PROSPECTS FOR UNITED NATIONS PEACEKEEPING: LESSONS FROM THE CONGO EXPERIENCE

BY

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A Thesis
Submitted to the Faculty of Graduate Studies
in Partial Fulfillment of the Requirements
for the Degree of

MASTER OF ARTS

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ANA C. MAIA

A Thesis/Practicum submitted to the Faculty of Graduate Studies of The University of Manitoba in partial fulfillment of the requirements of the degree of

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ABSTRACT

The end of the Cold War has led to the belief that the nature of United Nations (UN) peacekeeping has changed. However, a review of the UN's peacekeeping history demonstrates that the UN has dealt with similar security challenges in the past and that the manner in which the UN has attempted to adapt its peacekeeping instrument to emerging security threats is not new. The UN's operation in the Congo in the 1960s is a case in point. Given the parallels between the UN's operation in the Congo and recent missions, many lessons can be drawn from the Congo crisis which are relevant to today. More importantly, they lead to conclusions about the future prospects for the UN's peacekeeping role.

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Cave! Hic dragones

There are dragons that lie beyond the historical horizon, and we would be well advised to temper our optimism regarding the future with an understanding of the past.

CHAPTER 1

INTRODUCTION

> For millennia humans have sought formulas for the maintenance of their security and the peaceful settlement of their conflicts. Each historic era has witnessed the emergence of new ideas - or the re-emergence of old - in the hope that mistakes of the past would not be repeated. With the end of the Cold War, the world has entered again such a period of questioning and exploration.[1]

Since the end of the Cold War, has the nature of United Nations(UN) peacekeeping fundamentally changed?[2] The new

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[1]James Sutterlin, The United Nations and the Maintenance of International Security: A Challenge to Be Met (Connecticut: Praeger Publishers, 1995): 1.

[2]The term peacekeeping is used here in its broad understanding to mean the use of armed forces by the UN for purposes of maintaining international peace and security. This interpretation will be narrowed later in Chapter Two. The focus of this study is on peacekeeping operations in the UN context. However, it is acknowledged that such activities are being undertaken by other organizations or arrangements, such as the European Community (EC), the Western European Union (WEU), the Organization on Security and Cooperation in Europe (OSCE) and the North Atlantic Treaty Organization (NATO, to date under the auspices of the UN), and efforts to involve regional organizations like the Organization of American States (OAS) and the Organization of African Unity (OAU) and to develop other comparable organizations in Africa (ie the British-French initiative) are underway, as reflected by the Security Council's view on the important role of regional organizations. See An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping. Report of the Secretary-General pursuant to the Statement made by the President of the Security Council, at its 3166th meeting, S/25184, 28 January 1993, S/25996, 15 June 1993, New York: United Nations Department of Public Information, 1993. The Security Council, in context of its examination of the Secretary-General's report, An Agenda For Peace, invited, within the framework of Chapter VIII of the United Nations Charter, regional arrangements and organizations to study ways and means to strengthen their functions to maintain international peace and

(continued...)

found cooperation among the Great Powers heralded a new era for the UN and its role in maintaining international peace and security. During the Cold War, the UN's role in this area was somewhat limited to establishing observer or peacekeeping missions. With the constraints of the Cold War gone and a greater willingness among the Great Powers to address a much broader range of security concerns, including protecting human rights, promoting democratic development, and providing humanitarian assistance, the UN has been able to respond on a wider front. For one, the number and size of peacekeeping missions have greatly increased. Peacekeeping as traditionally understood has also evolved to include a wide range of activity, from elections monitoring and demining to national reconstruction. Beyond this, partly in response to the new security challenges of the international environment, the UN has come to act more regularly under its authority granted in Chapter VII of the UN Charter. For the UN, this level and kind of activity is unprecedented. Or is it?

This study examines whether or not UN peacekeeping has really changed since the end of the Cold War and, if so, how. In attempting to answer this question, a review of the UN's history in peacekeeping demonstrates that the UN has dealt with similar security challenges in the past; in

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[2](...continued)
security and to further improve coordination of their efforts with those of the United Nations.

addition, the means by which the Organization has attempted to adapt its peacekeeping instrument to emerging security threats is not so new. In fact, to conclude otherwise, would be to ignore the UN's operation in the Congo, among others.

The UN's operation in the Congo is somewhat of an anomaly, when one considers the Cold War context in which it occurred. In the Congo, the UN went from providing technical assistance to the Government of the Republic of the Congo to acting, in effect, as an interim government and protecting the territorial integrity of the country, in order to maintain law and order and prevent civil war, with force if necessary. The absence of a single political authority and the largely internal nature of the crisis puts the UN's mission in the Congo outside the familiar model to be provided by most subsequent peacekeeping missions. The UN operation in the Congo in the 1960s set a historical precedent which should not be forgotten or at least never repeated. However, given the UN's recent experience in the former Yugoslavia and Somalia, it appears that the case of the Congo has been forgotten and indeed repeated.

Given that the Congo operation is similar to recent missions, lessons which were drawn from the UN's experience there could have been applied in the current context. To this end, reviewing the UN's operation in the Congo becomes more important. The lessons to be drawn from the UN's

operation in the Congo are relevant to the UN today. They also lead to important conclusions about the future prospects for the UN and its peacekeeping role.

A review of the UN's operation in the Congo provides one approach to better understanding both the successes and failures of the UN's recent attempts at providing for international peace and security. However, more broadly speaking, it also focusses current thinking about some more fundamental issues. The following questions emerge: to what extent, can and should the UN mount peace missions of the size and nature experienced in the Congo and, more recently in the former Yugoslavia and Somalia, among others; should such operations require the use of force, what are the implications for the UN's role as an impartial third-party as well as for its mechanisms to cope with the nature of such operations; and finally, if to carry out such missions, the UN needs the political and financial support of its membership, particularly the Great Powers, what does it mean for the UN if such support is not forthcoming.

This study will lead to some conclusions on these issues by examining the UN operation in the Congo and demonstrating its relevancy to recent experience. In Chapter Two, a review of the concept of peacekeeping, from its more traditional conceptualization to its current understanding, is undertaken. The analysis distinguishes peacekeeping from other concepts such as peace enforcement

and collective security, as well as preventive diplomacy, peacemaking and post-conflict peacebuilding. As such, it concludes that the Congo operation was not a peacekeeping mission but a peace enforcement action, similar to recent operations in the former Yugoslavia, Somalia, Haiti and Rwanda.

Chapter Three provides a description of the UN's operation in the Congo in the 1960s. This overview demonstrates why the Congo operation cannot be considered a peacekeeping mission in the traditional sense. It highlights how the Congo mission is different from traditional peacekeeping missions but, in doing so, also points to the many similarities with recent operations. In Chapter Four, lessons are drawn from the Congo operation and their relevance to recent experience becomes obvious. This leads to important conclusions about the prospects for the UN and its peacekeeping role, including particularly about the broader issues raised above. These conclusions are set out in Chapter Five.

No doubt the degree and kind of recent activity at the UN has highlighted many of the possibilities, as well as shortcomings of the organization and has placed the whole UN system under great scrutiny. Those familiar with the history of the UN's peacekeeping role could only too clearly recall the UN's experience in the Congo. Recent activity is really not unprecedented nor are the UN's current

difficulties. This raises the point that the international community could have benefitted from revisiting the Congo operation and perhaps adapting lessons learned to current circumstances. As enthusiasm to establish new UN operations wanes, the future of the UN and its peacekeeping role are at a crossroads. The UN 's 51st General Assembly has just come to a conclusion, and it remains to be seen what the first year of the next 50 years will bring as the UN moves towards the new century.

CHAPTER 2

THE CHANGING NATURE OF UN PEACEKEEPING?

> In reality a second generation of UN military operations is already emerging, outside the parameters of traditional peacekeeping, to cope with the new commitments of a more effective Security Council.[1]

The end of the Cold War brought with it the hope of a new world order. The new found comity among the Great Powers suggested that anything was possible, particularly for the UN. The victory of the US-led/UN-mandated operation in the Gulf and a string of UN successes, most notably in Namibia and Central America, suggested that the UN could finally operate as its founders envisaged: as the guarantor of international peace and security. It is in this context that the concept of peacekeeping evolved beyond its traditional understanding as the positioning of a third intermediary force between two belligerents in order to facilitate a political settlement to a conflict. This chapter provides a brief overview of how peacekeeping appears to have changed since the end of the Cold War by revisiting the traditional notion of peacekeeping, followed by a review of the current applications of the concept. It concludes that although the nature of United Nations peacekeeping appears to have changed, in both quantitative

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[1]John MacKinlay and Jarat Chopra, "Second Generation Multinational Operations", Washington Quarterly 15, no. 3 (Summer 1992): 116.

and qualitative terms, much of it, in fact, not only has not changed but much of it is also not new.

"Classical Peacekeeping" Revisited

In 1945, the United Nations was founded "to save succeeding generations from the scourge of war".[4] However, the deterioration of international relations into a "cold war" soon after the UN was created would prevent it from functioning as originally intended, at least for the next 45 years. This development, along with emerging differences among member states on how to use the UN machinery, led to the genesis of what would come to be understood as "peacekeeping".

In 1945, emerging differences among the Great Powers and the subsequent inability of the UN to contribute effectively to the maintenance of international peace led to the development of a more *ad hoc* approach to deal with international disputes, what would become known as peacekeeping. At the end of World War II, it was expected that the victorious parties would remain united in their fight to preserve a stable and peaceful international environment. However, increasing tensions between the

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[4]Preamble, Charter of the United Nations. The Charter was signed on 26 June 1945, in San Francisco, California, at the conclusion of the United Nations Conference on International Organization. See Appendix A for Selected Articles from the United Nations Charter.

United States and the Soviet Union led to a rivalry which would dominate international affairs for forty-five years after. No where was this more apparent than in the workings of the UN's Security Council, where each of the five Permanent Members have a veto over matters pertaining to international peace and security.[5] Between 1946 and 1987, the Soviet Union cast 121 vetoes (about 50%) and the United States 58 (24%).[6] In effect, the use of the veto allowed the Great Powers to pursue their respective Cold War security ends and block any move to exercise the UN's collective security option.[7] The end result of this politicization was the inability of the UN to develop into an effective and credible vehicle for coordinating collective responses to threats to international peace and security.

In fact, there are only two instances in the UN's fifty year history where operations could be labelled UN collective security actions, albeit with some measure of qualified consensus within the Security Council: Korea in 1950 and the Persian Gulf in 1991. In 1950, in response to

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[5]Veto rights, in part, extend from the failure of the League of Nations to recognize the key role of the Great Powers in ensuring a practical response of the international community.

[6]In the same time period, the United Kingdom cast 27 vetoes, China 22 and France 16.

[7]At the same time, the use of the veto can be seen as a positive in ensuring that the UN would not be used to advance the interests of one Power over another.

a North Korean aggression, the Security Council established a force to repel such an attack. However, such a military measure was made possible by the absence of the Soviet Union from the Security Council. In addition, the directives for the mission were received from the US Joint Chiefs of Staff and not the Military Staff Committee as specified by the UN Charter. It was also the Korean episode that allowed the UN to pass the Uniting for Peace resolution. This resolution was prompted by the return of the Soviet Union to the Security Council deliberations. It provides for a shift in responsibility in matters of peace and security from the Security Council to the General Assembly at those times when the Security Council is unable to act. It thereby allows the General Assembly to recommend joint military actions to make peace and, subsequently, to authorize the deployment of peacekeeping forces. In the long run, this change in procedure would create the preconditions necessary for the peacekeeping innovations of Secretary-General Dag Hammarskjöld and Canada's Lester B. Pearson.

More recently, UN collective measures were used in the 1991 action against Iraq over the annexation of Kuwait. This time the UN was politically in the position to employ its mandated authority to protect international peace and security. However, it could be argued that there was really no 'true' consensus given that China abstained on two important resolutions relating to the mission. To abstain,

rather than veto, allowed China to express some dissatisfaction over the handling of Iraq and gain some favour with Western countries in the hopes that recent events in Tienanmen Square would be forgotten. As in Korea, the operation in the Gulf, known as Operation Desert Storm, was a US-led initiative where UN support was solicited subsequent to the decision to eject Iraq from Kuwait was made by the US in consultation with its allies. Furthermore, this operation was not under the command and control of the UN Military Staff Committee. Nevertheless, despite these facts, the operation has been viewed as a milestone in the UN's history and held up as an example of how the UN can potentially reassume its collective security role as granted in Chapter VII of the Charter.

The Military Staff Committee (MSC) has virtually been moribund since its inception.[8] The MSC consists of the Chiefs of Staff of the Permanent Members and was established under Article 47 of the UN Charter to assist the UN in providing planning and operational support to collective security operations.[9] However, the MSC has remained

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[8]For an extensive history of the Military Staff Committee, see Jane Boulden, Prometheus Unborn: A History of the Military Staff Committee, Aurora Papers 19, (Ottawa: Canadian Centre for Global Security, September 1993).

[9]Article 47 (1) of the UN Charter reads: "There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command

(continued...)

inactive primarily due to the impasse in the Security Council, and mostly because of the unwillingness of member states to commit a standing contingent of armed forces, as called for in Article 43 of the Charter.[10]

It was in the context of East-West tensions which led to excessive use of the veto, an ineffective collective security system and a moribund Military Staff Committee, that the idea of peacekeeping was conceived. Perhaps, as noted by MacKinlay and Chopra, peacekeeping was developed as an expedient of a divided Security Council "that lacked the consensus for collective action but could agree to use a less powerful instrument that would not impinge on the super-power zero-sum game".[11]

There is no agreed definition of the concept of peacekeeping. In the international studies literature, one finds an abundance of definitions of the term. However, it appears, almost by process of elimination, that there is more agreement of what the concept is not, rather than what it is. It is considered neither a collective security

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[9](...continued)
of forces placed at its disposal, the regulation of armaments, and possible disarmament."

[10]Article 43(1) of the UN Charter reads, in part, "All Members of the United Nations.... undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces... necessary for the purpose of maintaining international peace and security."

[11]John MacKinlay, et al, "Second Generation Multinational Operations", 114.

measure nor a peace enforcement mechanism, though recent activities have tended to blur even this simplistic differentiation. This conceptual muddle, on the one hand, has allowed for flexibility in the application of the term. On the other hand, it has led to misuse of the concept, often, it is argued, for reasons of political expediency. Even the Special Committee on Peacekeeping Operations (or Committee of 34) has resisted defining peacekeeping because it argues that the virtue of the term is in the flexibility of its usage.[12] Nonetheless, many attempts have been made and continue to be made in academic, political and policy circles to define peacekeeping and distinguish it as a unique activity separate, first and foremost, from peace enforcement, and also from other functions such as

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[12]The Special Committee on Peacekeeping Operations or Committee of 34 (formerly Committee of 33 but China recently became a member) was established by General Assembly Resolution 2006(XIX)in 1965 to undertake a comprehensive review of peacekeeping operations in all their aspects, partly in response to the difficulties and issues which arose from the UN's recent experience in the Congo. The establishment of the Special Committee at this time would indicate that the majority of member states, despite some ambiguous results in the Congo and other recent operations, thought that the UN should continue to play a useful, even though limited, role in peacekeeping. Over the years, the Special Committee has produced a number of inconclusive reports and has been urged by successive General Assemblies to expedite its work with a view to fulfilling its mandate. The Committee resumed meeting in 1988 for its first time since 1983. In 1990, the General Assembly decided that the Special Committee should accept the participation of other member states as observers in its meetings and working groups (Resolution 45/75). See James M. Boyd, United Nations Peace-Keeping Operations: A Military and Political Appraisal (New York: Praeger Publishers, 1971): 167-68 and United Nations Handbook 1994 (New Zealand: Ministry of Foreign Affairs and Trade, 1994): 34.

preventive diplomacy, peacemaking and post-conflict peacebuilding.[13]

Though the concept of peacekeeping is highly contested, it is based on the assumption that the interposition of a third intermediary, neutral, and lightly armed, party between two belligerents who have agreed to a ceasefire will facilitate a political settlement among the parties to the conflict. It is an instrument which has been developed

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[13]In June 1992, the UN Secretary-General released his report entitled An Agenda for Peace (A/47/277-S/24111) further to the Statement adopted by the Summit Meeting of the Security Council on 31 January 1992 which asked the Secretary-General to prepare "an analysis and recommendations on ways of strengthening and making more efficient within the framework and provisions of the Charter the capacity of the United Nations for preventive diplomacy, for peacemaking and for peacekeeping." See S/23500, Statement by the President of the Security Council. This report made a distinction between preventive diplomacy, peacemaking, peacekeeping and post-conflict peacebuilding. See analysis of An Agenda for Peace below. These distinctions are not new and have been at the root of much of the discussion of the Special Committee on Peacekeeping Operations since its inception. Subsequently, the Secretary-General released on 3 January 1995 his Supplement to An Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations, (A/50/60-S/1995-1), New York: United Nations Department of Public Information, 1995. This paper makes a further distinction, that of an enforcement action, to describe the UN's recent operations in Somalia, Rwanda, Haiti and Bosnia and Herzegovina. NATO and the OSCE also continue to be engaged in similar exercises of defining peacekeeping and related concepts. See, in particular, Report to Ministers by the North Atlantic Cooperation Council (NACC) Ad Hoc Group on Cooperation in Peacekeeping, Meeting of the North Atlantic Cooperation Council in Athens, Greece, Brussels: NATO Press Service, Press Release M-NACC-1(93)40, 11 June 1993, which recognizes that "there is no single, generally accepted definition of peacekeeping but that a common understanding can be derived from relevant UN and OSCE documents." This report offers definitions along similar lines for the following concepts: conflict prevention, peacemaking, peacekeeping, peace enforcement and peace-building.

mainly in the UN context to help control and resolve armed conflict. Peacekeeping, as traditionally understood, has been defined primarily by the functions that have been carried out. These have included an internal pacification role, acting as a buffer force to separate the belligerents in a conflict so as to negotiate a settlement, and as a border patrol or observer force to supervise ceasefires and report any violations. Though there is no universally accepted definition of peacekeeping, a good working definition, and the one most referred to by the UN in the traditional sense, is provided by the International Peace Academy:

> the prevention, containment, moderation and termination of hostilities between or within states through the medium of third-party intervention, organized and directed internationally, using multinational military, police, and civilian personnel to restore and maintain peace.[14]

Given that this definition was the one most commonly referred to in the early-1980s, it was rather 'ahead of its time'. In fact, it most honestly reflects what actually

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[14]As quoted in Indar Jit Rikhye, The Theory and Practice of Peacekeeping (London: C. Hurst & Company, 1984): 1-2. Marrack Goulding also offers another definition, a variation of the same theme: "Field operations established by the United Nations, with the consent of the parties concerned, to help control and resolve conflicts between them, under United Nations command and control, at the expense collectively of the member states, and with military and other personnel and equipment provided voluntarily by them, acting impartially between the parties and using force to the minimum extent necessary." In "The Evolution of UN Peacekeeping", International Affairs 69, no. 3 (1993): 455.

took place during peacekeeping missions to that point in time, and what would transpire over the coming decade. In particular, it recognizes the multi-functional and multi-dimensional nature of peacekeeping operations and that they can occur not only *between* states but also *within* them. Finally, it also acknowledges that such operations can be carried out by police and civilian as well as military personnel. What will become obvious is that what distinguishes peacekeeping from other activities is not necessarily the functions, humanitarian or other wise, that peacekeeping forces may be asked to perform, but how such tasks may be carried out.

More recently, in June 1992, efforts were made by the Secretary-General to define preventive diplomacy, peacemaking and peacekeeping as set out in his report An Agenda for Peace. In the report, the Secretary-General suggested that peacekeeping was no longer to be viewed in isolation but as part of a broad range of options from preventive diplomacy to peacebuilding. In his document, he defined peacekeeping as

> the deployment of a United Nations presence in the field, hitherto with the consent of all the parties concerned, normally involving United Nations military and/or police personnel and frequently civilians as well. Peace-keeping is a technique that expands the possibilities for both the prevention of conflict and the making of peace.[15]

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[15]United Nations, An Agenda for Peace, 6. The report also offers definitions for preventive diplomacy, peacemaking and (continued...)

The report not only outlined many difficulties that the UN had encountered but has also put forth a number of proposals and introduced several new concepts. The report also goes beyond its original mandate to address the importance of post-conflict peace-building and cooperation with regional organizations. Beyond this, the Secretary-General concludes with a warning of the gap developing between the tasks that the UN is being expected to perform and the financial resources provided to it. This issue, among others, would soon prove to be at the crux of the UN's ability to act and thus respond to the challenges of a new international environment.[16]

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[15](...continued)
peace-building. "Preventive diplomacy is action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur. Peacemaking is action to bring hostile parties to agreement, essentially through such peaceful means as those foreseen in Chapter VI of the Charter of the United Nations." Peace-building is defined as an "action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict."

[16]In January 1995, the Secretary-General in his Supplement to An Agenda for Peace, provided an assessment of the UN's work -- both successes and failures -- in the two and a half year period since An Agenda for Peace was released. It presents a realistic and measured approach to the way ahead for the UN system and calls for reinvigorated efforts to make the UN more effective. Drawing on the lessons learned, it reaffirms the importance of unity of command, the need for a rapid response capability given the lack of readily available troops and equipment, and the need for greater coordination among the UN, its agencies, member states and non-governmental organizations. In addition, it recognizes the value which can be gained from entrusting enforcement tasks to groups of member states which provides the organization with a capacity it would otherwise not have.

Though there is no generally accepted definition of what constitutes peacekeeping, there is some agreement in the international community that peacekeeping is to be carried out on the basis of certain principles. These characteristics grew out of the UN's practical experiences with peacekeeping, beginning with the dispatch of military personnel to Kashmir and Palestine in the years immediately following World War II, and later with the deployment of the United Nations Emergency Force (UNEF I) in response to the Suez Crisis in 1956. It was at this time that the term peacekeeping entered the UN's vocabulary. [17]

United Nations Emergency Force (UNEF I) was the UN's

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[17]Though much of the literature focuses on the 1950s as when peacekeeping operations developed, Alan James in his 1990 book, Peacekeeping in International Politics (London: The Institute for Strategic Studies, 1969) traces its origins back to the delimitation commissions which were established in the early 1920s to redraw a number of European frontiers after World War I. See Marrack Goulding, "The Evolution of United Nations Peacekeeping", 452. Moreover, since 1947 the UN had employed military personnel in truce supervisory and observer missions beginning with the Consular Commission in Indonesia and the Special Committee on the Balkans. In 1948, the United Nations Truce Supervisory Organization (UNTSO) was established to report and observe any violations of the armistice between Israel and its Arab neighbours. UNTSO observers continue to remain in the region to monitor ceasefires, supervise armistice agreements, prevent isolated incidents from escalating, and assist subsequent peacekeeping missions, including UNEF I. In 1949, the United Nations Military Observer Group for India and Pakistan (UNMOGIP) was set up to supervise the ceasefire between India and Pakistan. What distinguishes these operations as "observer missions" is merely a question of size and scope but they do fall within the ambit of peacekeeping activities in the sense that they promote the same goal of achieving peace. For a list of UN Peacekeeping Operations During the Cold War: 1945-1985, see Appendix B.

first major peacekeeping operation, the brainchild of Lester B. Pearson and the reason for his 1957 Nobel Prize, which set the pattern for subsequent UN peacekeeping operations. In 1956, the mission was established by the General Assembly after Israel, in cooperation with Britain and France, attacked Egypt. Given that two members of the Security Council were involved and that an expedient way to resolve the crisis was needed to save the Security Council (not to mention the NATO alliance) from embarrassment, Pearson introduced a resolution to the General Assembly requesting that "a plan for setting up, with the consent of the nations concerned, of an emergency international United Nations Force to secure and supervise the cessation of hostilities" be drawn up.[18] The resolution was adopted by 57 to none,

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[18]UN General Assembly Resolution 998 (ES-I), 4 November 1956, which along with General Assembly Resolution 1001 (ES-I), 7 November 1956, would form the basis for the establishment of UNEF. Resolution 1001 is discussed below during the review of guiding principles for UN peacekeeping operations. See The Blue Helmets: A Review of United Nations Peacekeeping 2nd ed. (New York: United Nations Department of Public Information, 1990): 43-78 for a review of the first UN Emergency Force. Interestingly, it was the United States who initially tried to introduce a draft resolution calling for the withdrawal of Israeli troops behind established armistice lines but faced considerable opposition in the Security Council from Britain and France. The matter was then transferred to the General Assembly, on the proposal of Yugoslavia, by invoking the Uniting for Peace resolution.

