

# ‘Action for Peacekeeping (A4P)’, Political Will and Reform of the UN Security Council

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## I. Introduction

This article seeks to outline and critically examine the Action for Peacekeeping (A4P) initiative aimed at reforming the practice of UN peacekeeping and at renewing the international community’s commitment to it. Another aim is to consider what is missing from the current efforts and to suggest how the missing link can be addressed. It will be argued that, in order to achieve some of the central goals of the A4P initiative, reform of UN peacekeeping must be pursued in conjunction with reform of the UN Security Council.

UN peacekeeping is an evolving international practice, and, as is well known, there are no explicit provisions in the UN Charter providing for the organisation and conduct of UN peacekeeping operations. Since the UN Truce Supervision Organization (UNTSO), which was deployed to the Middle East in 1948, and the UN Military Observer Group in India and Pakistan (UNMOGIP), which was also deployed in 1948, UN peacekeeping has evolved and adjusted itself in response to changes in security environments in the world. The two missions mentioned above consisted of unarmed UN observers. Eight years later, an armed UN peacekeeping mission, i.e. UN Emergency Force (UNEF I), was arranged and dispatched for the first time on the occasion of the Second Arab-Israeli War, and this was followed by the deployment of a series of armed UN peacekeeping missions to conflict-ridden areas in different parts of the world. Since the early 1990s, UN peacekeeping missions have come to engage in multidimensional activities, including peace-building tasks aimed at implementing peace accords.<sup>1</sup> Moreover, there have been some remarkable changes in the practice of UN peacekeeping; some UN peacekeeping missions, such as the United Nations Iraq-Kuwait Observation Mission (UNIKOM), were deployed under Chapter VII of the UN Charter, while other missions, such as the United Nations Operation in Somalia II (UNOSOM II), were authorised to take enforcement measures for specific purposes.<sup>2</sup>

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1 See UN Peacekeeping, ‘Our History’, available at: <https://peacekeeping.un.org/en/our-history> (accessed 18 December 2018).

2 UN, ‘Iraq/Kuwait - UNIKOM - Mandate’, 2003, available at: <https://peacekeeping.un.org/sites/default/files/past/unikom/mandate.html>

Broadly speaking, recent scholarly works on UN peacekeeping can be categorised into three groups. Firstly, there has been research on the historical development of UN peacekeeping.<sup>3</sup> Secondly, there have been efforts to understand the diversification of actors involved in, or affected by, UN peacekeeping operations.<sup>4</sup> The third type of research concerns the reconsideration and reinterpretation of traditional principles and rules underpinning UN peacekeeping.<sup>5</sup>

As discussed above, UN peacekeeping has adapted itself to the needs of the times and to changes in security environments, and recent scholarly works on UN peacekeeping have sought to understand this adaptation process. This flexibility is reflective of the fact that, as mentioned above, there exist no explicit provisions enabling or constraining UN peacekeeping in the UN Charter. The flip side of this flexibility, however, is that the adaptation or evolution of UN peacekeeping as an international practice has taken place within the framework of the existing UN Charter, and its fundamental reform has been made difficult by virtue of this simple fact, including in the context of the A4P initiative. In view of this, the present article argues that, if UN peacekeeping is to be fundamentally reformed, the issues surrounding UN peacekeeping reform should be discussed in connection with other issues such as the review of the basic principles underpinning the UN Charter and reform of the UN Security Council.

The present article proceeds in two stages. The first section traces the origins and developments of the A4P initiative, highlighting some of its features and central goals. The second section goes on to critically examine whether the A4P initiative, as it has been pursued at the level of the UN, will in any way help to address contemporary issues surrounding UN peacekeeping. It then suggests that efforts towards UN peacekeeping reform, including the A4P initiative, should be coupled with broader efforts to reform the UN, especially its Security Council, which is followed by the conclusions.

## II. Action for Peacekeeping: Origins and Developments

### A. Background to the A4P initiative

One of the highlights of the A4P initiative, which will be discussed further below, is the Declaration of Shared Commitments on UN Peacekeeping Operations. The Declaration is largely based on findings, suggestions and recommendations of two earlier reports on UN peacekeeping and UN peace operations. One is the Report of the High-level Independent Panel on Peace Operations on Uniting Our Strengths for Peace: Politics, Partnership and People (hereafter HIPPO report).<sup>6</sup> The HIPPO Report was produced by the High-level Independent Panel on Peace Operations which had been appointed by former UN Secretary-General Ban Ki-moon on 31 October 2014, with José Ramos-Horta from Timor-Leste as its Chair. The Panel was commissioned to ‘make a comprehensive assessment of the state of UN peace operations today, and the emerging needs of the future’, including with regard to UN peacekeeping.<sup>7</sup> The Report, which was submitted to the Secretary-General on 16 June 2015 and was circulated to UN

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(accessed 18 December 2018); UN, ‘Somalia - UNOSOM II’, 2003, available at: <https://peacekeeping.un.org/sites/default/file/past/unosom2mandate.html> (accessed 18 December 2018).

3 Norrie MacQueen, *Peacekeeping and the International System*, Abingdon: Routledge, 2006.

4 Alex J. Bellamy, Paul D. Williams and Stuart Griffin, *Understanding Peacekeeping*, Cambridge: Polity, 2010; Hikaru Yamashita, *Evolving Patterns of Peacekeeping: International Cooperation at Work*, Boulder, Colo.: Lynne Rienner, 2017.

