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"United Nations Secretary General's Peacekeeping Proposals"

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# Report Documentation Page

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## United Nations Secretary General's Peacekeeping Proposals

### I. Introduction

In January 1992, the United Nations (UN) Security Council held the first summit meeting in its 46 year history. Basking in the relative warmth of the end of the Cold War, the council re-acknowledged its responsibility for international peacekeeping and pledged to improve that capability.<sup>1</sup> The Security Council invited the new UN Secretary General, Boutros Boutros-Ghali, to analyze and recommend ways to improve the effectiveness of the UN's preventive diplomacy, peace enforcement, and peacekeeping activity.

Boutros-Ghali answered in June 1992 with an "Agenda for Peace," outlining a plan to improve the UN's ability to be a guarantor of international security. Among other things, he advocated enhanced peacekeeping capability by improving the availability of military personnel (staff support as well as troops), strengthening training, creating a pool of equipment and supplies for peacekeeping operations, and financial management of peacekeeping.<sup>2</sup>

In response to the "Agenda for Peace," President Bush, in a September 1992 address to the UN General Assembly, pledged to

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<sup>1</sup> John M. Gosko, "The UN Summit Stresses Global Cooperation," Washington Post 1 Feb. 1992: A1, A19.

<sup>2</sup> He also argued for preventive diplomacy by UN agencies and regional organizations; peacemaking, measures to bring about agreement; and peace-building, to prevent the recurrence of conflict. Boutros Boutros-Ghali, "An Agenda for Peace, Report of the Secretary General Pursuant to the Statement Adopted by the Summit Meeting of the Security Council on 31 January 1992", (New York: United Nations, 1992).

enhance US participation in peacekeeping activities by providing military planning expertise and facilities for peacekeeping force training. He pledged to strengthen the United States' ability to undertake joint peacekeeping missions, and to establish a permanent peacekeeping curriculum in US military schools. Significantly, he indicated that he had directed the Secretary of Defense to place new emphasis on peacekeeping.<sup>3</sup>

This should come as no surprise. Over the last few years, peacekeeping has been a growth business. UN peacekeepers have earned the respect of the international community: 500,000 peacekeepers from more than 50 countries won the 1988 Nobel Peace Prize for 40 years of important service to the world.<sup>4</sup> Why the recent rise in world interest in peacekeeping? Since 1945, over 100 major conflicts have left 20 million dead. Virtually every dispute during the Cold War was related to the US-Soviet confrontation or exploited by one of them. Due to these bi-polar politics, UN peacekeeping was largely ineffective: 279 vetoes had been cast in the Security Council which blocked a potential UN

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<sup>3</sup> The President outlined several areas where peacekeeping capability could be improved: short notice availability of a trained force of men and equipment, combined training and interoperability, including command and control; logistical support and stockpiling; planning crisis management and intelligence; and adequate, equitable financing. Thomas L. Friedman, "Bush, in Address to UN, Urges More Vigor in Keeping the Peace," New York Times, 22 Sept. 1992: A1, A14.

<sup>4</sup> United Nations, "United Nations Peacekeeping Forces Awarded 1988 Nobel Peace Prize" (Washington, D. C.: United Nations Information Center, December 1988) 1.

response. Since 31 May 1990, there have been no such vetoes.<sup>5</sup> The trend is clear: from 1945 to 1978, 13 peacekeeping operations were undertaken under UN auspices. For the next 10 years, there were no new operations. Since April 1988, 13 new operations<sup>6</sup> have been undertaken, with 13 more being discussed by the Security Council for 1993.<sup>7</sup> Most recently, Operation Restore Hope in Somalia demonstrated the trend of international consensus beyond peacekeeping to humanitarian intervention, an unprecedented expansion of UN activism.<sup>8</sup>

The opportunities for US participation in UN military operations are greater than ever before. The US Congress has watched these developments with great interest, recently making a legislative finding that peacekeeping activities contribute to US national interests, and authorizing and appropriating funds for the Secretary of Defense to support peacekeeping activities. It also

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<sup>5</sup> Boutros-Ghali, "Agenda," paragraphs 14 and 15.

<sup>6</sup> UNPROFOR, Yugoslavia; UNTAC and UNAMIC, Cambodia; UNIKOM, Iraq-Kuwait; ONUCA, Central America; UNAVEM I and II, Angola; MINURSO, Western Sahara; ONUSAL, El Salvador; UNIIMOG, Iran-Iraq; UNTAG, Namibia; UNOSOM, Somalia; UNGOMAP, Afghanistan-Pakistan. United Nations, United Nations Peacekeeping Operations Past and Present, (New York: United Nations, September 1992) 8.

<sup>7</sup> The following countries have been discussed as candidates for possible peacekeeping missions: Bosnia, Sri Lanka, Solomon Islands, Haiti, Sudan, Liberia, Eritrea, South Africa, Mozambique, Tajikistan, Moldova, Georgia, Nagorno-Karabakh. Frederick Fleitz, CIA Intelligence Analyst, European/UN Affairs. Personal interview. 2 December 1992.