It is remarkable to note how rapidly the UN created this force. Within days of the resolution, a ceasefire in the area had become effective, with Britain, France and Israel agreeing to withdraw their forces from the canal area. By November 15, about 10 days after Canada introduced its proposal to the General Assembly, the first units of UNEF began arriving and within a month the mission was fully operational. UNEF would

(continued...)

with 19 abstentions including Egypt, France, Israel, the United Kingdom and the Soviet Union and Eastern European states.[19]

Then Secretary-General Dag Hammarskjöld defined the concept of this UN force and certain guiding principles for its organization and functioning which would come to guide most subsequent operations. For one, troops from the Permanent Members of the Security Council or from any country which, for geographical or other reasons, might have an interest in the conflict were excluded from participating in the mission and a balanced composition of regional representation was aimed for. This practice, it was felt, ensured that the Great Powers would not exert their

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[18](...continued)
patrol the border between Israel and Egypt until its abrupt withdrawal in May 1967 at the request of Egypt who proceeded to occupy the territory which was held by UN troops. The Six Day War followed and when ceasefires were arranged the United Nations Truce Supervisory Organization (UNTSO, established in 1948 and was in the area monitoring General Armistice Agreements), was deployed to the Golan Heights and along the Suez Canal. However, the UN's ceasefire observation in the Suez Canal area was terminated for a short period following the outbreak of the October 1973 War. Resolution 340 of October 25, 1973 called for the cessation of hostilities and the establishment of UNEF II whose mandate was to supervise the new ceasefire. UNEF II handled the ceasefire lines separating the forces of Israel and Egypt and UNTSO monitored a parallel ceasefire between Israel and Syria in the Golan area. In February 1974, conflict erupted again in this latter area and a disengagement agreement was signed three months later, and the United Nations Disengagement Force (UNDOF) was created to supervise the ceasefire and disengagement in the Golan Heights. UNEF II would be disbanded in 1981 with the Peace Treaty between Egypt and Israel reached as a result of the Camp David Accords.

[19] United Nations, The Blue Helmets, 46.

influence and jeopardize the impartiality of a mission.[20] By the same token, the host government had to consent to the participation of specific member states and the objection of a host government to the participation of certain members often prevailed.[21] In addition, the force was not to influence the military or political balance of the region in a way which would affect diplomatic efforts at bringing peace. It was to be clear that no enforcement action was intended. Finally, the mission was to be temporary. These principles set out by Hammarskjöld helped reinforce the peaceful and impartial nature of UNEF I and subsequent UN peacekeeping operations.[22]

Beyond these basic principles, the question of how to

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[20]There have been, of course, exceptions such as when British and French troops participated in the UN operations in Cyprus and Lebanon, respectively. Also, more often than not, the UN has had to depend on the assistance of the Great Powers, particularly the United States and the Soviet Union, since they possess the much needed strategic airlift or sealift capabilities to transport troops and equipment to areas of operation.

[21]For example, in UNEF I, there was some opposition to the participation of Canadian troops because their uniforms looked British. Canada had planned to send the Queen's Own Rifles, but their British-style uniforms, and even their name, caused Egypt to object to their participation because the regiment could be taken for British soldiers, who were a major part of the problem Canada was being sent to correct. Any royal distinctions were stripped from Canadian troops sent in their place. See Michael Hanlon, "Heart of Darkness Beckons", Toronto Star, November 14, 1996, A21. Canada contributed a medical unit as well as signal, engineer, air transport, maintenance and movement control units to this operation.

[22]As articulated by the Secretary-General in his second and final report on the plan for an emergency United Nations Force (A/3302). See United Nations, The Blue Helmets, 47-49.

fund the UN operation also arose. It was suggested that, on a provisional basis, contributing states would be responsible for all equipment and salary costs, while all other costs would be absorbed by the UN, outside its normal budget and with authorization from the General Assembly for additional funds. Of interest, the Secretary-General at this time also decided to establish a small committee of the General Assembly which would look at various issues, such as funding, related to the mission and which required further study.[23] In fact, it would not be until 1973 when a system of scaled assessments would be introduced that financial costs were to be shared equitably, with the rich member states paying more and the poorer paying less.

None of these principles or guidelines were or are set in stone. However, a review of the literature suggests that there is general consensus that the consent of the parties to a conflict to host a UN force, the impartiality of the force through its composition and actions, and the minimum

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[23]In addition, this committee came to serve as an "advisory committee" to the Secretary-General for questions relating to the operation. Resolution 1001 of 7 November 1956 which approved the principles which would guide UNEF I, including its financing arrangements, also established an Advisory Committee, which was to "undertake the development of those aspects of the planning for the Force and its operation not already dealt with by the General Assembly and which did not fall within the area of the direct responsibility of the Chief of Command." See United Nations, The Blue Helmets, 49. Of note, this Committee is very similar to the "Friends of" groups that have been recently established to assist the Secretary-General with specific missions, including Haiti and Rwanda.

use of force are key to ensuring reasonable success of a UN mission. Any deployment of a peacekeeping mission must have the consent of the belligerents. The tasks that peacekeepers are asked to perform require the cooperation of all the parties and cannot be carried out if such collaboration does not exist. Moreover the peacekeeping force must be impartial and neutral. It has been said that "impartiality is the oxygen of peacekeeping" and without it the credibility of the operation is jeopardized.[24] The UN must not be seen to be taking sides in a conflict and must also respect Article 2 (7) which prevents the UN from interfering in the internal affairs of host states.[25] Finally, peacekeepers are usually lightly armed and allowed to use force only in self-defence, and then only as a last resort.

These principles are important to keep in mind as they help to distinguish peacekeeping from peace enforcement and collective security actions. This is particularly relevant when one comes upon the case of the Congo. To appreciate the UN's activities in the Congo as well as in more recent operations, it is worth revisiting the UN Charter.

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[24]Sashi Tharoor, "Should UN Peacekeeping Go 'Back to Basics'?" Survival 37, no.4 (Winter 1995-96): 52-64.

[25]Article 2 (7) of the UN Charter states that the United Nations is not allowed to "intervene in matters which are essentially within the domestic jurisdiction of any state".

Peacekeeping and the UN Charter

Though an exhaustive analysis of the UN Charter is beyond the scope of this paper, it is worth revisiting Chapters VI and VII of the Charter as these provide the legal framework under which UN peacekeeping operations have traditionally been established and, to some extent, help to dispel much of the confusion between peacekeeping, peace enforcement and collective security operations.[26] The UN Charter gives the Security Council the authority to "maintain or restore international peace and security." Should the peaceful means outlined in Chapter VI of the UN Charter fail, the Security Council may decide on sanctions to give effect to its decisions and, if these prove inadequate, it may decide to take military action.[27] It is at this point, however, when the decision is taken to use force, that the distinction between peace enforcement actions and collective security operations become blurred.

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[26]Most of the ensuing discussion is based on a review of L.M. Goodrich, E. Hambro and A. Simons, Charter of the United Nations Commentary and Documents, 3rd ed. (New York: Columbia University Press, 1969). See pages 257-353 for an extensive analysis of Chapters VI and VII of the UN Charter. See also Ruth Russell, A History of the United Nations Charter (Washington, D.C.: The Brookings Institution, 1958) and Sutterlin, The United Nations and Maintenance of International Security: A Challenge to be Met.

[27]To note, this does not necessarily mean that the Security Council must apply a gradual response in all instances. The Security Council does have the authority to use force without deciding to use sanctions first.

Peacekeeping operations are not anticipated in the UN Charter. They are referred to as "Chapter VI and a half operations", since they fall somewhere in between Chapter VI (*Pacific Settlements of Disputes*, Articles 33-38) and Chapter VII (*Actions with respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression*, Articles 39-51). Chapter VI provides the following, in Article 33 (1):

> 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.

Article 33(1) emphasizes the responsibility of parties to a conflict to resolve their dispute. Should this fail, Article 33(2) states that the "Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means." Thus, in this instance, the Security Council is limited to asking the parties to seek a solution. However, should the parties fail to resolve their dispute, they can seek to refer it to the Security Council (Article 37).[28] Article 38, allows the Security Council to make recommendations to the parties of a conflict with a

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[28]The option exists in the Charter that disputes can be brought to the attention of the Security Council or the General Assembly by any member of the United Nations (Article 35). In addition, Article 99 in Chapter XV of the UN Charter, allows the Security General to "bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security."

view to the pacific settlement of the dispute, if they so request. In this case, the Security Council does not only seek to have them resolve their dispute but it can also make a recommendation as to which particular procedure (of those outlined in Article 33(1)) to follow. This is reinforced by Article 36 which states that the Security Council may "recommend appropriate procedures or method of adjustment" to settle a dispute. Thus, Chapter VI gives the Security Council limited powers to intervene in a dispute and focuses on the parties to the dispute to resolve their own differences. The Security Council is limited to "calling upon" them to resolve their dispute and to making recommendations on how to do so, if they request. Peacekeeping operations go beyond "calling upon" the parties to a dispute to settle their differences by peaceful means. In most instances, peacekeeping operations are a concrete expression of the willingness of parties to negotiate a ceasefire, and, thus, go beyond Chapter VI.

When one gets to Chapter VII, matters become more complex. Chapter VII allows the Security Council to determine whether there is a threat to the peace, a breach of the peace or an act of aggression and can decide what measures are to be taken in accordance with Articles 41 and 42 of the Charter.[29] In essence, there are three broad

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[29]UN Charter, Article 39. The Charter does not define a threat to the peace, breach of the peace or an act of (continued...)

powers provided to the Security Council, with Article 42 presenting the collective security option. However, before proceeding with the measures set out in Article 41 and 42, the Security Council can ask the parties to the conflict to comply with provisional measures it may deem necessary. Article 40 states that:

> In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or *deciding upon* the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be *without prejudice* to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures [emphasis added].

Resolutions adopted under this article allow the Security Council to make more than recommendations and the parties to the conflict must actually comply with the resolutions. As Goodrich, et al, note:

> There would appear to be considerable agreement that the parties concerned are obligated to comply with resolutions specifically adopted under Article 40, that

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[29](...continued)
aggression. No definition of these terms was accepted at San Francisco, and efforts to define them have been unfruitful. In addition, the relationship between Chapter VII and Article 2(7) must be noted as it states that the UN shall not intervene in matters within the jurisdiction of any state, but this principle shall not prejudice the application of enforcement measures under Chapter VII. There have been extensive discussions as to the extent to which domestic jurisdiction limits the actions, short of enforcement measures, that the Council may take. As Goodrich, et al, state "[i]n practice, claims based on Article 2(7) have had limited effect upon the Council's actions, and their persuasiveness tends to diminish as the gravity of the situation increases," Charter of the United Nations, 293.

> other members are obligated to assist in carrying out such resolutions, and that the Council can adopt any measures it deems necessary to ensure compliance with such resolutions, subject to the general limitations of the Charter.[30]

Article 40 thus provides for the establishment of a peacekeeping mission. However, it also provides to the Security Council, the power to carry out a peace enforcement action. In other words, Article 40 also permits the use of force, as a provisional measure, to carry out a mandate, as long as it does not favour one or more parties to the conflict (ie without prejudice). As stated by Sutterlin:

> Peacekeeping and peace enforcement missions ... are distinctly different. Both fall within the category of provisional measures in terms of Article 40 of the Charter; neither is intended to resolve the basic problems underlying the conflict; for both, deployment is decided by the Security Council, troops are provided on a voluntary basis by member states and operations are carried out under the management of the Secretary-General. Peace enforcement troops, however, are mandated to take offensive action as necessary to restore peace."

A key concept to keep in mind is that, in both instances, strict impartiality must be maintained.[31] They must be

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[30]Goodrich, et al, Charter of the United Nations, 306. Of course, ambiguity arises if the Security Council fails to cite Article 40 in its resolution, which could raise questions as to whether the parties have to comply with the resolution. Secondly, if the use of force is not explicitly stated in the resolution, it becomes unclear if the mission is intended as a peacekeeping or peace enforcement action, as was the case in the Congo.

[31]The importance of this was demonstrated in the recent mission in Somalia, UNOSOM II (UN Operation in Somalia), where impartiality could not be maintained because of the various competing political leaders. UNOSOM II ended up taking sides, and in seeking to determine the future of the political

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without prejudice to the rights, claims or positions of the parties concerned.

The notion of a peace enforcement action seems to have developed in response to a gap in situations where cease-fires are reached but not honoured, there is a danger to the civil population, and yet there is no aggressor which can be identified and military force applied under the terms of Article 42. In these instances, a UN operation is deployed under the authorization of the Security Council to force warring factions to comply with cease-fires to which they have agreed, and without taking the side of one or the other. In other words, troops are authorized to take forceful action in order to bring combatants to comply with the terms of a cease-fire and they are adequately armed for this purpose.[32]

The need for peace enforcement-type actions is often cited as arising as a result of an increase in intra-state

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[31](...continued)
leadership in Somalia, it, in fact, became a party to the conflict. The developments which led to this position, including the ambush of Pakistani forces which led to 24 killed and over a hundred wounded, and the subsequent killing of 17 American rangers demonstrated the importance of maintaining impartiality but also raised questions about the viability of peace enforcement.

[32]Sutterlin, The United Nations and the Maintenance of International Security: A Challenge to Be Met, 55. The Secretary-General in An Agenda for Peace also recognized the need for peace enforcement troops and asked the Security Council to "consider utilization of peace enforcement units in clearly defined circumstances and with their terms of reference specified in advance."

conflicts in the late 1980s and beyond, particularly in Bosnia and Herzegovina, Somalia and Rwanda. However, it is important to keep this Article in mind when one comes to the operation in the Congo because essentially it was a peace enforcement action. Though Chapter VII was never specifically invoked, then Secretary-General Dag Hammarskjöld understood the Congo mission to be operating as an Article 40 measure and adamantly defended and protected the impartiality of the UN's efforts there. Thus it was not a peacekeeping mission since force was used to ensure its mandate was fulfilled, yet it fell short of an enforcement action, like in Korea or the Persian Gulf, since an aggressor was never identified and the mission's impartiality was ostensibly maintained.

Article 41 allows the Security Council to identify any means other than the use of armed force to give effect to its decisions. These can include sanctions, interruption of essential services and the severance of diplomatic relations. Often such measures are attempted before Article 42 is invoked.[33] Article 42 allows for the Security

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[33]While Article 41 focusses on non-military enforcement measures, which seems odd relative to the potential application of enforcement measures under Article 40, it must be noted that, according to Goodrich, et al, the "inclusion of Article 40 in the Charter was approved on the understanding that the Council was not required to follow any fixed order and could, if necessary, call for the immediate application of enforcement measures." Furthermore, they add that "the primary intent of Article 40 was to empower the Council to take measures to prevent a threat to the peace from developing into an actual breach." Charter of the United Nations, 303.

Council to "take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security." At this point the decision to use force can be taken and the collective security mechanisms of the UN activated. As Sutterlin notes:

> In such cases, the Council does not act as a neutral agent to bring an end to conflict between two warring parties; rather, as a party itself, the Council acts to defeat a country or countries whose guilt has been established by Council decision and protect the threatened party.[14]

In sum, the UN Security Council can establish a peacekeeping mission and it can use force to carry out the mandate of such missions, if deemed necessary, at which point they become peace enforcement actions. If these measures fail, the UN can carry out a collective security action.

Peacekeeping After the Cold War

The end of the Cold War significantly reduced the constraints that had restricted the UN's role in addressing the issues for which it had been assigned primary responsibility by the UN Charter, especially including those of peace and security. The virtual end of the bipolar competition and the willingness of the Permanent Members of

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[14]Sutterlin, The United Nations and the Maintenance of International Security: A Challenge to be Met, 47. Accordingly, there are only two instances in the UN's history where Article 42-type actions have been taken, in Korea and the Persian Gulf.

the Security Council to address a variety of regional conflicts under the auspices of the UN quickly resulted in paving the way for significant peace accords.[35] The consequent broadening of the concept of security from the narrow one of stability to include greater consideration of justice and human rights suggested that the UN could now address the root causes of endemic conflict. Freed from past restraints, the UN responded on a wide front. For one, the number and size of UN peacekeeping operations expanded dramatically. In addition, UN peace operations began to incorporate important civil dimensions, such as elections monitoring, the training of police, and national reconstruction. Finally, the UN began to act not only in accordance with its Chapter VI authority to recommend peaceful measures for conflict resolution such as mediation and conciliation but to call for compliance with the general will of the international community as provided for in Chapter VII of the Charter in responding to threats to international peace and security.[36]

With the end of the Cold War, the number and size of UN operations grew dramatically. To illustrate the scale of the increase, it bears noting that, in the 40 years from

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[35]Examples include the withdrawal of Soviet forces from Afghanistan and of Cuban troops from Angola, as well as the cease-fire after the end of the Iran-Iraq war.

[36]For a list of UN Peacekeeping Operations in the Post-Cold War: 1986-present, see Appendix C.

1945 and 1987, the United Nations undertook approximately 17 peacekeeping and observer missions. In responding to the demands of a new security environment, the UN mounted 31 new missions in the 8 years that followed, between 1988 and 1995, five of which were mandated under Chapter VII of the Charter: the reversal of Iraq's invasion of Kuwait, Somalia, the Balkans, Rwanda and Haiti. The number of personnel deployed on individual missions also increased. The UN's operation in Cambodia was the first of several large-scale missions the UN would undertake, numbering nearly 20,000 at its peak, and surpassing the size of the Congo mission which until then had been the largest operation ever undertaken by the UN. The operations in the Balkans and Somalia soon followed with each approaching 40,000 and 22,000 personnel, respectively. In total, at the end of 1994, nearly 74,000 military personnel and 4,000 civilians would be deployed on UN missions, compared to only about 10,000 and 1,500, respectively, in January 1988.[37]

UN missions were not only expanding in number and size; UN personnel were also becoming involved in new tasks. Where the role of UN personnel was once thought to largely consist of supervising and monitoring ceasefires, they began routinely to include activities such as facilitating elections, training civil police forces, protecting humanitarian relief operations, clearing mines from conflict

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[37]United Nations, Supplement to An Agenda for Peace, 3-4.

zones, disarming and demobilizing warring factions, and even assisting in the reconstruction of national institutions. The evolution of UN operations through this period marked a turning point in popular expectations about the potential of the UN. Three operations reflect well on the optimism of the time: the UN's operations in Namibia, Central America and the Persian Gulf. These were followed by more ambitious missions in the former Yugoslavia, Somalia and elsewhere.[18]

In 1989, the UN was able to assist Namibia with its transition to independence. The United Nations Transition Assistance Group (UNTAG) was to be the first of a series of post-Cold War, multi-dimensional UN operations.[19] Its launching nearly ten years after the Security Council had adopted a detailed plan for Namibia's transition to independence under UN supervision attests to the radical change in the international environment induced by the end of the Cold War. UNTAG was significant in that it had not

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[18]It is recognized that other missions, as in Haiti for example, prove to be interesting points of comparison to the Congo operation but for the purposes of this study, it will suffice to look at the UN's operations in the Somalia and the Balkans. In brief, the UN operation in Haiti is significant in that it was a UN enforcement action which not only sought to end the violation of human rights and to strengthen Haiti's democratic institutions by ensuring that conditions were ripe for elections, but also, following the overthrow of President Aristide's freely elected government, that it concerned itself with the restoration of a democratic government which had been overthrown.

[19]William Durch, ed, The Evolution of UN Peacekeeping: Case Studies and Comparative Analysis (New York: St. Martin's Press, 1993): 353-375.

only a military component largely responsible for monitoring the ceasefire, but also a large civilian and police component responsible for ensuring that conditions necessary to facilitate elections were established, and for monitoring the conduct of Namibia's security force, which previously had been controlled by South Africa. The UN's success in Namibia helped to build confidence in the UN as an organization which could be entrusted with assisting the delicate transition to democracy.

In the second case, Central America was a region suffering under the dual burdens of war and dictatorship. Over the past decade, the region has undergone a remarkable transformation. The UN played a critical role in building upon an initial regional peace agreement based on broad general principles of democracy and human rights. It helped develop that agreement into a peace process that has proven durable.[40] The UN's operations in Central America, which involved Nicaragua, Costa Rica, El Salvador, Guatemala, and Honduras, remain remarkable for a number of reasons. First and foremost, the UN played a key role in stopping the civil and regional strife that had plagued the region for decades. Second, the UN was instrumental in helping foster democracy in the region. Once the regional players agreed on UN involvement, the UN moved promptly to disarm and demobilize the warring factions. Initially, this took place on a

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[40]Durch, The Evolution of UN Peacekeeping, 436-462.

national level, and eventually, the process spread through the entire region. In addition, the UN sought to engage regional organizations, most notably the Organization of American States, in trying to achieve its broader objectives.

In the final case of Iraq, the end of the Cold War provided the UN with the opportunity to assume its intended leadership role in responding to direct threats to international peace and security through ultimate recourse to its authority and powers granted in Chapter VII of the Charter.[41] After diplomatic overtures and sanctions were attempted to no avail, the Security Council authorized the use of "all necessary means" by a coalition of UN member states to restore Kuwaiti sovereignty.[42] The well-coordinated, multi-national, military campaign that reversed Iraq's invasion of its smaller neighbour only reflected the value of the political consensus manifested through Security Council cooperation and the provision of the legitimacy bestowed by the UN.

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[41]See Lawrence Freedman and Efraim Karsh, The Gulf Conflict 1990-91: Diplomacy and War in the New World Order (Princeton: Princeton University Press, 1993) and Ken Mathews, The Gulf Conflict and International Relations (London: Rutledge, 1993).

[42]United Nations Security Council Resolution 678, 29 November 1990, authorized member states "to use all necessary means to uphold and implement Resolution 660 (1990) and all subsequent relevant resolutions and to restore international peace and security in the area", if Iraq did not comply with the UN's demands by 15 January 1991.

The UN's response to Iraq's invasion of Kuwait is often seen as something of a high-water mark in the UN's role in addressing issues of peace and security. Beyond this, the effectiveness of UN actions in the Gulf engendered a sense of confidence that prompted observers to begin thinking about diversifying the UN's role on security issues as they have come to be more broadly defined.

By 1992, some of the more ambitious forms of "peacekeeping" were already being tested on the ground, most notably in Somalia and the Balkans. Somalia was the first operation that the UN tried to mount in response to a clear humanitarian crisis. With the country in near anarchy, many people were threatened with starvation. The conditions were not ripe for a smooth operation given the lack of a ruling national authority; therefore the traditional requirement to mount an operation with the consent of the conflicting parties could not be met. Nevertheless, under increasing pressure from member states and humanitarian organizations, the Security Council authorized UNOSOM I (UN Operation in Somalia) in April 1992 to assist in the provision of relief. The mission shortly proved to be relatively ineffective given the extent of the humanitarian crisis, the rapidly deteriorating situation and the shortage of UN personnel to handle the crisis.

In response, the UN would revert to a mechanism it soon would learn could work only too well: asking a member nation

to lead a coalition of member states and bring their combined power and experience to bear on the successful resolution of a crisis. In December 1992, UNOSOM I was replaced by a US-led multinational coalition of member states, UNITAF (Unified Task Force), which was authorized explicitly under Chapter VII of the UN Charter to create a secure environment for the delivery of humanitarian aid, by force if necessary, and to disarm factions before handing over the operation back to the UN, which it did in May 1993. This operation is significant in that the international community came to accept the use of force as a legitimate response to a severe humanitarian crisis and, in so doing, recognized that the rights of people, as opposed to the sovereignty of countries, were a basis for action by the Security Council. The preamble of the resolution establishing UNITAF contained the following:

> Determining that the magnitude of the human tragedy caused by the conflict in Somalia, further exacerbated by the obstacles being created for the quick distribution of humanitarian assistance, constitutes a threat to international peace and security.[43]

For the first time, an internal humanitarian crisis had been defined as a threat to international peace and security and had justified the use of enforcement measures under Chapter VII of the Charter. As per the discussion on the UN

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[43]United Nations Security Council, Resolution 794, 3 December 1992.

Charter, UNITAF was authorized to enforce compliance with the cease-fire agreement and use force to permit the safe delivery of humanitarian assistance.

The UN mission in the Balkans, UNPROFOR (the United Nations Protection Force), was established in February 1992 and was later reorganized into the much smaller United Nations Peace Force (UNPF) in 1995 with the mounting of the NATO-led enforcement mission, Peace Implementation Force (IFOR), which is responsible for overseeing the implementation of the military aspects of the Dayton Peace Agreement. It has become the largest, most complex and multi-faceted operation ever undertaken by the UN. It continued to operate in a highly volatile environment where agreements to ceasefires were consistently broken and parties to the conflict continued to fight. The incremental expansion of the mission's mandate, or "mission creep", would eventually come to undermine the success of the operation.

UNPROFOR was initially established as a peacekeeping force to monitor a ceasefire between Croatia and the Yugoslav army, verify the withdrawal of the Yugoslav National Army and irregular forces from Croatia and the demilitarization of three United Nations Protected Areas in Croatia.[44] As the mission, however, expanded beyond

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[44]Canada, Department of National Defence, "Canadian Peacekeeping Commitments in the Balkans," Backgrounder BG-94.010 (revised), 29 May 1995.