5 Emily Paddon Rhoads, *Taking Sides in Peacekeeping: Impartiality and the Future of the United Nations*, Oxford: Oxford University Press, 2016; Cedric de Coning, Chiyuki Aoi and John Karlsrud (eds), *UN Peacekeeping Doctrine in a New Era: Adapting to Stabilisation, Protection and New Threats*, London: Routledge, 2017; Peter Nadin (ed.), *The Use of Force in UN Peacekeeping*, Abingdon: Routledge, 2018.

6 UN General Assembly and Security Council, Report of the High-level Independent Panel on Peace Operations on Uniting our Strengths for Peace: Politics, Partnership and People [HIPPO Report], UN Doc A/70/95-S/2015/446, 17 June 2015.

7 UN Secretary-General, Secretary-General’s Statement on Appointment of High-level Independent Panel on Peace Operations, 31 October 2014, available at: <https://www.un.org/sg/en/content/sg/statement/2014-10-31/secretary-generals-statement-appointment-high-level-independent> (accessed 18 December 2018).

member states the next day, is the first comprehensive appraisal of UN peacekeeping since the Brahimi report published in 2000. On 2 September 2015, the Secretary-General published his own report on the basis of the recommendations of the HIPPO Report, and discussed therein how these recommendations could be implemented.<sup>8</sup>

The other is the report entitled 'Improving Security of United Nations Peacekeepers: We Need to Change the Way We Are Doing Business (hereafter the Cruz Report)'.<sup>9</sup> The Report was produced by retired Lieutenant General Carlos Alberto dos Santos Cruz and two other authors for the Improving Security Peacekeeping Project. It investigated the background of recent rapid increase in the number of peacekeeping fatalities and put forward recommendations for peacekeeping reform aimed at halting and reversing this trend. On the basis of the Cruz Report, the Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS) produced the Action Plan to Implement the Report on Improving Security of Peacekeepers in January 2018, which was followed by the publication of the Revised Action Plan in April 2018.<sup>10</sup>

Broadly speaking, recent efforts to reform and revitalise UN peacekeeping, including the three reports mentioned above, have pursued three inter-related goals: (1) to bridge the abyss between what is expected of UN peacekeeping and what can be realistically carried out by UN peacekeepers on the ground; (2) to adjust international principles, rules and norms governing UN peacekeeping; and (3) to put greater importance on political solutions that address root causes of conflicts. In the following, the author shall examine the above-mentioned reports as they are related to these three goals.

Firstly, there have been calls for reduction of gaps between the unrealistic expectations that people have had for UN peacekeeping and the actual capacity and power of UN peacekeepers on the ground to deliver on their mandates and to meet people's expectations. As discussed briefly in the introduction, the long-term trend is that UN peacekeepers have been tasked with dealing with increasingly intractable situations and that the operations they have been asked to carry out on the ground have become more and more demanding and complex, and yet the financial support, logistical and technical assistance and other material resources provided to the Blue Helmets have often fallen short. As the HIPPO Report pointed out:

There is a clear sense of a widening gap between what is being asked of United Nations peace operations today and what they are able to deliver. That gap can be, must be, narrowed to ensure that the Organization's peace operations are able to respond effectively and appropriately to the challenges to come.<sup>11</sup>

More specifically, the Report stressed the need to enhance the ability of UN peacekeepers to guard civilians and themselves from a wide range of threats in conflict zones. To quote again from the Report:

More than 98 per cent of military and police personnel deployed in United Nations peacekeeping missions today have a mandate to protect civilians, as part of integrated mission-wide efforts. ... However, more missions are

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8 UN General Assembly and Security Council, 'The Future of United Nations Peace Operations: Implementation of the Recommendations of the High-level Panel on Peace Operations', Report of the Secretary-General [Report of the Secretary-General], UN Doc A/70/357-S/2015/682, 2 September 2015.

9 UN, 'Improving Security of United Nations Peacekeepers: We Need to Change the Way We Are Doing Business' [Cruz Report], 19 December 2017, available at: [https://peacekeeping.un.org/sites/default/files/improving\\_security\\_of\\_united\\_nations\\_peacekeepers\\_report.pdf](https://peacekeeping.un.org/sites/default/files/improving_security_of_united_nations_peacekeepers_report.pdf) (accessed 18 December 2018).

10 United Nations Peacekeeping, 'Reports', available at: <https://peacekeeping.un.org/en/> (accessed 18 December 2018); UN Secretary-General, Note to Correspondents on the Report on Improving Security of Peacekeepers, 22 January 2018, available at: <https://www.un.org/sg/en/content/sg/note-correspondents/2018-01-22/note-correspondents-report-improving-security-peacekeepers> (accessed 18 December 2018). The action plans are available at: [https://peacekeeping.un.org/sites/default/files/summary\\_of\\_the\\_action\\_plan\\_to\\_implement\\_the\\_report\\_on\\_improving\\_security\\_of\\_peacekeepers.pdf](https://peacekeeping.un.org/sites/default/files/summary_of_the_action_plan_to_implement_the_report_on_improving_security_of_peacekeepers.pdf) (accessed 18 December 2018); [https://peacekeeping.un.org/sites/default/files/180406\\_action\\_plan\\_revised.pdf](https://peacekeeping.un.org/sites/default/files/180406_action_plan_revised.pdf) (accessed 18 December 2018).