<sup>8</sup> On 3 December 1992, the Security Council authorized, under Chapter VII, the Secretary General and member states "to use all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia."

requested that the President analyze Boutros-Ghali's "Agenda for Peace" proposals regarding a standing UN peacekeeping force, funding, and logistical support.<sup>9</sup> In effect, it appears that Congress has asked for a US policy on peacekeeping. This article analyzes the proposals to create a standing UN peacekeeping force with US participation, to alter the US strategy of funding UN peacekeeping, and to improve US logistical support to the UN.

II. Proposal: Participation in a Standing Army. "That the US and other member states of the UN negotiate special agreements under Article 43 of the UN Charter to provide for those states to make armed forces, assistance, and facilities available to the Security Council of the UN for the purposes stated in Article 42 of that Charter, not only on an ad hoc basis, but on a permanent on-call basis for rapid deployment under Security Council authorization."<sup>10</sup>

A. Charter Authority. When "international peace and security" are threatened, Chapter VI, entitled "Pacific Settlement of Disputes," calls on parties to pursue peaceful settlement of the dispute, and authorizes Security Council participation in encouraging resolution through diplomatic means.

If these efforts fail, Chapter VII, entitled "Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression," envisions a stepped process of dispute resolution,

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<sup>9</sup> National Defense Authorization Act for Fiscal Year 1993, P.L. 102-484, §§ 1341, 1342, 106 Stat. 2315 (1992).

<sup>10</sup> National Defense Authorization Act for Fiscal Year 1993, § 1341(b)(3).

first to impose measures not involving the use of armed force, such as interruption of economic and diplomatic relations.<sup>11</sup> If these means would be inadequate, or prove to be inadequate, then the Security Council may authorize ". . . such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security."<sup>12</sup>

In his "Agenda for Peace," the Secretary General admits that the UN **itself** has never used force under this authority.<sup>13</sup> During the recent dispute between Iraq and Kuwait, the Council authorized member states to take action on its behalf. One obvious reason the UN did not take military action is that it lacked a military force.

The drafters of the UN Charter did envision such a force. Under Article 43, by joining the UN, member states have undertaken to make available to the Security Council, on its call, ". . . armed forces, assistance and facilities, and rights of passage, necessary for the purpose of maintaining international peace and security."<sup>14</sup> This undertaking is subject to ". . . ratification by the signatory states in accordance with their respective

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<sup>11</sup> UN Charter, Article 41.

<sup>12</sup> "Such action may include demonstrations, blockades, or other operations by air, sea, or land forces. . . ." UN Charter, Article 42.

<sup>13</sup> Boutros-Ghali, "Agenda," paragraph 42. But the use of force by UN troops to maintain civil order and expel mercenaries from the Congo in 1960-1961 (ONUC) may contradict this assertion. See R. Simmonds, Legal Problems Arising from the United Nations Military Operations in the Congo, (Martinus Nijhoff, The Hague, 1968) 61-62.

<sup>14</sup> UN Charter, Article 43.

constitutional processes."<sup>15</sup>

Employed under the authority of the Security Council, and under the command of the Secretary General,<sup>16</sup> the Article 43 force would respond to outright aggression, imminent or actual, to restore or enforce international peace and security. Or, it could be used to deal with any situation which the Security Council decided, by a qualified majority, to address with force.<sup>17</sup>

B. Peacekeepers Distinguished. "Peacekeeping" is not specifically discussed in the Charter. The Secretary General defines it, at least as a matter of past practice, as the deployment of a UN presence in the field, with the consent of the parties, normally involving UN military and/or police personnel and civilians to facilitate the peacemaking process.<sup>18</sup> Peacekeeping forces are voluntarily provided by member states in response to *ad hoc* requests from the Secretary General.<sup>19</sup> In the past, the United States has not provided combat forces for UN peacekeeping duty.

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<sup>15</sup> UN Charter, Article 43(3).

<sup>16</sup> This command authority, unsupported by explicit Charter language, is claimed in Secretary General Boutros-Ghali's "Agenda," paragraph 44.

<sup>17</sup> For example, judgments of the International Court of Justice could be "given effect" by force if the Security Council so decided. UN Charter, Article 94(2).

<sup>18</sup> Boutros-Ghali, "Agenda," paragraph 20.

<sup>19</sup> There is some support for establishing a standing peacekeeping force. At the January 1992 Security Council summit, French President Mitterand said France is willing to make available 1,000 troops within 48 hours for peacekeeping purposes, and would double that number within a week. Gosko, "UN Summit Stresses Global Cooperation," A19.

Historically, UN peacekeepers have attempted to be neutral, served in support of peace negotiations, and used force only in self-defense. Recently, after lauding international peacekeeping as being in the national interests of the United States in maintaining global stability and order,<sup>20</sup> Congress characterized peacekeeping in such non-coercive terms as observer missions, monitoring of cease-fires, monitoring of police in the demobilization of former combatants, human rights and refugee monitoring, humanitarian assistance, conducting elections, and reforming judicial and other civil and administrative systems of government.<sup>21</sup> These are traditional roles of peacekeeping. The distinguishing factor between peacekeeping and enforcement action by the Article 43 force is the implied or active use of military force to insure or achieve objectives, respectively.

Why the revitalization of the standing (or "on call") army concept? The Secretary General views the ability to act, if peaceful means fail, as the essence of the concept of international collective security. Taken as a last resort, he argues it is ". . . essential to the credibility of the United Nations as a guarantor of international security."<sup>22</sup> He believes that changed political circumstances -- the end of the Cold War -- make explicit and permanent Article 43 agreements more feasible, and that they will

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<sup>20</sup> Section 403 of Title 10, U.S. Code (1992) and National Defense Authorization Act of Fiscal Year 1993, § 1341.

