



CHAPTER FIVE

SPECIAL COMMITTEE ON PEACEKEEPING OPERATIONS

PURVIEW OF THE SPECIAL COMMITTEE ON PEACEKEEPING OPERATIONS

The Special Committee on Peacekeeping Operations (SCPKO) of the United Nations was established by the General Assembly in 1965 and reports to the General Assembly on its work through the Fourth Committee (Special Political and Decolonization). The Special Committee is charged with comprehensively reviewing all issues relating to the management and operation of peacekeeping missions but is not able to create peacekeeping operations or to alter the mandates given by the Security Council. It additionally provides supervisory oversight of the Department of Peacekeeping Operations. The Special Committee meets annually and provides recommendations on a wide variety of issues related to peacekeeping. While the Fourth Committee of the General Assembly also has a responsibility to oversee the management of peacekeeping operations, the Special Committee effectively plays this function, periodically reporting back its recommendations for action to the General Assembly. For the purposes of this simulation, the Special Committee will report to the General Assembly Combined Plenary.

Website: www.un.org/en/peacekeeping/ctte/CTTEE

CONDUCT AND DISCIPLINE OF PEACEKEEPING PERSONNEL

The United Nations Charter authorizes the Security Council to take collective action in order to facilitate the establishment of stability, maintain order and protect the global community; often, the Security Council responds to these needs through peacekeeping operations (PKOs). Peacekeeping is a powerful tool available to the United Nations in promoting and sustaining its mission. Since 1948, there have been 67 peacekeeping operations in nearly as many countries. United Nations peacekeeping operates on three basic principles: consent of the conflicting parties; impartiality; and non-aggression, which means that the PKO will only use force in self-defense or in defense of the mandate. This mandate from the Security Council outlines who a PKO will protect and where. Once given a mandate, the PKO is then under the direction of the Department of Peacekeeping Operations for implementation. Maintaining high standards of conduct and discipline among the peacekeepers is integral to the perceived legitimacy and ultimate success of each PKO.

Prior to 1989, peacekeeping operations were generally directed at enforcing cease-fires between parties and enabling political solutions to violent conflicts. Early missions were unarmed or lightly armed forces sent to monitor situations on the ground. Peacekeeping forces were not fully armed until 1956 when the first UN Emergency Force (UNEF I) was authorized in response to the Suez Crisis. This marked a shift in peacekeeping policy from observation and monitoring to more of a responsibility to act and protect.

In 1990, the mission and makeup of peacekeeping forces changed, and the number of peacekeeping operations skyrocketed. While prior to 1989 most PKOs were designed to respond to interstate conflict, in

the 1990s PKOs began to deal increasingly with civil wars and other intrastate conflicts. With this change in mission, the composition of peacekeeping forces also changed, adding an array of legal experts, humanitarian workers and observers, election monitors, and police forces, among other positions. The peacekeeping operations became more involved and complex. With increased demand, complexity in mandate, and often insertion in areas where conflict has not been fully resolved, the conduct and discipline of peacekeeping personnel has become ever more important and more difficult to manage.

Despite a renewed focus on peacekeeper conduct, abuses by peacekeepers continue to come to light, especially considering areas where children are involved. In 1996, a study on the impact of armed conflict on children documented a rise in child prostitution with the arrival of UN peacekeepers in several conflict zones. There are over 2,000 documented cases of sexual assault or abuse by UN peacekeepers, as well as a significant number of murders. There are also allegations of various other crimes; for example, third party investigations have alleged that UN peacekeepers in the Democratic Republic of the Congo engaged in the illegal smuggling of small arms, ivory and gold.

In addition to intentional acts of violence, UN peacekeeping forces have also been involved in negligent acts that have contributed to sickness and death among native populations. The most recent highly publicized instance of this occurred following the 2010 earthquake in Haiti, which experienced its first outbreak of cholera in over 100 years after the Haitian UN mission's mishandling of human waste from Nepalese Peacekeepers caused the harmful bacteria to spread into local water supplies. There had been a recent cholera outbreak in Nepal and none of the soldiers had been tested for the disease.

In 1999, Secretary-General Kofi Annan commissioned the Panel on United Nations Peace Operations to conduct a thorough review of the Department of Peacekeeping Operations (DPKO). The stated goal was to ensure that peacekeepers be able to carry out their mandate professionally and successfully and make recommendations on needed reforms. The Panel's report, widely known as the "Brahimi Report," called for extensive institutional changes. The establishment of the Conduct and Discipline Unit in 2005 to respond to allegations of inappropriate behavior by UN troops was among these reforms. Conduct and Discipline Teams are embedded in various operations globally, striving to ensure that all peacekeepers maintain the high standards of the United Nations and do not in any way violate their code of conduct. The Capstone Doctrine, established in 2008, provided new guidelines and principles for accountability of UN peacekeeping personnel. A system to provide restitution to victims of crimes committed by UN peacekeeping personnel was also created in 2008.

