

United Nations (UN)-Sanctioned Aggressive Mandate and the Future of UN Peacekeeping Operations: the case of the Democratic Republic of Congo (DRC)

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Abstract

The adoption of resolution 2098 that invoked the aggressive mandate by the United Nations Security Council ((UNSC) in 2013 was a development that signified a modification of the nature and form of United Nations (UN) peacekeeping operations. The research evaluates the implementation of the UN aggressive mandate in the Democratic Republic of the Congo (DRC). It highlights that the mandate managed to restore peace and in the process halted civilians' loss of life and displacement that had become the norm in the eastern parts of DRC. In an attempt to discuss the rationality of the shift of the UN peacekeeping operations from the traditional peacekeeping focus to peace enforcement, the paper provides a projection of future UN sanctioned peacekeeping operations.

Keywords: aggressive mandate, peacekeeping, intervention brigade

1. The Evolution of Peacekeeping: a reflection

The first generation of peacekeeping operations started with the dawn of the Cold War era. According to Wilkinson (2000), military interventions during the Cold War era were being described, somewhat romantically as traditional, typical, relatively straight forward or generally benign. The operations were done under the United Nations (UN) authority and mandates were drawn from chapter four and seven of the UN charter. During the Cold War, lightly armed peacekeeping forces were generally deployed to oversee the implementation of peace agreements on inter-state disputes. One of the first United Nations Truce Supervision Organization (UNTSO) peace keeping operations was in 1948 when the state of Israel was created. The Middle East has been an area of bitter rivalries since 1948 when hostilities broke out between the new nation of Israel and her Arab neighbors. The war was caused by the tension between neighboring Arab nations and the newly created state of Israel over the plight of Palestine. The conflict led to the Arab-Israel war in May 1948. The invading troops comprised that of Egypt, Syria, Jordan and Iraq against the state of Israel. Although there had been some two UN negotiated cease-fires during the course of the fighting, the conflict ensued until February 1949 when formal armistice agreements were agreed upon. In 1949, the UN, through the Security Council, negotiated a series of armistice agreements between Israel and her neighbors. Since then, the UNTSO troops have remained in the Middle East and they continue to monitor and observe peace in the region.

(<http://www.un.org/en/peacekeeping/missions/untso/background.shtml>) Another UN peace keeping operation worth noting is the United Nations Emergency Force (UNEF) that meant to end the Suez Crisis under UN resolution 1001 (ES-I) on November 7 1956. The UN General Assembly urged an end to the Suez hostilities and set up a United Nations Emergency Force (UNEF) to supervise compliance by all parties. The first UNEF unit arrived in Egypt on 15 November 1956 and some 6000 troops were deployed by February 1957. (<http://www.un.org/en/peacekeeping/missions/past/unefi.htm>). Similar UN operations were also carried out in Cyprus in 1964 Under the United Nations Peacekeeping Force in Cyprus (UNFICYP). These forces were deployed under UN resolution 186 with the main aim of preventing the recurrence of war following the violent conflict between Cypriots Turkish and Cypriots. The troops were tasked with the responsibility of preventing a full scale war between the conflicting parties. This was done through the establishments of buffer-zones. (<http://www.un.org/en/peacekeeping/missions/unficyp/>).

Of significance to note from the above examples is the nature of the mandates of the peacekeeping operation forces which can be described as having been narrow. During these periods, peacekeeping was seen as a deterrent applied to “placate and refrigerate the conflict environment to allow formal negotiations to take place,” Richmond (2002: 44). The peacekeeping forces were guided by the concept of impartiality on the part of the peacekeepers. The peacekeeping operations needed to rest on the consent of the disputants and only minimum amount of force in self-defense would be employed by the peacekeepers. As observed by Claude (1962), these and other principles were meant to keep peacekeepers above the conflict they were dispatched to ameliorate.