<sup>21</sup> National Defense Authorization Act of Fiscal Year 1993, §1342.

<sup>22</sup> Boutros-Ghali, "Agenda," paragraph 43.

serve the important international interest of deterrence of those who might breach or threaten international peace.<sup>23</sup>

C. US Law: Authority for US military support to the UN is contained in the UN Participation Act of 1945,<sup>24</sup> which implements the UN Charter. It authorizes the President to negotiate Article 43 agreements (subject to Congressional approval) to support UN enforcement actions, and also authorizes additional troops be used to support ". . . such activities of the United Nations as are specifically directed to the peaceful settlement of disputes and not involving the employment of armed forces contemplated by Chapter VII of the United Nations Charter. . . ." <sup>25</sup> Up to 1000 such non-combat forces may be provided, along with the use of facilities, and the provision of services, supplies and equipment.<sup>26</sup>

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<sup>23</sup> Boutros-Ghali, "Agenda," paragraph 43.

<sup>24</sup> Section 287d of Title 22, U.S. Code (1964) begins: "The President is authorized to negotiate a special agreement or agreements with the Security Council which shall be subject to the approval of the Congress by appropriate Act or joint resolution, providing for the numbers and types of armed forces, their degree of readiness and general locations and the nature of facilities and assistance, including rights of passage, to be made available to the Security Council on its call for the purpose of maintaining international peace and security in accordance with article 43 of said charter . . . ."

<sup>25</sup> Section 287d-1 of Title 22, U.S. Code (1964).

<sup>26</sup> Section 287d-1 of Title 22, U.S. Code (1964). The President has delegated this authority to Secretary of State in Executive Order 10206, 16 F.R. 529 (1951) to request that the Secretary of Defense support such requests. "As of July 1992, at least 135 US military personnel were members of four UN operations: UNTAC (50), UNIKOM (20), UNTSO (35) and MINURSO (30). On October 20, 1992, the Defense Department deployed a MASH unit to Zagreb to support UNPROFOR (236). Marjorie Browne, "United Nations

D. The effect of a UN decision to employ armed force

1. War is politics. "War is merely the continuation of politics by other means."<sup>27</sup> Whether a perceived threat to its existence, economic pressure, political difference, or simply an imperialistic desire for expansion, each disputant takes the decision that achieving its national interests outweighs the practical disadvantages of war. Those disadvantages are substantial. Massive use of conventional force and weapons of mass destruction not only destroy property and kill people, they can destroy entire societies, economies, and ecosystems.<sup>28</sup> Strong convictions to support armed conflict are held as well by those involved in civil wars and internal strife, which frequently result in regional instability, refugees, and human rights abuses. These sorts of conflict are appropriate for UN intervention since they threaten international peace and security.

Armed conflict ends when one side is overwhelmed militarily and therefore cannot fight, or when both sides agree to stop fighting and negotiate a peace agreement. Belligerent sides will not agree, without some incentive, to negotiate away an interest that was originally important enough to take them to war. Tragically, in some cases the death and destruction caused by armed

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Peacekeeping, Issues for Congress," Congressional Research Service, The Library of Congress, Washington D.C., 24 Dec 1992.

<sup>27</sup> Carl Von Clausewitz, On War. Ed. and trans. Michael Howard and Peter Paret, (New Jersey: Princeton University Press, 1989) 87.

<sup>28</sup> Robert Johanson, "UN Peacekeeping and the Changing Utility of Military Force," Third World Quarterly, 12.2 (1990): 53.

conflict and military stalemate will be the best incentive to reach a political settlement.

A premature UN Security Council decision to forcefully intervene in a burgeoning conflict before its consequences are translated into political decision by the participants may prolong the conflict. Although the UN may be able to stop the fighting, it cannot give effect to a political settlement of the conflict.<sup>29</sup> A standing army does nothing to resolve the underlying causes for the war.

Historically, UN forces have been used primarily to assist diplomatic efforts at peacemaking. There is general agreement that the UN provides its most important contribution to world peace by acting as a facilitator, providing the setting for complex negotiations.<sup>30</sup>

The strength of the UN in this capacity is that it is generally perceived as neutral. An Article 43 force used to stop an on-going (or threatened) conflict could well alienate parties to the conflict and place the UN in an adversarial position, thereby damaging its ability to broker (as opposed to dictate) a peaceful resolution of the dispute.

2. Complications of force in an insurgency. Since the resounding international condemnation of Iraq's annexation of Kuwait, most UN peacekeeping operations have been directed at

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<sup>29</sup> George L. Sherry, "The United Nations, International Conflict, and American Security," Political Science Quarterly 101.5 (1986), 760.

<sup>30</sup> Sherry, 761.

resolving internal conflicts.<sup>31</sup> "Ethnic strife, civil wars, separatist movements, religious strife -- all threatening or undermining civil authority -- will become the prevalent pattern."<sup>32</sup> The media account the variety and complexity of such wars -- conflicts in Cambodia and Yugoslavia are stark examples.

