed, several of the warnings were contained in Secretary-General’s Reports to the Security Council—suggests that merely improving the information available to the Security Council will not cure its inadequacy in dealing with such situations. It might be objected that to focus on a group of operations that includes some of the Organization’s most prominent failures is inevitably to paint an unrepresentatively bleak picture of the U.N.’s peacekeeping abilities. Yet the very fact that

¹⁰⁶ David M. Malone & Ramesh Thakur, “UN Peacekeeping: Lessons Learned?”, *Global Governance*, Vol.7, No.11, 2001, p.16

these failures receive such prominence increases their importance, since the damage that they do to the Organization's credibility has an adverse effect on the willingness of parties in conflict and potential troop-contributors to trust the United Nations in future operations. Nor has their prominence ensured that all the necessary lessons have been learned. As the Brahimi Report states, "over the last decade, the United Nations has repeatedly failed to meet the challenge" of "sav[ing] succeeding generations from the scourge of war," and "it can do no better today."

Thus, as the Brahimi Report concludes, "significant institutional change" is necessary. Various suggestions have been made regarding ways to effect this change within the existing system of Secretary-General-led operations. Yet none offers the United Nations a politically acceptable means of surmounting the obstacles created when troop contributors or parties in conflict are clearly unwilling to comply. The risk remains that fig-leaf resolutions that bear little chance of receiving a rapid supply of troops for implementation, or fig-leaf operations that bear little chance of success in non-consensual environments, will continue to be created as a result of the pressure to seem to do something. Such halfhearted actions represent an abdication of the Security Council's responsibility.

So does the refusal to take any action at all. Efforts at innovation should therefore be directed at a third option, whereby, in

situations where clear warning signs exist concerning the willingness of parties in conflict or of troop contributors to comply, the Security Council could create and develop forms of collaboration between the United Nations and regional and multinational coalitions, for whom robust action is more appropriate. Thus the credibility and the manpower of the United Nations could be conserved and strengthened, in preparation for those operations to which the Organization is better suited.

REFERENCES

Books and Articles

Adibe, Clement E., Learning from Failure of Disarmament and Conflict Resolution in Somalia, in *A Future For Peacekeeping?* (Edward Moxon-Browne ed., 1998).

Berdal, Mats R., The Security Council, Peacekeeping, and Internal Conflict After the Cold War, *Duke Journal of Comparative & International Law* , Vol.7,1996

Biermann, Wolfgang & Vadset, Martin From UNPF to IFOR: Windows of Opportunity 1991 to 1996, in *Un Peacekeeping In Trouble: Lessons Learned From The Former Yugoslavia* (Wolfgang Biermann & Martin Vadset eds., 1998).

Boot, Max, “Paving the Road to Hell: The Failure of U.N. Peacekeeping”, *Foreign Affairs* , Vol.79, Mar.-Apr. 2000.

Boulden, Jane, Peace enforcement: the United Nations experience in Congo, Somalia, and Bosnia Praeger Security International, Greenwood Publishing Group, 2001.

Clark, Jeffrey, Debacle in Somalia: Failure of the Collective Response, in Enforcing Restraint, Lori Fisler Damrosch ed., 1993.

Clemons, Elgin, Note, No Peace to Keep: Six and Three-Quarters Peacekeepers, New York University Journal of International Law & Politics, Vol. 26, No. 107, 1993.

Cox, Katherine E., Beyond Self-Defense: United Nations Peacekeeping Operations and the Use of Force, Denver Journal of International Law and Policy, Vol 27, 1999.

Ghali, Boutros Boutros-, Introduction to The United Nations, The United Nations And Somalia: 1992–1996, 1996.

Hillen, John, Blue, Helmets: The Strategy Of Un Military Operations Brassey's UK Ltd; 2 edition, 175 2000.

Holbrooke, Richard, To End a War (New York: Random House, 1998).

MacInnis, John A., “Piecemeal Peacekeeping: The United Nations Protection Force in the Former Yugoslavia”, in “The Savage Wars Of Peace”: Toward A New Paradigm Of Peace Operations, John T. Fishel ed., 1998.

