

THE USE OF FORCE AND THE MODERN TREND OF UNITED NATIONS ORGANISATION PEACEKEEPING*

Abstract

The use of force is within the ambit of both International Criminal Law and Treaty Law. In modern times, conflicts in one region may permeate the other with serious economic, political, social and humanitarian consequences. Under International law, nations have formed a fusion designed in the global interest to manage, control and maintain the peace in conflict zones. The overarching role includes the desire to curtail the spread of conflict and the scope of war. This paper discussed the cardinal principles involved in the use of force in peacekeeping operations. This paper concludes that there had been a radical departure from the original purpose of enforcement to simple intervention. Peacekeeping operations must be handled credibly devoid of political bias and imposition of personal interests that may detract from the main goal of the intervention.

Keywords: Use of Force, United Nations Organisation, Peacekeeping, Modern Trend

1. Introduction

The veto power of the two major hostile blocs in the cold war, that is the USA and the USSR hampered the roles of the UN Security Council in ‘maintenance of the international Peace and security’ as well as the ambiguous wording of the charter, failure to establish formal mechanisms for the collective use of force, and its inability to prevent the scourge of war and promote fundamental human rights and other charter objectives through collective security system led to reform outside the text of the charter as an alternative, to monitor ceasefire arrangements, separation of hostile armed forces, fact finding supervision, disarmament, Human Rights monitoring, election monitoring and humanitarian assistance. All these led to the formation and functioning of Peacekeeping operations and they can be categorized as unarmed military observer missions and ‘armed peacekeeping missions’.¹ Conceptually, there is little or no difference between peacekeeping and observation. On the other hand, Peacekeeping is ‘consensual and non-aggressive while enforcement action is normally the reverse’². Peacekeeping, peace enforcement and War has a clear illustration in Chapter 3 of the Armed Field Draft Manual³. Peacekeeping is a non-combat mission that is based on consent promoting technique and force can be used only in self defence. Peace enforcement requires no consent or it prepares for consent withdrawal, for enforcement promoting technique; while war is based on combat and fighting techniques. The focus of this essay is on peacekeeping. The UN Secretary-General reviewing the success of peacekeeping in intra state and inter states conflict, stated in his supplement to the Agenda for peace in 1995 that three important principles of ‘consent’, impartiality and ‘non use of force except in self defence’ contributed to the success of peace keeping operations and its failure is prevalent where one or more of the principles is absent⁴. The Brahimi Report in 2000 says, ‘consent of the local parties, impartiality and use of force only in self defence should remain the bedrock principles of peacekeeping’⁵. The report adopted and integrated these principles and the UNSC urged its implementation in Resolutions 1318 and 1327(2000).

2. The Bedrock Principles of Peacekeeping

Peacekeeping is a United Nations invention and its operation and legal basis fall within Chapters VI and VII of the UN Charter. There has been an overlapping nexus between peacekeeping and peace enforcement due to the complex nature of peacekeeping in a post cold war era, coupled with an increase in intra state conflicts and absence or scarcity of party consent and co-operation. In Somalia and Bosnia Herzegovina, the existing peace keeping were given additional mandate to use force, the mandate that can not be executed effectively due to its conflict with the ‘three bedrock principles’ of Peacekeeping and thus Secretary General of UN concluded that ‘to blur the distinction between the two (peace enforcement and peace keeping) can undermine the viability of the peace-keeping operation and endanger its personnel’⁶. The bedrock principles of peacekeeping are cardinal and significant to operation.

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¹Diehl P.F, ‘*International Peacekeeping*’ (John Hopkins University Press, 1994) p 5

² Mc Coubrey Hilaire, Nigel White ‘*The Blue Helmets: Legal Regulation of United Nations Military Operations*’ (England, Dartmouth Publishing Company Limited, 1996) p 2

³ Peace support operations (First Draft), Army Field Manual, 1996

⁴ Supplement to an Agenda for peace, A/50/60 – S/1995/1 (1995/1 (1995), paragraph 33

⁵ Report of the Panel on United Nations Peace Operations of 21 August 2000, UN doc.A/55/305,S/2000/80

⁶ Supplement to an Agenda for peace, A/50/60-S/1995/1 (1995/1 (1995) paragraph 35

Consent:

Host state consent is significant on the rationale that the enforcement of UN 'will' demands the agreement of permanent members of the Security Council (SC) and cooperation of member states⁷. Member state consent is significant on the basis of reform to the collective security system where consent is not important; peacekeeping as an alternative mechanism and different method of achieving UN 'will' in conformity with UN aims and objectives needs state consent as respect and protection of state sovereignty. This balances the dispute settlement in Chapter VI with Chapter VII enforcement mechanism though without the use of force except for self defence. Peacekeeping is legal on the basis of its creation by the UN organs and its presence at the domain of host state on its consent. The legal basis for peacekeeping is not in the Charter per se because peacekeeping was not mentioned therein, but it inherently derives its legality in the UN organs acting in the aims and objectives of the UN. This was affirmed in *Certain Expenses case*⁸ by the ICJ tracing its legal basis to Chapter VI, VII, Article 1(1) for Security Council and Articles 10, 11, 14 and 22 for the General Assembly and Articles 97 – 99 for the Secretary General. The creation of the peacekeeping is the first legal basis; the host State consent will not give 'legal effect to the Security Council decision but permits the deployment of the force within a particular state'⁹. Peacekeeping therefore is just a fragment of the broad power of the UNSC under Chapter VII. Article 39 of the Charter gives discretionary power to the UNSC and the second legal basis is the consent of the host state, where there is no host state consent, it becomes enforcement measure¹⁰. In other words, consent cannot be forcefully obtained, this borders on *dejure* consent in case of peacekeeping, while in enforcement, consent is not necessary, or the consent is obtained *defacto*. It is however not within an enforcement action if there is use of force in self defence, or if application of force is against non-state entities¹¹. In self defence, consent is not necessary and Article 51 will not be applicable in this type of self defence which may extend from individual or personal self defence to defence of position and may even require action beyond personal self defence if the mandate includes protection of civilians.

ONUC was mandated to protect the territorial integrity of Congo by Resolution 145 (1960) however, this first peacekeeping in civil conflict in operation Rumpunch and Morthor, *ultra vires* ONUC mandate because they went beyond the limit of peacekeeping. Its mandate to protect civilians and entrenchment of its freedom of movement in operation Grandslam become a strain on the limit to the use of force in self defence. ONUC stepped from peacekeeping to the enforcement realm when ONUC sympathized with the Congolese Central government against Kantangese secessionists. This eroded the principle of impartiality and the entire mission evolved into something other than peacekeeping to subvert the principle of the non 'use of force' except in 'self defence'. UNSC was reluctant to give ONUC the mandate, possibly in protection of Congo's sovereignty; and even after the operation in Congo, peacekeeping became a passive issue to the SC. The consent of the Congolese government was obtained to forcefully subdue Katangese leaders. In a similar vein, consent of one faction was obtained in Cyprus case of 1964¹² and Lebanon UNIFIL in 1978 which led to its ineffective operation except for the provision of humanitarian assistance¹³. Congo was the first example of a quasi-enforcement action which bridges the divide between peacekeeping and enforcement¹⁴.

Also, the change from Peacekeeping to enforcement action has become a post cold-war reality. For example, in Somalia, UNOSOM mandate to observe a cease fire¹⁵ in 1992 was replaced by UNITAF and later by UNOSOM II in May 1993 which embarked on coercive mandate, rather than a consensual mandate of UNOSOM I which is a violation of the host state sovereignty. The mandate was not successful due to the inability to settle the conflicts in the country and UNOSOM II was eventually withdrawn in 1995. Tsagourias is of the view that use of force can only be used by Peacekeepers in personal self defence where UNSC had given authorization but when UNSC authorizes use of force, Peacekeepers can use force to ensure the success of their mandate¹⁶. In Congo's case, the former applied to it, yet, force was wrongly used against the Kantangese secessionist.

⁷Tsagourias Nicholas, 'Consent, Neutrality/impartiality and the use of force in Peacekeeping: Their Constitutional dimension' (2006) 11 (3) *Journal of Conflict and Security Law* 465 – 482 at p 467

⁸ ICJ Reports 1962, 163-165

⁹ Tsagourias Nicholas, op cit n 7 p 470

¹⁰ Ibid

¹¹ Ibid

¹² SC1095 mtg, 19 UN SCOR (1964)

¹³ SC Res 425 33 UN SCOR (1978)

¹⁴ Mc Coubrey Hilaire, Nigel White, op.cit n2 p.88

¹⁵ UN doc S/24480 (1992)