Croatia, to include Sarajevo and later all of Bosnian territory, and additional responsibilities were added to the mission, the necessary personnel and resources failed to materialize. In addition, UNPROFOR was often asked to undertake tasks that seemed contradictory. For example, while relying on peacekeeping troops on the ground, the Security Council authorized under Chapter VII of the Charter an embargo on arms shipments to all states of the former Yugoslavia and economic sanctions against Serbia and Montenegro. The UN moved cautiously towards peace enforcement measures as Bosnian Serb attacks on Sarajevo continued, Bosnian Muslims remained under siege and the humanitarian situation continued to deteriorate. In August 1992, UN Security Council Resolution 770 called upon nation states to "use all measures necessary" to facilitate the delivery of humanitarian assistance and in September 1992, the mandate of UNPROFOR would expand to include providing security for humanitarian relief convoys in Bosnia and Herzegovina. In 1993, the UN would establish "safe areas" and its mandate was expanded to enable it to deter attacks against these safe areas, to monitor cease-fires, and to promote the withdrawal of military or paramilitary units other than those of the Government of the Republic of Bosnia and Herzegovina from the safe areas. These safe areas were regarded as temporary measures to allow displaced persons to return to their homes. The use of air power to protect the

safe areas from attack was also authorized.[45]

As UNPROFOR assumed new responsibilities requiring the use of force, it did not abandon its other more traditional peacekeeping functions. As a result, several tasks depending on a high degree of impartiality and consent for their execution were being jeopardized by parallel but more robust operations. Beyond protecting safe areas, these included the enforcement of no-fly zones, the provision of close-air support to protect peacekeepers and full-fledged air strikes.[46] In addition, this mission forged an unprecedented relationship between the UN and regional organizations such as the European Community (EC), the Western European Union (WEU) and the North Atlantic Treaty Organization (NATO). NATO, in particular, helped enforce the no-fly zone over Bosnia and Herzegovina, provided close air support and launched offensive air strikes to protect the safe areas. In addition, NATO's Standing Naval Forces (Mediterranean and Atlantic), along with the WEU, were deployed in the Adriatic to monitor and enforce sanctions against the Federal Republic of Yugoslavia as well as the

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[45]Canada, Department of National Defence, "Canadian Peacekeeping Commitments in the Balkans," Backgrounder BG-94.010 (revised), 29 May 1995.

[46]Canada, Department of National Defence, "Canadian Peacekeeping Commitments in the Balkans," Backgrounder BG-94.010 (revised), 29 May 1995.

arms embargo against all former Yugoslavian Republics.[47]

The UN's recent operations in Somalia and the Balkans, among others, demonstrate many innovative steps that the UN has undertaken in order to meet the challenges of a new security environment. However, as the analysis of the Congo operation in the next chapter will demonstrate, many of these innovative steps are not new and were undertaken by the UN during its experience in the Congo in the 1960s where it confronted similar security challenges and tried to deal with them through comparable means.

Conclusion

In reviewing how peacekeeping appears to have evolved since 1988 beyond its more traditional conceptualization, some new trends appear to have emerged. For one, Security Council members have become more active, not only politically, but also in providing troops and even taking the lead in specific missions. Secondly, the Security Council has authorized new missions based upon a definition of a threat to international peace and security well beyond what has been considered the norm. Failed states, humanitarian emergencies, humanitarian assistance in areas of conflict and civil war have all been classified as

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[47]Canada, Department of National Defence, "Canadian Peacekeeping Commitments in the Balkans," Backgrounder BG-94.010 (revised), 29 May 1995.

matters of international peace and security. Examples include the delivery of humanitarian aid in the former Yugoslavia, and the use of the Unified Task Force to establish a secure environment for the delivery of aid in Somalia.

These new functions are a reflection not only of the willingness to get involved in intra-state conflict, arguably bringing to a near end the strict adherence to the principle of non-interference in internal matters of sovereign states, but also of the willingness on the part of the Permanent Members of the Security Council to take a more active role in the UN's peace efforts.[46] Since the late 1980s, threats to international peace and security have been primarily internal in nature. In his Supplement to An Agenda For Peace, the Secretary-General noted that since 1988, 62% of peacekeeping operations related to intra-state conflicts.[47] These intra-state conflicts are often extremely complex and have deep-rooted origins. Often, in such situations, the UN must also face situations and actors which are not clearly defined as is the case in inter-state

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[46]See Vince DeRose, "Whither the State? Humanitarian Intervention and State Sovereignty Since the End of the Cold War," unpublished Master of Arts thesis, McMaster University, 1996. He argues that, contrary to the literature which suggests that humanitarian intervention in the early 1990s signalled the death of sovereignty, the concept of state sovereignty is still integral to the study of international relations.

[47]United Nations, Report of the Secretary-General, Supplement to An Agenda for Peace, 3-4.

conflict. In fact, the Secretary-General, recalling the Congo crisis, describes the situation as follows:

> The new breed of intra-state conflicts have certain characteristics that present United Nations peacekeepers with challenges not encountered since the Congo operation of the early 1960s. They are usually fought not only by regular armies but also by militias and armed civilians with little discipline and with ill-defined chains of command. They are often guerrilla wars without clear front lines. Civilians are the main victims and often the main targets. Humanitarian emergencies are commonplace... [50]

With the increase in size and wider mandates involving a range of tasks, UN operations have also begun to consist more and more of a civilian component, largely made up of specialized agencies and non-governmental organizations and more recently of civilian police. Some aspects of the mission have been best carried out by civilians rather than military forces. However, this injection of civilian aid has placed greater demands on military forces, who in addition to their own tasks, have had to pay particular attention to providing support and ensuring the safety of those performing non-military activities, particularly given the often tenuous environment in which they tend to operate. Tasks have often been mutually supportive but problems of coordination among member states, civilian organizations and even among the various UN agencies have arisen.

In light of these apparent changes, it would appear that peacekeeping has changed. However, upon further

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[50]United Nations, Report of the Secretary-General, Supplement to An Agenda for Peace, 5.

analysis, this is not the case. Immediately after the end of the Cold War, when "new" peacekeeping functions evolved, renewed efforts were made to define peacekeeping. Early on, the concept of peacekeeping was used to define a whole new series of missions. The concept was stretched to include a series of tasks such as monitoring the withdrawal of troops, elections monitoring, disarmament and maintaining law and order. However, all these activities took place, to a great extent, on the basic principles of peacekeeping: they required the consent of the parties, even if consent was only present in the initial stages, in some cases; the UN still needed to be invited by the parties; impartiality was maintained; and, force was still used as a last resort, albeit reluctantly in some instances. However, once the use of force to fulfil a specific mandate came to be permitted by the UN, it became obvious that the UN was becoming involved in something more, that is, peace enforcement. The concept of peacekeeping as traditionally understood concept has remained relatively unchanged. It is in its application that it has evolved.[51]

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[51]For example, the UN's operation in Cambodia, UNTAC (UN Transitional Authority in Cambodia) can be considered a peacekeeping mission. It was a complex operation which consisted of nearly 20,000 civilian and military personnel carrying out a range of functions including supervising a ceasefire, demobilizing and disarming warring factions, organizing elections, repatriating refugees and de-mining and related educational activities. However, for all these innovative aspects, in essence, UNTAC fits the mould of a peacekeeping mission since a peace agreement was in place and all the factions had agreed to its deployment.

Paradoxically, it can be argued, contrary to what most of the literature seems to imply, that recent operations have reinforced more traditional notions of peacekeeping and have imposed further distinctions between peacekeeping, peace enforcement and collective security as well as preventive deployment, peacemaking and peacebuilding. Beginning in 1988, the UN established operations where basically the parties to the conflict had made at least some form of political commitment to resolve their differences and had invited the UN to preside. Though the UN was being asked to perform activities beyond the norm, most of the operations, such as Namibia and Cambodia, could still be considered peacekeeping in the classical sense. It was in 1992, with the introduction of missions to the Balkans and Somalia that the term peacekeeping was stretched and analysis was refocussed on defining peacekeeping and essentially distinguishing it from peace enforcement activities. The fall out from this reinvigorated analysis is that peacekeeping in its original conceptual understanding remains relatively the same. In essence, peacekeeping is still the deployment of a UN force, with the consent of the parties to the conflict, which must remain impartial and only use force in self-defence. The accepted framework appears to use the term peacekeeping to encapsulate a range of activity up until the use of force is

permitted to carry out the mandate.[52] At this point in time, it is a peace enforcement activity, where force is allowed to carry out duties in an impartial manner, and, if an aggressor is identified, it is then a collective security action drawing on the UN's mechanisms under Article 42.

These distinctions become more acute when one revisits the UN mission in the Congo. One comes to recognize that in fact this UN mission was not a peacekeeping operation as it would be traditionally or even currently interpreted. It could be said that the UN mission in the Congo was the UN's first peace enforcement mission, an activity which would not resurface until 30 years later with operations in the Balkans, Somalia and Haiti.[53] This revelation serves to explain why much of the literature has tended to brush over

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[52]It is recognized that the terms "second-generation peacekeeping", "wider peacekeeping", "more robust peacekeeping", "multidimensional peacekeeping" and "peace support or peace operations" have emerged to reflect the new functions being undertaken by the UN during peace missions.

[53]The Congo was a peace enforcement action, as force was permitted to allow the UN forces to carry out their mission. It went beyond what is understood as peacekeeping but fell short of a being a collective security action, mainly because the involvement of the major powers prevented anything more. Every effort was also made by the Secretary-General to maintain the impartiality of the mission. In fact, what the UN was dealing with between 1960 and 1964 is what today would be termed a "failed state". The case of Somalia provides a particularly interesting point of comparison, as in both cases, the UN was operating in a state with no legitimate government. The eruption of conflict in the Congo was the result of the decolonization process, comparable to today's states who are coming to terms with their new found freedom provided with the end of the Cold War or the "de-ideologizing" of relations among states. See Mikhail Gorbachev, Speech to the UN General Assembly, December 7, 1988.

the Congo operation when reviewing traditional peacekeeping. This reinforces the fact that recent peace enforcement actions are therefore also not new. In fact, many of the functions that have been performed by UN peacekeepers as well as circumstances in which current missions have been carried out were also witnessed during the Congo operation, among others.[54] What is perhaps new is the frequency with which new missions have been established. Beyond this however, much of it, the mandates of maintaining law and order and providing technical assistance, the nature of the conflict, the size of the operation, the use of force to fulfil a mandate and the use of the civilian components are not new. The analysis of the UN operation in the Congo will serve to demonstrate this point.

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[54]Though this study will focus on the operation in the Congo, it is worth mentioning that a closer analysis of some of the UN's other operations during the Cold War reflect much of the current activity. For example, the UN's operation in Cyprus (UNFICYP) was deployed to deal with an intra-state conflict and its core mandate to date remains to prevent a recurrence of fighting between the communities but also "to contribute to the maintenance and restoration of law and order and a return to normal conditions." Security Council Resolution 186, 4 March 1964. In addition, UNFICYP was established with a civilian police component (UNCIVPOL) to assist it in carrying out its mandate.

CHAPTER 3

UNITED NATIONS OPERATION IN THE CONGO REVISITED: 1960-1964

> All in all, ONUC was an operation that a generation of UN officials wanted to forget, or, if not forget, then never to repeat.[55]

It has been over 30 years since the United Nations launched into the heart of Africa one of its most ambitious peace operations. Until recently, the United Nations Operation in the Congo, known by its French acronym ONUC (*Operations des Nations Unies au Congo*), had been unparalleled both in magnitude and scope. Established in July 1960 at the request of the Congolese authorities, it was an operation that at its peak strength numbered nearly 20,000 troops and was brought to a conclusion in June 1964 after four difficult years. The operation spread over an area often compared to the size of Western Europe (approximately 2,345,000 square kilometres). Thirty-four countries participated in the operation contributing personnel, equipment and strategic airlift. During the course of the operation, over 230 people died, including then Secretary-General Dag Hammarskjöld who was killed in a somewhat suspicious plane crash. In all, the four year operation cost the UN over 400 million dollars (1964 figures) which had been by far the largest and most costly

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[55]Durch, The Evolution of UN Peacekeeping, 316.

UN operation to date.[56]

However, the true costs of ONUC proved to be much higher. Not only would the cost of the operation prove to be an enormous financial burden on the UN, but also the inability, and in some cases, the unwillingness of some member states to fund the operation prompted a general financial crisis in the organization.[57] In addition, the role of the United Nations, and, in particular, the role of the Secretary-General as an impartial third-party was thrown into question, justifiably or not. Given that tensions were particularly high during this period of the Cold War, it was also impossible to isolate the crisis in the Congo from Great Power politics. Inevitably, the operation became much more complex, to a point where the Secretary-General's efforts were dedicated not only to resolving the situation in the Congo but also to avoiding a direct confrontation between the United States and the Soviet Union. Troop contributing nations were also dissatisfied and disillusioned by the experience and publicly disagreed about

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[56]United Nations, The Blue Helmets, 215.

[57]Currently, the UN is going through another financial crisis, likely its worse since its experience in the Congo. The credibility crisis that the UN is currently facing is comparable to what it went through in the 1960s. Member states are withholding funds from the UN for national political reasons and/or disagreement over the UN's mismanagement of its activities and its inability to reform or deal with emerging security challenges. In particular, the United States has decided to decrease its portion of assessed contributions to 20% of the UN budget and its contribution to the peacekeeping budget to 25% down from about 33%.

how the operation was being handled and their troops were being treated. Some even withdrew their contingents in protest. Needless to say, the whole operation challenged the role and value of peacekeeping and created widespread political scepticism about the future of the UN: a belief which remained well into the next decade.[58]

From this brief description, it is obvious that recent circumstances parallel many of those that confronted the UN operation in the Congo in the early 1960s. The "changed" nature of UN peace operations is thus not new, a point which much of the peacekeeping literature hints at but rarely explores. For this reason, it is worth revisiting the UN operation in the Congo. The number of troops needed, the functions they were expected to carry out and the resources required in both human and financial terms, including a large civilian component, are comparable to many current UN operations. Moreover, as much as the operation reflects many of the today's demands on UN peacekeeping operations, it also demonstrates the organization's shortcomings: the lessons forgotten, which to this day continue to challenge or haunt the UN. To this end, revisiting the Congo operation becomes that much more relevant.

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[58]Though this is true, UN operations were established soon after the conclusion of the UN operation in the Congo in West Irian, Yemen, Cyprus, the Dominican Republic, and between India and Pakistan. Most of these were observer missions, except for Cyprus, and none of them compared in size and scope.

The UN operation in the Congo thus occupies a unique place in the history of the UN, not only because of when it occurred but also due to its continued relevance. As noted in Chapter Two, even Boutros Boutros-Ghali in his Supplement to An Agenda For Peace conceded that the UN had not dealt with the kind of difficulties recently encountered since the Congo operation. Even the Secretary-General has recognized that the recent problems and challenges confronting the UN and its peacekeeping role are not new or so different from what the Organization has confronted in the past.

This chapter examines the UN operation in the Congo and highlights those aspects of the operation which demonstrate the continued relevance of the experience to current operations. A review of the UN's operation in the Congo concludes that it was a peace enforcement action, thereby showing why it is not usually considered a peacekeeping mission in the traditional sense and therefore why it is like most current missions, particularly peace enforcement ones. Beyond this, reviewing the UN operation in the Congo will enable one to draw some conclusions on the future of the UN, in light of the lessons which can be drawn from the Congo experience.

Genesis of the Congo Crisis

Before one can understand what led to the establishment

of the UN peacekeeping operation in the Congo, a brief overview of the events which triggered the Congo crisis is needed. The situation which developed in the Congo, now Zaire, in late 1950s and early 1960s has its roots in the colonial past of the country, particularly Belgium's paternalistic attitude towards its colony. When Belgium granted the Congo its independence, it lacked an indigenous elite which could fill the void left by its colonial leaders. A complete lack of a sense of national unity and a deteriorating economic situation, along with an unfamiliarity with the workings of democratic institutions, would further worsen the situation and pull the Congo into a crisis which would last for four tumultuous years.

Belgian colonial policy in the Congo came to be described as "benevolent paternalism", where the goal was "to keep the Congolese economically satisfied, socially content and politically ignorant".[59] In other words, Belgium did nothing to make the Congolese self-reliant and stifled any sense of nationalism among the people. This policy persisted until the Congo gained its independence in 1960, and inevitably was a contributing factor to the crisis which was to follow.

Belgium's paternalistic attitude was also very much prevalent in its treatment of the Congolese soldiers in the

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[59]Ram Chandra Pradham, The United Nations and the Congo Crisis (New Delhi: Manas Publications, 1975): 6.

Congolese army, the *Force Publique*. Though its total strength in 1960 was at about 25,000, approximately 24,000 were Congolese soldiers and non-commissioned officers and the remaining officers and junior officers were all Belgians. Moreover, on the eve of Congo's independence, the "Africanisation" of the Congolese army was rejected by General Emile Janssens, the Chief of Staff.[60] The Belgian policy of not appointing or promoting Congolese soldiers to officer rank would contribute to the crisis which would grip the Congo on the birth of its independence.

The Congolese also remained ignorant of democratic institutions and, at the time of independence, the Congo was without a sound political leadership which was familiar with the workings of government machinery.[61] Due to Belgium's policy of insulating and isolating the Congolese from any form of political activity, a single uniform nationalistic and united front was prevented from emerging. Instead, independence witnessed the proliferation of political parties who attached greater importance to their regional and tribal interests rather than to national ones. Despite the coalition government which would come to be formed, it was obvious that it was bound to disintegrate because each of the parties had such diverging views. Due to the lack of

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[60]Pradham, The United Nations and the Congo Crisis, 7.

[61]This is unlike the French and the British who had sought, in most instances, to create an indigenous elite in their colonies before granting independence.

a strong sense of nationalism, social cohesiveness was also a problem which led to riots among tribes as they each vied for power. Finally, the failure of the Belgian nationals to secure a self-generating economy and remove the Congo from heavy reliance on revenue from the export of mineral resources had also placed the Congo on the verge of economic collapse. Given the state of affairs, it is quite remarkable that UN was able to accomplish anything at all.

It would not be until the mid-1950s that the seeds of nationalism would erupt in the Congo as part of the decolonization wave which was sweeping much of Africa during that period. When the Congolese became aware of the moves towards independence in neighbouring countries, political parties and various social organizations emerged despite Belgian repression. The dissatisfaction among the Congolese became apparent in their public appeals for democratic elections and "Africanisation" of the administration.[62] With the economy deteriorating and anti-colonial sentiments rising, it became obvious that Belgium was faced with a problem it had refused to acknowledge in the past. However, Belgian concessions would come too late and Belgium would only regain partial control after promising independence by June 1960.

In early 1959, Belgium would finally concede to grant the Congo its independence. The implementation plan for

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[62]Pradham, The United Nations in the Congo, 7-12.

independence proved to be swift. Elections to municipal and territorial councils were held in December of that year. In January 1960, the Congolese leaders met in Brussels, and Belgium agreed to grant Congo its independence in June, only six months away. Almost immediately central and provincial executive councils consisting of local Congolese leaders were established and elections would soon follow to establish the Congolese Parliament and provincial assemblies.[63] Each of the Congo's six provinces elected assemblies which chose their provincial presidents and ministers.[64] The Congo's constitution, *la Loi fundamentale* was adopted in March 1960. The constitution provided for the executive division of power between the President and the Prime Minister, two positions which came to be occupied by the two most prominent national leaders in the Congo: Joseph Kasuvubu and Patrice Lumumba, respectively.[65] The elections had proven to be indecisive: given the number of parties which had sprung up, not one party had been able to win a majority. These two rival Congolese leaders thus formed a precarious and unstable coalition which would collapse and lead the Congo into a constitutional crisis within a year. Nonetheless, the Parliament of the Congo

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[63]United Nations, The Blue Helmets, 216.

[64]The six provinces include: Orientale, Equateur, Kivu, Kasai, Leopoldville and Katanga. See Map of the Republic of the Congo, as of July 1960, at Appendix D.

[65]United Nations, The Blue Helmets, 216.

convened for the first time in early June and granted the Kasuvubu-Lumumba coalition its vote of confidence on June 24, 1960, six days before independence."

On June 30, 1960, the Congo would be granted its independence. However, soon after independence, the Congolese security force, the *Force Publique*, would mutiny, Belgium would intervene and one of the Congo's provinces, Katanga, would secede. These developments at the dawn of independence would lead to the UN's involvement in the Congo.

Five days after independence, the *Force Publique*, mutinied. Its members felt they had not reaped the benefits of independence because the services of the Belgian officers had been retained. They murdered and attacked many white women and committed other atrocities. The mutiny spread and in the confusion that followed the Europeans who occupied the high civil administration posts and officer corps (who

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"As part of the deal for independence, a Treaty of Friendship was signed between the Congo and Belgium. The Treaty provided certain measures which Belgium hoped would ease the transition to independence. Under this Treaty, Belgium nationals would remain behind in the Congo to assist the Congolese Government and provide technical and administrative assistance; two military bases, Kamina in Katanga and Kitona in Leopoldville, would remain under Belgium control and Belgian troops would remain there and could be called upon to help maintain law and order, if requested by the Congolese Government; and, it was decided that the Congo's armed force, the *Force Publique* would remain as it was, to be commanded by General Emile Janssens and retain the all-Belgian officer corps. United Nations, The Blue Helmets, 216-217.

had decided to stay behind) fled the country, causing the whole administrative structure to collapse. Despite attempts to calm the European population, it was obvious that there would be no peace unless the Belgian officers were removed, including the Chief of Staff, General Emile Janssens. In an attempt to regain control, Lumumba dismissed General Janssens and promoted all the Congolese soldiers by one grade in an attempt to "Africanize" the entire officer corps and renamed the armed forces *L'Armee Nationale Congolaise* (ANC). Lumumba also appointed Colonel Joseph Mobutu as the Chief of Staff.[67]

The disaster which overtook the Congo when the army mutinied worsened when Belgium flew in its troops to help restore law and order. On July 10, 1960, just a day after the Congolese Government had requested the UN's assistance, Belgium's armed forces intervened. Belgium justified its intervention on the basis that it was protecting the lives

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[67]United Nations, The Blue Helmets, 217. Mobutu would come to reign the country from 1965 to the present day under what was decided to be the lesser of two evils by the West in the mid-1960s: an authoritarian regime with pro-West leanings. Throughout his tenure, General Mobutu has played the West against the East in order to gain economic benefits. However, in the early 1980s, the West (primarily the United States) significantly scaled back its financial support to Zaire, given the country's appalling human rights record. The ongoing repressive regime of Mobutu has made him somewhat of a pariah in the international community. His regime has of late come under severe stress given the lack of a self-reliable economic system for the people of Zaire and pressure from refugees as a result of conflict in neighbouring countries such as Rwanda and Burundi. Some analysts had even predicted that such tensions also present in Zaire would lead the country into conflict; they have been proven right.

and properties of its citizens in the Congo.[68] However, it appears that the Belgian intervention was uncalled for and was unsupported by its claim since a majority of the Europeans had left soon after riots broke out. More importantly, the Belgian troops failed to confine their intervention to protecting their nationals and their property. They helped Katanga in its secession from the rest of the country.[69] Upon hearing of the Belgian intervention, Congolese soldiers were enraged and retaliated. The Belgian intervention, instead of improving the situation in the Congo, thus came to worsen it.

The secession of the province of Katanga on July 11, 1960 intensified the crisis. The President of Katanga, Moise Tshombe, who opposed the provincial-central relationship set out in *la Loi fundamentale* declared the province of Katanga independent, taking advantage of Belgium's armed intervention (and being supported by it) and the weak military position of the Central Government following the mutiny of the *Force Publique*.[70] The case of Katanga is unique and its secession not only threatened the territorial integrity of the Congo as a whole but also the many economic interests in that part of the Congo, since Katanga was rich in resources in comparison with the other

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[68]United Nations, The Blue Helmets, 218.

[69]Pradham, The United Nations and the Congo Crisis, 31.

[70]Pradham, The United Nations and the Congo Crisis, 33.

provinces. In addition, it had the highest percentage of white settlers who had always called for greater provincial autonomy and, given the circumstances at the time, could substantially count on the support of Belgium to assist in their cause. Tshombe, backed by Belgium and other economic interests, would thus be able to sustain the secession of Katanga which would come to hamper the peaceful resolution of the Congo crisis and prove to be the most controversial issue the UN would have to deal with during the course of its stay in the Congo.

