

■ UNITED NATIONS: AN APPROACH TO THE MAIN CURRENTLY DISCUSSED TOPICS

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ABSTRACT

This work analyzes the main topics addressed by the Security Council, General Assembly and United Nations Secretariat by reviewing the UN resolutions and articles. The changes due to the implementation of mandates of protection of civilians conducted the Peacekeeping Operations into giving special attention to the ones who are not directly involved in the conflict, implicating the UN to act offensively in order to prevent massacres against civilians. Within this context, the topic use of force would naturally suffer changes in relation to self-defense, reaching, nowadays, a robust manner in a way to neutralize threats against peace. In a more systematic manner, the speed in the implementation of peace operations is a primary factor to the success of the mission. The rapid deployment comprehends methods that could be used so that in a short period of time, Peace Operations would have conditions to be operating with trained and indoctrinated peacekeepers for the mission.

Key words: Protection of civilians, use of force, peace operations, rapid deployment.

1. INTRODUCTION

In 2015, the United Nations is celebrating 70 years of existence. It has been seven decades stimulating the nations to reach peace, in cooperation with sustainable development, in monitoring the accomplishment of the Human Rights and of fundamental freedom. Throughout this time, 69 peace missions were created from 1948 to 2013. Nowadays, there are 16 of them ongoing, and most of them are in

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Africa and the Middle East (UNITED NATIONS, 2015).

During this period, many challenges were faced by the Member States. Decisions needed to be taken, material and personnel resources should be made available to accomplish the missions and, still, many conflicts changed their characteristics. As a way to evaluate the world scenario and the measures adopted by the UN, studies are meant to arouse attention to topics that involve United Nations' activities. These studies cause a change in peacekeeping policy and in the strategic reform, besides changing doctrinal thoughts. In 2000, the Brahimi report, for example, observed that, to be efficient, UN peace operations should have enough resources and equipment, and operate under clear, coherent and feasible mandates. At a doctrinal level, Zeid report, approved by the General Assembly in 2005, introduced changes in conduct and discipline, imposing the zero tolerance policy on sexual exploitation and abuse, to be adopted by the peacekeepers.

Recently, in 2014, the Secretary General announced the establishment of a High-Level Independent Panel on UN Peace Operations. Names renowned for their experience will bring into light highly relevant topics to maintain world peace, among them: protection of civilians, use of force and rapid deployment.

Supporting the discussions of the main current topics, we will show the context relating to each topic, as well as the challenges met nowadays and some possible recommendations of international institutions.

2. PROTECTION OF CIVILIANS

Surely, protection of civilians is the primary priority of the present UN peace missions mandates. Defined by the United Nations as all

necessary means, aimed at preventing or responding to physical violence threats against civilians. History presents us wars and conflicts in which the civilian population has suffered the pain of this contention both physically and mentally. In a recent past, specifically in the 90s, we saw massacres in Rwanda (region in Central Africa) and Srebrenica. These events led the UN to change the present peace operations mandates, giving special attention to ways of protecting civilians from the damages caused by internal conflicts (UNITED NATIONS UNIVERSITY, 2014). Nowadays, there are 11 missions with protection of civilians mandates. Since peacekeeping operations (PKOs) are the link between the belligerent parties and the civilian population, peacekeepers (PKO agents) are the ones in the front line protecting civilians from genocide. In this context, the UN tries to identify the best way to prepare peacekeepers to prevent those mass atrocities. With the implementation of these mandates of protection of civilians in peace operations, a few considerations can be analyzed, such as the legality of the peacekeeper's activities related to human rights and international humanitarian law, the backing in the use of force due to imminent threats against civilians, as well as the guidance given to the peacekeeper to distinguish combatants from civilians and in the identification of the circumstances in which he can detain a person.

Discussing this topic a bit further, it is important to consider the creation of specific preventive guidance during the preparation phase for missions and guidance in relation to the obligation of command and control, thus, making troop and police contributing countries accountable. In this sense, cases related to protection of civilians should be taken to the UN Headquarters to guarantee that they are examined and sent to the contributing countries in question.

Another possibility is that the orders of the missions with the

protection of civilians mandate strengthen the technical capacity of the national institutions in protecting their population, avoiding that the mission stay longer than necessary. Measures adopted by the belligerent parties, when following UN guidance, are a great step toward governmental autonomy and, therefore, peace.

3. USE OF FORCE

At the same time in which the UN needs to adopt measures capable of protecting civilians in conflict contexts, the evolution of conflicts indicates a necessity to adapt the peace operations in relation to the use of force. The events previously mentioned in Rwanda and Srebrenica, besides the events of 1960 in Congo and of 1993 in Somalia, show that the deficiency in using the force may bring a traumatic consequence to the civilian population (SHEERAN, 2014).

The principles in which the use of force is employed only in self-defense have proved themselves inefficient in some situations. New concepts in the use of force needed to be implemented in peace operations. Traditional peace operations based on consent, impartiality and use of force only for self-defense is not the only way to use the force anymore.