Malone, David M. & Thakur, Ramesh,” UN Peacekeeping: Lessons Learned?”, *Global Governance*, Vol.7, No.11, 2001.

Ocran, T. Modibo, How Blessed Were the UN Peacekeepers in Former Yugoslavia? The Involvement of UNPROFOR and Other UN Bodies in Humanitarian Activities and Human Rights Issues in Croatia, 1992–1996, *Wisconsin International Law Journal*, Vol.18, 2000.

Prager, Karsten The Limits of Peacekeeping, *TIME*, Oct. 23, 1995, available at <http://www.time.com/international/1995/951023/cover2.html>. (Accessed March 2005).

Procida, Nicole M., Note, “Ethnic Cleansing in Bosnia-Herzegovina, A Case Study: Employing United Nation Mechanisms to Enforce the Convention on the Prevention and Punishment of the Crime of Genocide”, *Suffolk Transnat’l l. Rev.* , Vol.18, 1995.

Ramsbotham, Oliver, and Woodhouse, Tom, *Encyclopedia of International Peacekeeping Operations*, Santa Barbara, Calif.: ABC-CLIO, 1999.

Richburg, Keith B. Top U.N. Officer in Somalia Says Tactics Were Apt, *WASH. POST*, Jan. 23, 1993,

Scheffer, David. J., United Nations Peace Operations and Prospects for a Standby Force, *Cornell International Law Journal*, Vol.28, 1995.

Shawcross, William, *Deliver Us from Evil: Peacekeepers, Warlords and a World of Endless Conflict*, Simon & Schuster 2000.

Stopford, Michael, "Peace-Keeping or Peace-Enforcement: Stark Choices for Grey Areas", *University of Detroit Mercy School of Law's Law Review*, Vol.73, No.499, 1996.

Taner, Marcus *Croatia: A Nation Forged in War* (New Haven: Yale University Press. 1997).

Urquhart, Brian," The Case for Rapid Response, in Brian Urquhart and Francois Heisbourg", *Prospects for a Rapid Response Capability: A Dialogue*, in *Peacemaking And Peacekeeping For The New Century* ,Olara A.Otunnu & Michael W. Doyle eds., 1998.

Wesley, Michael, *Casualties Of The New World Order*, St. Martins Press, 1997.

DOCUMENTS

Brahimi Report, http://www.un.org/peace/reports/peace_operations/
(Accessed january 2005).

Implementation of the Recommendations of the Special Committee on Peacekeeping Operations and the Panel on United Nations Peace Operations: Report of the Secretary General, U.N. GAOR, 55th Sess., Annex, Agenda Item 86, p. 312, U.N. Doc. A/55/977 ,2001.

Peacekeeping 'Role' for Mercenaries, BBC News Online, Feb. 13, 2002, at http://news.bbc.co.uk/2/low/uk_news/politics/1817495.stm. (Accessed January 2005).

Peacekeeping 'Role' for Mercenaries, BBC, Feb. 13, 2002, at <http://www.globalpolicy.org/security/peacekpg/general/2002/uk.htm> (Accessed March 2005).

Progress Report of the Secretary-General on Standby Arrangements for Peacekeeping, U.N. SCOR, U.N. Doc. S/1999/361, 1999.

Report of the Panel on United Nations Peace Operations, U.N. GAOR, 55th Sess., 84, U.N. Doc. A/55/305 2000.

Report of the Secretary-General Pursuant to General Assembly Resolution 53/ 35: The Fall of Srebrenica, U.N. GAOR, 54th Sess., Agenda Item 42, 3, U.N. Doc. A/54/549 (1999).

Report of the Secretary-General Pursuant to Resolution 871 (1993), U.N. SCOR, p.45, U.N. Doc. S/1994/300 (1994).

Report of the Secretary-General Pursuant to Resolution 871 (1993), *supranote 1*.

Report of the Secretary-General Pursuant to Resolution 871 (1994), *supra note 1*.