The United Nations Operation in the Congo (ONUC)[71]

It was amid this chaos that the UN was called upon to establish an operation in the Congo. Initially, the purpose of the UN's mission was to assist in maintaining law and order but inevitably, and painstakingly, the UN was set on

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[71]Many books and autobiographical accounts of the UN's operation in the Congo have been written. Beyond those referred to below, see, for example, G. Abi-Saab, The United Nations Operation in the Congo, 1960-1964 (London: Oxford University Press, 1978); D.N. Chatterjee, Storm Over the Congo (New Delhi: Vikas, 1980); Colin Legum, Congo Disaster (Middlesex: Penguin Books Limited, 1961); King Gordon, The United Nations in the Congo: A Quest for Peace (Carnegie Endowment for International Peace, 1962); Conor Cruise O'Brien, To Katanga and Back: A UN Case History (New York: Simon and Schuster, Inc., 1962); and, Indar Jit Rikhye, Military Adviser to the Secretary-General: UN Peacekeeping and the Congo Crisis (New York: St. Martin's Press, 1993). For an extensive and comprehensive analysis, see Rosalyn Higgins, United Nations Peacekeeping: 1946-1967: Documents and Commentary:III Africa (Oxford: Oxford University Press, 1980).

the path to reunify the country. In the Congo, the UN, in effect, came to act as an interim government when the eruption of hostilities between multiple rival actors catapulted the newly independent state into a constitutional crisis and civil disorder. The absence of an effective political authority in the Congo and the largely internal nature of the crisis put the Congo operation outside the familiar model to be provided by most peacekeeping operations. Furthermore, given the geographic character of the Congo, the peacekeeping operation was hampered by poor communications, a large terrain and an inhospitable climate. The involvement of most major powers, particularly the United States and the Soviet Union, added another complex dimension to the operation. The UN would remain in the Congo for four years, after which it would have consolidated a somewhat precarious Congolese leadership to rule the country upon its departure.

The UN operation in the Congo was established initially in response to the mutiny of the *Force Publique*. The Congolese Government requested on July 9, 1960, four days after the mutiny, the UN's assistance of a "military nature" to help maintain law and order.[72] The purpose of the operation was primarily to restore law and order by providing the Congolese with the necessary expertise to train the Congolese army until such a time as they were

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[72]United Nations, The Blue Helmets, 218.

deemed ready to re-assume their security responsibilities. However, given the Belgian intervention and the secession of Katanga, the UN's mandate expanded to include supervising the withdrawal of Belgian forces and later the expulsion of foreign mercenaries, acting as an interim government during the Congo's constitutional crisis, and, finally, preserving the territorial integrity of the Congo by preventing civil war and putting an end to the secession of Katanga."[73] ONUC also came to consist of a large civilian component, 2000 experts and technicians, who provided extensive assistance in the administrative, technical and humanitarian fields.

The Establishment of ONUC and the Withdrawal of Belgian Forces

A UN interpretation of what led to the UN's involvement in the Congo credits Dag Hammarskjöld's foresight. It appears that Hammarskjöld was in the Congo in January 1960 and anticipated the massive assistance that the Congo would need. He sent Ralph Bunche, his Under-Secretary for Special

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[73]The expansion of the mandate of a UN operation has come to be commonly referred to as "mission creep". This is an all too familiar concept in the current case of the international community's efforts in the former Yugoslavia. The mandate of the UN's mission in the Balkans expanded from a peacekeeping operation to a peace enforcement action, unfortunately without the commensurate resources. The lack of adequate resources, such as personnel and equipment, practically jeopardized the whole mission and the UN's credibility along with it.

Political Affairs, to the independence ceremonies on his behalf to recommend such assistance.[74] Of course, given the developments which soon transpired after independence, Bunche was in a position to mediate a possible solution. On the initiative of Hammarskjöld, he recommended to Kasavubu and Lumumba that they "request such military personnel as technical assistance of a military nature, rather than as military assistance" to help the Government control and strengthen the Congolese army.[75] However, some of the literature also notes that the Congo Government initially sought assistance from the United States, who supposedly advised them that a UN endorsement was essential.[76] In either case, by mid-July, Kasavubu and Lumumba sent a formal request to the UN asking for military advisers, experts and technicians to help prepare their armed forces for the roles of national defence and maintaining law and order.[77]

However, as soon as the Congo Government made its request, Belgian troops intervened and Katanga declared its independence. As a result, on July 12, 1960, Kasavubu and

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[74]United Nations, The Blue Helmets, 217.

[75]United Nations, The Blue Helmets, 218.

[76]Durch, The Evolution of UN Peacekeeping, 319.

[77]It is interesting to note that in fact the Congolese government had initially requested the assistance of the United States to aid in bringing law and order. Recognizing the potential for confrontation with the Soviet Union, the US President rejected the request and stated that UN endorsement was essential.

Lumumba repeated their request to the UN for military assistance but this time they described the Belgian intervention as "external aggression which is a threat to international peace and security".[78] The following day, July 13, 1960, they reiterated their request stressing the need for the UN's assistance to restore the internal situation but also (and more importantly) to respond to Belgian aggression.[79] That evening the Secretary-General convened a meeting of the Security Council, invoking Article 99 (historically, a rare event) which permits the Secretary-General to bring to the Security Council's attention any matter which in his opinion may threaten international peace and security. The Security Council adopted Resolution 143 (S/4387) which established the UN operation in the Congo (ONUC) and called upon the Government of Belgium to withdraw its troops from the territory of the Congo.[80] It authorized the Secretary-General to:

> take the necessary steps, in consultation with the Government of the Republic of the Congo, to provide the Government with such military assistance as might be necessary until, through that Government's efforts with United Nations technical assistance, the national security forces might be able, in the opinion of the

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[78]Such language would entail a collective security action, as in Korea or the Persian Gulf, since an aggressor would be identified.

[79]United Nations, The Blue Helmets, 219.

[80]For key Security Council and General Assembly resolutions on the Congo, see Appendix E.

Government, to meet fully their tasks."[61]

The resolution was adopted by 8 votes to none, with 3 abstentions (China, France and the United Kingdom).[62] The resolution was strongly supported by both the United States and the Soviet Union despite the difficulties they would come to encounter with the UN over the conduct of the operation.[63] It is interesting to note that the Security Council, on the advice of Dag Hammarskjöld, avoided identifying Belgium as an aggressor. This would entail the UN getting involved in a collective security action similar to Korea, just 10 years prior. It is unlikely that some members of the Security Council would agree to an operation that would identify one of their NATO allies as an aggressor. Given the way the mission's mandate was worded, it provided Belgium the opportunity to withdraw its forces with the least amount of embarrassment.

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[61]Security Council Resolution S/4387, 14 July 1960.

[62]At the time, the Security Council consisted of five permanent members and only six non-permanent members. The non-permanent membership was later expanded to ten, bringing the total to fifteen. The non-permanent members at the time of the Congo operation were Argentina, Ceylon, Ecuador, Italy, Poland and Tunisia.

[63]The US interest in the Congo was as much a result of its anti-colonial attitude and its willingness to enhance relations with non-aligned leaders as it was to keep the UN engaged and the Soviet Union out. "The only way to keep the Cold War out of the Congo is to keep the UN in the Congo". The Soviet Union viewed the UN's intervention in the Congo as a means to seek influence in the Third World. Though they avoided military confrontation, their ideological rivalry very much hampered the work of ONUC.

As has occured with UNEF I, the Secretary-General also set out certain guidelines which would attempt to govern the UN operation in the Congo. He viewed ONUC as a force established at the request, and with the consent, of the Congolese Government and one that was to be temporary as stipulated in Resolution 143, "until national security forces might be able ..... to meet fully their tasks". He emphasized that the force was to remain under the exclusive command of the United Nations, vested in the Secretary-General, controlled by the Security Council and therefore was not to take orders from the Congolese Government. In other words, the authority granted to the UN force could not be exercised within the Congo either in competition with the Government or in cooperation with it in any joint operation. The activities of the UN force were to be separate and distinct from national authorities. In addition, the units of the force must not become a party to "internal conflicts". They could not be used to enforce any specific political solution. The UN force was also to have "freedom of movement" required to carry out its tasks. The UN forces were also not authorized to use force except in self-defence and were not to exercise "any initiative in the use of armed force". Finally, UN personnel were to serve loyally to the aims of the Organization and not their governments."[84]

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[84]Guidelines listed for the UN Operation in the Congo are as articulated in Ernest Lefever, Crisis in the Congo: A U.N. (continued...)

It is obvious from these guidelines that the Secretary-General was already starting to learn from his recent experience in UNEF I. The composition of the force also tried to adhere to the basic principles of classical peacekeeping: the force was not to include units from any of the Permanent Members of the Security Council nor units from any country which, because of geographical location or political reasons, might have a special interest in the operation in the Congo. The force came to be built around a core of African countries, including Ethiopia, Ghana, Guinea, Morocco and Tunisia. The Secretary-General also asked three European, one Asian and one Latin American countries to participate.[65]

The operation was quickly established with the first troops arriving on the evening of July 15th, 1960, two days after the resolution establishing the operation was adopted.[66] In the days that followed, about 4000 troops

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[64](...continued)
Force In Action (Washington, D.C.: The Brookings Institution, 1965): 22-23.

[65]For a list of participating countries in the UN Operation in the Congo, please see Appendix F. In addition, the UN would borrow temporarily one Swedish battalion from the UNEF force and would appoint a Swede, LGen Carl Von Horn, as Commander of the UN Force in the Congo, who until that time had been the Chief of Staff of the United Nations Truce Supervisory Operation (UNTSO). Ralph Bunche would remain behind as the Secretary-General's Special Representative in the Congo.

[66]This was remarkable given the lack of precedent and preparation by the United Nations. As Lefever points out, "The
(continued...)

would be in the Congo and deployed mainly in and around Leopoldville (Matadi and Thysville) and the provincial capital cities Coquilhatville (Equateur province) and Stanleyville (Orientale province). By July 18th, 1960, LGen von Horn had established his Force Headquarters at the airport in Leopoldville.[47]

In this initial phase, the UN forces helped restore law and order by assuming many of the police functions of the local security forces who had become disorderly and disorganized. ONUC basically restored law and order, protected life and property, and ensured the continued operation of essential services wherever possible. It also brought under control many unruly elements of the ANC which voluntarily or at the request of the Government laid down their arms. However, things were not always so simple. ONUC's job was made that much more difficult and frustrating as a result of the ongoing internal conflicts between rival tribes and regions and the inability to control the actions of some members of the ANC.[48] Throughout this period,

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[46](...continued)
Secretariat had to start from scratch. It had no standing force, no earmarked troops, no stockpiles of weapons or equipment, no logistical structure, no communications system, no independent intelligence capability, no contingency planning, virtually no treasury, and no assured source of funds." Lefever, Crisis in the Congo, 32.

[47]United Nations, The Blue Helmets, 221-222.

[48]For example, in August, in the province of Kasai, the Baluba of the Luluabourg area fled *en masse* to the Bakwanga
(continued...)

however, the UN did not use force to protect the ONUC troops or stop the Government's or ANC's actions and depended on its good offices instead.

The UN, however, did try to prevent or control hostilities between the warring factions. The UN's approach to containing hostilities was novel. The UN established "neutral zones" and "protected areas" under its protection.[88] In cases of tribal warfare, the UN established neutral buffer zones between rival tribes within

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[88](...continued)
region and proclaimed the secession of this region (South Kasai). Moreover, opposition to the Government became rampant in the provinces of Leopoldville and Equateur. In response, the Government started arresting anti-Government protesters and sent in ANC troops to the Bakwanga region to put an end to the secession. During this episode many civilians were killed, including women and children. Elements of the ANC would prove to be a constant danger to the people of the Congo as well as to ONUC personnel who came under constant attack. From the outset, the UN thought it essential to discipline and reorganize the armed forces. However, this effort would soon be halted once the constitutional crisis erupted and would eventually be suspended indefinitely. During the course of the UN's operation in the Congo, many deaths (including ONUC personnel) and atrocities were committed at the hands of Government forces. ONUC tried to retrain the armed forces and bring the unruly elements under control. The Deputy Commander of ONUC was even assigned a military advisor position to the ANC. However, efforts were shortlived with the Government's plans to attack Kasai and Katanga and later with the political struggle which ensued by September 1960. Attempts were made to resume the reorganization effort. These efforts held for a year but were suspended when the Government asked for foreign military assistance which the UN decided it could not support and withdrew its program. The reorganization and training of the ANC would later be carried out outside the UN framework by individual member states. See United Nations, The Blue Helmets, 247 and 256-257.

[89]United Nations, The Blue Helmets, 229.

the Congo. These were usually established in agreement with the parties to the particular conflict. Protected areas were also established to protect the innocent civilians who were threatened by the ongoing conflict. In these areas, the population could find retreat and safety, particularly if threatened. The UN established many of these neutral zones at various places, including South Kasai and northern Katanga.

In order to restore law and order, one of the first steps for the UN was to ensure that Belgian troops withdrew as quickly as possible. The first UN troops arrived July 15, 1960 and were deployed to areas where Belgian troops were deployed, concentrating mainly in the capital city of Leopoldville. The following day, Belgian troops began to retreat to their bases in Kitona and Kamina or left for Belgium, as soon as it appeared the UN force was able to ensure the maintenance of law and order and the security of civilians. The full withdrawal of the Belgian troops was scheduled to be completed by July 23rd, 1960.[90]

The deadline of July 23rd, however, proved insufficient for the Congolese Government which believed the time frame to be too long. On July 17th, 1960, Lumumba and Kasavubu warned the UN that if the Belgian forces were not completely withdrawn by July 19th, they would seek assistance from the Soviet Union. In response, the Security Council passed

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[90]United Nations, The Blue Helmets, 223-224.

another resolution on July 22, Resolution 145 (S/4405) which was adopted unanimously. Specifically, the resolution commended the Secretary-General for his efforts in the Congo and called upon Belgium to speed up the withdrawal of its troops and authorized the Secretary-General "to take all necessary action to this effect".[91] It also asked that all states "refrain from any action which might tend to impede the restoration of law and the exercise by the Government of the Congo of its authority" and invited UN agencies "to render to the Secretary-General such assistance as he may require."[92] This resolution, unlike the one of July 14, recognized that restoring law and order was essential to maintaining international peace and security and served as a reminder that the Security Council had recommended the admission of the Congo to membership in the United Nations *as a unit*. By July 23rd, all Belgian troops would be withdrawn from Leopoldville and, by the beginning of August 1960, from all of the Congo, except Katanga and the two military bases.[93]

The withdrawal of Belgian troops from Katanga would prove to be a much more difficult issue and led to strained relations between the Secretary-General and the Congolese authorities, particularly Prime Minister Lumumba. Lumumba

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[91]Security Council Resolution S/4405, 22 July 1960.

[92]Security Council Resolution S/4405, 22 July 1960.

[93]United Nations, The Blue Helmets, 224.

wanted the UN forces to help the Government put an end to the secession of Katanga, which the Secretary-General adamantly refused to do, citing that the UN was not to interfere in any internal conflict. The Secretary-General also encountered difficulties with the authorities from Katanga who refused entry to the UN forces. Furthermore, Belgium did not help matters by refusing to remove its own troops from Katanga. Unable to persuade Katanga to let the UN forces in, the Secretary-General brought the matter before the Security Council.

On August 9th, 1960, the Security Council passed Resolution 146 (S/4426), adopted 9 votes to none and 2 abstentions, France and Italy, which reaffirmed the authority bestowed upon the Secretary-General in previous resolutions.[94] At the same time, while resolving that UN troops must enter Katanga, declaring that "the entry of the United Nations force into the Province of Katanga is necessary for the full implementation of the resolution", the Council reaffirmed that ONUC "will not be a party to or in any way intervene in or be used to influence the outcome of any internal conflict, constitutional or otherwise".[95] On August 12, Hammarskjöld himself arrived in the Congo and personally led the first UN units into Katanga which took over some of the security functions from the Belgians. The

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[94]Security Council Resolution S/4426, 9 August 1960.

[95]Security Council Resolution S/4426, 9 August 1960.

Congolese Government, more specifically Lumumba, however, was furious at the Secretary-General for not allowing Congolese officials and military personnel to accompany him to Katanga. This decision not only threatened the UN's already shaky relationship with the Congolese Government, but also angered the Soviet Union which supported Lumumba and tried to thwart the implementation of Resolution 146 by trying to get the Security Council to make the implementation of the resolution subject to the agreement of troop contributors.[96]

Initially, thus, the operation was effective but disagreement between the Congolese government and the UN over what action to take regarding the secession of Katanga soon led the operation into disarray. Displeased with how the UN was handling the Katanga situation, Prime Minister Lumumba refused henceforth to cooperate with the UN. The Congolese Government wanted the UN to take forceful action, but Dag Hammarskjöld maintained that the UN had no authority to use force in such circumstances. This led Lumumba to seek assistance from the Soviet Union. As a result, he came to be viewed as a Communist sympathizer and this led to opposition to his rule both inside and outside the Congo and the growing preference by the countries in the Western bloc

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[96]See Indar Rikhye, "The United Nations Operation in the Congo: Peacekeeping, Peacemaking and Peacebuilding" in Donald C.F. Daniel and Bradd C. Hayes, Beyond Traditional Peacekeeping (London: Macmillan Publishers, 1995): 261.

for Kasavubu. The Secretary-General brought the matter to the Security Council's attention on August 21, 1960. No further direction was received, or indeed could be received, from the Security Council given that the matter involved the aid of the Soviet Union to the Congo. At this meeting, however, the Secretary-General announced his intention to establish a Congo Advisory Committee, composed of Member States who had contributed troops to ONUC to advise him on the way ahead in the Congo.[97] Oddly enough, this could be seen as an attempt to appease the Soviet Union which had in early August called for a greater role for troop contributors.

The Collapse of the Central Government

The widening differences between Lumumba and Kasavubu on the UN's role and how to handle the secession of Katanga

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[97]The Congo Advisory Committee held meetings similar to the troop contributor meetings being held currently in the UN. This recent development evolved after regular troop contributors (ie countries like Canada, the Nordic countries, and Australia) were finding they had no input into how their troops were going to be used in a UN mission. The decision-making process at the UN is such that the Security Council usually decides on the mandate of an operation and then requests the necessary troops to carry it out. However, given that more recent operations began to entail greater risks to their troops, these countries began to ask for greater transparency and involvement in the decision-making process related to a particular mission. The Advisory Group in the Congo came to be known as the "Congo Club" (or like now, the "Friends of" groups). In fact a similar concept had already been adopted for UNEF in 1956. See Rikhye, "The United Nations Operation in the Congo", 261.

would lead to the collapse of the Central Government and a constitutional crisis. As mentioned, Lumumba was furious at the UN for not using force to quell the Katanga secession. So he decided to do it himself and, with the aid of Soviet aircraft and ground transport, he launched the Congolese army into the neighbouring province of Kasai where his troops became involved in a conflict with Baluba tribesmen. This action resulted in many deaths and thousands of refugees, adding to the difficulties already being encountered by the UN. On September 5, 1960, President Kasavubu, who opposed Lumumba's action, dismissed Lumumba as Prime Minister. Unperturbed, Lumumba, in turn, dismissed Kasavubu as President.[98] This resulted in utter chaos and left the Congo with no legal government: a crisis which would last for over 11 months. During this time, ONUC therefore could only deal with *de facto* authority and tried its utmost to prevent a civil war and protect the civilian population. Kasavubu would later, at a December 1960 General Assembly meeting, be granted recognition as the *de facto* authority of the Congo. The UN would, however, steadfastly refuse to help him achieve any of his political goals and maintained its policy of neutrality.[99]

Given the crisis which emerged with the dismissal of Lumumba, the UN established some temporary control measures

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[98]United Nations, The Blue Helmets, 228.

[99]United Nations, The Blue Helmets, 229-230.

which included closing the airport to prevent the movement of Congolese troops and closing the Leopoldville radio station in order to minimize negative propaganda over the air waves. These measures were lifted by September 13, 1960.[100] Nonetheless, the Soviet Union, critical of Hammarskjöld for closing the airport and the radio station, mainly because these actions were perceived to work against Lumumba and also prevented them from providing support, tried the next day to pass a Security Council resolution which asked for the removal of the UN Force Commander, LGen Carl von Horn.[101]

The Security Council, showing signs of division, failed to reach consensus on how to deal with these developments in the Congo. The United States managed to gain approval for a special session of the General Assembly by invoking the Uniting for Peace resolution and an emergency session of the General Assembly was held 17-20 September.[102] The debate pitted East against West. The Soviet Union led a personal attack against Hammarskjöld, calling for his resignation as

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[100]United Nations, The Blue Helmets, 228.

[101]United Nations, The Blue Helmets, 228.

[102]The Uniting for Peace resolution, discussed in Chapter Two, states that if the Security Council, because of lack of unanimity among the Permanent Members, fails to exercise its primary responsibility for the maintenance of international peace and security, the General Assembly will consider the matter and make recommendations to the members for collective measures, including the use of force (Resolution 377 (v), Part I), 3 November 1950.

Secretary-General, and demanding that a troika representing the three blocs replace him.[103] Hammarskjöld however enjoyed the support of the West and Third World countries and managed to stay on. Having failed to remove Hammarskjöld, the Soviet Union would come to oppose Kasavubu's every move and make it difficult for the UN to fulfil its role in the Congo.[104] The General Assembly finally approved the September 20, 1960 Resolution (A/4510), adopted by 70 votes to none, with 11 abstentions, including France and the Soviet Union. It appealed to the people of the Congo to resolve their differences by peaceful means and encouraged the Secretary-General to continue his efforts in line with previous Security Council resolutions, in order to "safeguard its [Congo's] unity, territorial integrity and political independence".[105] The resolution also appealed to member states to provide "voluntary contributions to a United Nations Fund for the Congo" and to "refrain from the direct and indirect provision of arms or other material of war and military personnel and other assistance for military purposes in the Congo" unless under the authority of the UN.[106] The Assembly also asked that a

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[103]Rikhye, The United Nations Operation in the Congo, 262.

[104]Rikhye, The United Nations Operation in the Congo, 262.

[105]General Assembly Resolution A/4510, 20 September 1960.

[106]Thw UN's financial problems encountered as a result of the operation in the Congo are discussed in the following chapters.

conciliation commission be established by the Advisory Committee to the Secretary-General to assist in identifying possible solutions to the Congo crisis.[107]

The civil war in the Congo intensified in early 1961 with the death of Lumumba in questionable circumstances.[108] Despite a UN guard, Lumumba had left his residence on the 27/28 November 1960 to make his way to Stanleyville, where, as mentioned, he found most of his supporters. However, on the way, he was arrested by Mobutu and brought back to Leopoldville. There he remained detained (in Thysville, just outside Leopoldville) until 17 January 1961. At that time, he and two other political prisoners were transferred to Tshombe's custody in Elisabethville in Southern Katanga.

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[107]The Commission was set up and visited the Congo in early 1961 to attempt to reconcile the competing groups in the Congo. Its efforts, however, proved futile. The Commission came to the conclusion that the crisis could be only be resolved if Parliament was reconvened and a Central Government approved and established. Furthermore, it noted that interference by foreign countries in the internal affairs of the Congo and the desire of most of the Congolese leaders to resolve the crisis through military rather than political or constitutional means created obstacles to the resolution of the situation in the Congo. Though the work of this commission came to a halt, a second conciliation commission would be established which would lead to the reconvening of the National Assembly and the establishment of a new government. The Conciliation Commission was composed of Ethiopia, the Federation of Malaya, Ghana, Guinea, India, Indonesia, Liberia, Mali, Morocco, Nigerian, Pakistan, Senegal, the Sudan, Tunisia, and the United Arab Republic, all of which had contributed troops to the UN Operation in the Congo. Guinea, Indonesia, Mali and the United Arab Republic would subsequently withdraw from the Commission. United Nations, The Blue Helmets, 229 and 234-235, and Rikhye, The United Nations Operations in the Congo, 263-264.

[108]See United Nations, The Blue Helmets, 231-232.

Four weeks later, Lumumba and the other two were found dead, apparently killed by their captors. The circumstances surrounding their deaths were investigated by a UN commission (as established by Resolution 161 of February 21, 1961) which found evidence that the prisoners had been killed likely with the knowledge of political authorities of the Katanga government. Throughout this episode, the UN had pleaded with Lumumba's captors to treat him in a humane and lawful manner, and subsequently return him to Leopoldville, but could not do much more without exceeding its authority granted in its mandate.[109] The death of Lumumba led to countless revengeful acts and counter attacks by Lumumba supporters and anti-Lumumba factions. Moreover, several troop contributing countries withdrew their forces to protest the UN's handling of the situation, bringing ONUC's total force to less than 15,000 from 20, 000. As for the Soviet Union, it called for Hammarskjöld's resignation and refused to recognize him henceforth as Secretary-General.[110]

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[109]This remains a hot issue for the UN. Often faced with unexpected situations such as being a witness to murder or a hostage-taking of fellow personnel, UN troops have found it difficult to go beyond their mandate to deal with these types of circumstances. A good current example of this is the debate surrounding the work of the War Crimes Tribunal established in support of international efforts in the former Yugoslavia. Personnel currently deployed as part of IFOR have the authority to bring known war criminals to justice, but they have not necessarily been able to enforce this.

[110]United Nations, The Blue Helmets, 230.