Tactical robustness was the change adopted by the United Nations to deal with interstate conflicts in which only self-defense would not be able to protect human rights and guarantee humanitarian assistance.

Nowadays, MONUSCO has received the highest type of use of force with the intervention brigade. Due to insecurity caused and to the frequent attacks carried out by rebel groups of Eastern Congo, the brigade, one of the maneuver constituents of the Military Component, led by Brazilian General Santos Cruz, has the responsibility to neutralize armed

groups, reducing threats towards the State, the Democratic Republic of Congo (SHEERAN, 2014).

However, this topic is very controversial due to the questioning of to what extent this new use of force will be the solution to the existing conflicts, or even, become the rule and not the exception in the creation of more robust and offensive mandates.

4. RAPID DEPLOYMENT

The necessity to improve the capacity to rapidly deploy is a challenge to the United Nations and is considered a very important issue by the Security Council. In 2004, the Under-Secretary-General Jean Marie Guéhenno reported that the resources, global mobilization and rapid timely deployment demand great world challenges. In areas of international post-conflict, the quick implementation is the most complicated process and usually delayed due to the demands of the process. The prerequisites usually include immediate availability and high-level training, well-equipped personnel and well-prepared logistics, according to the Contingent Owned Equipment Manual (UNITED NATIONS, 2011). Besides these demands, time is a preponderant and critical factor. The General Assembly has endorsed in the 55th session the recommendations of the Brahimi report having 30 days to respond in case of traditional peace operations and 90 days in case of multidimensional (UNITED NATIONS, 2000). In order to help in the quick response of peace operations, a few initiatives were created:

UNSSAS (United Nations Standby Arrangements System)

A database system that registers potential troop contributing countries that have specific operational capability, without any guarantee of

real commitment. All pledges of troop availability for PKOs are conditional and must remain on standby in national bases. The decision to whether or not really implement the resources remains a national decision when requested by the United Nations.

FPUS (Formed Police Unit Standby)

Police troops capable to operate at short notice, in a determined region, according to determination of the Security Council.

SPC (Standing Police Capacity)

Specialized police officers capable of starting UN activities in the police component's mission and/or provide advice to the existing police component.

Premiums and financial incentives

Measures to motivate the participation of the Member States in the rapid deployment system.

GFSS (Global Field Support Strategy)

A system created by the UN Department of Field Support to guarantee the necessary logistics for a rapid and cheap deployment.

ERDC (Enhanced Rapidly Deployable Capacities)

System that studies manners to improve rapid deployment. It is done through the use of regional capacities, pre-negotiation of the deployment of troops with contributing countries or the use of rapid deployment of troops of other closer peace operation.

EMHQ (Early Mission Headquarter).

Headquarters (HQ) with the necessary expertise to carry out rapid deployment missions.

Rapid deployment represents several challenges to reach its objective. Each conflict and each mandate are unique. Each mission has its particularities and challenges. Based on these challenges, Langille, in

2014, published through the International Peace Institute, in New York, an article with recommendation for some of these initiatives as a way to improve the methodology of quick response.

Recommendations:

1) UNSAS - Rename the rapid deployment level as the “emergency providers list.” The designation of a “UN emergency response unit” might also inspire a higher level of commitment. Participation at this level should be regarded as a privilege, to be earned on the basis of merit, professionalism, and service. Providers deserve to be accorded recognition for their services;

2) Premiums and financial incentives - DPKO and DFS should continue to explore ways to acknowledge and reward service for emergency first responders and for rapid deployment in case of an emergency. Contributors meeting or deploying under specified UN response times merit additional commendations;

3) Enhanced Rapidly Deployable Capacities - DPKO should consider the expansion of a regional concept, with a UN reserve battalion that has high mobility and is capable of accomplishing three operations in the same region. This can create an economical force multiplier and a robust capacity to limit each operation. A clause must be added to MOU for rapid deployment so that the battalion can be immediately deployed as a UN prerogative. Identify a group of Member States with experience as UN strategic reserve can help to balance improvisation and the probable rush that follows multiple crises;

4) Early UN HQ - A UN HQ early deployed in the mission deserves more considerations. A reserve and integrated HQ with capacity to hold

60 people, including a functional list of specialists available that can be immediately deployed could be created to speed up the rapid deployment, beginning of the mission and the HQ in the mission area. The members would be useful to complement the task force of the integrated mission, help with technical assessment missions, compose the core of an operational HQ, and guarantee a complete planning and an organization through the initial and most demanding phases of a PKO.

5. CONCLUSION

Taking into account the time of UN existence, the changes that have happened in the world at this period and the complexity involved in maintaining world peace, it is easy to notice the need of changes that will be able to adapt to the variables presented in the geopolitical context. Within this context, the use of force and the protection of civilians were taken to a more important level and reformulated according to the present moment. As it happened to the recommendation of a way to optimize the intervention of the United Nations with measures capable of carrying out rapid deployment in a conflict area in which each waiting day may represent the lives of innocent people.

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