In spite of Charter restraints on interfering in essentially domestic matters, the Security Council has judged much internal conflict as having an international character or threatening the international peace.<sup>33</sup> Insurgency generally does not respect borders. Refugees, arms trading, and military operations staged from neighboring countries threaten international security. And, the international community has become less tolerant of sovereign governments mistreating their citizens.<sup>34</sup> Intervention may also

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<sup>31</sup> For example, peacekeeping missions Cambodia and the former Yugoslavia, both established March 1992, Somalia, April 1992, and El Salvador, July 1991 share problems originating as domestic matters. United Nations, United Nations Peacekeeping Operations Past and Present, 8.

<sup>32</sup> William H. Lewis, "Commentary," in The Future Security Role of the United Nations, William H. Lewis, ed., (Washington D.C., National Defense University's Institute for Strategic Studies, 1992) 16.

<sup>33</sup> For example, consensus for intervention has been reached for cases of El Salvador, Iraq, and Yugoslavia. British Foreign Secretary Douglas Hurd has agreed that Article 34 justifies such intervention. Glen Franchel, and Jim Hoagland, "Leaders Seek to Bolster UN's Security Role," Washington Post, 17 July 1991: A1, A19. The French have also recognized a duty to intervene in cases where a government is creating humanitarian catastrophe. Edward C. Luck and Toby Tristes Gati, "Whose Collective Security?" The Washington Quarterly 15.2 (Spring 1992), 53.

<sup>34</sup> See also, the "Universal Declaration of Human Rights," U.N. General Assembly Resolution 217A(III) of 10 December 1948. GAOR, III.1, Resolutions (A/80), pp. 71-77, generally considered to reflect customary international law on human rights. Consider, for

occur when the incumbent sovereign is dysfunctional and could not reasonably be expected to act to correct the problem, as in the December 1992 humanitarian intervention in Somalia.

China appears to be the only permanent Security Council member with significant and consistent reservations regarding intervention.<sup>35</sup>

Involvement in a civil war or insurgency will lead to significant complications. First, the incumbent government views insurgents as domestic criminals and terrorists rather than combatants entitled to the protection of the law of war. UN intervention legitimizes the insurgent, and by implication his political agenda and its methods, in the international community. Second, as indicated above, the use of force undercuts the UN claim to neutrality and its ability to mediate the resolution of strongly held interests. Third, if the incumbent government is dissolved, then the UN could become responsible, with Security Council concurrence, as a trustee for the people of the country.

In issues this complex, the primary emphasis in resolving the dispute should be diplomatic, not military. Successful conflict

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example, the UN's decision to resolve the mistreatment of ethnic minorities within Iraq, as a matter of international peace and security. Stephen S. Rosenfeld, "Sovereignty and Suffering, Charting the New Humanitarianism," editorial, Washington Post, 2 Oct. 1992: A29. Intervention in this case is simplified by the fact that Iraq was "occupied" (under UN Security Council Resolution 687) at the time of the intervention.

<sup>35</sup> At the 1992 UN Security Council summit, Li Peng of China said that noninterference in the internal affairs of UN members states should be the guiding principle of the new world order. Gosko, "UN Summit Stress Global Cooperation," A19. Considering Tienanmen Square, it is not likely to soon change its views.

resolution efforts must be comprehensive, and may need to include international mediation, arbitration, the Secretary General's good offices (or those of another mutually trusted third party), negotiation, adjudication, inquiry and investigation, diplomacy, establishing a cease-fire, including separation of forces, border delimitation or demarcation, economic reconstruction, political reform, and humanitarian assistance. The usefulness of an Article 43 force in internal conflicts, the most likely future conflict requiring UN participation, is doubtful. They would, however, rapidly take up positions following a seriously taken cease-fire to avoid unnecessary or accidental breaches.

3. What is the UN's political will? Given the broad range of potential conflict around the world, can the United States and other nations that might provide troops for the standing force be assured that the UN's political interests will always coincide with their national interests?

The UN's political interests are flexible, uncertain, and, at any given time, exceptionally unpredictable. It is simply a political collection of states with (allegedly) altruistic goals. It may use force for enforcement if international peace and security are threatened. But it will survive if it chooses not to wage war, or even if it loses a war. It has no motivation for economic gain and no territory to expand; it need not win any elections to maintain its power. Its political goals depend on the consensus of the qualified majority of the membership of the Security Council at any given time. Not all threats to

international peace and security justify UN use of force. Not all changes in status quo are undesirable.

The United States has, as do the other four permanent members of the Security Council, the ability to veto proposed use of an Article 43 force that is inconsistent with its national interests or otherwise objectionable or ill-advised. Nations capable of providing important military forces but lacking similar veto power would be justifiably reluctant to commit forces,<sup>36</sup> and could in any case forbid the use of their forces against their own interests. And, the UN can anticipate receiving criticism that the force will more readily serve the national interests of the five permanent members of the Security Council than the UN as a whole.<sup>37</sup> The difficulty of anticipating the circumstances that might lead to the employment of the force should cause all potential force contributing nations to challenge the wisdom of contributing forces without **first** knowing, more precisely, the political will to be enforced.

#### E. Problems of Entanglement

1. Previous concerns of Congress. There has been historical opposition to the notion of a standing UN force. For example, the 1966 US Senate Committee on Foreign Affairs Report on the matter of a standing or permanent UN military force expressed

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<sup>36</sup> Under Article 44, members who provide forces under Article 43 are invited to "participate" (i.e., to voice their concerns) in the Security Council's deliberations regarding the employment of that nation's forces.