In light of the circumstances which had transpired, the Security Council passed another resolution which would prove to provide the core mandate for ONUC's mission. Resolution 161 (S/4741) of February 21, 1961 was adopted by 9 votes to none, with 2 abstentions, France and the Soviet Union. Though it did not cite any articles of Chapter VII of the UN Charter, the resolution did recognize "the danger of wide-spread civil war and bloodshed in the Congo and the threat to international peace and security", and it authorized ONUC to "use force, if necessary, in the last resort", to prevent civil war in the Congo.[111] Beyond this, it called for "the immediate withdrawal and evacuation from the Congo of all Belgian and other foreign military and para-military personnel and political advisers not under the United Nations Command, and mercenaries" and urged that Parliament be reconvened and the ANC re-organized.[112]

The mandate to use force was highly controversial. The factions in the Congo condemned the resolution fearing obviously that it would work against their interests. Nonetheless, what is interesting is that the resolution defines the civil war in the Congo as a threat to international peace and security and allows ONUC the use of force to prevent civil war, if necessary. However, it would also form the basis of the UN's military action in Katanga

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[111]Security Council Resolution S/4741, 21 February 1961.

[112]Security Council Resolution S/4741, 21 February 1961.

and contribute to ending its secession, which was viewed by some to be at odds with the principle that ONUC was not to be used to enforce any specific political solution.

From February to April 1961, many efforts were undertaken to resolve the constitutional crisis in the Congo. In early 1961, Kasavubu initiated a round-table to bring together the various Congolese leaders but the meeting was boycotted by pro-Lumumba and pro-Tshombe leaders.[113] In March 1961, at the invitation of Tshombe, a conference was held in Tananarive, Madagascar which proposed (among other things) to turn the Congo into a confederation of sovereign states with each state vested with its own legislative and executive powers, thereby abolishing the Central Government.[114] However, the proposals made at Tananarive were shortlived, as Kasavubu, despite approving in principle the initiatives introduced at the conference, would later retract his position and argue that the measures being sought by Tshombe would have to be approved by Parliament to come into force. In April 1961, another conference sponsored by Kasavubu was held in Coquilhatville, in the Province of Equateur. The conference recommended that the Congo be reorganized on a "federal basis", subject once again to Parliament's approval.[115] Throughout these

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[113]United Nations, The Blue Helmets, 232.

[114]United Nations, The Blue Helmets, 234-235.

[115]United Nations, The Blue Helmets, 235.

conciliation efforts, the UN avoided interfering and provided assistance and support, usually in the form of security or transportation, to the attendees at the conferences. Its biggest task, however, came with Kasavubu's announced intention to re-open Parliament in Leopoldville.

During this time, it is of interest to note that the membership of the United Nations, particularly those African countries with troops in the Congo, became divided among themselves on how to handle the situation in the Congo. Some favoured imposing a deadline by which the terms of the February 21 resolution should be met and, if not met, would be followed by an enforcement action. The countries which supported this position included Egypt, Libya, Morocco, Guinea, Ghana, and Ceylon and Indonesia. On the other hand, most French speaking countries (except Mali and Guinea) supported the more cautious approach of negotiating a process leading to the convening of Parliament, a process which was being led by the Conciliation Commission.

Rifts also developed among the non-African troop contributors. Some had little faith in the Conciliation Commission and others supported its efforts, including gaining Kasavubu's agreement to convene Parliament.[116] The UN General Assembly in Resolution A/1599 of April 15 called on Belgium to comply with earlier UN resolutions and

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[116]Rikhye, The United Nations Operation in the Congo, 263.

demanded that other personnel not under UN command be withdrawn. In a separate resolution on the same day (A/Res/1600), it called on the Congo to resist a military solution and to stop the import of arms, to release detained political prisoners and to convene Parliament.[117] In order to end the crisis of confidence in the work of the Conciliation Commission, a second commission was appointed to attempt to resolve the political crisis in the Congo.

Over the summer of 1961, ONUC was given the primary task of making the arrangements for the opening of Parliament and ensuring the protection and transportation of the various parliamentarians who would be travelling from all over the Congo to make their representations. The UN also laid the groundwork for negotiations between the two largest factions, the Leopoldville and Stanleyville groups (Kasavubu and Gizenga), holding meetings under UN auspices at UN headquarters and transporting them.

Efforts were also made to bring Kalonji (of South Kasai) and Tshombe (of Katanga) to agree on the convening of Parliament. Tshombe, at first, signalled his agreement only to retract his position later. Nonetheless, before Tshombe rescinded his position, Parliament re-opened July 22, 1961 with 220 of 221 members attending.[118]

On August 2, 1961, President Kasavubu asked Cyrille

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[117]Rikhye, The United Nations Operation in the Congo, 263.

[118]United Nations, The Blue Helmets, 236-237.

Adoula to be Prime Minister and form the new Central Government as reflected by a unanimous vote in Parliament. His election thus brought to an end the Congo's constitutional crisis and provided the UN a legal political authority to deal with. As for Tshombe, after the Adoula government re-opened Parliament, he had agreed to send his Parliamentarians to participate in the work of Parliament. But he did not show up and gave no indication that he was going to give up his powers in Katanga.

Ending the Secession of Katanga

Having for all intents and purposes resolved the constitutional crisis in the country, one outstanding issue remained: restoring the territorial integrity of the Congo by ending the secession of Katanga. With the new political situation in the Congo, the UN could focus its attention on dealing with the problem of Katanga, including the removal of mercenaries. The Katanga problem was one which remained with the UN operation from the start, but which the UN as a matter of approach, particularly the Secretary-General's, refused to end with force and instead tried to use persuasion or its good offices. This was obvious from the UN's peacekeeping resolutions. The first resolution of July 14, 1960 did not even refer to the secession of Katanga, though this was one of the Government's main reasons for

appealing to the UN for help. The second resolution of July 22, 1960 only asked that states "refrain from any action which might undermine the territorial integrity and political independence of the Republic of the Congo."[119]

Throughout the UN's stay in the Congo, the Secretary-General feared that ONUC would be used to achieve the domestic aims of the Congolese Government, mainly to force the end of the Katanga secession. The goal of ONUC, as he saw it, was to preserve international peace and security. The UN encouraged efforts at reconciliation and tried to eliminate (or minimize) foreign interference in Katanga which was perceived as aiding and sustaining the province's efforts to break away from the rest of the Congo. Even when the Belgian troops left Katanga in August 1960, the secession did not end, and the leader of Katanga, Tshombe was able to sustain his regime with foreign assistance, including foreign mercenaries and large quantities of arms and material such as aircraft.[120] With his armed forces, he sought to solidify his stronghold and, reminiscent of atrocities recently witnessed in the Balkans, "launched a merciless extermination campaign against the Baluba and other political and tribal enemies".[121] The UN was thus in the difficult position of trying to maintain its neutrality

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[119]Security Council Resolution S/4405, 22 July 1960.

[120]United Nations, The Blue Helmets, 239.

[121]United Nations, The Blue Helmets, 239.

while, at the same time, seeking to maintain law and order in Katanga, protect the population against the brutal lawlessness of the Tshombe's forces and remove foreign civil and military personnel as set out in its mandate of February 21, 1961.

The mandate of February 21, 1961 called for "the immediate withdrawal and evacuation from the Congo of all Belgian and other foreign military and para-military personnel and political advisers not under the United Nations Command, and mercenaries".[122] The removal of the mercenaries was seen as the first step towards the resolution of the Katanga problem. There is no doubt the presence and interference of foreign elements, mainly mercenaries, with their own designs on the future of the Congo, made the UN's work that much more difficult. The UN was persistent in ensuring that the terms of the resolution and UN mandate were met. Many of these mercenaries were Belgian nationals, both professional civilian and military officials, many of whom, ironically, had stayed behind under the Treaty of Friendship to help the Congo in its transition to independence. Many of these nationals gained prominent positions in the provincial administration of Katanga. They obstructed the work of ONUC and worked in their own political and economic interests, mainly by ensuring that Katanga would secede from the rest of the Congo and become

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[122]Security Council Resolution S/4741, 21 February 1961.

an autonomous state.[123]

With the extensive diplomatic efforts of Dag Hammarskjöld, the UN sought to bring about the withdrawal of all foreign personnel from the province of Katanga. The Secretary-General asked Belgium for its assistance in recalling nationals to their country. In early June 1961, the UN sent a mission into Katanga to help local authorities remove non-Congolese elements. It found about 500 foreign officers (mostly foreign mercenaries) still active in the Katanganese gendarmerie. Thus, despite the efforts of the UN and Belgium, Tshombe refused to cooperate and continued to recruit foreign personnel. Those Belgian professional officials who left would nonetheless be replaced by non-Belgian mercenaries, "adventurers and soldiers of fortune, including outlawed elements previously involved in extremist, repressive and separatist policies".[124] They would continue to be supported by those who had an economic and/or political interest in sustaining the secession of Katanga.

On August 24, 1961, the Government issued an ordinance "calling for the expulsion of all foreign officers and mercenaries standing behind the secessionist policy" and requested the UN's assistance in the expulsion of

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[123]United Nations, The Blue Helmets, 240.

[124]United Nations, The Blue Helmets, 241.

mercenaries serving in Katanga.[125] On August 28, 1961, the UN proceeded with the round up of mercenaries for deportation, in a surprise operation called *Operation Rum Punch* in which the UN managed to round up most of the Europeans serving in Katanga.[126] In response, Tshombe publicly expressed his readiness to cooperate and fulfil the UN's resolutions, including terminating the services of foreign personnel. However, it soon became obvious that he was being deceptive. At the same time, the province's security police, *la Sûreté*, launched a campaign of assaults against anti-Tshombe Baluba tribesmen in Elisabethville and tried to blame the ensuing disorder on ONUC.[127] The Baluba people sought safety near UN troop quarters and ONUC arranged for their protection by setting up an encampment in which 35,000 Baluba gathered, creating a serious health and food problem.[128]

It became obvious that Tshombe had no intention of fulfilling his promise. Two weeks after *Operation Rum Punch*, ONUC again intervened. *Operation Morthur*, however, proved to be very controversial and led to eight days of

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[125]United Nations, The Blue Helmets, 243.

[126]Rikhye, The United Nations Operation in the Congo, 264.

[127]United Nations, The Blue Helmets, 244.

[128]United Nations, The Blue Helmets, 244.

fighting between ONUC personnel and secessionist forces.[129] It was controversial because it was actually unclear whether the Secretary-General had approved the operation whose goal was understood as putting an end to the secession of Katanga.[130] According to Rikhye, the operation failed because it lost its element of surprise and was hastily mounted.[131] Beyond this, the Security Council Resolution of February 21, 1961 had authorized ONUC to use force "to prevent the occurrence of civil war" but not for the specific purpose of ending the secession. In the end, Tshombe and his ministers avoided arrest and ONUC was forced to hand back installations it had secured. Moreover, their military position was badly shaken not least by the fate of an Irish 200 man-company which was encircled in Jadotville

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[129]UN personnel reluctantly shot back once fired upon. The fighting this time was much more intense since UN personnel were attacked by fighter jets. The UN had only an unarmed transport aicraft, and lacked offensive weapons such as tanks and fighter planes as they were incompatible with their peace mission. Following this incident, the UN took it upon itself to acquire jet fighter squadrons from Ethiopia, Sweden and India for defensive purposes. United Nations, The Blue Helmets, 246.

[130]The Secretary-General had approved a plan that permitted the take over of the Katanga radio, if necessary, and ensured that gendarmeries, *la Sureté* could not oppose the UN or disrupt order; he had not, however, indicated if and when such a plan should go ahead. Nonetheless, the plan was carried out. According to senior commanders on the field, they understood that the Secretary-General had approved the operation and that their mission was to end the secession of Katanga. The Katanga radio and telegraph installations and the offices of *la Sûreté* secured. See Rikhye, The United Nations Operation in the Congo, 264-265.

[131]Rikhye, The United Nations Operation in the Congo, 264.

by foreign mercenaries, forced to surrender, held captive for five weeks and then released.[132]

During this time, Dag Hammarskjöld had decided to fly to the Congo to try personally to resolve the situation. In search of a cease-fire agreement, he flew to Northern Rhodesia (now Zambia) to meet Tshombe. The night of September 17, 1961, his plane crashed, killing him, 7 other UN staff members and the Swedish crew.[133] His death dimmed hopes for an early settlement. Hammarskjöld's successor, U Thant, however wasted no time establishing conditions so that negotiations could resume.

Despite the Secretary-General's death, the UN pressed on with its efforts to bring about a ceasefire. The Chief of ONUC Civilian Operations managed on behalf of the UN to get the parties to sign a military ceasefire agreement.[134] An expressed condition of the agreement was that the UN was not to be prevented from carrying out its mandate as outlined in UN resolutions. A protocol outlining the terms and conditions of the ceasefire was signed on 13 October 1961 at Elisabethville in Katanga. It allowed parties to fire back in case of attack but prevented Katanganese and ONUC troop movements. However, Tshombe continued to call for the independence of Katanga along the lines established

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[132]Rikhye, The United Nations Operation in the Congo, 266.

[133]United Nations, The Blue Helmets, 245.

[134]United Nations, The Blue Helmets, 246.

at the Tananarive Conference. There were also constant violations of the ceasefire agreement by remaining Katanganese gendarmerie forces, including the launching of an air offensive along the Kasai-Katanga border, which the UN strongly protested.[135] Beyond this, Tshombe had decided to exploit the fact that the size of the UN force had diminished given recent incidents. Many member countries, mainly out of concern for their troops, had withdrawn their contingents.[136] He stalled any attempts to have talks with the Central Government as suggested by ONUC and allowed over 230 mercenaries to remain in Katanga in violation of UN resolutions.[137]

The Security Council met in late November 1961 and passed Resolution 169 (S/5002) on 24 November 1961 strongly condemning the secessionist activities of Katanga and authorizing the Secretary-General to use force to complete the removal of mercenaries. It was passed by 9 votes to

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[135]United Nations, The Blue Helmets, 246.

[136]For example, Ghana and Tunisia withdrew their troops.

[137]Noting the weakness of the UN in bringing an end to the secession of Katanga, the Central Government decided to take matters into its own hands. In late October 1961, the Central Government began massing ANC troops along the northern border of Katanga. Despite being repelled by Katanganese gendarmes in their first attempt to penetrate Katanga, ANC units were able later to reach some of the northern towns of Katanga including Albertville, Kongolo, and Nyunzu. The Central Government had requested the assistance of the UN to transport troops but the UN had refused citing its unwillingness to become party to any internal conflict. United Nations, The Blue Helmets, 247.

none, with 2 abstentions: France and the United Kingdom. This resolution gave ONUC a more explicit and direct authorization to use force to remove mercenaries. The Secretary-General was authorized to:

> take vigorous action, including the use of a requisite measure of force, if necessary, for the immediate apprehension, detention pending legal action and/or deportation of all foreign military and para-military personnel and political advisers not under the United Nations Command, and mercenaries[138]

as set out in the resolution of February 21, 1996. He was also requested to "take all necessary measures to prevent the entry or return of such elements under whatever guise and also of arms, equipment or other material in support of such activities".[139] The Security Council further requested

> all States to refrain from the supply of arms, equipment or other material which could be used for warlike purposes, and to take the necessary measures to prevent their nationals from doing the same and also to deny transportation and transit facilities for such supplies across their territories, except in accordance with the decisions, policies and purposes of the United Nations.[140]

In response, Tshombe unleashed a propaganda campaign against ONUC which led to increased violence. For example, two UN officials were abducted in Elisabethville and badly beaten; an Indian soldier was murdered, and another

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[138]Security Council Resolution S/5002, 24 November 1961.

[139]Security Council Resolution S/5002, 24 November 1961.

[140]Security Council Resolution S/5002, 24 November 1961.

abducted; several members of the UN force were detained, and others were killed or wounded; road-blocks were set up by the Katanganese forces which prevented the free movement of the ONUC forces and endangered its life-lines, in part to isolate purposefully the UN troops in Elisabethville from the ONUC headquarters in Leopoldville.[141] The UN through various diplomatic efforts tried to bring the crisis to a peaceful resolution. However, noting the sad faith of the Katanganese authorities, including their pretensions of wanting to negotiate while planning further assaults, the UN finally decided to take action to regain control and the freedom of its troops.

Fighting broke out in Elisabethville on December 5, 1961. The UN sought to reinforce its troops in Elisabethville by flying in troops from other parts of the Congo. By December 15, 1961, UN troops had received enough reinforcements that they sought to seize and control those positions needed to facilitate the movement of UN troops. About 212 Kataganese and non-Congolese soldiers and 50 civilians were killed or wounded; the UN suffered about 40 casualties.[142]

While the fighting was going on, the UN sought to protect the innocent civilians who were caught in the crossfire. Innocents were escorted to safety, food supplies

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[141]United Nations, The Blue Helmets, 247.

[142]Rikhye, The United Nations Operation in the Congo, 267.

were provided where needed, women and children were evacuated by ONUC, and an ONUC battalion continued to guard the Baluba refugee camp where by now more than 40,000 anti-Tshombe Baluba lived under UN protection. On December 19, 1961, the UN decided to hold fire, unless fired upon, having basically secured all the necessary positions.[143]

In light of recent events, Tshombe flew to the Kitona base in Leopoldville to meet with Adoula and negotiate a ceasefire.[144] On December 21, 1961, Tshombe signed what came to be known as the Kitona Declaration in which he accepted the application of *la Loi fundamentale*, recognized the Central Government as the authority over all parts of the Congo and agreed to a number of steps to end the secession of Katanga.[145] He also agreed to cooperate in the full implementation of the UN resolutions. In the spirit of the Declaration, he sent 14 parliamentarians to Leopoldville to participate in Parliament and other officials to discuss the modification to the constitutional structure of the Congo.[146] ONUC assisted in the transportation of the officials to and from Katanga. Tshombe also summoned the provincial assembly to discuss the Kitona Declaration as he said that it had the final

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[143]United Nations, The Blue Helmets, 248.

[144]United Nations, The Blue Helmets, 248.

[145]United Nations, The Blue Helmets, 248-249.

[146]United Nations, The Blue Helmets, 249.

authority to decide on the future of Katanga. On February 15th, 1962, the Assembly accepted the declaration only as a "draft" and as a "basis for discussions with the Central Government".[147] The deadlock over Katanga thus persisted throughout much of 1962. Talks between Adoula and Tshombe were consistently stalled or failed and finally were suspended in June 1962 with no further agreements reached until much later.

In order to break the deadlock in negotiations, the Secretary-General U Thant, in consultation with Member States, devised a "Plan for National Reconciliation" which he presented to the Congolese authorities in August 1962. It provided for:

- a federal system of government, division of revenues and foreign-exchange earnings between the Central and Provincial governments;
- unification of currency;
- integration and unification of all military and paramilitary and gendarme units in the structure of a national army;
- general amnesty;
- reconstitution of the Central Government giving representation to all political and provincial groups;
- withdrawal of representatives abroad not serving the Central Government; and,
- freedom of movement for United Nations personnel throughout the Congo.[148]

A draft federal constitution was prepared by UN experts and amnesty was proclaimed by the Central Government in late November 1962. The Plan was accepted in principle by Adoula

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[147]United Nations, The Blue Helmets, 249.

[148]United Nations, The Blue Helmets, 250.

and Tshombé signalled his willingness to accept the declaration but once again defaulted.[149]

On December 11, 1962, U Thant called on Member States to put economic pressure on Katanga, particularly its export of copper and cobalt. Subsequently, ONUC proceeded to clear the road blocks which had been sent up by Katanganese troops. By December 30, 1962, the UN had managed to gain control of an area of about 20 kilometres around the city of Elisabethville. The UN also had to secure the Kamina base, and in two-pronged attack, ONUC troops managed to gain control of base.[150] The UN then proceeded to extend its area of control by securing Jadotville to the North of Elisabethville and then Kipushi to the South. By January 4, 1962, the UN had secured all these areas and attempts were made to restore all essential services and protect the population.[151]

On January 14, 1963, Tshombe, who was in Kolwezi, his last political stronghold that UN troops had not entered, sent a message through the Belgian Government that he was willing to end the session of Katanga and comply with all the concessions of the National Plan for Reconciliation.[152] Furthermore, Tshombe agreed to UN troops entering Kolwezi on

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[149]United Nations, The Blue Helmets, 250.

[150]United Nations, The Blue Helmets, 250.

[151]United Nations, The Blue Helmets, 250-251.

[152]United Nations, The Blue Helmets, 251.

the condition that the Katanganese gendarmes would be fully protected until they could be reintegrated into the national security force. In fact, Adoula announced that gendarmes who rejoined the ANC by a certain date could do so without losing their rank. By January 21, 1963, UN troops entered Kolwezi and had most centres under their control. The UN encountered some resistance particularly in Northern Katanga due to disorganized but heavily armed gendarmes. The Central Government set up a commission to pave the way to reintegrate the provincial administration as well as the economy of Katanga.[153]

The Secretary-General reported to the Security Council on February 4, 1963 that the UN's mandate in the Congo had largely been fulfilled. With the end of the secession of Katanga, the political independence and territorial integrity of the Congo was maintained. The spread of the civil war had been prevented and the potential for foreign personnel to impact on future developments in the Congo had been diminished. As a result, the UN force was substantially reduced and attention was focussed on reconstruction and nation building efforts, mainly through civilian operations and technical assistance.

A large civilian component had contributed to the efforts of ONUC from the onset of the operation. Upon ONUC's arrival, it faced a crisis of unprecedented

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[153]United Nations, The Blue Helmets, 252.

proportions since most essential public services were non-existent. The mandate of the UN operation in the Congo was to provide technical assistance to the Congolese authorities. To facilitate this mandate, the UN set up a Chief of Civilian Operations position and a consultative group made up of UN officials and experts representing appropriate UN agencies.[154] However, given that there was no legal political authority in the Congo during much of the operation, the UN in effect operated autonomously as an interim government.

The UN's efforts were mainly designed to help the Congolese carry out their responsibilities given the abrupt departure of non-Congolese administrators. To restore basic essential services a variety of people were flown in: engineers, air traffic controllers, radio operators, doctors, teachers, among others. Training programs were also established. They were deemed a long term necessity to ensure that the peace that would be achieved would be maintained. Courses were organized for air traffic controllers, agricultural assistants, farm mechanics, foresters, medical assistants, labour officials, police commissioners. The UN also set up some educational centres: a telecommunications training centre; a national centre to train school teachers; an undergraduate medical studies program, a national school of law and administration to

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[154]United Nations, The Blue Helmets, 253.

produce civil servants; and, a technical college to train engineers and public works personnel. Others were sent abroad to study if the facilities did not exist in the Congo (ie social workers, medical students, police officers).[155]

Efforts were also made in other areas. The UN tried to keep the Congo's shipping ports open, particular Matadi. The UN also provided $5 million in financial assistance to pay for some of the services and much needed imports. In the economic and financial fields, ONUC set up and managed monetary, foreign exchange and foreign trade controls, in order to ensure that the Congo's monetary system would not collapse. The UN also set up a fund to fill up the country's exchange reserves which helped to finance essential imports. Once the conflict came to an end, UN experts were also able to assist with the reintegration of services previously under Katanga rule (postal services, customs and excise, immigration, banking, telecommunication). The UN also helped build the necessary infrastructure: bridges, roads and rail lines. The training was so extensive that by 1963, some international personnel were replaced by trained Congolese.[156]

Along with providing security for the safe areas, the UN established refugee relief work programs. Some areas were particularly hard hit with famine and many Congolese

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[155]United Nations, The Blue Helmets, 253-255.

[156]United Nations, The Blue Helmets, 255-256.

were dying of starvation due to the warfare. The UN shipped in food and medical supplies. The worst conditions were along the Kasai-Katanga borders. It is estimated that the UN saved about 250,000 lives.[157]

Withdrawal of ONUC

In light of the positive developments in the Congo, on June 27, 1963, the General Assembly adopted Resolution 1876 (S-IV) which provided continued funding for the force until December 31, 1963. In August 1963, Adoula however, sent a letter to the UN requesting that a small UN force stay at least for the first half of 1964. On October 18, the General Assembly passed Resolution 1885 (XVIII) authorizing *ad hoc* funding for ONUC until June 30, 1964. The strength of the UN force was brought down from 6535 troops in December 1963 to 3297 by June 1964.[158]

The Secretary-General's final report on the Congo came on June 29, 1964 the day before ONUC was to withdraw. There was still some disorder in a number of areas particulary in Kwili, Kivu and Northern Katanga. However, he argued that overall law and order was being maintained. The ANC was now an integrated body of about 29,000 soldiers but as yet insufficiently trained. ONUC did not stay

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[157]United Nations, The Blue Helmets, 254.

[158]United Nations, The Blue Helmets, 258.

because the Congolese government did not request it and perhaps perceived it was time to take responsibility for its own sovereignty.[159]

In reviewing the UN's operation in the Congo, its relevancy to the current context becomes apparent. First, the operation was deployed in a country where there was no government authority and where related institutions and services had virtually collapsed or were non-existent. In

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[159]*Postscript.* After the UN left the Congo, rebellion forces launched a series of attacks against Adoula's Government in the Eastern part of the Congo, leading to the elimination of government authority in that region by a rebel army. These attacks by rebels were too much for Adoula's government to sustain and, in a startling turn of events, Tshombe was made Prime Minister in July 1964. He got military aid from Belgium and the United States to reinforce the Congolese army. By mid-August 1964, the rebels were losing ground, despite an attempt in September to hold several Belgians and American hostages to bargain for a settlement. On November 24, 24 Belgian troopers with aid of US aircraft dropped in Stanleyville to rescue hostages, 100 of whom were killed (*Operation Dragon Rouge*).