¹⁶ Tsagourias Nicholas, op.cit n 7 p 474

In Congo, the consent of the Congolese central government was obtained but in Somalia, UNITAF's mandate led by US was supposed to be subject to the approval of factions. Nevertheless, Operation Restore Hope was imposed upon them. Consent therefore must be given by a government having 'effective control' over people and territory as sovereign leader, but when there is no sovereign leader due to a failed state, consent may be difficult, then the appropriate action should be enforced¹⁷. Buchan is of opinion that the principle of sovereignty may not be 'absolute' where there is need to entrench 'liberal values' in a country; state sovereignty will not hinder collective action where the SC agreed like the case of Iraq in 2003¹⁸. The Secretary General of the UN affirmed that 'UNOSOM II ... will be at the discretion of the Secretary General ... acting under the authority of the SC. Such deployment would not be subject to the agreement of any local faction leaders'¹⁹. This statement by the Secretary General aligned with the opinion of Buchan. The confrontation of UNOSOM II with the SNA and UNOSOM II desire to govern as opposed to facilitate their mission was seen by some observers as the major cause of its armed conflict with SNA and the action put an end to consent of the host state, if there is any.²⁰ The operation was considered as an attempt of the UN to re colonize Somalia and SNA got sympathy to resist and fight it, due to absence of consensual factor.

Consent of all parties including factions is significant to mission success; Cyprus government consent was sought before deployment of UNFICYP while the Turkish – Cyprus side was sought without agreement. As earlier discussed, ONUC took the consent of Central government only and it affects neutrality/impartiality of the force as well as the legitimacy and efficiency of the operation in the Congo. This same issue led to the failure of UNOSOM I whereas UN sought the consent of all actors in Yugoslavia war²¹.

Host state consent is not the legal requirement for the formation of peacekeeping but it is a 'legal necessity' for its mission and presence in the host state²². The withdrawal of the consent will amount to withdrawal of its legal justification and presence in the host state; like that of UNEF in 1967, they were recalled by the Secretary General²³ because the United Arab Republic withdrawn their consent and this void the legal basis of the peacekeeping. Continual presence of the Peacekeeping will not be peacekeeping but for enforcement operation which is within the UNSC discretion and the power to transit from peacekeeping to enforcement action is inherent. Consent is a contractual thing and the withdrawal of the consent should be obeyed in accordance to the Law of Treaties²⁴.

In ensuring impartiality of traditional peacekeeping, consent can be extended to their composition and functions²⁵ for example in UNEF II in 1973 – 79 between Egypt and Israel, they were composed of troops from Australia, Austria, Canada, Finland, Ghana, Indonesia, Ireland, Nepal, Panama, Peru, Poland, Senegal and Sweden. This was so for political and practical reasons but that does not mean UN organs yielding to the wish of host state amount to a legal requirement for peacekeeping formation, because its organization still resides with UN organs. Consent is the bedrock of constitutional requirement of peacekeeping and it has 'Constitutional value' for the presence of peacekeepers in the host state²⁶. The basis for the consent is derived from the principle of international law not connected to peacekeeping that is, state sovereignty. It is a model agreement to strike a balance between the sovereign rights of a host state and the peacekeeping interests of the international community²⁷. Other principles are:

Neutrality/Impartiality

These two terms are used interchangeably but Neutrality can be linked, to the 'character' of a Peacekeeping while impartiality as an operational term has to do with the conduct of the operation; it has also been applied to

¹⁷ Ibid

¹⁸ Buchan Russell, 'International Community and the occupation of Iraq', (2007) Vol.12 No1 *Journal of Conflict and Security Law*, 37-64 at p 46

¹⁹ S/25354, 3 March 1993; paragraph 97

²⁰ Hirsch John, Oakley Robert, 'Somalia and Operation Restore Hope' (Washington DC, United States Institute of Peace Press, 1995) p 153 – 158, SCR 814, 26 March 1993

²¹ Gray Christine, 'Host-state consent and United Nations peacekeeping in Yugoslavia' (1996-1997) 7 *Duke J Comp and Int' IL* 241

²² Tsagourias Nicholas, op cit n 7 p 476

²³ Special Report of the Secretary – General, UN doc A/6669 (1967) in (1967) 6 *ILM* 557 at 565 paragraph 12.