Five years after the announcement of the Capstone Doctrine, the international community has an opportunity to reflect on how well the DPKO has implemented the new guidelines established in 2008, as well as examine how effective these guidelines have been in improving the conduct and discipline of UN peacekeeping personnel. Furthermore, Member States will need to consider whether and how the United Nations or peacekeeping personnel should be held



accountable for harm caused to local populations if there is evidence of negligence. Member States will also need to consider other actions, such as training and support, which can improve conduct by increasingly diverse peacekeeping forces with widely varying missions. Regardless of locations and mandate, appropriate conduct and discipline are essential for peacekeeping operations to maintain legitimacy on the world stage and for individual peacekeeping missions to effectively carry out their mandates. With an increase in the number of operations managed by the DPKO, it is more important than ever for peacekeepers to act with dignity and responsibility.

Questions to consider from your government's perspective on this issue include the following:

- How effective have the new principles and guidelines for UN peacekeepers been? Are there areas where further work is needed?
- How can the international community ensure that peacekeepers are adequately trained, both before joining UN missions and while deployed?
- If UN peacekeepers cause harm through their own negligent behavior, who should be able to hold them accountable, and under whose laws?

BIBLIOGRAPHY

- BBC News (2008). [UN Troops 'Armed Congo Rebels'](#). 28 April.
- Byrne, Declan Walsh Nicola (2002). [UN Peacekeepers Criticized](#). *Global Policy Forum*.
- Crossett, Barbara (1999). [Global Rules Now Apply to Peacekeepers](#). *Global Policy Forum*. 12 August.
- Foreign Policy (2013). [In the Time of Cholera](#). 10 January. *Foreign Policy*.
- Locont, Joseph (2005). [The U.N. Sex Scandal](#). *The Weekly Standard*. 3 January.
- United Nations (2013). [United Nations Peacekeeping](#).
- United Nations, Department of Peacekeeping Operations (2008). [United Nations Peacekeeping Operations: Principles and Guidelines](#).
- Wax, Emily (2005). [Congo's Desperate 'One-Dollar U.N. Girls'](#). *The Washington Post*. 21 March.

UN DOCUMENTS

- United Nations, Department of Peacekeeping Operations (2000). [Report of the Panel on United Nations Peace Operations](#). 17 August. A/55/305.
- United Nations, General Assembly (1996). [Promotion and Protection of the Rights of Children: Impact of Armed Conflict on Children](#). 26 August. A/51/306.
- United Nations, General Assembly (2006). [Overview of the financing of the United Nations peacekeeping operations](#). 24 February. A/60/696.
- United Nations, General Assembly (2012). [Implementation of the recommendations of the Special Committee on Peacekeeping Operations](#). 12 December. A/67/672.
- United Nations, Security Council (2013). [Resolution 2086](#). 21 January. S/RES/2086.
- United Nations, Special Committee on Peacekeeping Operations (2011). [Report of the Special Committee on Peacekeeping Operations](#). A/65/19.

Operations (2012). [Report of the Special Committee on Peacekeeping Operations](#). A/66/19.

United Nations, General Assembly (2008). [United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel](#). 7 March. A/RES/62/214.

PROTECTION OF CIVILIANS

Until the 1990s, UN peacekeeping operations did not typically have a mandate to protect civilians. The events of the early 1990s, particularly in Rwanda and the Balkans, led to a radical rethinking of the role of United Nations peacekeeping missions. Historically, Peacekeepers were used as buffer forces and observers were limited to ceasefire enforcement at the end of a conflict. Over the last two decades, peacekeeping mandates changed, and operations were increasingly asked to take a more active role in creating peace – an activity frequently referred to as peace enforcement. The Security Council, which authorizes peacekeeping operations and sets their mandates, first requested that UN peacekeepers work to actively protect civilians during the creation of the United Nations Mission in Sierra Leone (UNAMSIL) in 1999. In authorizing UNAMSIL, the Security Council authorized the Department of Peacekeeping Operations (DPKO) to use coercive force, if necessary, to protect civilians.

This was a significant shift in how the UN approached peacekeeping and was part of a general shift from a peacekeeping role to a multi-faceted peacemaking, peacebuilding and peace enforcement role. This more complex mandate has forced major reforms of peacekeeping operations and pushed the limits of the DPKO's capacity and expertise. Since 1999, protection of civilians during armed conflict has improved, but the issue requires continued attention from the international community as a concern demanding address.

Many abuses of civilians during armed conflict correlate to the failure of multiple parties, state actors and non-state actors, to adhere to national and international laws against the violation of human rights. Recent UN reports show that armed conflict resulting in heavy loss of civilian life and other capital continues to be a global problem. Conflict areas such as Syria, the Democratic Republic of the Congo, Libya, Sudan, Somalia and the Gaza Strip have incurred and continue to incur a great loss of human life, displacement of persons and destruction of capital by both state and non-state actors.