General Mobutu came to declare himself President and renamed a new Prime Minister, Leonard Mulamba. In October 1965, he dismissed Mulamba and set up a presidential government. Initially, Mobutu's regime enjoyed a favourable populace which had been fatigued by the crisis of the early 1960s and the resulting economic paralysis. He banned political parties and reasserted central control, reorganized the administration and crushed the pockets of rebellion. He also managed to stabilize the economy. He largely maintained his Western ties though he was not above consorting with the Soviet Union if it served his purposes. He established a program of economic nationalism and nationalized the Union Miniere du Haut Katanaga (UMHK) in 1967, the giant copper company in Katanga. In 1970, he held elections and won a plebiscite victory. As part of his nationalism campaign, he renamed the country Zaire, a 15th century Portuguese version of the local name for the Congo river. He replaced Christian with African names, including his own and is known to the present day as Mobutu Seke Seke.

essence, the operation was deployed to deal with what was largely an internal civil war or intra-state conflict. Second, it was the first peacekeeping mission to include substantial civilian elements. Finally, and more importantly, when it became obvious that the UN mission would not be able to accomplish its tasks under the existing mandate, it was granted the authority to use force to accomplish its mission and, more specifically, end the secession of Katanga.

CHAPTER 4

THE LESSONS FROM THE CONGO CRISIS

> It is often said that the Congo is *sui generis*. It certainly differs from any situation the United Nations has had to tackle before, but is it so different from what may arise in the future? ... [V]ariations on the Congo theme are practically bound to occur.[160]

From the chronology of events of the UN's involvement in the Congo, it becomes apparent that recent UN peace operations are very similar to the UN's own experience of over 30 years ago in the Congo. The size and nature of the Congo operation, the tasks that were carried out by UN personnel and the willingness to use force, if necessary, to fulfil the mandate at hand, parallel many of the operations that have been undertaken by the UN over the last few years. The UN operation in the Congo thus serves to indicate that recent UN operations are therefore not so new.[161]

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[160]Herbert Nicholas, "An Appraisal" in Bloomfield, International Military Forces: The Question of Peacekeeping in an Armed and Disarming World (Toronto: Little, Brown and Company, 1965): 195-125.

[161]Perhaps what is unique is the number of peace enforcement-type operations that the UN has deployed over the last 6 years. The relative size and number of operations that the UN has undertaken in this time period is unprecedented and arguably heralded the UN into a new era of hope and promise. However, this exponential growth in activity has proven costly for the UN. By 1995, as in the mid-1960s, the UN found itself at a crossroads. A series of setbacks, most notably in Somalia, Rwanda and the former Yugoslavia, have led to questions about the UN's role in providing for international

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Given that the Congo operation is similar to recent operations, the implication is that the lessons which were drawn from that operation could have been applied to the UN's recent and current operations. To this end, reviewing the UN operation in the Congo is that much more relevant. Though it is recognized that each UN operation is unique to some extent, with its own set of circumstances and challenges, there is still room to draw lessons from each mission that can be applied to others. The irony is that as the international community looks back and tries to draw lessons from recent UN missions, it is repeating the same exercise it did after the Congo, particularly noting many of the same problems in the UN system, including its ability to deploy and sustain peace operations. A case in point is the 1995 publication of the Secretary-General's Supplement to An Agenda for Peace which in fact outlines much of what was learned from the Congo operation. This chapter reviews the lessons to be drawn from the UN's operation in the Congo and their relevance to the UN today and in the coming decades. Finally, the future of the UN in peace operations in light of lessons learned is assessed in the concluding chapter.

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[161](...continued)
peace and security.

Comparing the UN Operation in the Congo to Recent Missions

ONUC is that much more relevant to recent operations because the nature and circumstances which surrounded its deployment are similar to those elements which precipitated the mounting of many recent missions. It is acknowledged that every conflict is unique, defined by its own set of factors, but events surrounding the Congo crisis are very similar to recent conflict. For one, the Congo crisis was a case of tribal warfare and violence, precipitated by its new found independence, with local parties vying for control of the new republic or parts of it. In fact, the Congo found itself lacking any government authority for a period of time and with many of its provinces threatening to secede.[162] Beyond this, efforts were made by the various parties to the conflict to eliminate whole tribes or, in other words, to "ethnically" cleanse parts of the Congo territory. It was, in today's parlance, a case of genocide. These elements of the Congo crisis are haunting and remind one of the recent crises in Rwanda, Somalia and the Balkans.

The similarities do not end with the nature of the conflict but continue with the challenges the UN faced during the course of its mission in the Congo. The climate and vast size of the Congo posed unique challenges to the

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[162]Though Katanga attempted to secede, other provinces like Kivu and Orientale also threatened to secede.

conduct of the operation. It created communication and logistical problems in the field which often endangered the lives of UN personnel. Indeed, UN personnel were fired upon, ambushed, killed and held hostage by the various belligerents. Civilians, including women and children, were also not spared. The nature of the crisis led the UN to establish a large civilian component as part of its operation in the Congo. This in turn led to problems of coordination between the military and civilian elements and questions regarding lines of authority and security for civilian personnel. Through sustained diplomatic efforts many ceasefires were agreed upon, only to be broken later. Finally, in the hopes of preventing the spread of civil war, the UN resolved to use force to carry out its mandate. This rollercoaster of broken and renewed promises, the attacks on civilians and UN personnel, the problems of communication and logistics and the decision to use force are challenges only too familiar to those that the UN has encountered recently in the Balkans and elsewhere. The Congo operation is thus very relevant to the UN's current experience not only because of the challenges the UN faced during its time in the Congo but also, interestingly enough, the circumstances surrounding the conflict in the Congo are similar to many of those of today's operations.

The Myth of "New Peacekeeping"

Given the brief overview of some of the parallels between recent UN operations and ONUC, it is somewhat striking that much of the current literature perpetuates the notion of a "new peacekeeping" never before experienced in the UN's history. Authors such as Adam Roberts, Mats Berdal, Paul Diehl and Chetan Kumar, and John MacKinlay and Jarat Chopra have defined to some extent the UN's recent peacekeeping efforts as "new."[163] The usual themes are as follows: the UN is increasingly becoming more involved in intra-state as opposed to inter-state conflicts; UN operations are becoming more multidimensional and complex, with UN personnel being asked to carry out a broad range of tasks; there is generally an increased acceptance of the UN's use of force, if necessary, to carry out its mandates; and finally, that none of these recent developments would have been possible without the new found cooperation among the Security Council members. However, the UN operation in the Congo serves to illustrate that these themes which define a "new peacekeeping" are in essence misleading and

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[163]See Adam Roberts, "Crisis in UN Peacekeeping" Survival 36, no.3 (Autumn 1994): 93-120; Mats R. Berdal, "Whither UN Peacekeeping?" Adelphi Paper 281, International Institute for Strategic Studies (London: Brassey's, 1993); Paul Diehl and Chetan Kumar, "Mutual Benefits from International Intervention: New Role for United Nations Peacekeeping Forces", Bulletin of Peace Proposals 22, no. 4 (December 1991): 369-371; and, MacKinlay and Chopra, "Second Generation Multinational Operations".

ignore the history of the UN's peacekeeping experience, particularly in the Congo.

One of the most defining characteristics of the post-Cold War world appears to be the greater occurrence of intra-state versus inter-state conflict. The argument is that recent UN operations are being established more often within a state as opposed to between two states which was the norm. However, a closer look at the history of recent conflict, and more importantly UN peace operations, shows this belief to be a fallacy. For one, to assume that conflict since World War II has been largely between states is to ignore events in Yemen and West Irian, among others. As for peacekeeping operations, ironically, the very case of Cyprus which is held as the model of classical peacekeeping occurs within a state. Alan James in his book, The Politics of Peacekeeping and in subsequent seminal papers on "Internal Peacekeeping" argues that it is wrong to assume that peacekeeping had traditionally occurred between states.[164] In fact, from this viewpoint, the case of the Congo and indeed some of the most recent operations like Somalia, the Balkans and Rwanda are not anomalies. However, as pointed out in Chapter Two, what makes the Somalia case

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[164]See Alan James, The Politics of Peacekeeping (London: The Institute for Strategic Studies, 1969) and "Internal Peacekeeping", Paper presented at the 6th Annual Centre for Conflict Studies Conference, "Peacekeeping and the Challenge of Civil Conflict Resolution," University of New Brunswick, Sept 24-26, 1992.

interesting is the willingness of the international community to intervene in the internal affairs of a state on the basis of humanitarian concerns. Nevertheless, most recent experience serves to reinforce the point that the nature of recent conflict is not new and is very much like the Congo crisis which was internal in nature.

Another defining characteristic of post-Cold War UN operations appears to be the wide range of tasks that UN personnel have increasingly been asked to carry out. Since about 1989, UN forces have been responsible for carrying out a multitude of tasks. UN personnel have monitored elections, trained local police forces, protected human rights, provided security to ensure the delivery of humanitarian assistance, enforced no-fly zones and embargoes, and been involved in de-mining and disarmament activities.

Beyond these tasks, the UN forces appear to have employed some particularly novel concepts in mission areas to minimize or contain conflict and its effects on the civilian population. For example, the UN established a demilitarized zone around Iraq after the Gulf War and enforced embargoes in the Adriatic Sea and off the coast of Haiti. In addition, given the often larger humanitarian nature of recent UN operations, the UN has set up protected areas or safe havens, most notably in the Balkans. These protected areas are different from refugee camps in that

they serve to protect a particular geographic area and its population from attack. In the case of the Balkans, efforts were particularly focussed on protecting the civilian population from the ethnic cleansing activities of the belligerents to the conflict. Nonetheless, displaced persons and refugees were also an enormous problem which the UN tried to handle largely by providing humanitarian assistance where and when possible.

Recalling the review of the UN operation in the Congo in Chapter Three, it is obvious that many of the tasks and novel concepts being carried by recent UN operations were also present in the Congo. ONUC was primarily motivated by the prevention of civil war and therefore perhaps not defined as a humanitarian operation.[165] Nonetheless, ONUC had a large humanitarian component that sought to guarantee the safety and security of the civilian population. It tried to ensure that they were fed, that famine did not spread as a result of the war and that supplies were flown in. ONUC also established neutral zones or protected areas to keep some areas safe from the conflict.

The tasks that ONUC was expected to carry out are also reminiscent of recent operations, paralleling in particular

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[165]The UN operation in the Congo has been described as "humanitarian" in nature. See Louis Henkin, Right vs Might: International Law and the Use of Force (New York: Council on Foreign Relations Press, 1989): 115-116 and Thomas G. Weiss and Kurt M. Campbell, "Military Humanitarianism" Survival no. 5 (September/October 1991): 453.

the UN's efforts in Namibia and the Balkans. For example, as in Namibia, ONUC largely assisted the Congo with its transition to democracy, mainly by providing technical expertise and ensuring that the necessary conditions for elections and Parliament to re-open were in place. Similar to the UN's activities in Bosnia and Herzegovina, ONUC also sought to remove and disarm mercenaries, in part to remove any foreign influence that was perpetuating the continuation of the conflict. In addition, the UN sought to preserve the territorial integrity and authority of the Central Government of the Congo by ending the secession of Katanga.

An interesting concept which has evolved and is gaining acceptance at the UN is greater involvement of troop contributors in the decision-making process at the UN. Up to now, the Security Council would first determine the mandate and size of an operation and then solicit assistance from member nations for contributions both in terms of personnel and equipment. Given the increasing demand for much larger commitments of troops, and because many of the situations to which the UN has been deploying missions is much more volatile, potential troop contributors have asked to be consulted before an operation is established, primarily to determine the feasibility of carrying out the Security Council's mandate with the resources available. The end result has been the establishment of "friends groups", such as the "Friends of Haiti" or "Friends of

Rwanda" groups. These groups permit member states with a particular interest in a potential operation to participate in the planning of the operation from the outset.

This informal, *ad hoc* approach to allowing troop contributors to have a say in the planning and deployment of an operation, however, is not new. During the Congo crisis, then Secretary-General Dag Hammarskjöld recognized the need to involve and consult those member states who would be contributing troops to the operation in the Congo. The "Congo Club", as it came to be known, acted in an advisory capacity to the Secretary-General on an informal basis and its purpose and function was very similar to today's "friends of" groups.

Beyond the tasks themselves, UN operations have come to consist of a large civilian component, with civilian personnel representing numerous non-governmental, often humanitarian, organizations as well as various UN agencies. Civilians have come to play a larger role in peace operations, often because the nature of recent conflict and subsequent UN mandates to deal with the conflict have led to the need for greater humanitarian assistance. In part, the involvement of civilians has allowed military personnel to focus their efforts on providing security (including to ensure the delivery of humanitarian assistance) and stability to war-stricken areas. The increased use of civilians in peace operations is also a result of the

recognition of the need to reconstruct and rebuild societies that have been ravaged by war. Once a UN operation succeeds in bringing the necessary conditions to facilitate peace building efforts, civilian agencies often remain behind to continue this next step in the peace process. Beyond the assistance of civilian organizations, it is also not uncommon for police forces from member states to assist the UN and help train local police forces. A current example is the case of Canada's RCMP who are in the process of training Haiti's police forces.[166]

The use of civilians in peace operations is not a new concept. In fact, looking at the UN operation in the Congo, it could be argued that the use of civilians in that operation was almost before its time. ONUC was unique in that, at the time, a large civilian component became part of the operation right from the start. It was an operation which required not only the expertise of the soldiers but also of civilians who could train the Congolese in various fields and prepare them for their independence upon the UN's departure. Beyond this, it was also recognized that some coordination was going to be needed and, to this end, the UN appointed a Chief of Civilian Operations to work in parallel with the Commander of the operation. Unfortunately due to lack of funding, the civilian aspects of the operation were

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[166]French and American personnel are also involved in the training of Haitian police.

curtailed as soon as the UN mission departed. Nonetheless, the UN had managed to train enough Congolese to assume many of the responsibilities of government and other peacebuilding efforts.

Beyond the tasks that UN personnel have been expected to carry out, it is also the authority which has been bestowed upon them to carry out those tasks, that is, the possibility of using force, which appears to be a novelty and has led to declarations of a "new peacekeeping". Relative to traditional peacekeeping missions, there has been an increased willingness to use force if necessary to accomplish the task at hand. The authority to use force is found in Chapter VII, Article 40 of the UN Charter. In the recent past, the UN Security Council has drawn on its authority as set out in Article 40 of the UN Charter to carry out mandates. This has led to a distinction in the literature between peacekeeping and peace enforcement actions, the latter falling short of the type of collective security operations in Korea and the Persian Gulf. What separates peace enforcement actions from peacekeeping operations is the willingness to use force, if necessary. What separates peace enforcement missions from collective security operations is that an aggressor is not identified; such operations draw on Article 40 of the UN Charter which enables the UN to use force to fulfil its mandate as approved by the Security Council. Such recent operations of

peace enforcement include Somalia, the former Yugoslavia, Rwanda and Haiti. What is unique in these recent examples, with perhaps the exception of the Balkans, is that the UN bestowed upon a member state its authority to carry out its mandate to use force, and to take the lead in an operation to ensure its success.[167] Nonetheless, these operations have been multinational in character and have tried to maintain their impartiality.

Another key observation about recent peace enforcement actions is that most of them were first established as peacekeeping missions and only evolved later into a peace enforcement action. For example, international efforts in the Balkans began with the European Community Monitor Mission which was established to monitor ceasefire agreements and perform other tasks like humanitarian assistance and confidence-building measures. The UN's involvement began with the establishment of the UN Commission of Experts which was to report on all relevant and verifiable information on human rights violations.[168] This of course evolved into UNPROFOR with the mandate of providing humanitarian assistance and security for the

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[167]However, even in the case of the former Yugoslavia, the UN asked a group of member states, in other words, the NATO alliance as well as non-NATO partners, to take over the operation and oversee the successful implementation of the Dayton Peace Accord.

[168]Canada, Department of National Defence, "Canadian Peacekeeping Commitment in the Balkans", Backgrounder BG-94.010 (revised), 29 May 1995.

delivery of aid, including the use of force, if necessary. Other examples, include the United Nations Observer Mission between Uganda and Rwanda which evolved into the UN Assistance Mission for Rwanda (UNAMIR). As violence spread as a result of the assassination of the Rwandan president, the UN reduced its contingent but later authorized France to lead a peace enforcement action into Rwanda. As developments in the conflict, both on the ground and politically, have evolved, the nature of the UN's mandates appears to have expanded, not only in the number of tasks but also in the kind of the tasks to be accomplished, some of which require force to be implemented successfully.

Needless to say, this "mission creep" has raised once again the issue of the UN's ability to carry out a peace enforcement role. Though the UN may have the authority to mandate such operations often the means to carry out such a mandate are not available, either because member states do not provide the resources commensurate with the task at hand or the UN does not have the mechanisms in place to mount and sustain such actions. The end result is that the UN must rely, as noted earlier, on individual member states (who have happened to be members of the Security Council, both France and the United States) or has turned to other organizations like NATO to fulfil its mandate. NATO's involvement in the Balkans is a criticial first test for NATO as a peacekeeper and it remains to be seen whether such

a role will be repeated for NATO, perhaps even beyond it borders and without UN endorsement. Though it is beyond the scope of this paper, this new found role for NATO will have definite implications for the UN's role in providing for international security.[169]

An added dimension, it appears, is the willingness to carry out a mandate based on humanitarian grounds, without consent and with force, if necessary. The case of the UN's operation in Somalia is a striking example of this new found "humanitarian impulse". Needless to say this has raised concerns about members of the UN respecting Article 2(7) of the Charter. Although Article 2(7) of the UN Charter directs that the UN will not intervene in the internal affairs of states, once Article 40 of the Charter is invoked, the Security Council has the right to mandate that an operation be established, particularly if a specific situation is determined to be a threat to international peace and security, even if the parties to the conflict have not requested the UN's assistance. At times, the use of Article 40 by the Security Council has raised doubts about the UN's impartiality in the conduct of its operations, particularly if force is perceived as being used disproportionately against one party of the conflict.

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[169]See for example, Kofi Annan, "UN Peacekeeping Operations and Cooperation with NATO", NATO Review 41, no. 5 (October 1993): 3-6 and David Lightburn, "NATO and the Challenge of Multifunctional Peacekeeping" NATO Review, 44, no. 2 (March 1996): 10-14.

Many of these issues, the decision to invoke Article 40 and use force and thereby expand the mandate of a UN operation from a peacekeeping to peace enforcement action, and, finally, humanitarian concerns underlying the UN's activities, are to be found in the case of the Congo. Indeed the international community continues to struggle with many of the controversies which also surrounded the use of force by the UN in the Congo operation. Like recent experience, the mandate of the UN operation in the Congo was a Chapter VI operation which evolved into a Chapter VII, Article 40 operation. As the mandate of the mission expanded, questions arose about the UN's ability to carry out its newly assumed tasks. As the UN carried out its tasks, it also had to perform quite the balancing act of trying to maintain its impartiality. Inevitably, accusations were levied against the UN by all parties to the conflict that its actions favoured one over the other and also led the UN into a credibility crisis among the UN membership. Finally, though the UN operation in the Congo was not a humanitarian mission as perhaps defined in today's terms, it was nevertheless motivated by humanitarian concerns, as witnessed by the large civilian component and the extensive technical assistance program and efforts to aid the civilian population torn by civil war. These problems point to the fact that many of them are not necessarily new or as a result of "new peacekeeping" but

instead parallel many of the issues raised during the Congo operation and yet obviously remain to be resolved. However, some of the lessons from the Congo may provide some direction in this regard.

Finally, a last observation about the "new peacekeeping". The new found cooperation among Security Council members has led many to believe that these new peacekeeping missions would not have occurred had it not been for the support of the Permanent Members of the Security Council. This new found comity has held up the promise of the UN operating as originally intended as the guarantor of international peace and security and as able to carry out these new tasks. The implication is that the environment of the Cold War did not permit this to happen. However, such a statement tends to ignore the case of the Congo. It could be argued that though the international environment has changed, the role of the Permanent Members in deciding what the UN does, or does not do, has not. Recent political circumstances may have permitted larger and more complex operations to take place but the Congo operation, similar in size and complexity, occurred at a time when political circumstances would dictate otherwise. The fact that the Congo occurred in the middle of the Cold War, having survived the Berlin and Cuban Missile Crises, only serves to reinforce this point. In other words, the Congo did happen because the converging mutual interests of

the Permanent Members at that point in the UN's history enabled the UN to carry out the kind of operation not witnessed until recently. This point is supported even by those times in the UN's history when the interests of the Permanent Members did not coincide. For example, the relative inactivity of the UN in peace operations can be ascribed to the lack of mutual objectives and/or interests between the Soviet Union and the United States over much of the Cold War period. More recently, however, signs of division between the United States and Russia over the conduct of Balkans mission have often threatened the continuation of the operation, and the recent mission to Haiti barely got off the ground thanks to China's stonewalling as a result of its dislike of the former's close ties with its province of Taiwan.

An interesting point to make related to the role of the Security Council in recent peacekeeping missions, compared to the case of the Congo, is the attempt being made by the Security Council to be seen at the forefront of the UN's peace efforts. In the past, and definitely in the case of the Congo, the Secretary-General always operated with authority delegated to him from the Security Council and remained at centre stage of UN peace efforts. However, the Security Council appears to have become more proactive recently. Evidence can be seen by comparing the number of reports on operations put out by the Secretary-General *vis a*

vis the number published recently by the Security Council. Beyond this, troops from Permanent Member states have come to participate, or even take the lead, in recent peace operations. True, in the past, the UN has had to depend on the political support and often logistical and other resources of the Permanent Members. This was true in the case of the Congo, where the UN often depended on the strategic airlift capabilities of the Soviet Union and the United States. However, unlike in the past, the Permanent Members have been content to make their contributions and efforts more widely known. This development has had repercussions for the UN. This recent upsurge of Security Council activity has led to questions about the UN's impartiality and credibility in the conduct of its operations and allegations of the UN acting as another foreign policy instrument at the disposal of the Great Powers, at least for as long as they decide to fund and maintain it.[170]

In comparing recent UN peace operations to the Congo operation, it becomes apparent that recent experience is not so new or indeed so different from the UN operation in the Congo. ONUC was not a traditional peacekeeping operation but in fact a peace enforcement action similar to those

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[170]Signs of this are already apparent. Weary of difficulties encountered during recent operations, the Great Powers have tended to hesitate to establish new missions, as witnessed with the case of Burundi and Zaire.

established up in the early 1990s. The nature and size of the operations are very similar, and the challenges and setbacks encountered are also hauntingly familiar. For these reasons, the Congo experience is relevant to today and serves to provide lessons and insights into current experience.

The Lessons Forgotten

Many lessons can be drawn from the UN operation in the Congo. One of the most interesting to note is that as politicians, bureaucrats and analysts examine the fallout of the recent flurry of UN activity, many are coming to the same conclusions which were drawn once the UN operation in the Congo was completed.[171] Recent experience has thus served to reinforce much of what was learned in the mid-1960s. There are many parallels between recent analyses of the UN and peace operations and the literature examining the

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[171]It could be argued that the lessons being drawn are a benefit of hindsight given the outcome of recent operations. However, what is important to note is that many of these lessons can also be found in the UN literature before the UN embarked on some of its most recent ambitious and new missions. See, for example, Bloomfield, ed. International Military Forces: The Question of Peacekeeping in an Armed and Disarming World; various authors, International Organization 17, no 2 and no 4 (1993); Stanley Hoffman, "In Search of A Thread: The UN in the Congo Labyrinth" International Organization 16, no. 2 (Spring 1962): 331-361; and, Ernest Van Den Haag, "The Lesson of the Congo", National Review 16, no 36 (8 September 1964): 771-773, 785.

UN's experience in the Congo. The review of recent literature suggests that though the UN has had many successes in the field of peace operations as well as some setbacks, there is much that can be done to improve the UN and make it more effective in the area of peace operations. In general, the following lessons appear to have been forgotten: political circumstances both on the ground and back in the UN in New York must be conducive to the conduct of the operation; the UN must do all it can to maintain its impartiality, particularly in circumstances where authority is granted to use force, if necessary; the mandate given to the operation must be clear and enforceable, with the required resources, both human and financial, available to carry out the mandate; the UN's mechanisms for planning, deploying and sustaining peace operations, particularly in the areas of logistics and strategic transportation, need to be improved; and, finally, command and control, particularly between the UN in the New York and personnel in the field, needs to be strengthened. These are but some of the lessons to be drawn from the Congo operation.