11 HIPPO Report, p. 9.

being deployed into increasingly demanding environments; they are struggling to fulfil their protection obligations and to close a widening gap between what is asked of them and what they can provide. ... In some instances, missions have failed ... to respond to calls for assistance, leading to perceptions from nearby communities that although the United Nations is present on the ground, it is not present for them.<sup>12</sup>

Having drawn attention to the need to address this gap, the Report went on to suggest that reforms with regard to the following respects of UN peacekeeping be carried out: 'assessment and planning, capabilities, timely information and two-way communication, leadership and training, and mandates and expectations'.<sup>13</sup> The Cruz Report, on the other hand, focused in the main on the protection of UN peacekeeping personnel, specifying as many as eighteen issues that had to be addressed, and making a long list of short and mid-long term recommendations to be followed.<sup>14</sup>

Secondly, there have been calls for adjusting the principles underpinning UN peacekeeping so that UN peacekeeping missions will be able to deliver on their mandates more efficiently and effectively. The HIPPO Report stated that, while 'the three core principles of peacekeeping, i.e., consent of the parties, impartiality and the non-use of force except in self defence or defence of the mandate' were of great importance, they 'should never be used as an excuse for failure to protect civilians or defend the mission proactively', and then the Report stressed the need for 'a flexible and progressive interpretation of those principles'.<sup>15</sup> As regards the principle of non-use of force, the HIPPO Report underlined the importance of interpreting the principle in such a way as to enable UN peacekeepers to use force in a more flexible fashion in order to safeguard civilians and themselves from different kinds of threats.<sup>16</sup> The Cruz Report even went so far as to suggest that, for these purposes, UN peacekeepers should be allowed to 'use overwhelming force and be proactive and preemptive' so that they could overcome what it called 'Chapter VI Syndrome', which had crippled UN peacekeeping operations.<sup>17</sup>

Finally, and most importantly, recent debates over UN peacekeeping have come to underscore the 'primacy of politics' and the importance of political solutions, in addition to that of disengagement of forces and maintenance of ceasefires.<sup>18</sup> As the HIPPO Report pointed out, UN peacekeeping was invented as 'provisional solutions for particular problems',<sup>19</sup> and it has successfully kept ceasefires alive in many conflict zones. However, some scholars point out that whether a UN peacekeeping operation is ultimately successful or not cannot be judged without appraising whether the operation has been conducive to political resolution.<sup>20</sup> Indeed, it is widely held that, unaccompanied by political efforts towards conflict resolution, a UN peacekeeping mission would merely serve to prolong the conflict.

Recent efforts towards the revitalisation of UN peacekeeping have come to work on this issue. The HIPPO Report stated that the establishment of lasting peace can be accomplished only 'through political solutions', that UN peacekeeping missions must be organised and dispatched as part of a larger international effort to achieve lasting peace and reconciliation between the warring parties, and that the UN and its Secretary-General, working in close cooperation with regional organisations, should take the political initiative in the process towards such settlements.<sup>21</sup> The Report also highlighted the importance of political solutions for the protection of civilians.<sup>22</sup> Furthermore, in

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12 Ibid., p. 38.

13 Ibid., p. 39.

14 Cruz Report, pp. 18-33.

15 HIPPO Report, p. 46.

16 Ibid., p. 47.

17 Cruz Report, pp. 4-5, 19.

18 HIPPO Report, p. 26.

19 Ibid., p. 17.

20 Duane Bratt, 'Assessing the Success of UN Peacekeeping Operations', *International Peacekeeping*, 3/4, 1996, pp. 64-81; Darya Pushkina, 'A Recipe for Success? Ingredients of a Successful Peacekeeping Mission', *International Peacekeeping*, 13/2, 2006, pp. 133-149.

21 HIPPO Report, pp. 26-27.

22 Ibid., p. 41.

connection to the need for progressive adjustment and/or interpretation of the principles of UN peacekeeping, it pointed out that the principle of impartiality should be flexibly interpreted so that UN peacekeeping missions could 'seek political solutions respectful of the legitimate interests and grievances of all parties and society at large'.<sup>23</sup> The Secretary-General's report, which was based on the HIPPO Report, reaffirmed the importance of political settlements for UN peace operations, including UN peacekeeping, and emphasised the role the UN Security Council plays in assisting UN peace operations in their pursuit of political solutions.<sup>24</sup>

The findings and recommendations of the HIPPO Report continued to inform UN-led efforts towards UN peacekeeping reform after António Guterres took over as UN Secretary-General. At the Security Council meeting held on 20 September 2017, the Secretary-General called on the Security Council to 'recognize the primacy of politics so that peace operations are deployed in support of active diplomatic efforts, not as a substitute', and this was followed by Ramos-Horta's statement to the effect that the Security Council must always bear this principle in mind when making decisions as to the deployment of UN peacekeepers.<sup>25</sup> During this meeting, Resolution 2378 (2017) was adopted, in which it was '*stress[ed]* that the primacy of politics should be the hallmark of the approach of the United Nations to the resolution of conflict'.<sup>26</sup>

These reports and documents served as preliminaries to a series of campaigns for a renewed commitment to UN peacekeeping. On 5 March 2018, the Permanent Representative of the Netherlands submitted and circulated a concept note for the upcoming Security Council debate on peacekeeping, and underlined therein the need for the Security Council, regional organisations, the Secretariat and other actors to take their share of responsibility and to collectively support 'the political process needed to underpin long-term conflict resolution and enhance the impact and performance of operations'.<sup>27</sup> During the Security Council debate on 28 March 2018, the Secretary-General António Guterres opined that the success of UN peacekeeping operations hinged on whether those operations were sent to conflict zones as part of broader collective efforts to arrive at and implement political solutions to the conflicts.<sup>28</sup> The Secretary-General went on to remark that:

We should focus our efforts on three areas: refocusing peacekeeping with realistic expectations; making peacekeeping missions stronger and safer; and mobilizing greater support for political solutions and for well-structured, well-equipped and well-trained forces.<sup>29</sup>

The Secretary-General noted that, while the UN Secretariat and the Secretary-General had taken measures of different kinds to tackle those challenges, collective efforts and action by UN member states are a *sine qua non* of successful UN peacekeeping operations, and explained this to be the main reason for introducing the A4P initiative, which would be 'aimed at mobilizing all partners and stakeholders to support the great enterprise of United Nations peacekeeping'.<sup>30</sup> The importance of political processes and solutions for UN peacekeeping was echoed in subsequent speeches delivered by Prime Minister of the Netherlands, who was chairing the meeting, and other representatives, among whom was the Ukrainian representative who emphasised the need to ensure that efforts towards political solutions should be guided by the principle of 'the impartiality of a mission and its personnel'.<sup>31</sup> While this remark

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23 Ibid., p. 46.

24 Report of the Secretary-General, pp. 3–5.

25 UN Security Council, Provisional Verbatim Record of the 8051st Meeting, UN Doc S/PV.8051, 20 September 2017, pp. 3, 6.

26 UN Security Council, Resolution 2378 (2017), UN Doc S/RES/2378 (2017), 20 September 2017, emphasis in original.

27 UN Security Council, Letter dated 2 March 2018 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General, UN Doc S/2018/184, 5 March 2018, p. 2.

28 UN Security Council, Provisional Verbatim Record of the 8218th Meeting, UN Doc S/PV.8218, 28 March 2018, p. 2.

29 Ibid., p. 3.

30 Ibid.

31 Ibid., p. 67.

must be read in the context of ongoing debates over the potential deployment of UN peacekeepers to the Donbass region of Ukraine, it also reminds us of the general proposition that the effectiveness of UN peacekeeping has to be balanced against its impartiality.

At the Security Council meeting held on 9 May 2018, Jean-Pierre Lacroix, Under-Secretary-General for Peacekeeping Operations, stated that 'the overall strategy for peacekeeping places primacy on politics'.<sup>32</sup> The same point was reaffirmed in the Statement by the President of the Security Council, to which the members of the Security Council unanimously agreed on 14 May 2018.<sup>33</sup>

## B. The A4P Declaration

On 16 August 2018, the Secretary-General made public the Declaration of Shared Commitments, asking UN member states and other actors for their endorsement of the Declaration.<sup>34</sup> The Declaration is comprised of twenty four articles, each expressing the endorsing countries' and other supporting actors' commitments on UN peacekeeping.<sup>35</sup> By Article 3, the endorsing countries and supporting organisations 'affirm the primacy of politics in the resolution of conflict and the supporting role of peacekeeping operations therein'.<sup>36</sup> By Article 4, they emphasise the importance of 'political solutions to conflict', underlining that UN peacekeeping missions must be designed and deployed in such a way as to reflect and support broader efforts towards 'sustainable political solutions'.<sup>37</sup> Articles 5-7 stress the importance of greater cooperation and coordination between the Secretariat, the Security Council, and countries contributing to UN peacekeeping with a view to ensuring more effective mandates and resources.<sup>38</sup> Articles 11-14 highlight the need for enhancing, through well-structured training and provision of logistical support and other material assistance, UN peacekeepers' capabilities to protect themselves and to carry out their responsibilities.<sup>39</sup> By Article 24, the endorsing countries and organisations pledge themselves 'to translat[e] these commitments into [their] positions and practices in the relevant UN bodies'.<sup>40</sup> At the time of writing, over 150 countries and four multilateral and regional organisations have shown their support for the A4P Declaration.<sup>41</sup>

In the following month, two Security Council meetings were held previous to the High-level Meeting on Action for Peacekeeping, which was to be held on 25 September 2018. On 12 September, the Security Council, under the presidency of the United States, held a discussion on the topic of UN peacekeeping wherein Council members expressed their support for the A4P initiative, thereby increasing momentum towards the High-level Meeting on A4P.<sup>42</sup> This meeting was followed by another Council meeting on the same topic at which the Council members unanimously adopted Resolution 2436 welcoming the Secretary-General's initiative to promote A4P.<sup>43</sup>

The High-level Meeting on A4P was convened on 25 September 2018 as part of the seventy-third session of the UN General Assembly. The Secretary-General António Guterres, in his keynote speech delivered at the meeting, stated that UN peacekeepers are struggling to close 'the gap between aspiration and reality', and explained that the

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32 UN Security Council, Provisional Verbatim Record of the 8251st Meeting, UN Doc S/PV.8251, 9 May 2018, p. 22.

33 UN Security Council, Provisional Verbatim Record of the 8253rd Meeting, UN Doc S/PV.8253, 14 May 2018; UN Security Council, Statement by the President of the Security Council, UN Doc S/PRST/2018/10, 14 May 2018.

34 United Nations Peacekeeping, 'Action for Peacekeeping (A4P)', available at: <https://peacekeeping.un.org/en/action-for-peacekeeping-a4p> (accessed 19 December 2018).