²⁴ Tsagourias Nicholas, op cit n 7 p 476

²⁵ Di Blasé A, 'The Role of the Host State's consent with Regards to Non-Coercive Actions by the United Nations', in A Cassese (ed), *United Nations Peacekeeping: Legal Essays* (Oxford, Oxford University Press, 1978) p 55

²⁶ Tsagourias Nicholas, op cit n 7 p 478

²⁷ Kirgis FL, 'International Organisations in their legal setting' (2nd edition, West Publishing Co, 1992) p 730

both ‘implementation and mandate’²⁸. Neutrality is a ‘tenet that distinguishes peacekeeping from peace enforcement’²⁹. The SC as a political organ will always make³⁰ political determination on situations, causes, culprits, and mandate enforcement measures. It cannot therefore remain neutral. Therefore, UNSC membership and its enforcement power is inimical to the Neutrality principle³¹. Peacekeeping on the other hand is different in tenet from peace enforcement, it must therefore be neutral.

The fact that UNSC membership is not neutral, especially that of the five permanent members, may affect the composition of the force in traditional peacekeeping. Thus, five permanent members or interested members are excluded from contributing troops in order to ensure the neutrality of the peacekeeping. The Brahimi Report states that impartiality means equal treatments of factions or parties in disputes and consistency of peace keeping operations in their mandates and mission,³² even if there is coercion in peacekeeping, impartiality suggests that all parties must be treated fairly in the same way. The success of UNDOF authorised by the SC Resolution 350 (1974) to maintain peace pursuant to agreement to disengagement between Israel and Syria of 1974, was largely due to its neutrality in its mission. Neutrality as peacekeeping bedrock has close influence from the non-prejudicial nature of provisional measures as stated in Article 40 of the UN Charter. The neutrality is well guaranteed in UNIKOM’s observation mission between Iraq – Kuwait by Resolution 689 (1991). It is remarkable that the UN as one of the parties to the conflict was able to undertake a neutral peacekeeping operation on Iraq – Kuwait border³³.

The UNITAF operation in Mogadishu had a strained relation with SNA³⁴. It infact succeeded in ‘maintaining and demonstrating military primacy without making a permanent adversary or national hero of any local actor’³⁵. However, UNITAF and the USLO made terrible mistakes which later cost UNISOM II dearly by treating the faction leaders into conversation to marginalize the warlords, and this led to the formation of alternative leadership in Somalia. UNISOM II took over from UNITAF, a faction leader Omar Jess accused the UN of bias, noting that General Morgan, another faction leader infiltrated his men into Kismayo and drove them out in the city under the control of UNITAF then³⁶. UNISOM II efforts to re-establish Somali Judiciary and Police, was criticized and accused of usurping SNA prerogatives in this aspect³⁷. The impartiality and other factors led to the failure of the mission similar to the failure of UNAMIR created by Resolutions 909 and 918 (1994) in Rwanda. UNISOM II was criticized for responding to military action against the faction and later arrest of their earlier identified leader was seen as distraction from guiding principle of impartiality. UNPROFOR by Resolution 444 (1995) concerning the safe area in Bosnia, was problematic.³⁸ As Bosnian Serbs engaged in surprise tactics that led to taking hostage of UN peace keeping mission in Bosnia, impartiality was considered by UNPROFOR in mandate implementation³⁹; this also was central to Rapid Reaction force⁴⁰.

3. Restriction on the Use of Force

It has been discussed earlier in this paper, but more emphasis can be placed on its area of difference from Article 51. This is quite different from the Charter self defence. Force is only authorized in self defence. The aim is to make peace keepers fulfil their mandate, but the reverse was the case in UNIFIL established at the request of the Lebanese government in March 1978. Between 1978 and 1990, UNIFIL lost 130 soldiers and could not fulfil its mandate due to the attack⁴¹. Once a peacekeeping mission resorts to use force other than in self defence, then the action becomes an enforcement action⁴². As earlier stated in this essay, UNITAF and UNISOM II slide to enforcement action because of application of force to fulfil their mandate; on the other hand, ONUC was not

²⁸ Boulden J, ‘Mandates Matter: An Exploration of Impartiality in United Nations Operations’ (2005) 11 *Global Governance* 147 at p 147

²⁹ Tsagourias Nicholas, op cit n 7 p 478

³⁰ Ibid

³¹ Ibid

³² Report of the Panel on United Nations Peace Operations of 21 August 2000, UN doc A/55/305, S/2000/809

³³ Mc Coubrey Hilaire, Nigel White, op.cit n 2 p 76

³⁴ Hirsch John, Oakley Robert, op .cit n 20 p 48

³⁵ Crocker Chester, ‘The lessons of Somalia – Not Everything Went Wrong’ (1995) vol. 74 (3) *Foreign Affairs*

³⁶ Samatar Ahmed, ‘*Somalia: State collapse, multilateral Intervention, and strategies for political reconstruction*’ (Washington DC, Brookings, 1995) p 50

³⁷ Drysdale John, ‘Whatever happened to Somalia?’ (London, HAAN Associates, 1994) p167-177.