ONUC demonstrates that the UN as an organization cannot accomplish much without the political and financial support of the UN membership, particularly the Permanent Members. When such support was not in place, the UN operation in the Congo found itself in a difficult position. For example, throughout the course of the operation, the attitudes of the

Permanent Members ranged from supportive (United States) to obstructionist (France) to downright hostile (the Soviet Union).[172] This was reflected not only in their actions in New York but also by the local groups and factions they supported on the ground. The rivalries of the Cold War thus pulled the operation in many directions, leaving it at times without political backing or sufficient resources and hindering its effectiveness on the ground. In addition, as Rikhye notes, "the Congo operation would probably -- and quite literally -- never have got off the ground", without the United States and to a lesser extent the Soviet Union.[173] Both countries assisted the UN by providing air- and sealift transportation to carry troops and equipment to the areas of operation. This fact is true not only of the Congo operation but also to a smaller degree in the Middle East in UNEF I and other operations since then, including most recent operations.

The support of the Permanent Members, whether direct or indirect, has had and continues to have repercussions for the UN and its image as an impartial third-party participant. During the Congo operation, despite protests by the UN of its neutrality and impartiality, it was not

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[172]Durch, The Evolution of UN Peacekeeping, 345. In addition, the Congo was partially able to survive because most non-aligned member states, particularly African and Asian countries, supported the operation.

[173]Rikhye, The United Nations Operation in the Congo, 273.

uncommon to hear various Congolese factions accuse ONUC of being a proxy for the United States in the Congo, "a place too dangerous, politically, for American troops."[174] The UN's actions have many times aroused the political suspicions of smaller regional powers which has led to great divisions among the developed and less developed member states.

The UN has always tried to preserve its impartiality amid accusations that it is an organization run by major powers. Recently, however, political restraints appear to have fallen, and the Great Powers have taken a more active role in recent operations. The UN thus continues to benefit from its standing as the only world body truly representative of its near universal membership; however, this has yet to abate calls for Security Council reform.[175]

A related issue is the burning question of money. A lesson to be drawn from the Congo operation is that UN operations, particularly those similar in size and nature, cannot accomplish much without the financial support of its member states. At the time of the UN operation in the Congo, the question of funding reached crisis proportions as the cost of the operation grew larger than the whole budget

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[174]Durch, The Evolution of UN Peacekeeping, 345.

[175]For an account of the debate on the issue of Security Council reform, see Paul Kennedy and Bruce Russett, "Reforming the United Nations", Foreign Affairs 74, no. 5 (September/October 1995): 56-71.

of the UN. "At its peak, ONUC cost the United Nations $120 million a year, that is, more in one year than UNEF spent in six, at a time when the basic UN budget was about $75 million."[176] The problem, however, was not only financial but also political. Member states who disagreed with the UN's policy in the Congo, such as France, the Soviet Union and subsequently the Eastern Bloc, refused to fund ONUC. However, their objections to paying also centered on their opposition to mandatory assessments as set out under Article 17(2) of the UN Charter to cover the expenses of ONUC as agreed to by the Fifth Committee responsible for budget and administrative matters.

The Congo operation thus also brought to a head the issue of how to fund peacekeeping operations. ONUC had been deployed without the prior approval of funding by the General Assembly, a procedure which has since been changed. The lack of such approval may actually explain why the operation was able to be deployed so quickly. Member states were assessed monies owed based on a standard scale of assessments. Nonetheless, some creative methods to fund the operation were introduced, including the selling of UN bonds which were to be repaid over 25 years though assessed contributions. This is an initiative which has not been repeated since.[177] The shortfall was also made up by

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[176]Durch, The Evolution of UN Peacekeeping, 329.

[177]Durch, The Evolution of UN Peacekeeping, 332.

voluntary contributions of member states. The United States contributed over $30.6 million in 1962, and over the next two years greater than 60% of the total voluntary contributions. In sum, the United States contributed nearly 48% of total costs for military operations and about 71% for civilian operations. In the end, the Congo operation cost $408 million or about $2 billion in 1991 prices.[178] The Soviet Union and France refused to pay monies owed based on assessed shares and according to Article 19 should have been deprived of their votes in the General Assembly. The issue was not pressed for fear that one of them, particularly the Soviet Union, would withdraw from the Organization.

In addition, the UN's financial emergency was as much a problem of the political times as it was a result of the size and ambition of the operation in the Congo. As the Security Council adopted subsequent resolutions which expanded the mandate of the operation, funds were not provided commensurate with the task. As the mandate expanded, the UN found itself without the financial means to deal with the burden. The issue of funding at the time was one that prevented the UN from undertaking new, large operations for many years after. Those that were established shortly thereafter, for example in Cyprus and West Irian, were funded completely by voluntary contributions.

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[178]Durch, The Evolution of UN Peacekeeping, 331.

One of the problems encountered in the Congo operation was the lack of a clear and enforceable mandate. ONUC's mandate and functions as dictated by the provisions of the Security Council's resolutions were to help the Central Government maintain law and order, prevent civil war, maintain the Congo's territorial integrity and prevent external intervention (ie foreign military, para-military and advisory personnel not under UN command and mercenaries).[179] The extent of ONUC's mandate was without precedent in the sense that the UN found itself trying to maintain law and order within a sovereign territory of a nation-state. Given the lack of government control over tribal areas, ONUC also found itself trying to assist in the control of conflict and violence among the rival political groups. Though this fighting persisted throughout much of its four years in the Congo, the UN succeeded in carrying out its mandate, at least in the sense of preventing an all-out civil war and keeping the country together by re-integrating Katanga.

However, difficulties were encountered in interpreting the directives of the Security Council resolutions and the appropriate action to take in the field. Security Council resolutions are usually deliberately ambiguous and it is often left to commanders in the field to decide on how to implement those resolutions. In the case of the Congo, for

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[179]Security Council Resolution S/5002, 24 November 1961.

example, the use of force, as a last resort did not define last resort.[180] Controversy thus arose over the UN's actions, particularly in Katanga, because of the different interpretations of the wording of the Security Council's resolutions.

UN personnel in the Congo also found that they lacked the political and legal authority to deal with the many situations they encountered on the ground. For example, the UN operation was concerned with stopping the illegal arms traffic that was also going on.[181] The UN tried to impose some measure of control, but lacked the personnel required. More importantly, however, it did not have the mandate to prevent these activities forcibly, as such a mandate would require the use of force to seize arms. Though there was no provision in the Security Council resolutions for seizing and impounding arms, such illicit activity was known to be common. Regardless, the lack of directive from the Security Council resolutions prevented the UN force from pursuing the issue further.

In carrying out its functions, particularly its law and order role, maintaining impartiality was crucial to the success of the UN. As Rikhye notes, "a balancing act of considerable skill was required to convince all the people all the time of the force's impartiality, for at issue was

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[180]Rikhye, The United Nations Operation in the Congo, 277.

[181]Rikhye, The United Nations Operation in the Congo, 278.

not only the *fact* of UN impartiality but also the much more difficult matter of *perceptions*."[182] As the UN's role in the Congo evolved to include the use of force, maintaining impartiality became that much more important. It was key that when the UN used force, it did so in a manner which did not seem to favour one of the parties to the conflict over another. However, controversy arose over when and how the UN decided to use force all of which challenged the UN's claims of impartiality. The Congo operation thus highlighted "the need for a well-considered philosophy for the use of military force on behalf of an international organization in a third-party role."[183] However, this is a problem which the international community continues to grapple with whether the international organization is the UN or even NATO. What the Congo operation taught the international community is that if the UN is to use force, it must do so equally across the board, with the same considerations applied and without sacrificing impartiality.

The Congo operation also served to demonstrate the limits of the UN system in initiating and sustaining large operations. Its *ad hoc* system was simply not designed to do so. For one, the UN's Secretariat lacked sufficient military staff to plan in detail for the quick deployment of

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[182]Rikhye, The United Nations Operation in the Congo, 277.

[183]Rikhye, The United Nations Operation in the Congo, 279.

the operation and to select troops. In fact, the position of the Secretary-General's military advisor was established only midway through the operation in response to the demands of the operation in the Congo. ONUC also demonstrated the need for a more efficient and speedy system to implement Security Council resolutions. Though the UN arrived in the Congo within a matter of days of the first Security Council resolution being adopted, the operation was nonetheless in utter chaos because of the haste with which it was mounted and the contingents were amassed. In other words, "rapid deployment can cause difficulties having long-term repercussions and embarrassing effects."[184] However, in emergency cases like the Congo, it may be important to establish a UN presence as quickly as possible, and had some kind of readiness system been in place, it could have prevented the ensuing difficulties from arising.[185]

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[184]Rikhye, The United Nations Operation in the Congo, 280.

[185]The notion of a rapid reaction capability for the UN is a longstanding one, stemming, in part, from the requirement in the UN Charter, in Article 43, of providing forces "on call" for the UN. More recently, in light of the situations which arose in Rwanda, Burundi and Zaire, some member states, including Canada, Denmark and the Netherlands have presented numerous proposals on how to improve the UN's ability to respond to crises. See Report of the Government of Canada, Towards A Rapid Reaction Capability for the United Nations, September 1995 and United Nations, Letter dated 7 April 1995 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General, Comprehensive Review of the Whole Question of Peace-keeping in all their Aspects, A/49/886-S/1995/276, 10 April 1995. On 16 December 1996, the UN announced the establishment of a 4000-strong Stand-by Forces High Readiness Brigade, a Danish

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ONUC also encountered many logistical problems compounded by the sheer size of the Congo and inadequate road and air communications. The UN also found it difficult to maintain the operation's logistical requirements where it could not handle demands which led to considerable delays. The UN also had difficulty acquiring the skill and expertise required to provide logistic support to the units. Those with the expertise, particularly the Great Powers, could not participate because of political constraints. The lack of standardization of equipment between and within contingents also posed a problem. Needless to say, the experience in the Congo points to the need for a sound logistic system, staffed with skilled and experienced personnel.[186]

The UN's operation in the Congo demonstrated the UN's strengths as much as its limitations. As the operation proceeded, the ability of the UN machinery to handle a operation of the nature and size of the Congo mission came into question. Though, by today's standards, the UN mounted its mission in a few short days, the speed with which the UN deployed its force created problems of command and control on the ground. The UN's difficulties were exacerbated by

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[185](...continued)
initiative formed to try to improve the UN's rapid response capability. To date, seven countries have agreed to participate in this military force, including Canada, Denmark, Sweden, Poland, Norway, the Netherlands and Austria.

[186]See Edward H. Bowman and James E. Fanning, "Logistics - Experience and Requirements," in Bloomfield, International Military Forces, 145-174.

the sheer size of the territory, and the fact there were over 30 countries participating in the operation, with varied degree of military experience and professionalism. Needless to say, this posed further political as well as administrative problems and affected the conduct of the operation.

Given the problems that the UN encountered in the Congo, it was questionable whether the UN would ever undertake a similar operation given the size and costs. In 1996, as in 1960, the consensus remains that costs would have been much higher had the UN not intervened. Nonetheless, the vast size of the territory, combined with a complex situation on the ground, compromised the UN's ability to operate effectively and raised questions about the conditions under which future peacekeeping operations would be undertaken. Beyond this, the UN's *ad hoc* mechanisms, the varying degree of military competency among the various national contingents, the lack of a coordinated military-civilian plan and loosely defined political directives which left much to interpretation on the ground, raised further questions about the UN's ability to conduct any operations in the future in the name of international peace and security.[187]

The UN is now in its fifty-first year and finds itself

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[187]Rikhye, The United Nations Operation in the Congo, 278-279.

in the same uncertain state. Only a few years ago, hopes for a revitalized UN were high, precipitated by the success of the international community in the Persian Gulf and subsequent missions in Central America and Namibia. However, by 1996, the UN had suffered a series of setbacks which have renewed questions about the possibilities and limitations of the organization and its ability to maintain international peace and security. Over the last few years, the UN's involvement in the former Yugoslavia has diminished significantly, with NATO stepping in to take the lead; in Somalia, the UN mission was abandoned, left an orphan of the international community; and finally, in Rwanda and subsequently Burundi, the UN was paralyzed by the lack of political support and immediate response to mount a new mission. As Zaire faces a crisis of similar proportions, the UN confronts a certain unwillingness and reluctance among its membership to undertake any new missions. Action was made possible only recently through the efforts of Canada, albeit with some hesitation among the international community. Moreover, as the current Secretary-General's term comes to an end, the UN finds itself in a political battle over the election of its leadership, with its most powerful member, the United States, demonstrating once again that the extent of UN action, or inaction, is dependent on

the level of support provided by the Great Powers.[188] Such is the current state of affairs at the UN, and its implications for the future of the UN remain uncertain.

[188]This point is even more acute in the case of Zaire, where although Canada expressed an interest in leading a multinational mission to the Great Lakes area in Central Africa, it had to acknowledge that it could not do so without the assistance of the United States and, along with the rest of the international community, waited to see what role the United States would agree to play.

CHAPTER 5

BEYOND THE CONGO EXPERIENCE: PROSPECTS FOR UNITED NATIONS PEACEKEEPING

> If the UN is to convince sceptics that it still has a job to do, it has to persuade them that it now knows what it cannot do.[189]

It was assumed with the end of the Cold War that there would no longer be a major clash of interests among the Great Powers and that they would cooperate henceforth in their role and responsibility in maintaining international peace. This new found cooperation was credited with heralding the UN into a new era and leading to the expansion of its peacekeeping role. Unlike the period of the Cold War, the UN came to be involved in a wide range of activity from preventive deployments to peace enforcement actions to a collective security operation in the Persian Gulf. The end of the Cold War signalled the rebirth of the UN and allowed it to undertake challenges it otherwise could not have risen to.

However, as this study demonstrates through the review of the Congo operation, this assertion is simply not true. The Congo operation, like some of the UN's recent missions, was a peace enforcement action. During the Congo operation, the UN decided to use force to carry out its mandate. This decision had enormous consequences for the operation, and

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[189]The Economist, October 21, 1995: 18-19.

more broadly speaking for the UN's peacekeeping role. Given that recent missions are similar to the Congo experience, the Congo operation highlights the many difficulties of mounting a large-scale peace enforcement action and provides important lessons which can be applied to the recent context. Beyond this, however, the Congo operation demonstrates the consequences of not dealing with these difficulties for the UN's role as the guarantor of international peace and security.

Finally, and perhaps more interestingly, the similarities between the Congo operation and recent missions lead to the conclusion that the state of the international security environment, both during and after the Cold War, has little to do with what the UN can and cannot do. In fact, it could be argued that essentially the role that the UN plays, or does not play, in maintaining international peace and security, has more to do with the convergence of interests of the Great Powers, Cold War or no Cold War. Therefore, the rationale that the Cold War is responsible for the UN's relative lack of activity during its first fifty years no longer holds as the UN finds itself currently moving towards a state of considerable less activity. This leads to the conclusion that the excuse of the Cold War for the UN's inactivity during that period may have been overstated and that more truth can be found in the need to have the interests of the Great Powers converge.

The UN Operation in the Congo and Recent Experience: Same Challenges, Old Problems

The many challenges which emerged during the Congo crisis are similar to those confronting the UN today. For one, the Congo operation demonstrated the danger of expanding a peacekeeping mission into a peace enforcement one. As discussed earlier, its mandate evolved as the situation on the ground changed and became more volatile. This led to many problems. As the operation expanded, so did its mandate, but without the means to match it. This created enormous difficulties for UN personnel on the ground and essentially placed their lives in peril. The expansion of the mandates of the recent UN missions in the former Yugoslavia, Somalia and Rwanda highlight many of these same difficulties.

The decision to use force by the UN in the Congo case created a great deal of controversy but also raised important questions about the UN's role in maintaining international peace and security. The use of force by the UN in the Congo essentially destroyed its impartial status and imperilled peacekeepers in the process. The recent example of the UN's efforts in the former Yugoslavia also demonstrates this point. In both instances, as well, the inadequacy of the force used or available encouraged the parties to the conflict to press their positions. These two cases demonstrate the difficulties which arise when the UN

tries to combine impartial diplomacy and peacekeeping with half-hearted peace enforcement efforts, without the means or will to use it.

This leads to a related difficulty. The Congo operation demonstrates the problems and shortcomings of the UN system in dealing with large-scale, peace enforcement actions. Its mechanisms for planning, deploying and sustaining such operations leave much to be desired and raise doubts about whether the UN will ever possess such capabilities. More specifically, these include the UN's ability to ensure unity of command, logistical support, communications, proper equipment and adequately trained personnel, all of which are required to mount an effective peace enforcement action, if not simply a peacekeeping mission. The review of the Congo operation seems to lead to the conclusion that the UN cannot mount operations of its size and nature. In fact, the Secretary-General has arrived to the same conclusion as set out in his Supplement to An Agenda for Peace. As the Secretary-General points out,

> neither the Security Council nor the Secretary-General at present has the capacity to deploy, direct, command and control operations for this purpose [enforcement action], except perhaps on a very limited scale. I believe that it is desirable in the long term that the United Nations develop such a capacity, but it would be folly to attempt to do so at the present time when the Organization is resource-starved and hard pressed to handle the less demanding peacemaking and peace-keeping

responsibilities entrusted to it.[190]

Finally, the Congo operation demonstrated the importance of having the political and financial support of the UN membership, particularly its Great Powers. As the support of member states for the UN operation in the Congo diminished, the ability of the UN to be effective and accomplish its mandate and goals also deteriorated. In part as a result of the political difficulties, but also because of the size of the operation, the Congo operation put the UN practically in a permanent state of financial emergency. As discussed, this was due not only to the size of the operation but also because of the increasing lack of political support among UN member states as the operation proceeded.

The United Nations After the Congo: The Failure to Implement the Lessons Learned

The similarities between the Congo operation and recent

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[190]The Secretary-General also notes the value to be gained and the difficulties which arise from entrusting enforcement tasks to groups of Member States. "On the positive side, this arrangement provides the Organization with an enforcement capacity it would otherwise not have and is greatly preferable to the unilateral use of force by Member States without reference to the United Nations. On the other hand, the arrangement can have a negative impact on the Organization's stature and credibility. There is also the danger that the States concerned may claim international legitimacy and approval for forceful actions that were not in fact envisaged by the Security Council when it gave its authorization to them." United Nations, Supplement to An Agenda For Peace, 18-20.

experience do not end with the lessons learned and the difficulties encountered but continue with the failure to deal with them after the conclusion of the operation. The failure to rectify the issues which arose out of the UN's mission in the Congo had an impact on the role of the UN for many years after. Both at the UN and in the academic literature, much was written about possible solutions for the UN to deal with another "Congo", should one ever occur. Many ideas for UN reform were introduced and debated. As previously mentioned, the Special Committee on Peacekeeping Operations was purposely created in 1965, in part, to facilitate this reform. In addition, the literature of the 1960s and early 1970s introduced an abundance of other possibilities to improve the UN's mechanisms for peacekeeping.[191] However, concrete measures have failed to materialize. Even the Special Committee on Peacekeeping Operations became moribund, only to be reactivated much later in the early 1980s.

Similarly, the UN finds itself currently turning inwards, looking at how best to reform itself to deal with the kind of challenges it has recently encountered and may

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[191]For example, there have been repeated calls to reform the UN's system for planning, mounting and deploying peacekeeping operations. Reform issues have ranged from changes to the UN Secretariat, to the creation of a standing UN force, to modifications to the UN's financial administration of peacekeeping operations.

one day confront again.[192] Reform initiatives are focussed on strengthening the organization's capacity to respond in a coordinated and effective manner to requests for peace operations. Examples include the establishment of the Department of Peacekeeping Operations, which consists of training, police, demining and planning units, as well as the Field Administration and Logistics Division, which has recently instituted the Peacekeeping Services Agreement with the purpose of standardizing costs for use and reimbursement of peacekeeping personnel and equipment. Finally, the Special Committee on Peacekeeping Operations finds itself once again discussing such issues as standardization, logistics and training.[193] How successful these reforms

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[192]There has recently been a proliferation of literature about possibilities for reform of the UN and all its aspects. See, for example, Erskine Childers and Brian Urquhart, Renewing the United Nations System (Uppsala, Sweden: Dag Hammarskjöld Foundation, 1994); Eric Fawcett and Hanna Newcombe, eds, United Nations Reform: Looking Ahead After Fifty Years (Toronto: Dundurn Press Limited, 1995); Andy W. Knight, "United Nations Structural and Financial Reform" in Canada Among Nations 1994: A Part of the Peace, eds. Maureen Appel Molot and Harald von Reikhoff (Ottawa: Carleton University Press, 1994): 76-100; Shijuro Ogata and Paul Volcker, Financing an Effective United Nations (New York: Ford Foundation, 1993); and, John Roper, Masahsi Nishihara, Olara A. Otunnu and Enid C.B. Schoettle, Keeping the Peace in the Post-Cold War Era: Strengthening Multilateral Peacekeeping (New York: Trilateral Commission, 1993).

[193]See miscellaneous United Nations reports: A/48/403/-S/26450, 14 March 1994; A/48/945, 25 May 1994; A/49/336, 24 August 1994; E/AC.51/1995/2, 17 March 1995; and, WG/COE/Phase II/WP3, 7 April 1995.

will be remains to be determined.[194] However, post-Congo, the UN failed to implement any major reform initiatives, partly due to the lack of funds and the political willingness to push ahead with reforms. Should this be the outcome again in the 1990s, then the international community would have failed even to learn this simple lesson: the importance of implementing reforms based on recent lessons learned. The pattern repeats itself.

Conclusion

The review of the UN's operation in the Congo, along with recent UN operations, lead to important conclusions about the prospects for the UN's peacekeeping role. The difficulties encountered during the Congo operation had enormous consequences for the UN. After the end of the operation in the Congo, the UN found itself in a state of near paralysis. Its handling of the circumstances in the Congo led to widespread political scepticism about the UN. There were countries who disagreed with the UN's actions in the Congo. There were those who came to perceive the UN as but another instrument of the Great Powers, particularly the United States and the Soviet Union. With its impartiality

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[194]For a critical, and less than positive, view of the future of the United Nations, see Rosemary Righter, Utopia Lost: The United Nations and World Order (New York: The Twentieth Century Fund Press, 1995).

and motives thrown into question, the UN faced a credibility crisis. This was only compounded by its dire financial predicament which, along with political hurdles, essentially prevented the UN from establishing another operation of the nature and size of the Congo mission for forty-five years after.

Similarly, the UN is currently suffering many of the same consequences, which lead to important conclusions about the future of the UN. At present, there appears to be, among most member states, a lack of confidence in the UN, precipitated largely by the UN's peace enforcement efforts in Bosnia, Somalia and Rwanda. For some, these attempts at maintaining international peace and security were but another means for the Great Powers to pursue their foreign policy agendas. For others, they were humanitarian operations gone wrong because of ineffective UN mechanisms for coordination, planning and quick response. Nevertheless, the recent difficulties encountered has led to a reluctance among UN member states, particularly the Great Powers, to intervene in situations requiring a peace enforcement-type response.

If the Great Powers have lost interest in supporting the UN, what are the implications for the Organization? After the Congo operation, the UN did manage to establish some peacekeeping operations, though none of them were comparable in scope and size to the Congo operation. Most

of them were peacekeeping operations, in the traditional sense, or observer missions. They were also mainly funded from voluntary contributions. The role of the Great Powers was also kept to a minimum, limited to providing sea- and airlift capabilities. Given what happened after the Congo operation, it can be concluded that the same trend is likely to re-emerge. Immediately after the end of the Cold War, the Great Powers such as the United States and France took a more prominent role in the UN's peace operations, a role which was previously dominated by middle powers and smaller countries. Given the current state of affairs, it appears that the Great Powers are relinquishing their leadership position in UN peace operations. By the same token, this turning point could be seen as marking the return of the middle powers to centre stage in resolving conflicts. The implication is that we are unlikely to witness the emergence of new UN operations comparable to the Balkans and Somalia since most of these countries, like Canada and the Scandinavian nations, do not have the capabilities to mount such large operations, and support from the Great Power does not appear forthcoming. In fact, the Central African effort in Zaire currently underway, led by a middle power, Canada, could be viewed as the first sign of this trend. More importantly, a quick review of operations since 1993 provides a clear indication that this trend is likely to

continue.[195]

A final consequence is that the UN's recent difficulties, particularly political impasses, have exacerbated its financial crisis. The increase in size and number of UN missions has led to an increase in costs, and the failure of some member states to pay their dues, particularly the largest debtor, the United States, has led the UN into a state of financial emergency. Given that the UN's financial crisis after the Congo operation hampered its ability to mount any large new operations for sometime thereafter, it is unlikely that current circumstances will lead to a different conclusion.