The interest in protecting civilians, particularly in areas where an armed conflict is occurring, has led to a cross-agency effort. In the UN, these actions are pursued by the Office for the Coordination of Humanitarian Affairs, the Office for the United Nations High Commissioner for Refugees, and a number of Expert Groups called by the Secretary-General and expressly mandated to keep the Security Council and General Assembly informed of developing situations. However, DPKO has primary responsibility for successful operations. Cooperation with other entities strengthens the probability for success of peacekeeping operations, so long as these multi-platform efforts are coordinated with efficiency and high levels of organizational skill.

Of particular interest is the ongoing debate over the Responsibility to Protect (R2P). Outlined in the Outcome Document of the 2005 United Nations World Summit, R2P is a set of principles describing the obligations States have to protect their citizens from mass



atrocities. Additionally, the R2P doctrine specifies that the international community has an obligation to intervene when a State is unwilling or unable to prevent mass atrocities against its citizens. The endorsement of this doctrine by Member States at the 2005 World Summit signaled an increased role for UN peacekeeping missions to protect civilians, particularly in situations of intra-state armed conflict. While the R2P framework was endorsed, it is still contested by some Member States. Exploring and defining the DPKO's role under R2P will be an issue that the Special Committee will need to consider this year and in future years. While the Security Council includes protection of civilians in a mandate, it is the DPKO that actually runs the peacekeeping operation. The Special Committee provides oversight over the management and operations of DPKO and is within its power to help determine to what degree and in what ways peacekeepers implement a protection of civilians mandate. This includes making recommendations on how a peacekeeping operation should react in the face of potential crimes against humanity. It is likely that peacekeeping operations will gain an even greater role in protecting civilians in conflict and post-conflict regions.

In addition to continuing to offer recommendations on how the DPKO can incorporate the principles of R2P, several other areas merit consideration from the committee. Numerous UN studies have shown that women and children are at particular risk during periods of armed conflict. Peacekeeping missions will need to adapt to ensure that women and children are not injured, killed or sexually exploited during conflict and post-conflict situations, though it is still unclear what steps will need to be taken. Finally, Member States may want to consider whether the DPKO is adequately implementing the steps recommended by the Secretary-General and the Security Council in the fourth Aide Memoire for the consideration of issues pertaining to the protection of civilians in armed conflict. While not all peacekeeping missions occur in situations of armed conflict, many of the principles are directly relevant to UN peacekeeping operations. Most recently updated in 2010, the Aide Memoire offers practical guidance on protecting civilians. Yet the document's informal nature means that no formal review has examined whether its recommendations have been implemented or whether the recommendations could be viably implemented by the DPKO.

Questions to consider from your government's perspective on this issue include the following:

- Are there additional steps the DPKO should take to protect civilians, particularly in conflict and post-conflict situations?
- How should peacekeeping missions incorporate principles of Responsibility to Protect? Are there areas of activity where R2P has not been adequately integrated into the DPKO's work?
- How should the United Nations ensure that women and children are adequately protected during peacekeeping missions?

BIBLIOGRAPHY

- Albuja, Sebastian and Ali Anwar (2011). *Global Overview 2011: people internally displaced by conflict and violence*. Internal Displacement Monitoring Centre and Norwegian Refugee Council.
- Coupland, Robin (2011). *Health Care in Danger: A Sixteen-Country Study*. [International Committee of the Red Cross](#). Geneva.
- Holt, Victoria and Glyn Taylor with Max Kelly (2009).

Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges. Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs.

International Committee of the Red Cross (2007). *International Humanitarian Law and the Challenges of Contemporary Armed Conflicts*. Geneva.

Megret, Frederic (2012). *From Peacekeeping to R2P: The Protection of Civilians as the UN's New Raison D'Etre?*. 6 September.

UN DOCUMENTS

United Nations, General Assembly (2012). [Report of the Special Committee on Peacekeeping Operations](#). 11 September. A/66/19.

United Nations, General Assembly (2012). [Report of the Special Committee on Peacekeeping Operations](#). 12 May. A/65/19.

United Nations, Office for the Coordination of Humanitarian Affairs (2011). [Aide Memoire for the consideration of issues pertaining to the protection of civilians in armed conflict](#). January.

United Nations, Office of the Secretary General of the United Nations (2012). [Report of the Secretary-General on the Protection of Civilians in Armed Conflict](#). 22 May. S/2012/376.

United Nations, Office of the United Nations High Commissioner for Refugees (2010). [Global Trends 2010](#).

United Nations, Security Council (2006). [Resolution 1674](#). 28 April. S/RES/1674.

United Nations, Security Council (2009). [Resolution 1894](#). 11 November. S/RES/1894.

United Nations, Security Council (2009). [Resolution 1998](#). 12 July. S/RES/1998.

United Nations, Security Council (2011). [Resolution 2016](#). 27 October. S/RES/2016.

United Nations, Security Council (2012). [Resolution 2042](#). 14 April. S/RES/2042.

United Nations, Security Council (2012). [Resolution 2043](#). 21 April. S/RES/2043.