35 UN, 'Action for Peacekeeping: Declaration of Shared Commitments on UN Peacekeeping Operations' [A4P Declaration], 16 August 2018, available at: <https://peacekeeping.un.org/sites/default/files/a4p-declaration-en.pdf> (accessed 18 December 2018).

36 *Ibid.*, Art. 3.

37 *Ibid.*, Art. 4.

38 *Ibid.*, Arts 5-7.

39 *Ibid.*, Arts 11-14.

40 *Ibid.*, Art. 24.

41 United Nations Peacekeeping, 'Action for Peacekeeping (A4P)'.

42 UN Security Council, Provisional Verbatim Record of the 8349th Meeting, UN Doc S/PV.8349, 12 September 2018.

43 UN Security Council, Provisional Verbatim Record of the 8360th Meeting, UN Doc S/PV.8360, 21 September 2018; UN Security Council, Resolution 2436 (2018), UN Doc S/RES/2436 (2018), 21 September 2018.

A4P initiative seeks to strike a right balance between ideal and reality by calling on UN member states to set realistic goals and devise feasible plans for peacekeeping missions and by enhancing the capabilities and power of UN peacekeepers by means of training and provision of resources, logistic and otherwise, necessary for fulfilling their mandates.<sup>44</sup> Moreover, he stressed the importance of real and lasting political solutions to conflicts and the supportive push of the international community in this regard.<sup>45</sup> As he remarked:

Action for Peacekeeping aims to strengthen the two core aspirations of our peace operations. First we must all do more to push for political solutions. Peacekeepers are deployed to create the conditions for their own departure<sup>46</sup>

Guterres concluded his opening address with the following statement: 'We must now translate our commitments into action and I ask you all to join me in this task'.<sup>47</sup>

### III. Discussion

#### A. The Limitations of Political Will

The preceding section explored recent developments and events with regard to UN peacekeeping reform. It has been established that much of the recent effort aimed at reforming UN peacekeeping has been directed towards mustering the political will to support UN peacekeeping.<sup>48</sup> It has not aimed for any far-reaching restructuring of the UN itself. Nor has it addressed problems surrounding revision of the UN Charter. To put it another way, much of the effort has been based on the assumption, or perhaps wishful thinking, that a quantitative increase in the political will to support and commit oneself to UN peacekeeping would lead to some sort of qualitative improvement or leap in the performance and effectiveness of UN peacekeeping. In the following, the author shall put this proposition into question. The question that arises here and needs to be addressed is: what is it that the efforts to create the political will to support UN peacekeeping can actually achieve?

To start with, it cannot be denied that political will and commitment are of great importance for the effective functioning of UN peacekeeping. For that matter, not much can be done without political will and commitment in the realm of international politics. Indeed, this is one of E. H. Carr's central arguments and the core of his criticism of utopianism or idealism in his *Twenty Years' Crisis 1919–1939*, and his insight is still relevant in the context of UN peacekeeping.<sup>49</sup> It is true that a number of problems surrounding UN peacekeeping would be solved if a strong political will to support UN peacekeeping can be generated. Indeed, the UN would be able to expect a greater number of peacekeeping personnel, uniformed or civilian, if UN member states and other supporting organisations are more willing to support the activities of UN peacekeeping. Likewise, UN peacekeeping missions would be able to fall back on a greater level of financial support, logistical and technical assistance and other material resources if UN member states and other supporting organisations are more willing to underwrite those missions. Therefore, it can be said in general terms that a greater commitment on the part of UN member states and other supporting organisations to UN

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44 UN News, 'Peacekeeping expectations "far outstrip resources": UN chief', 25 September 2018, available at: <https://news.un.org/en/story/2018/09/10204> (accessed 19 December 2018).

45 United Nations Secretary-General, Secretary-General's remarks to High-Level Meeting on Peacekeeping, 25 September 2018, available at: <https://www.un.org/sg/en/co/sg/statement/2018-09-25/secretary-generals-remarks-high-level-meeting-peacekeeping-bilingual> (accessed 19 December 2018).

46 Ibid. The other core aspiration he mentioned was the protection of civilians.

47 Ibid.

48 The term 'political will' is used here to refer to an intention or determination to achieve a specific political goal or goals.

49 E. H. Carr, *Twenty Years' Crisis 1919–1939: An Introduction to the Study of International Relations*, 2nd edn, London: Macmillan, 1946.

peacekeeping would help to enhance UN peacekeepers' ability to deliver on their mandates, such as the protection of civilians and themselves from armed attack and the monitoring and upholding of cease-fires.

At the same time, however, it must be admitted that the presence of political will is nothing more than a necessary condition for achieving political goals; there are things in the world that political will cannot achieve alone. To return to the question of UN peacekeeping, the political will to support the cause of UN peacekeeping is not on its own sufficient to revise the established principles underpinning UN peacekeeping, such as the consent of the parties to the conflict, impartiality and the limits on the use of force. As discussed in the previous section, recent debates on UN peacekeeping have emphasised the importance of reviewing the status and relevance of these fundamental principles so as to update UN peacekeeping to match contemporary needs and requirements. However, any substantive adjustment and revision of these entrenched principles would inevitably entail, and cannot be brought about without simultaneously conducting, a review of the broader normative framework of the UN, and this larger question cannot be addressed solely in terms of the question of peacekeeping. It is noteworthy that the A4P Declaration merely reaffirms the existing principles underpinning UN peacekeeping despite strong calls for the rethinking of them. This is indicative not only of the lack of consensus amongst UN member states as to how to change those principles, but also of the limitations of the A4P initiative.