Report of the Secretary-General Pursuant to Resolution 908 (1994), U.N. SCOR, p.41, U.N. Doc. S/1994/1067 (1994).

Report of the Secretary-General Pursuant to Resolution 959 (1994), *supra* note 54.

Report of the Secretary-General Pursuant to Security Council Resolution 721 (1991), U.N. SCOR, 12, U.N. Doc. S/23280 (1991). Resolution 743 approved this mandate element. S.C. Res. 743, *supra* note 6,

Report of the Secretary-General Pursuant to Security Council Resolution 762 (1992), U.N. SCOR, 14–18, U.N. Doc. S/24353 (1992).

Report of the Secretary-General Pursuant to Security Council Resolution 743 (1992), U.N. SCOR, 7, U.N. Doc. S/23777 (1992).

Report of the Secretary-General Pursuant to Security Council Resolution 959 (1994), U.N. SCOR, 54, U.N. Doc. S/1994/1389 (1994).

Report of the Secretary-General Pursuant to Security Council Resolution 900 (1994), U.N. SCOR, 9, U.N. Doc. S/1994/291 (1994).

Report of the Secretary-General Pursuant to Security Council Resolution 959 (1994), *supra* note 54.

Report of the Secretary-General Pursuant to Security Council Resolution 900 (1994), *supra* note 56.

Report of the Secretary-General Pursuant to Security Council Resolution 836 (1993), U.N. SCOR, p.4, U.N. Doc. S/25939 (1993).

Report of the Secretary-General Pursuant to Security Council Resolutions 982 (1995) and 987 (1995), *supra* note 60.

Report of the Secretary-General Pursuant to Security Council Resolution 959 (1994), *supra* note 54.

Report of the Secretary-General Pursuant to Security Council Resolution 959 (1994), *supra* note 54.

Report of the Secretary-General Pursuant to Security Council Resolutions 982 (1995) and 987 (1995), *supra* note 60.

S.C. Res. 727, U.N. SCOR, 47th Sess., 2, U.N. Doc. S/INF/46 (1992).

S.C. Res. 743, U.N. SCOR, 47th Sess., 3055th mtg. 2, U.N. Doc. S/RES/743 (1992).

S.C. Res. 746, U.N. SCOR, 3060th mtg., U.N. Doc. S/RES/746 (1992).

S.C. Res. 751, U.N. SCOR, 3069th mtg., at 3, U.N. Doc. S/RES/751 (1992).

S.C. Res. 794, U.N. SCOR, 3145th mtg., at 7, U.N. Doc. S/RES/794 (1992).

S.C. Res. 819, U.N. SCOR, 3199th mtg., 1, U.N. Doc. S/RES/819 (1993).

S.C. Res. 824, U.N. SCOR, 3208th mtg., U.N. Doc. S/RES/824 (1993).

S.C. Res. 836, U.N. SCOR, 48th Sess., at 14, U.N. Doc. S/INF/49(1994).

The Situation in Somalia: Report of the Secretary-General, U.N. SCOR, 47th Sess., 27, U.N. Doc. S/23829 (1992).

U.K Prime Minister's Questions, (Feb. 13, 2002), at http://www.publications.parliament.uk/pa/cm200102/cmhansrd/vo020213/debtext/20213-03.htm#20213-03_spnew9 , (Accessed March 2005).

U.N. SCOR, 49th Sess., 3367th mtg. at 42, U.N. Doc. S/PV.3367 ,1994.

UNA-UK, Briefing Paper: Regional Security Action, at <http://www.una-uk.org/UN&C/regional.html> (Accessed March 2005).

United Nations, Monthly Summary of Contributors (Military Observers, Civilian Police, Troops) as of 31 March 2002, at <http://www.un.org/Depts/dpko/dpko/contributors/mar02.htm> (Accessed January 18 2005).

Ved P. Nanda et al., Tragedies in Somalia, Yugoslavia, Haiti, Rwanda and Liberia—Revisiting the Validity of Humanitarian Intervention under International Law—Part II, *Denver Journal of International Law and Policy* Vol. 26, 1998,p.839-840.