<sup>37</sup> Johanson, 59.

concern that once established, a permanent force could be committed when the use of those forces may not be in the nation's interests. Given that possibility, it suggested that UN forces be ". . . born of crisis and temporary in duration."<sup>38</sup>

In 1973, Congress codified its fear of military entanglement abroad in the War Powers Resolution, which asserts limits on the President's employment of military force in ". . . hostilities or into situations wherein involvement in hostilities (are) clearly indicated."<sup>39</sup> Unless the Congress is willing to give the Security Council more authority to deploy US troops into combat than it gives the President,<sup>40</sup> it is unlikely that it (or many other nations' legislatures) would approve the unconditional commitment of forces to the UN. During his address to the UN in September, 1992, President Bush clearly noted that UN members "must retain the final decision on the use of their troops."<sup>41</sup> Agreeing to provide the troops while withholding the authority to commit such troops into hostilities could frustrate the purpose of Article 43.

2. Force Capabilities. The UN force must be powerful enough to deter or stop aggression by a well-organized and equipped enemy. Combat power is a relative concept, depending on factors

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<sup>38</sup> "United Nations Use of Peacekeeping Forces in the Middle East, the Congo, and Cyprus," (Washington D.C., U.S. Congress. House Committee on Foreign Affairs, 1966) 8.

<sup>39</sup> The War Powers Act, Section 8, P.L. 93-148, 87 Stat. 556-60 (1973) codified in section 1595, et. seq. of Title 50, United States Code (1976).

<sup>40</sup> This assumes the constitutionality of the War Powers Act.

<sup>41</sup> Friedman, A1.

such as the size and composition of the opposing force(s), terrain, and size of the area of operations. The force should be mobile and flexible, properly equipped; have adequate logistics; and intelligence gathering, analysis, and dissemination capability. US military forces are trained and equipped to be best employed in joint task forces, and should be committed to combat only when absolutely necessary and when able to take advantage of superior technological or other capabilities. For example, even a single infantry battalion should be supported with a full range of mechanized support, artillery and other combat and combat service support, both deep and close air support, air superiority, air defense, satellite intelligence gathering capability, and so forth. It therefore would be prudent for the United States, if it is to make forces available, to make available a sufficiently large joint task force to ensure that the US troops are fully supported and can be and are employed according to doctrine.

If the force is not powerful enough to deter or overcome aggression, but is nevertheless engaged in combat, nations which provided those forces may be compelled to commit additional forces to protect those already in battle. In other words, unless withdrawal (due to a change of political will) is contemplated, the commitment of **some** forces to support the standing army is assurance that reinforcements will be available. This is potential entanglement of the highest order. That fact does not make it inappropriate in and of itself -- but it does recommend all possible caution and extreme care in the crafting of the Article 43

implementation agreement.

F. Command and control

1. The chain. The President determines the chain of command for US military forces.<sup>42</sup> Assuming that a US joint task force is made available for employment as part of an Article 43 force, it is likely that the US forces will bring to the UN the predominant, most technically sophisticated force, and therefore will be justified to expect the field leadership role. This would be a reasonable precondition of the Article 43 agreement, and usually would be consistent with world expectations in this regard.

Even with US leadership of a UN force, there are operational problems that result from a multi-national force. Military efficiency is a function of training, inter-operability, unity of command, and a common language for communication, attributes in scarce supply in *ad hoc* units. Having the authority to command and the capability to lead are different matters.

Command relationships with other US forces could be complicated as well. By law, US combat forces are assigned to a US specified or unified command.<sup>43</sup> Although a certain US force (or more appropriately, a joint task force) could be designated as both part of the standing UN force and as a force assigned to a

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<sup>42</sup> See section 162 of Title 10, United States Code (1988), which, taken in total, confirms the President's authority to establish the chain of command for military forces.

<sup>43</sup> See section 162 of Title 10, United States Code (1988), which requires military department secretaries to assign all forces under their jurisdiction to unified and specified commands, except forces required for military department functions and "multinational peacekeeping organizations."

combatant command, the UN assignment will effectively remove that force from the combatant commander's force package since he will be unable to rely on its availability. Additionally, all forces operating within a geographic area are normally assigned to, and under the command of, the geographic combatant commander.<sup>44</sup> The reason for this requirement is obvious: it provides unity of command and ensures efficient use of resources. Whether commanded by a US officer or not, a US joint task force employed under UN auspices that is not under the command of the geographic combatant commander in chief (who is responsible for US military operations in the region) could weaken US military capabilities in the area. Further, there could be significant problems coordinating the release and dissemination of some intelligence. US forces in a multinational force should not be at greater risk because control of sensitive intelligence demands it go to US eyes only. The potential for the US to have to prioritize intelligence source protection against US forces protection is not appealing, but is real.

2. Planning. A clear, responsive connection between the Security Council as political and military objective setter and the military planners supporting and achieving those objectives is indispensable to translate political decisions into action and to avoid action which could undermine political endgame considerations

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<sup>44</sup> "Except as otherwise directed by the Secretary of Defense, all forces operating within the geographic area assigned to a unified combatant command shall be assigned to and under the command of, the commander of that command." Section 162(4) of Title 10, United States Code (1988).

goals. UN infrastructure to support these tasks simply does not currently exist.