Another thing that the political will on the part of the international community to support UN peacekeeping cannot accomplish on its own is the promotion of political solutions to conflict. While the international community can bring political pressure to bear on the parties concerned by showing their collective support for the activities of UN peacekeepers on the ground, it needs to be asked whether an increased political will to support the cause of UN peacekeeping would by itself help to improve the UN's and its peacekeepers' ability and power to promote political solutions to conflict in any significant way.

It will be well at this point to examine what is meant by 'political solutions'. In debates on UN peacekeeping reform, the term 'political solutions' is used in two different senses. Firstly, the term 'political solutions' is used to refer to *non-military* solutions, i.e. solutions reached through dialogue and negotiation and not as a result of the use or threat of force. The presence of political will can contribute to the creation of a political milieu conducive to a 'political solution' in the first sense of the term. In general terms, if a greater number of well-trained UN peacekeeping troops equipped with more material resources can be deployed to a conflict zone, it would be more likely that the cease-fire would be effectively maintained and that civilians would be protected from different kinds of violence. Whether these hypotheticals become actualities is largely a function of the degree of the existing political will on the part of the international community to support UN peacekeeping and its activities on the ground.

However, the term 'political solutions' has another meaning in the context of UN peacekeeping reform; the term 'political solutions' is also used to refer to conflict resolution or settlement based on compromise and give-and-take. In this understanding, the adjective 'political' connotes prudence, and the emphasis is on political judgment rather than on whether the action taken is of a military nature or not. Political solutions in this sense cannot be regarded as a function of the degree of the existing political will on the part of the international community to support UN peacekeeping. In the first place, UN peacekeepers are not deployed to conflict zones to *impose* political settlements.<sup>50</sup> Otherwise, there would be serious contradictions between the cardinal principle of impartiality and the activities of UN peacekeepers on the ground. The central goal of UN peacekeeping, as it has been traditionally understood in the international community, is to establish a political environment conducive to a political settlement between the parties to the conflict. It is worth noting that, during the Security Council debate on peacekeeping in which the A4P initiative was first publicly announced, the Secretary-General remarked that peacekeeping is 'a tool for creating the space for a *nationally owned* political solution'.<sup>51</sup>

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<sup>50</sup> This statement does not contradict the role of UN peacekeeping in helping to *implement* peace accords agreed upon by the parties concerned.

<sup>51</sup> UN Security Council, S/PV.8218, p. 3, emphasis added.

The Secretary-General's remark epitomises the commonly held conception of UN peacekeeping as based on the principle of national self-determination; it is reflective of the predominant view that political solutions to conflicts should not be externally imposed, including by the UN. Barry Buzan, a leading English School theorist, was in the right when he argued that peacekeeping operations are intergovernmental arrangements, or secondary institutions in English School terminology, that are reflective of the historically evolved international practice, or primary institution in English School terminology, of self-determination.<sup>52</sup> Likewise, in her recently published volume, Sarah B. K. von Billerbeck argues that recent UN peacekeeping operations are characterised by their emphasis on 'local ownership', explaining this as a gesture of respect for national self-determination, although the central case she seeks to make is that actual UN peacekeeping missions have often served to undermine self-determination despite their commitment to local ownership.<sup>53</sup>

The UN's and its member states' respect for national self-determination partly explains their adherence to the principle of impartiality in UN peacekeeping. The extent of their adherence to this principle in the context of UN peacekeeping is remarkable when compared with how other principles governing UN peacekeeping have been (re-) interpreted and put into practice since the end of the Cold War. The so-called third-generation peacekeeping departs from the first- and second-generation peacekeeping in that it is authorised to use force for the purpose of enforcing peace, and this has been made possible by critical reflection on the principle of the consent of the parties to the conflict and that of non-use of force. Even the third-generation peacekeeping, however, has been carried out in such a way that UN peacekeeping troops abide by the principle of impartiality in enforcing peace.<sup>54</sup> This suggests that the principle of impartiality has been most resistant to change in the context of UN peacekeeping reform.

This conservatism is understandable given the origins and original purposes of UN peacekeeping. As Steven Ratner pointed out, UN peacekeeping, in origin, emerged as one of the 'by-products' of the Security Council's 'general inability ... to agree upon imaginative and expansive applications of Chapter VI'.<sup>55</sup> As Ratner remarked:

Interpositional peace-keeping truly deserved the praise institutionalists heaped upon it, for it effectively confined disputes. But as both commentators and UN officials have lamented, it can also forestall, and even prevent, final settlements. In deploying this kind of peace-keeping, the Council's members sent the message: 'We cannot propose a solution but will offer you this so at least you will not fight.'<sup>56</sup>

The mechanism of UN peacekeeping was originally devised as an *alternative* to political solutions, and we need to accept this fact as our point of departure.

## B. A4P and Reform of the UN Security Council

If the imposition of political solutions is not part of UN peacekeeping's responsibility, it needs to be questioned whether an increased political will on the part of the international community to support UN peacekeeping would in any way result in the promotion of political solutions to conflict. The question that needs to be addressed at this juncture is whether an increased political will on the part of the international community to support the cause of UN

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52 Barry Buzan, *From International to World Society?: English School Theory and the Social Structure of Globalisation*, Cambridge: Cambridge University Press, 2004, p. 187.