2. Historical Success Stories of UN-Peacekeeping Missions

Peacekeeping registered minimum success from the time of its genesis till the mid-1980s as it fell victim to the Cold War. Minimum cooperation could be vividly noticed. According to O’Neill and Rees (2005), as the interests of the United States of America (USA) and the then Union of Soviet Socialist Republics (USSR) clashed, the ability of the UN to maintain peace was limited and heavily compromised. He supports his claim by giving some examples of the Korean and the Vietnam wars. In 1950, strong differences arose between USA and the USSR when North Korean forces attacked South Korea precipitating the Korean War. The Vietnam War presented another challenge to the UN peacekeeping agenda since the Security Council permanent members were at the forefront in unleashing violence in the Indo-China region. The original intentions of the Charter were to create an effective system of collective security. That objective has in fact, never been implemented effectively by the first generation of peacekeeping operations. O’Neill and Rees (2005) acknowledged the limited success of peacekeeping during the cold war era by noting that the Security Council during the Cold War era was able to bring about the settlement of disputes largely through mediation in situations in which the interests of the United States and the USSR converged. Such cases included the withdrawal of the Dutch from Indonesia in 1949 and the ending of the six-day Arab- Israel war of 1948 as well as the Suez hostilities between Egypt and Israel backed by France and Britain.

2.1. Dynamism and Modifications in UN-Peace Keeping Operations Globally

From the mid-1980s, peacekeeping moved into what is referred to as the second generation. The UN agenda for peace and security expanded rapidly with the organization’s new freedom and perceived ‘right to intervene’ often justified on humanitarian grounds. The number of military forces also increased, let alone the budgets to sustain the operations. Doyle (1998) describes this acceleration from 1987-1994 by noting that the Security Council quadrupled the number of resolutions it issued, tripled the peacekeeping operations it authorized, and increased from one to seven per year the number of economic sanctions it imposed. Military forces increased from fewer than 10 000 to more than 70 000. The annual peacekeeping budgets accordingly skyrocketed from \$230 million to \$3, 6 billion in the same period. The above changes in peacekeeping presented a dramatic shift from traditional peacekeeping to multi-dimensional peacekeeping. Using the multi-dimensional approach in peacekeeping, the UN began a major operation in Somalia involving about 30000 troops by early 1998 to provide protection for humanitarian operations, particularly food deliveries to areas of famine. Two other major areas of UN involvement in the early 1990s were in Cambodia where the UN monitored elections and in the former Yugoslavia where the UN managed to settle the conflict between Serbia and Croatia. However, the transition from first generation to second generation peacekeeping has not been an entirely linear smooth journey. The horrors of the Rwandan genocide, the Somalia insurgencies and the DRC war are cases in point.

3. The UN Intervention Brigade in the Democratic Republic of the Congo (DRC)

In the history of politics and strategy, the DRC has been experiencing perennial conflicts that led to the formation of armed groups such as the March 23 Movement (M23) also known as the Congolese Revolutionary Army, Mai-Mai militias as well as other militia groups. These groups have been wrecking havoc to the people of the DRC and their continued military offensives have led to an environment that is not conducive to peace and economic development in the country. After years of peacekeeping in the Democratic Republic of the Congo (DRC), the United Nations decided to inaugurate a new, more aggressive and belligerent kind of force for the conflict prone state. The UN Security Council announced in March 2013, that it would adopt a regional initiative to deploy an intervention brigade to the DRC to carry out offensive operations in order to neutralize and disarm the various rebel groups, (UN Peacekeeping Report, 2013).

Hence, the UN Security Council endorsed the placement of a combat peacekeeping force on the African continent marking a major transformation in UN peacekeeping operations. Despite the fact that it is not the first endorsement of deadly force, it does signify a dramatic shift from peacekeeping to peace enforcement operations in the eastern part of DRC. This strategy of creating an armed force to offensively and aggressively engage with the rebel groups in eastern DRC was conceived and agreed upon by African regional states in the International Conference on the Great Lakes Region (ICGLR) in July 2012 (UN Security Council Resolution, 2013). This was supported by regional countries as they sought to address what was perceived as the failure of the DRC government and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) to end the operations of rebel groups in the eastern part of Congo. The brigade was planned as a neutral intervention force of approximately over 3000 soldiers (mostly from the Southern African Development Community (SADC) that would conduct offensive operations to protect civilians and neutralize rebel groups, as agreed by the ICGLR. Nevertheless, it was not possible for the placement to be headed by the ICGLR nations only. As observed by Cammaert (2013), the cost of deployment was estimated at around \$100 million, and the regional body had no deployment experience on this scale. The ICGLR were therefore keen to have the support of the international community and other African countries in their bid to contain the conflict in the DRC. The support of other countries was important especially following the fall of Goma into the hands of M23 rebels in November 2012. For the UN, a Nonaligned Intervention Force was a viable option as it not only had the support of the ICGLR countries but that of the Southern African Development Community (SADC) member states as well.