³⁸ Moone Patrick, ‘Karadzic Takes the International Community Hostage’, (1995) Vol. 1(12)

Transition pp 2-4

³⁹ S/1994/555, 9 May 1994, paragraphs 20 and 25 and S/1995/444, 30 May 1995 paragraph 38

⁴⁰ S/1995/470, June 1995. SCR 998, 16 June 1995, pream. Paragraph 5

⁴¹ S/1978/425, 33 UN SCOR (1978)

⁴² Diehl P.F. ,op.cit n 1 p 188

clearly an enforcement action as reinforced by ICJ in the *Expenses case*;⁴³ it was the first example of ‘quasi-enforcement action’⁴⁴. In this essay, I had earlier stated that Security Council has discretionary power in formation of peacekeeping and the votes of the Five Permanent members is cardinal to Resolution of the Council, some of these P5 had developed National Military doctrine or theory for peace operations and this informed their views in passing Resolutions under Chapter VII. For example, in April 1994, the US developed joint services doctrine for peacekeeping alone⁴⁵. which the US Army followed at the tail end of 1994 with a comprehensive manual on peace operation which distinguished between peacekeeping operations, peace enforcement and war⁴⁶. The US military concept of peacekeeping is similar to the one developed by the UN with the three bedrock embedded. Impartiality in peace enforcement is ‘desirable but not necessary’;⁴⁷ and that ‘consent’ is ‘clear’ or high in peacekeeping but not absolute or ‘low’ in peace enforcement. ‘Impartiality’ is ‘high’ in peace keeping but harder to maintain, or ‘low’ in peace enforcement. UK military doctrine like US recognizes an impartial distinction between Peace Operation and war UK is active in developing operational doctrine in ‘peace support operations’ in Volume 5, Part 1 of the Army Field Manual (AFM) on peacekeeping operations released in 1988 and under peace keeping ink Vol 5 of Part 2 in 1995⁴⁸ which involves rejection of wider peacekeeping in favour of a single category of ‘peace keeping’ at one end to war at the other. French Military doctrine in contrast to UK and US has two types of peace operation, that is, peacekeeping and peace enforcement and recognizes three ‘maintien de la paix’ (peace keeping); ‘restauration de la paix’ (peace restoration); and ‘imposition de la paix’ (peace enforcement), all of which are different from ‘war’.⁴⁹ French doctrine stresses restraint in use of force similar to war, stating that the goal is not military victory as in war, but ‘maintenance of International peace’. All the doctrines agree on transition from one type of peace to another. This essay criticises peacekeeping principles in UN modern practice.

4. Contemporary UN Peace Enforcement Operations

The Security Council flexibility and non formalistic nature in the exercise of its power after the cold war can be attributed to expansion of its activities. Most often the Security Council has not generally referred to a particular Article of the Charter while exercising its power especially in formation of peacekeeping operation. Chapter VII had been used several times to authorize peacekeeping forces to use force beyond self defence, as in Somalia and Yugoslavia. This has blurred the distinction between peacekeeping and enforcement action⁵⁰. Peacekeeping emergence is as a result of the inability on the part of the Security Council to maintain international peace and security during the cold war. The emergence has no clear legal basis in the charter; though peacekeeping covers a broad range of operations to meet contemporary needs, but the blurring of peacekeeping and peace enforcement as in Yugoslavia and Somalia coupled with the use of chapter VII as the basis for peacekeeping operations led to its problems. The modern peacekeeping abandoning the three bedrocks of peacekeeping – consent, Impartiality / Neutrality and Restriction on use of force to embrace peace enforcement, has been a radical departure from the original purpose of its formation rooted in traditional peacekeeping. In traditional peacekeeping, permanent members are excluded from contributing to troops to ensure neutrality, but in modern peacekeeping, diverse roles attributed to peacekeeping operation and changed composition affected their neutrality. The changed composition encompasses equipped military personnel, police and civilian personnel, an indication that heavily equipped military force have tendency to yield to temptation of violating the principle of consent, neutrality and restriction on the use of force. UN operation is at the discretion of the Security Council under chapter VII to fashion any peacekeeping operations in accordance to its view and since it is a political organ, there is a tendency for some of the operations to be politicized.