53 Sarah B. K. von Billerbeck, *Whose Peace?: Local Ownership and United Nations Peacekeeping*, Oxford: Oxford University Press, 2017.

54 Andreu Solà-Martín and Tom Woodhouse, 'The United Nations, armed conflict and peacekeeping', p. 30, available at: [http://openaccess.uoc.edu/webapps/o2/bitstream/1060/50481/2/United%20Nations%20and%20peace%20operations\\_Unit1\\_The%20United%20Nations%2C%20armed%20conflict%20and%20peacekeeping.pdf](http://openaccess.uoc.edu/webapps/o2/bitstream/1060/50481/2/United%20Nations%20and%20peace%20operations_Unit1_The%20United%20Nations%2C%20armed%20conflict%20and%20peacekeeping.pdf) (accessed 18 December 2018).

55 Steven Ratner, 'Image and Reality in the UN's Peaceful Settlement of Disputes', *European Journal of International Law*, 6, 1995, pp. 426-444, on p. 434.

56 *Ibid.*

peacekeeping would help the UN Security Council to promote political solutions to conflict since the Security Council is the most important and powerful political organ responsible for conflict management and resolution under the existing UN system. To examine this, we need to have a critical look at the powers of the Security Council endowed by the UN Charter.

As discussed above, UN peacekeeping is based on, and is expected to be carried out in such a way as to promote, the principle of national self-determination. In fact, this principle runs through the entire UN system, with the General Assembly's Declaration on the Granting of Independence to Colonial Countries and Peoples as its prime example. The Security Council's powers under Chapter VI of the UN Charter are also informed by this principle. For example, Article 33(1) of Chapter VI stipulates that:

The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, *first of all*, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means *of their own choice*.<sup>57</sup>

In short, this article makes it obligatory for the parties concerned to seek *bona fide* and of their own accord a political solution to the conflict by whatever means they think appropriate. It is within the Security Council's power to recommend some specific mode of conflict resolution, but the Council is expected to exert this power only when the parties concerned are unable to agree on the method of conflict settlement. The right to freely choose settlement procedure is of great importance to self-determination inasmuch as how a conflict is settled may affect the terms of settlement.

Furthermore, while the Security Council is authorised to propose terms of settlement under Article 37 of the UN Charter, it is not, if this Article is literally interpreted, allowed to impose and enforce terms of settlement.<sup>58</sup> According to this interpretation, whether the parties concerned agree to and sign a peace accord proposed by the Security Council depends ultimately on their volition. Hans Kelsen famously claimed that the Security Council may resort to its powers under Chapter VII of the Charter for the purpose of enforcing the terms of settlement it recommends, but this controversial interpretation is open to debate.<sup>59</sup>

In practice, the Security Council occasionally sets out terms of settlement under Chapter VII of the UN Charter, as in the case of Council resolution 1031 in which it gave its approval to the Dayton Agreement and in the case of Council Resolution 1244 in which it laid down the principles for conflict resolution in Kosovo.<sup>60</sup> Despite this, however, the Council rarely seeks to *impose* terms of settlement on the parties concerned through enforcement action.<sup>61</sup> The Council's authorisation of enforcement measures is not always forthcoming unless there exists an easily identifiable aggressor in the conflict, as in the case of the sanctions targeted against Iraq after its invasion of Kuwait, or an egregious violation of human rights, as in the case of the measures taken by the Council against South Africa in response to Apartheid.<sup>62</sup> This tendency reflects not so much the lack of political will as the Council's commitment to such principles as impartiality and national self-determination. Given the ambiguity as to its powers under Chapters VI and VII of the UN Charter and its cautious approaches with regard to enforcement action, it is unclear whether the

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57 UN Charter, Art. 33(1), emphasis added.

58 Ibid., Art. 37.

59 Hans Kelsen, 'The Settlement of Disputes by the Security Council', *The International Law Quarterly*, 2/2, 1948, pp. 173–213.

60 UN Security Council, Resolution 1031 (1995), UN Doc S/RES/1031 (1995), 15 December 1995; UN Security Council, Resolution 1244 (1999), UN Doc S/RES/1244 (1999), 10 June 1999.

61 Council resolution 461 concerning the Iran hostage crisis was a rare case wherein the Council clearly indicated its intention to impose terms of settlement through enforcement measures 'in the event of non-compliance'. UN Security Council, Resolution 461, UN Doc S/RES/461 (1979), 31 December 1979.

62 UN Security Council, Resolution 418 (1977), UN Doc S/RES/418 (1977), 4 November 1977; UN Security Council, Resolution 661 (1990), UN Doc S/RES/661 (1990), 6 August 1990.

Council would not hesitate to resort to enforcement action under Chapter VII of the UN Charter, including the use or threat of sanctions, for the purpose of imposing a specific political solution, when faced with a political stalemate resulting from the interposition of UN peacekeeping troops in the future.

In light of this, it is necessary to clarify what the Security Council can legitimately do under the existing UN system and to discuss what it should be allowed and encouraged to do in the future so as to establish the primacy of politics in UN peacekeeping and to promote political solutions to conflict in places where UN peacekeepers are deployed. This would entail a critical appraisal and review of the basic principles governing not only UN peacekeeping, but also the UN system at large, such as the principles of impartiality and national self-determination. Furthermore, if the Security Council is to play a more proactive role in bringing about political settlements, the decisions of the Council need to be respected and carried out by the international community including the parties to the conflict, and this gives rise to the need to enhance the legitimacy of the Council itself through the expansion of Council seats.