The regional unanimity and agreement in principle to the establishment of an Intervention Force encouraged the UN to reflect on new ways of breaking the cycles of violence in the DRC. According to Cammaert (2013) previous failure by peacekeeping troops to prevent civilian attacks motivated a requirement to review UN operations in the country and created an opportunity to consider new radical options. Even the mandate of the Intervention Brigade, authorized by Resolution 2098 in March 2013 was meant to carry out targeted offensive operations in a robust, highly mobile and versatile manner for the period of one year with a view to neutralize the various armed groups (UN Security Council Resolution 2098 of 2013). This move is clearly one directed at peace enforcement rather than traditional peacekeeping. It reflects the characteristics of a peace enforcement force that has the ability to engage in active combat whilst simultaneously having the mandate to protect civilians from marauding armed groups in the eastern DRC. Thus, through this resolution, UN peacekeeping operations in the DRC deviated from the traditional focus of acknowledged UN peacekeeping policy. The intervention brigade, composed of over 3000 troops comprising of three battalions from Malawi, South African and Tanzania is backed by Special Forces and a reconnaissance company. When resolution 2098 was passed, there was a lot of optimism that these troops will be prepared and ready to engage in the offensive and aggressive fighting operations designed to neutralize the rebel groups in the eastern part of DRC.

4. The UN 2098 Resolution and Offensive Operations in the DRC

4.1. UN-Sanctioned Aggressive Mandate

As highlighted earlier, the incessant violent conflicts in the DRC has led the UN to authorise, for the first time an Intervention Brigade under the auspices of MONUSCO that has an explicit offensive mandate that encapsulates the right to confront and neutralize the various armed groups in the country. What is unique about the UN Resolution 2098 is that it overtly authorized the use of force in the UN's peace keeping military operations. Through resolution 2098, the UN Security Council placed a combat peacekeeping force on the African continent and that marked a major transformation in UN peacekeeping operations. This stance signified a shift from traditional peacekeeping to peace enforcement operations in the eastern part of DRC. The precedence set by this authorization of a peace enforcement operation in the DRC has a bearing towards the future of UN Peacekeeping missions not only in Africa but in the world. On the ground, the offensive operations under resolution 2098 have been praised from various angles. The 2013 defeat of M23 rebel group and their subsequent displacement has been attributed to the role played by the new brigade. Hence, it is prudent to acknowledge the vital role played by this new brigade in defeating one of the strongest rebel movements in the eastern DRC. Jason (2015:1) views the M23 rebel group as being one of the most feared in the eastern part of the DRC, mainly because they had heavy weapons and their motive was clearly meant 'to occupy part of DRC'.

The actions of the M23 were of concern to international law as the armed group was alleged of being engaged in wanton killings, sexual violence and forcefully recruiting the civilian population into its ranks. Although the operations of the UN mandated brigade were of a joint nature together with the Government DRC forces (FARDC), considerable credit goes to the effectiveness of the UN offensive nature of resolution 2098. The new mandate was essential in restoring peace and halting civilians' loss of life and displacement that had become the norm in the eastern parts of DRC. Despite the credibility enjoyed by the new UN mandate in defeating the M23, the mandate still had shortfalls in achieving some of its ultimate objectives. Questions have been raised over the impartiality of MONUSCO in its operations in the DRC. The MONUSCO has inherited some of the *modus operandi* of its predecessor, MONUC. For example, its missions have supported and worked with government forces for many years in its operations against the armed groups in the region. Therefore, the impartiality of this new brigade is an issue of concern. In light of this, the new mandate given to peacekeepers under UN resolution 2098, while laudable, may not be holistically effective in bringing about durable peace in an environment that is infested with armed groups like the eastern DRC.