The standing force could face world-wide contingencies in all environments; desert and mountain, urban and jungle, creating a daunting planning task. No less than five separate joint headquarters of the various US unified commands accomplish a similar planning task for US forces.<sup>45</sup> Critical functions requiring interoperability, such as intelligence, training, operational planning, logistics, and communications are complicated by language, equipment capabilities, and doctrine differences -- multinational headquarters do not operate smoothly without considerable practice. Anticipating the transition from peace enforcement to peacekeeping, plans for peace enforcement would need to include a peacekeeping plan for cease-fires, civil administration, elections, mediation, and nation building. Further, the UN force would be responsible to fulfill all of the duties of an occupying power under the laws of war. This would require significant rotation of forces and transition of command structures to accommodate missions essentially intended for engineering, staff corps, lift/logistics, or military police units.

Under the Charter, as well as in the Secretary General's view,<sup>46</sup> Security Council plans for the application of armed force

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<sup>45</sup> USCENTCOM, USEUCOM, USLANTCOM, USPACOM, and USSOUTHCOM.

<sup>46</sup> Boutros-Ghali, "Agenda," paragraph 43.

are to be supported by the Military Staff Committee (MSC).<sup>47</sup> Composed of military representatives of each of the five permanent members of the Security Council, but lacking a permanently assigned enforcement force and frozen by cold war adversity, the MSC has never attempted to do military planning.

Overlooking problems of nationally classified information in a multinational headquarters, and with appropriate staff augmentation, presumably by nations which have provided standing forces<sup>48</sup> the MSC could be expanded to plan world-wide operations. Considering the planning burden, and the need for each supporting nation to be "connected" to the headquarters, the necessary complication of planning the follow-on peacekeeping efforts,<sup>49</sup> and the difficulty of reaching political consensus in fluid situations,<sup>50</sup> the MSC bureaucracy needs to be immense, and its inefficiency and inflexibility is unfortunately predictable.

III. **Funding.** Congress asks for discussion and analysis of the

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<sup>47</sup> Article 46, UN Charter: "Plans for the application of armed force shall be made by the Security Council with the assistance of the MSC."

<sup>48</sup> It is possible that the MSC would be staffed with permanent five members, such as China, that may not provide such forces.

<sup>49</sup> Planning for follow-on peacekeeping has never been a staff function of military headquarters, and will be a difficult interface to make.

<sup>50</sup> UN members that contribute Article 43 forces can expect to be "associated" with the MSC (under Article 47(2)) and to "participate" in Security Council decisions concerning the use of their forces (under Article 44). The effect could be to politicize operational decisions.

following Secretary General proposal to strengthen UN peacekeeping:  
". . . that contributions for peacekeeping and related enforcement activities be funded out of the National Defense function of the budget rather than the 'Contributions to International Peacekeeping Activities' account of the Department of State."<sup>51</sup>

A. The Secretary General's viewpoint. In his "Agenda for Peace," Secretary General Boutros-Ghali highlights the substantial increase in peacekeeping operations as well as their unpredictability. To achieve greater flexibility, and therefore broader capability, he proposed that contributions for peacekeeping and related enforcement activities be funded out of the national defense budgets.

B. Current Practice. The US is the largest single financial contributor to the UN. Congress funds US assessments for UN peacekeeping operations either through Department of State authorization and appropriation bills for separately created peacekeeping operation accounts, through security assistance program accounts, which are voluntary payments, or through its regular budget payment to the UN.<sup>52</sup> Unprogrammed assessments are funded by reprogramming undisbursed funds, an undependable method

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<sup>51</sup> National Defense Authorization Act for Fiscal Year 1993, § 1341(b)(1).

<sup>52</sup> UN Charter, Article 17 requires contributions to the UN's expenses. The US pays 25% of the UN regular budget; the 1992 assessment was \$298.6 million. But for the maximum assessment levels, the US would pay, based upon gross national product, about 28%. Vita Bite, "UN System Funding: Congressional Issues," Congressional Research Service, The Library of Congress, Washington, D.C., 26 Jan 93: 3.

from the UN perspective.

It is not uncommon for supporting forces to initially fund peacekeeping expenses, for example, air transportation, with unit operations and maintenance funds. Until and unless those funds are reimbursed, other more useful training (from the combat unit perspective) cannot be undertaken. Using operations and maintenance funds to meet unprogrammed peacekeeping duties can therefore detrimentally effect unit readiness.

The funding burden is substantial. "Five years ago, peacekeeping cost UN members states \$223 million in assessments. This year the bill is \$2.7 billion, with no indication that the price tag will stop growing."<sup>53</sup> Eighty-seven percent of the peacekeeping budget comes from only 10 countries.<sup>54</sup>

The UN is hopelessly in debt. Many countries, including the US, are behind in paying their assessments.<sup>55</sup> Some are behind because of bureaucratic budgeting limitations, for example, the US appropriates annually and is reluctant to make mid-year appropriations. Congress recently found that "(T)he normal budget

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<sup>53</sup> William Branigan, "The UN Empire - The Cost of Peacekeeping - Missteps on the Path to Peace," Washington Post, 22 Sept. 1992: A35.