All this points to the need to discuss UN peacekeeping reform in conjunction with reform of the Security Council. In practical terms, this would require that the UN Secretary-General, the UN Secretariat, the DPKO and other actors and bodies which have pressed ahead with UN peacekeeping reform work in closer coordination with the Security Council, the Open-ended Working Group (OEWG) and other actors and bodies engaged in Council reform, including the Intergovernmental Negotiations (IGNs) with a view to cross-fertilising ideas and with the goal of promoting political solutions to conflict.

### C. Peacekeeping as Responsibility

One might question the wisdom of the issue-linkage suggested above on the following grounds: UN peacekeeping emerged as a partial solution to the inability of the UN Security Council, and of its permanent members in particular, to cooperatively deal with and resolve international issues; the rivalry amongst the permanent members of the Council continues to hamper the workings of the Council, as exemplified by the fact that the Council has failed to effectively address recent international conflicts in Syria and Ukraine, and the permanent five are often divided on issues surrounding the deployment of UN peacekeeping missions; given that the progress on Security Council reform requires a cooperation and consensus amongst its permanent members, linking the issue of UN peacekeeping reform with that of Security Council reform might simply result in holding back the progress on the former.

It is important to note that, while some aspects of UN peacekeeping reform, such as the reconsideration of the Security Council's role and powers with regard to UN peacekeeping, cannot be carried out without, at the same time, making progress on Security Council reform, other aspects of UN peacekeeping reform, such as renewing UN member states' commitment to UN peacekeeping, can be pursued without much reference to Security Council reform. The case that the present article makes is that there are hitherto neglected aspects or dimensions of UN peacekeeping reform that can only be achieved in the context of Security Council reform, and the issue-linkage suggested above is aimed at addressing such dimensions of UN peacekeeping reform.

Having said that, the question remains as to whether the Security Council, and the permanent five in particular, would agree to a UN peacekeeping reform package in the context of Council reform. In many cases, the permanent five are divided on issues surrounding UN peacekeeping, and it is necessary to overcome political divisions and rivalries amongst the permanent five in order to carry out certain aspects of UN peacekeeping reform in the context of Security Council reform. The key to this is to create a normative milieu in which peacekeeping is seen as the international community's and, more specifically, the Security Council's *responsibility*.

The rise of the principle of the responsibility to protect (R2P) provides a clue as to how to create a normative environment in which the permanent five can overcome political rivalries. The Operation Allied Force in 1999 gave rise to a bitter political division between those in favour of the notion of humanitarian intervention and those opposed to it. The permanent five were also divided on this issue. However, those who had supported humanitarian

intervention were able to change the normative climate surrounding the contentious notion of humanitarian intervention by spreading discourses on 'sovereignty as responsibility' and on 'R2P'.<sup>63</sup> Against this changing normative background, the Security Council, including the permanent five, gave its consent to the principle of R2P by adopting Resolution 1674.<sup>64</sup> Since then, the principle of R2P has been referenced in a number of Council Resolutions, although its meaning and scope have been contested.<sup>65</sup>

This example of normative transformation suggests that it is possible to create a normative environment in which the permanent five feel pressured to agree to a UN reform package aimed at enhancing the effectiveness of UN peacekeeping. To make this happen, it is necessary to promote the conception of *peacekeeping as responsibility* — a responsibility which primarily lies with the Security Council. Although work needs to be done to clarify what is meant by the term 'peacekeeping as responsibility', such a reconceptualisation of peacekeeping, if widely accepted among the UN membership, would have the effect of putting normative pressure on the Security Council, including the permanent five, to review its role in UN peacekeeping.

#### IV. Conclusions

This article has pointed out that, while an increased political will on the part of members of the international community, including the UN and its Security Council, to support the cause of UN peacekeeping is of vital importance for achieving some of the key goals pursued by A4P, it is not on its own sufficient for achieving other goals, such as the critical reconsideration of the traditional principles underpinning UN peacekeeping and the promotion of political solutions to conflict. This is because these goals, if they are to be accomplished, cannot be pursued without reference to issues surrounding the fundamental principles underpinning the UN and the powers of the Security Council granted by the UN Charter. There seems to be a strong tendency among UN officials and practitioners as well as among academics to compartmentalise the issues surrounding the UN. It might be convenient to keep issues separate and to address each issue technically and incrementally. However, the longer-term effectiveness of UN peacekeeping will not be significantly improved by such an approach. A more imaginative approach and a more far-reaching plan are required for this purpose. In view of this, this article has proposed that the topic of UN peacekeeping reform be discussed in connection with UN Security Council reform, and that there be closer exchanges and coordination among the UN Secretary-General, the UN Secretariat, the DPKO, the OEWG and the IGNS. The current A4P initiative falls short in this respect, and this missing link must be addressed if the goals pursued by the A4P initiative are to be achieved.

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63 On the evolution of the notions of 'sovereignty as responsibility' and 'R2P', see S. Pandiaraj, 'Sovereignty as Responsibility: Reflections on the Legal Status of the Doctrine of Responsibility to Protect', *Chinese Journal of International Law*, 15/4, 2016, pp. 795–815.

64 UN Security Council, Resolution 1674 (2006), UN Doc S/RES/1674 (2006), 28 April 2006.

65 Global Centre for the Responsibility to Protect, 'UN Security Council Resolutions and Presidential Statements Referencing R2P', available at: <http://www.globalr2p.org/resour/335> (accessed 11 January 2019).