The UN Agenda informed by its values for human rights, peace and self determination in line with aim, objectives and preamble of the charter is preferable to the UN, for example human right and humanitarian intervention and aid have commitment of the UN than helping warring factions to cease fire. This shift of commitment is a challenge to neutrality principle in the contemporary peacekeeping operation. Contemporary

⁴³ ICJ Reports 1962, p 177

⁴⁴ MC Coubrey Hilaire, Nigel White op.cit n 2 p 88

⁴⁵ Joint Tactics, Techniques, and Procedures for Peacekeeping Operations, Joint Pub. 3—07.3, 29 April 1994 (hereinafter as JP 3-07.3 (peace operations))

⁴⁶ Peace operations; Department of the Army, field manual No 100-23, 30 December 1994, Appendix D

⁴⁷ JP 3-07.3 (Peace operation) p 1-2

⁴⁸ Peace Support Operations (First draft), Army Field Manual, 1996

⁴⁹ Force terrestres et maîtrise des crises: conception generate de l'emploi des forces terrestres dans les operations exterieures en faveur de la paix, de la securite, et de l'application du droit international (document provisoire), Etat-magoride l' Armel de Terre centre d' Etudes et de prospective November 1996. The equivalent English terms are taken from: A /50/869 Reference for agenda supplement

⁵⁰ Gray Christine, ‘International Law and the use of force’ (2nd Edition, Oxford University Press, 2004) p 250

peacekeeping is deeply committed to peace and liberal values; tasks like electoral monitoring, restoring and installing democratic institutions form part of the political aims of contemporary peace keepings. Majority of peace keepings are 'intra state' and not 'inter- state'. It shows the expansion of the power of Security Council to 'maintain international peace and security' from original 'inter-states' to include contemporary 'intra state' acts through chapter VII and operations of peacekeeping. In contemporary peacekeeping, there is a frequent transition from traditional peacekeeping like in Yugoslavia UNPROFOR set up in 1991 as a traditional peacekeeping force, 'UNPROFOR were all passed without any reference to chapter VII.⁵¹ UNPROFOR were deployed without co-operation of the parties due to lack of agreement on strategy, the Security Council passed over 30 resolutions on UNPROFOR built on an initial mandate under Resolution 743 (1992). Another blur on the traditional distinction between peacekeeping and enforcement action especially in Yugoslavia and Somalia was through the establishment of both a peacekeeping and enforcement force to operate at the same time⁵². The Security Council established a peacekeeping force first and later authorized states to take enforcement action. This confusion undermines consent, Neutrality and restriction on use of force, the principles of peacekeeping. It is not possible to gradually elevate the functions of peacekeeping to enforcement action without endangering impartiality of the force⁵³. The transition has become prevalent in contemporary peacekeeping to undermine the bedrock principles, for example the transition of UNISOM 1 from peacekeeping to peace enforcement UNITAF and UNOSOM II. That of Bosnia – Herzegovina was muddled up, that is from UNPROFOR peacekeeping to IFOR and SFOR peace enforcement. An inter-state example is that of transition from military sanctions (Operation Desert Storm) to peacekeeping (UNIKOM) ⁵³ in the case of the Iraq- Kuwait conflict. This paper concludes.

5. Conclusion

Consent, impartiality/Neutrality and restriction on use of force may look like legal fiction, but in reality they have been proved significant to the success of peacekeeping. Peace enforcement should only be an alternative to where peacekeeping fails and the two must not be mixed together as stated above. Missions fail more where they were mixed together than where they were not. Therefore, consent is still relevant to peacekeeping. Though the extent of following the three principles in contemporary peace enforcement is highly violated, experience shows they are central to the attainment of co-operation, rather than confrontation. If the essence of peace enforcement is to maintain peace, save 'succeeding generations from the scourge of war' and achieve charter aim, consent, impartiality and restriction on the use of force are signal indications of love for peace and respect for the very charter that seeks to protect state sovereignty. The SC should return to its traditional functions of enforcing its value and objectives. Peacekeeping operations must be handled credibly without political targets. This should return to traditional peacekeeping and make enforcement action a credible alternative to failed peacekeeping operations.

⁵¹ Ibid p 218

⁵² Ibid p 224

⁵³ Ibid p 227