<sup>54</sup> US, 30.3% (instead of its normal assessment of 25%), Japan, 12.45%, Russia, 11.44%, Germany, 8.93%, France, 7.29%, UK, 6.10%, Italy, 4.29%, Canada, 3.11%, Australia, 1.51%, Netherlands, 1.50%. In response to criticisms that large contributors are not fairly represented on the Security Council, one recommendation is to enlarge the Security Council membership, as was done in 1965 (11-15 members) by adding Japan, Germany, delete Article 107, and give a seat to Africa, Asia, and Latin America. Luck, 46-47.

<sup>55</sup> US arrearage to the UN regular budget, as of 31 Dec 92, were \$239.5 million. "UN System Funding," 4.

process of authorizing and appropriating funds a year in advance and reprogramming such funds is insufficient to satisfy the need for funds for peacekeeping efforts arising from an unanticipated crisis" and "(G)reater flexibility is needed to ensure the timely availability of funding to provide for peacekeeping activities."<sup>56</sup>

Some payments are withheld for political reasons.<sup>57</sup> According to the Secretary General, "(T)he real problem is a lack of political will among the member states. They are not ready to pay."<sup>58</sup> This situation is a constant source of frustration to the Secretary General, who must lobby for support for each operation. As the number of operations expands, the funding problem swells.

Congress has already undertaken to address this problem in 1993. It authorized the Secretary of Defense to provide assistance in an amount not to exceed \$300 million, provided that the funds are required to meet unexpected and urgent requirements, and that State Department funds are insufficient and unavailable, and only upon Secretary of Defense advance notice to Congress of the source of the peacekeeping assistance funds.<sup>59</sup>

In essence, Congress has created authority for the Secretary

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<sup>56</sup> National Defense Authorization Act for Fiscal Year 1993, § 1342(a) (5) and (6).

<sup>57</sup> For example, since 1980, Congress has prohibited contribution for projects benefitting the Palestine Liberation Organization. "UN System Funding," 6.

<sup>58</sup> John M. Gosko, "UN Chief Stresses Need For Money," Washington Post, November 22, 1992: A33.

<sup>59</sup> Section 403 of Title 10, United States Code, (1992).

of Defense to spend \$300 million beyond programmed funds in the event of an emergency. This proposal specifically and correctly answers Boutros-Ghali's recommendation, and is the right way to proceed.

IV. Peacekeeping Logistics Support. Congress asks for discussion and analysis of the following Secretary General proposals to strengthen UN peacekeeping: ". . . that member states commit to keep equipment available for immediate sale, loan, or donation when required. . . ," and ". . . make airlift and sealift capacity available to the UN force at cost or at lower than commercial rates."<sup>60</sup>

A. The Secretary General's viewpoint. Although some nations are willing to provide personnel for peacekeeping, they are sometimes unable to provide equipment necessary to support their personnel for operations. He suggests that "a pre-positioned stock of basic peacekeeping equipment should be established, so that at least some vehicles, communications equipment, generators, etc. would be immediately available . . . ."<sup>61</sup> Alternatively, governments should commit themselves to keeping certain equipment on stand-by for immediate sale, loan, or donation to the UN when required.

B. The UN peacekeeping bureaucracy. UN peacekeeping

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<sup>60</sup> National Defense Authorization Act for Fiscal Year 1993, § 1341(b)(4) and (5).

<sup>61</sup> Boutros-Ghali, "Agenda," paragraph 53.

operations are an *ad hoc* affair. When international peace and security are threatened, and the Security Council<sup>62</sup> decides it would be appropriate, the Secretariat arranges for a peacekeeping force as part of the conflict resolution process. When the belligerents are amenable to the presence of UN peacekeepers,<sup>63</sup> the Security Council drafts a mandate tailored to address the pressing issues of the conflict, and the Secretariat negotiates with willing nations to identify volunteers for the force. Once created, the force deploys and provides services in support of the conflict resolution process.

The deployment of a peacekeeping force creates the perception of, and depends on, the collective political will of the international community to resolve the conflict. Peacekeepers provide stability to allow diplomatic processes to proceed. They must be able to accomplish a wide variety of duties, for example, monitor withdrawals, oversee prisoner exchanges and disarmament, engage in humanitarian assistance, provide early warning, and conduct related investigations. Even-handed performance of these duties provides stability, which results in confidence. "The moral backing and legitimacy of the international community is the

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<sup>62</sup> The UN General Assembly has authorized two peacekeeping operations: the UN Emergency Force I in 1956, and the UN Security force in West Iran in 1962, as a matter of political expediency.

<sup>63</sup> UN peacekeepers historically have been employed only as part of the peace process, the most critical aspect of which is the existence of a ceasefire agreement and consent to the presence of the peacekeepers to monitor that peace. Humanitarian relief efforts in Somalia beginning in December, 1992 mark a departure from this norm, and may signify a trend for future UN intervention.

strength of UN forces, not the calibre of their weapons."<sup>64</sup>

The broad range of possible missions highlights the need to task organize and equip forces based upon the political mandate, the military threat, terrain, and terms of reference.<sup>65</sup>

UN peacekeeping experience has demonstrated that the UN bureaucracy is not optimum for leading military operations; it has insufficient staff manpower, and its internal organization is ineffective in supporting military operations.<sup>66</sup> In 1988, the Secretary General centralized peacekeeping activities (including good offices, mediation, negotiation) in his own staff. Planning and management of peacekeeping operations is accomplished by the Under-Secretary General for Special Political Affairs in the Office of Political Affairs.<sup>67</sup> There is also a military advisor, with a small staff, for the Secretary General. Because of the substantial growth in the number and complexity of peacekeeping operations, the challenge to manage current operations and plan future operations is relentless. In 1987, there were only five on-going peacekeeping operations, all of which had been in operation for 10 years or

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<sup>64</sup> Thomas G. Weiss and Meryl A. Kessler, "Resurrecting Peacekeeping: The Superpowers and Conflict Management," Third World Quarterly 12.3/4 (1990/1991): 137.