After the defeat of the M23 rebel movement, the intervention force under UN resolution 2098 has instigated an environment conducive to some decreased levels of hostility among other armed groups in the DRC. Therefore, psychologically, this brigade has discouraged other groups from carrying out their massive harassment of civilians and there is a general preference among the rebel groups to end the raging conflicts. If lasting peace is achieved in eastern Congo that will boost the image of peacekeepers and the UN itself in the DRC and the African region as a whole. Therefore, on the ground, the new offensive mandate given to the UN peace keepers in DRC has rebuilt the lost confidence of UN operations within the Congolese community and re-established the tattered relationships between UN troops and the population in the eastern part of DRC. However, the undisputed implementation of the UN 2098 decree concealed underlying conflicting interpretations on the nature and operations of the UN peacekeeping operations in the DRC. Previously, the regular MONUSCO forces in DRC had vigorous rules and mandate of engagement allowing them to utilize force in self-defense so as to protect the residents under imminent threat of attack and physical violence from various rebel groups. The establishment of the Intervention Brigade comes with diverse understandings of how the new combat focused UN peacekeeping mandate would be implemented among fellow nations and troop contributors resulting in a lack of clarity on the nature and form of combat operations for the contributing nations.

The new brigade has been accused of lacking internal cohesion when it comes to fighting the targeted armed groups. Many observers fear that the new combative focus provided under the purview of the UN resolution 2098 represents a precedent in the UN peacekeeping operations and a shift toward counter-insurgency style operations by the United Nations. This lack of strategic clarity on the *modus operandi* of the resolution has led to various shades of interpretation. While originally conceived to keep the peace between warring, usually interstate actors and with the agreement of all parties, resolution 2098 requires that UN peacekeeping operations take a new form in which UN peace keepers take a new role as both combatants and enforcers of peace. That approach requires the consent of all warring parties and in the case of the DRC, those warring parties include the M23 and other armed groups that are targets of the same UN peace keeping force. To wit, in history it has been shown that one cannot be an enforcer of peace and simultaneously be an active combatant of the same armed struggle. Although, Resolution 2098 clearly notes that the Intervention Brigade is not a model for the future of UN peacekeeping operations, nevertheless its formation has challenged many of the principles of peacekeeping, including impartiality, the consent of parties in the conflict, and the non-use of force except in self-defence, (United States Institute of Peace Report (2013:2). There are plausible fears that some countries that have been traditional troop contributors may become more reluctant to contribute troops for future UN missions if they are opposed to the principle of using force beyond self-defence. It is clear that despite its positives, the brigade has been an issue of concern as it may affect the successful implementation of future UN peacekeeping mission globally. Some countries may be unwilling to support aggressive mandates that have dangers of incurring collateral casualties and fatalities for their citizens.

4.2. The Future Prospects of UN-Sanctioned Aggressive Mandate

Although some of the smaller rebel groups are still operational at low intensity levels in the DRC, the M23 rebel group has been defeated through the joint military campaigns made up of the DRC forces and the UN peacekeepers from the intervention brigade.

The results on the ground reflect the credibility and relevance of this UN intervention brigade, as it is the only force that has managed to strongly repel the M23 rebels and force them into unexpected surrender. A long term solution to the DRC crisis is the need for the UN to delve deeper into the root causes of the crisis. To achieve this, negotiation and compromise should be encouraged so as to enable the establishment of a common citizenship, rather than offensive military operations that may result in more human suffering. The supremacy of the need for diplomacy based on preventive strategies cannot be overemphasized in the case of the DRC. Countries in the region should put constructive dialogues at the centre of every threat to peace rather than taking military operations as an option. Military operations are destructive as they result in unintended goals such as unnecessary loss of civilian's lives, displacements and collateral damage. There is need to determine the root causes of the conflict and identify the various power brokers and stakeholders involved in the conflict (Nhema 2004; Nhema and Zeleza, 2008).

5. Conclusion

This paper provided a background to the evolution and transformation of the UN peacekeeping operation under resolution 2098 as well as its operational challenges. All in all, the focus on offensive peace operations in the DRC is a turning point in the nature and form of UN peacekeeping operations in general. It remains to be seen whether future UN peacekeeping operations in other troubled spots will also be approached within the same vein of the aggressive mandate. All in all, while the aggressive mandate may have worked in the DRC, there is a need for a careful study of the causes of conflicts in targeted countries before the aggressive mandate becomes the norm rather than the exception in future peacekeeping operations.

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