<sup>65</sup> "Terms of reference," issued by the Secretary General to the peacekeeping force, describes such things as the mission, command relationships, and support available.

<sup>66</sup> James H. Allan, "Peacekeeping in the Persian Gulf," Military Review, August 1991, 58.

<sup>67</sup> Weiss, 143, and Lewis, 8.

more.<sup>68</sup> There are currently 13 operations on-going, and as many as 13 more in various stages of consideration.<sup>69</sup>

Logistics support of peacekeeping operations is provided by the Field Service under the Under-Secretary General for Administration. Field Services is not part of the Office of Political Affairs, which leads to the awkward situation of having operations and logistics to support those operations planned in separate agencies. This is not especially crucial for self-sustained forces, but can be fatal for those lacking that capability. The combination of *ad hoc* military units, lacking interoperability training and variously configured, with an inadequate bureaucracy, not properly aligned with operational requirements, results in support that is reportedly unresponsive and insufficient.<sup>70</sup>

C. The problem. The proposal to make equipment available for sale to the UN is certainly not objectionable. Contracts for such equipment would benefit US manufacturers -- there is a certain charm to having US contributions to the UN used to purchase equipment from US firms.<sup>71</sup>

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<sup>68</sup> UNIFIL (Mar 1978), UNDOF (June 1974), UNFICYP (March 1964), UNMOGIP (Jan 1949), UNTSO (June 1948).

<sup>69</sup> See footnotes 6 and 7 and accompanying text.

<sup>70</sup> Lewis, 8.

<sup>71</sup> Recent legislation allows release of US contributions to the UNTAC (Cambodia) only upon certification by the Secretary of State that US firms are being given the opportunity to provide goods and services for that operation. Department of Commerce, Justice, and State, and Related Agencies Appropriation Act, 1993, P.L. 102-395, 106 Stat. 1866-67 (1992).

Donation of military equipment is a common means of disposing of surplus, obsolete, and excess material. For example, such material may be provided to foreign governments, local organizations, and drug law enforcement agencies. There are many needy agencies and organizations that could benefit from such US government largess. The UN could apply to receive such equipment for its peacekeepers, and it could be delivered as "in kind" payment of assessed US costs. Similarly, military property could be leased. Whether sold, loaned, or donated, the real problem is maintenance of the equipment.

The UN Field service has no infrastructure to perform maintenance on equipment it acquires. Establishment of UN equipment pools is expensive, and there is no UN transportation arm to transport equipment to and from peacekeeping operations. It may be unrealistic to believe that peacekeepers that lack equipment could properly maintain equipment provided to them. Contracting for such maintenance support is expensive, although this could also be provided by the US as an "in kind" payment of assessments. There is neither doctrine nor standards that address requirements of interoperability of equipment used by various peacekeeping forces, so large, advance acquisition of such equipment could be shortsighted or poorly suited. For these reasons, the practice of accepting the offered services of peacekeeping forces who do not have the needed equipment should be discontinued, or worked into a comprehensive arrangement which makes political, economic, and tactical sense.

The proposal to make airlift and sealift capability available to the UN force "at cost or at lower than commercial rates" is simply an effort to stretch the budget of the UN. Participating nations should be encouraged to share the burden of peacekeeping to the greatest extent possible. Making air and sealift capability available below the market cost discourages nations from doing what they can to support the peacekeeping effort, and therefore is not wise. The only caveat to this is where nations may be able to subtract the training value of such missions from the pricetag -- up to the amount that would have been assigned to accomplish such training.

#### V. Summary and Conclusions

The UN's **military** involvement in peacemaking can undercut its critical role of resolving disputes through **diplomatic** means. Incongruence between US and UN interests, the likelihood of military entanglement requiring expanding force commitment, and the immense logistics and planning burdens of worldwide joint and combined military operations all counsel against making a guarantee, before the crisis, to provide troops.

Each nation should be prepared to provide a self-contained force to support the UN's efforts. The UN should establish goals and subsequent standards for interoperability so that those forces can be efficiently combined as necessary. Combining forces demands that command relationships, a common language, support responsibilities, and intelligence procedures be resolved.

With the most recent Congressional authorization for the Secretary of Defense to fund peacekeeping efforts under urgent (unprogrammed) circumstances, changes in US funding programs for UN operations are unnecessary. It would be appropriate to provide excess equipment or services as "in kind" payment for UN assessments.

Services of peacekeeping volunteers who require substantial logistics support should generally not be accepted -- they are a significant drain on limited UN assets. Finite military resources should be acknowledged in the Security Council's peacekeeping decisions. **Diplomatic** rather than military assistance is its most critical contribution to successful peacekeeping.