It is now 1996. After a period of extensive activity and optimism, the UN's future appears bleak. Battered by the tragedies and difficulties encountered since the early 1990s, it is unlikely that the UN will undertake any new operations in the near term, at least of the size and nature that it has in recent years. In the background, many parts of Africa and indeed around the world continue to be a cauldron of tribal conflict and ethnic violence. Yet the UN, increasingly lacking the support of its member states, appears helpless. As genocide activities spread to eastern Zaire and crimes against humanity of crisis proportions take place in Burundi, the international community seems to have

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[195]See Appendix C.

turned its back once again on Africa.[196]

Against this backdrop, the future of the UN and its role in maintaining international peace and security appear less than positive. In recalling the UN's experience in the Congo, this study sought to predict that this would be the likely outcome of the UN's recent peacekeeping efforts, given their many parallels to the Congo operation. Indeed, it appears, that current circumstances could have been predicted, if not prevented, to some extent. The forgotten lessons of the Congo are a case in point and they serve to highlight how recent events could have been averted. As previously noted, the difficulties the UN has encountered in recent operations are similar to those experienced during the Congo mission. However, more importantly, the failure to deal with these difficulties, in both instances, has had enormous repercussions for the future of the United Nations, and more importantly, its peacekeeping role.

For the UN to remain an alternative, one which the international community turns to to deal with threats to international peace and security, it will have to overcome many political, financial and systemic obstacles. Its failure to do so in the past has had enormous consequences

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[196]It is recognized that at the time of writing efforts are underway by the international community to provide humanitarian assistance to Zaire. However, the reluctance on the part of most members of the United Nations, particularly the United States, is telling and indicative of the difficulties that member states have come to recognize in establishing peace missions over the last few years.

for its future. In the short term, prospects for the UN and its peacekeeping role appear dim. If the recent case of Zaire is any indication, the international community appears to have lost its appetite to establish any new peace operations, demonstrating the weariness experienced over the last few years. Paradoxically, this familiar pattern is being repeated by the international community in Central Africa. The current state of affairs at the UN is not so different than what happened after the conclusion of the UN operation in the Congo. And now, as the international community considers what to do in Zaire, formerly the Congo, the heart of darkness beckons again. «*Plus ça change, plus c'est la même chose.*»

Appendix A

Selected Articles from the United Nations Charter

Preamble

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

to practice tolerance and live together in peace with one another as good neighbours, and

to unite our strength to maintain international peace and security, and to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

Appendix A

Chapter I
Purposes and Principles

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

3. To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character; and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

4. To be a centre for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

Chapter VI
Pacific Settlement of Disputes

Article 33

1. 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.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 35

1. Any Member of the United Nations may bridge any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

2. Any state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

3. The proceedings of the General Assembly in respect to matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

Article 36

1. The Security Council may, at any state of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which may have already been adopted by the parties.

3. In making recommendations under this Article, the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

Article 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.

2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Article 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

Chapter VII
Actions with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider the measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include

demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfilment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon

by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Chapter VIII
Regional Arrangements

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

Chapter XV
The Secretariat

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Appendix B

UN Peacekeeping Operations During the Cold War: 1945-1985

UN Operation	Dates	Mandate
UN Special Committee on the Balkans (UNSCOB)	Oct 1947-May 1951	Observe compliance with UN recommendations by four governments (Greece, Albania, Bulgaria, Yugoslavia)
UN Temporary Commission in Korea	1947-1948	Supervise elections in South Korea
UN Good Offices Mission for Indonesia	1947-1951	Observe decolonization
UN Truce Supervisory Organization (UNTSO)	Jun 1948-present	Monitor cease-fires, supervise armistice agreements, prevent isolated incidents from escalating and assist subsequent peacekeeping missions along Arab-Israeli borders.
UN Military Observer Group in India and Pakistan (UNMOGIP)	Jan 1949-present	Monitor cease-fire between India and Pakistan over State of Jammu and Kashmir.
UN Command Military Armistice Commission (UNCMAC)	1953-present	Supervise 1953 armistice in Korea
UN Emergency Force (UNEF I)	Nov 1956-Jun 1967	Supervise withdrawal of invading forces and act as a buffer between Egyptian and Israeli forces
UN Observer Group in Lebanon (UNOGIL)	Jun 1958-Dec 1958	Monitor infiltration of arms, materiel and troops into Lebanon from Syria

Appendix B

UN Operation	Dates	Mandate
UN Operation in the Congo (ONUC)	Jul 1960-Jun 1964	Render military assistance, maintain the country's territorial integrity and political independence, prevent civil war, and remove foreign military elements
UN Security Force in West New Guinea/West Irian (UNSF)	Oct 1962-Apr 1963	Keep order and administer West New Guinea pending its transfer to Indonesia from the Netherlands
UN Yemen Observer Mission (UNYOM)	Jul 1963-Sep 1964	Observe implementation of disengagement agreement between Egypt and Saudi Arabia
UN Force in Cyprus (UNFICYP)	Mar 1964-present	Prevent further fighting between Greek and Turkish Cypriots and contribute to maintenance of law and order and a return of normal conditions; from 1974, supervise cease-fire lines, monitor buffer zone separating Greek and Turkish communities and undertake humanitarian activities to encourage normal conditions
Mission of the Representative of the Secretary-General in the Dominican Republic (DOMREP)	May 1965-Oct 1966	Report on the situation in the Dominican Republic given emergence of rival governments
UN India Pakistan Observer Mission (UNIPOM)	Sep 1965-Oct 1966	Monitor cease-fire after 1965 India-Pakistan War and supervise the withdrawal of forces

UN Operation	Dates	Mandate
UN Emergency Force II (UNEF II)	Oct 1973-Jul 1979	Stabilize the situation in Canal Sector and Sinai, separate Egyptian and Israeli forces and form buffers between them
UN Disengagement Observer Force (UNDOF)	Jun 1974-present	Supervise implementation of disengagement agreement between Syrian and Israeli forces and maintain cease-fire
UN Interim Force in Lebanon (UNIFIL)	Mar 1978-present	Confirm Israeli withdrawal from Lebanon, restore international peace and security and help the Lebanese Government restore its effective authority; further strive to prevent hostilities and protect civilians caught in the fighting

Source: United Nations Department of Public Information, as of 31 Oct 96

Appendix C

UN Peacekeeping Operations in the Post-Cold War:1986-present

UN Operation	Dates	Mandate
UN Good Offices Mission to Afghanistan and Pakistan (UNGOMAP)	Apr 1988-Mar 1990	Monitor withdrawal of Soviet forces from Afghanistan
UN Iran-Iraq Observer Group (UNIMIMOG)	Aug 1988-Feb 1991	Monitor cease-fire Iran-Iraq War
UN Angola Verification Mission I (UNAVEM I)	Jan 1989-Jun 1991	Monitor withdrawal of Cuban forces from Angola
UN Angola Verification Mission II (UNAVEM II)	Jun 1991-Feb 1995	Observe general cease-fire and verify elections in September 1992
UN Angola Verification Mission III (UNAVEM III)	Feb 1995-present	
UN Transition Assistance Group in Namibia (UNTAG)	Apr 1989-Mar 1990	Supervise the transition of Namibia from South African rule to independence
UN Mission for the Verification of Elections in Nicaragua (ONUVEN)	1989-1990	Observe Nicaraguan elections
UN Mission in Central America (ONUCA)	Nov 1989-Apr 1991	Verify compliance of five Central American Governments with their security commitments, monitor cease-fire and separation of forces between opposition parties in Nicaragua and in demobilizing Nicaraguan assistance

Appendix C

UN Operation	Dates	Mandate
UN Mission for the Verification of Elections in Haiti (ONUVEH) UN Mission in Haiti (UNMIH) UN Support Mission in Haiti (UNSMIH)	1990 Sep 1993-Jun 1996 Jun 1996-present	Observe Haitian elections
UN Iraq-Kuwait Observer Mission (UNIKOM)	Apr 1991-present	Monitor demilitarized zone along Iraq-Kuwaiti border, deter border violations and report on any hostile action
UN Special Commission (UNSCOM)	Apr 1991-present	Inspection and destruction of Iraq's ballistic missiles as well as its chemical, nuclear and biological facilities
UN Observe Mission in El Salvador (ONUSAL)	Jul 1991-Apr 1995	Monitor agreement between Salvadorian Government and FMLN including ceasefire, demobilization of FMLN forces, reform and reduction of Government armed forces, creation of civilian police force, constitutional, economical and social reforms, and human rights
Mission for the Referendum in Western Sahara (MINURSO)	Sep 1991-present	Verify cease-fire and conduct referendum on independence vs joining Morocco

Appendix C

UN Operation	Dates	Mandate
UN Advance Mission in Cambodia (UNAMIC)	Oct 1991-Mar 1992	Conduct elections, supervise police, control the activities of existing administrative structures, promote human rights, repatriate refugees, begin rehabilitation of the country as well as disarm and demobilize the armed forces of the factions and carry out military functions
UN Temporary Authority in Cambodia (UNTAC)	Mar 1992-Sep 1993	
UN Protection Force in Yugoslavia (UNPROFOR)	Mar 1992-Mar 1995	Secure cease-fire, humanitarian relief in Sarajevo area; later, ensure security and functioning of Sarajevo airport and delivery of humanitarian assistance
UN Peace Forces (UNPF) consists of UNPROFOR, UNCRO (UN Confidence Restoration Operation) and UNPREDEP (UN Preventive Deployment Force in Macedonia)	Mar 1995-Jan 1996	Observe, patrol and clear mines in Croatia, provide aid in Bosnia and Herzegovina and prevent civil war in Macedonia
IFOR	Dec 1995-present	A UN-endorsed, NATO-led enforcement mission responsible for overseeing the implementation of the military aspects of the Dayton Peace Agreement, including developing a secure and stable environment in Bosnia and Herzegovina

Appendix C

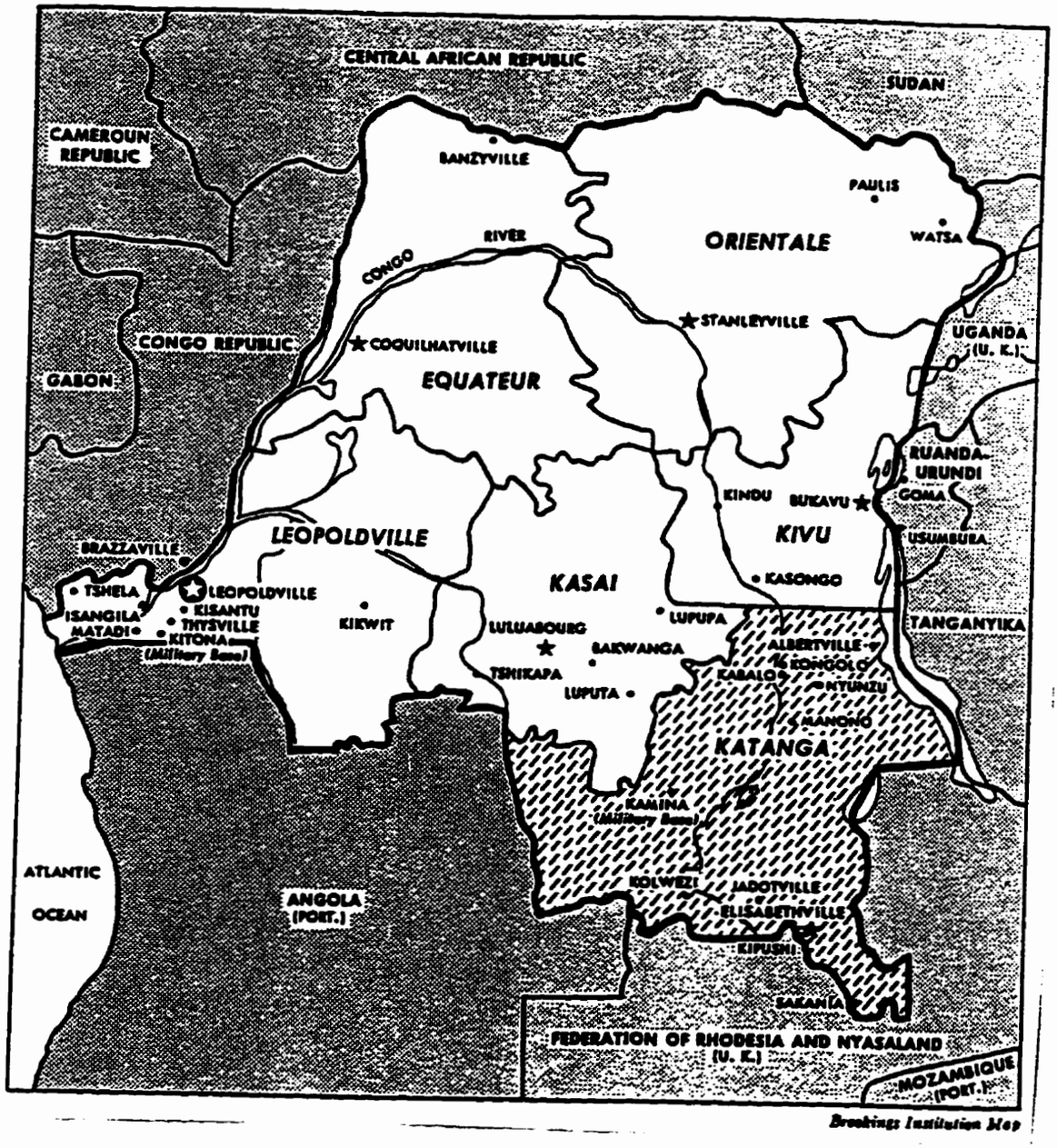
UN Operation	Dates	Mandate
UN Operation in Somalia (UNOSOM)	Apr 1992-May 1993	Monitor cease-fire, coordinate humanitarian assistance and ensure security of relief supplies
UN Operation in Somalia (UNOSOM II)	May 1993-Mar 1995	Distribute relief supplies
UN Operation in Mozambique (ONUMOZ)	Dec 1992-Dec 1994	Provide security, monitor demining and cease-fires
UN Observer Mission in Rwanda (UNOMUR)	Jun 1993-Sep 1994	Verify that military supplies do not cross border into Rwanda
UN Assistance Mission for Rwanda (UNAMIR)	Oct 1993-Mar 1996	Assist interim government with transition measures leading to elections
UN Observer Mission in Georgia (UNOMIG)	Aug 1993-present	Monitor ceasefire agreement and investigate violations
UN Observer Mission in Liberia	Sep 1993-present	Monitor implementation of peace agreement
UN Aouzou Strip Observer Group (UNASOG)	May 1994-Jun 1994	Monitor withdrawal of Libyan administration
UN Mission of Observers in Tajikistan (UNMOT)	Dec 1994-present	Assist implementation of cease-fire
UN Human Rights Verification Mission in Guatemala (MINUGUA)	1994-	Verify implementation of the Human Rights Agreement and assist in strengthening the institutions working in that area
UN Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES)	Jan 96-present	Facilitate the demilitarization of the region and assist with repatriation of refugees

UN Operation	Dates	Mandate
UN Mission of Observers in Prevlaka	Jan 96 - present	Monitor the demilitarization of the Prevlaka peninsula

Source: United Nations Department of Public Information, as of 31 October 1996

Appendix D

Map of the Republic of the Congo (as of July 1960)



Source: Crisis in the Congo, Ernest W. Lefever, 1965.

Security Council and General Assembly Resolutions on the Congo

Security Council, 14 July 1960
Resolution S/4387

Considering the report of the Secretary-General on a request for United Nations action in relation to the Republic of the Congo,

Considering the request for military assistance addressed to the Secretary-General by the President and the Prime Minister of the Republic of the Congo,

1. *Calls upon* the Government of Belgium to withdraw their troops from the territory of the Republic of the Congo;

2. *Decides* to authorize the Secretary-General to take the necessary steps, in consultation with the Government of the Republic of the Congo, to provide the Government with such military assistance as may be necessary, until, through the efforts of the Congolese Government with the technical assistance of the United Nations, the national security forces may be able, in the opinion of the Government, to meet fully their tasks;

3. *Requests* the Secretary-General to report to the Security Council as appropriate.

Security Council, 22 July 1960
Resolution S/4405

Having considered the first report by the Secretary-General on the implementation of Security Council resolution S/4387 of 14 July 1960,

Appreciating the work of the Secretary-General and the support so readily and so speedily given to him by all Member States invited by him to give assistance,

Noting that as stated by the Secretary-General the arrival of the troops of the United Nations force in Leopoldville has already had a salutary effect,

Recognizing that an urgent need still exists to continue and to increase such efforts,

Considering that the complete restoration of law and order in the Republic of the Congo would effectively contribute to the maintenance of international peace and security,

Recognizing that the Security Council recommended the admission of the Republic of the Congo to membership in the United Nations as a unit,

1. *Calls upon* the Government of Belgium to implement speedily the Security Council resolution of 14 July 1960, on the withdrawal of their troops, and *authorizes* the Secretary-General to take all necessary action to this effect;

2. *Requests* all States to refrain from any action which might tend to impede the restoration of law and order and the exercise by the Government of the Congo of its authority and also to refrain from any action which might undermine the territorial integrity and the political independence of the Republic of the Congo;

3. *Commends* the Secretary-General for the prompt action he has taken to carry out resolution S/4387 of the Security Council and his first report;

4. *Invites* the specialized agencies of the United Nations to render to the Secretary-General such assistance as he may require;

5. *Requests* the Secretary-General to report further to the Security Council as appropriate.

Security Council, 9 August 1960
Resolution S/4426

Recalling its resolution of 22 July 1960 (S/4405) *inter alia*, calling upon the Government of Belgium to implement speedily the Security Council resolution of 14 July (S/4387) on the withdrawal of their troops, and authorizing the Secretary-General to take all necessary action to this effect,

Having noted the second report of the Secretary-General on the aforesaid two resolutions and his statement before the Security Council,

Having considered the statements made by the representatives of Belgium and the Republic of the Congo to this Council at this meeting,

Noting with satisfaction the progress made by the United Nations in carrying out the Security Council resolution in respect of the territory of the Republic of the Congo other than the Province of Katanga,

Noting however that the United Nations had been prevented from implementing the aforesaid resolutions in the Province of Katanga although it was ready, and in fact attempted, to do so,

Recognizing that the withdrawl of Belgian troops from the Province of Katanga will be a positive contribution to and essential for the proper implementation of the Security Council resolutions,

1. *Confirms* the authority given to the Secretary-General by the Security Council resolutions of 14 July and

22 July 1960 and *requests* him to continue to carry out the responsiblity placed on him thereby;

2. *Calls upon* the Government of Belgium to withdraw immediately its troops from the Province of Katanga under speedy modalities determined by the Secretary-General and to assist in every possible way the implementation of the Security Council's resolutions;

3. *Declares* that the entry of the United Nations force into the Province of Katanga is necessary for the full implementation of the resolution;

4. *Reaffirms* that the United Nations force in the Congo will not be a party to or in any way intervene in or be used to influence the outcome of any internal conflict, constitutional or otherwise;

5. *Calls* upon all Member States, in accordance with Articles 25 and 49 of the Charter, to accept and carry out the decisions of the Security Council and to afford mutual assistance in carrying out measures decided upon by the Security Council;

6. *Requests* the Secretary-General to implement this resolution and to report further to the Security Council as appropriate.

General Assembly, 20 September 1960
Resolutions A/4510

Having considered the situation in the Republic of the Congo,

Taking note of the resolutions of 14 and 22 July and of 9 August 1960 of the Security Council,

Taking into account the unsatisfactory economic and political conditions that continue in the Republic of the Congo,

Considering that, with a view to preserving the unity, territorial integrity and political independence of the Congo, to protecting and advancing the welfare of its people, and to safeguarding international peace, it is essential for the United Nations to continue to assist the Central Government of the Congo,

1. *Fully supports* the resolutions of 14 and 22 July and of 9 August of the Security Council;

2. *Requests* the Secretary-General to continue to take vigorous action in accordance with the terms of the aforesaid resolutions and to assist the Central Government of the Congo in the restoration and maintenance of law and order throughout the territory of the Republic of the Congo and to safeguard its unity, territorial integrity and political independence in the interests of international peace and security;

3. *Appeals* to all Congolese within the Republic of the Congo to seek a speedy solution by peaceful means of all their internal conflicts for the unity and integrity of the Congo, with the assistance, as appropriate, of Asian and African representatives appointed by the Advisory Committee on the Congo, in consultation with the Secretary-General, for the purpose of conciliation;

4. *Appeals* to all Member Governments for urgent voluntary contributions to a United Nations Fund for the Congo to be used under United Nations control and in consultation with the Central Government for the purpose of rendering the fullest possible assistance to achieve the objective mentioned in the preamble;

5. *Requests*

(a) All States refrain from any action which might tend to impede the restoration of law and order and the exercise by the Government of the Congo of its authority and also to refrain from any action which might undermine the unity, territorial integrity and political independence of the Republic of the Congo;

(b) All Member States, in accordance with Articles 25 and 49 of the Charter, to accept and carry out the decisions of the Security Council and to afford mutual assistance in carrying out measures decided upon by the Security Council;

6. Without prejudice to the sovereign rights of the Republic of the Congo, *calls upon* all States to refrain from the direct and indirect provision of arms or other material of war and military personnel and other assistance for military purposes in the Congo during the temporary period of military assistance through the United Nations, except upon the request of the United Nations through the Secretary-General for carrying out the purposes of this resolution and of the resolutions of 14 and 22 July and of 9 August 1960 of the Security Council.

Security Council, 21 February 1961
Resolution S/4741

A

Having considered the situation in the Congo,

Having learned with deep regret the announcement of the killing of the Congolese leaders, Mr. Patrice Lumumba, Mr. Maurice Mpolo and Mr. Joseph Okito,

Deeply concerned at the grave repercussions of these crimes and the danger of wide-spread civil war and bloodshed in the Congo and the threat to international peace and security,

Noting the Report of the Secretary-General's Special Representative (S/4691) dated 12 February 1961 bringing to

light the development of a serious civil war situation and preparations therefor,

1. *Urges* that the United Nations take immediately all appropriate measures to prevent the occurence of civil war in the Congo, including arrangements for cease-fires, the halting of all military operations, the prevention of clashes, and the use of force, if necessary, in the last resort;

2. *Urges* that measures be taken for the immediate withdrawal and evacuation from the Congo of all Belgian and other foreign military and para-military personnel and political advisers not under the United Nations Command, and mercenaries;

3. *Calls* upon all States to take immediate and energetic measures to prevent the departure of such personnel for the Congo from their territories, and for the denial of transit and other facilities to them;

4. *Decides* that an immediate and impartial investigation be held in order to ascertain the circumstances of the death of Mr. Lumumba and his colleagues and that the perpetrators of these crimes be punished;

5. *Reaffirms* the Security Council Resolutions of 14 July, 22 July, and 9 August 1960 and the General Assembly resolution 1474 (ES-IV) of 20 September 1960 and reminds all States of their obligation under these resolutions.

B

The Security Council,

Gravely concerned at the continuing deterioration in the Congo, and the prevalence of conditions which seriously imperil peace and order, and the unity and territorial integrity of the Congo, and threaten international peace and security,

Noting with deep regret and concern the systematic violations of human rights and fundamental freedoms and the general absence of rule of law in the Congo,

Recognizing the imperative necessity of the restoration of parliamentary institutions in the Congo in accordance with the fundamental law of the country, so that the will of the people should be reflected through the freely elected Parliament,

Convinced that the solution of the problem of the Congo lies in the hands of the Congolese people themselves without any interference from outside and that there can be no solution without conciliation,

Convinced further that the imposition of any solution, including the formation of any government not based on genuine conciliation would, far from settling any issues,

greatly enhance the dangers of conflict within the Congo and threat to international peace and security,

1. *Urges* the convening of the Parliament and the taking of necessary protective measures in that connection;

2. *Urges* that Congolese armed units and personnel should be re-organized and brought under discipline and control, and arrangements be made on impartial and equitable bases to that end and with a view to the elimination of any possibility of interference by such units and personnel in the political life of the Congo;

3. *Calls upon* all States to extend their full co-operation and assistance and take such measures as may be necessary on their part, for the implementation of this resolution.

Security Council, 24 November 1961
Resolution S/5002

Recalling its resolutions S/4387, S/4405, S/4426 and S/4741,

Recalling further General Assembly resolutions 1474 (ES-IV), 1592 (XV), 1599 (XV), 1600 (XV) and 1601 (XV),

Reaffirming the policies and purposes of the United Nations with respect to the Congo (Leopoldville) as set out in the aforesaid resolutions, namely:

(a) To maintain the territorial integrity and the political independence of the Republic of te Congo;

(b) To assist the Central Government of the Congo in the restoration and maintenance of law and order;

(c) To prevent the occurrence of civil war in the Congo;

(d) To secure the immediate withdrawal and evacuation from the Congo of all foreign military, para-military and advisory personnel not under the United Nations Command, and all mercenaries; and

(e) To render technical assistance;

Welcoming the restoration of the national Parliament of the Congo in accordance with the *Loi fundamentale* and the consequent formation of a Central Government on 2 August 1961,

Deploring all armed action in opposition to the authority of the Government of the Republic of the Congo, specificially secessionist activities and armed action now being carried on by the Provincial Administration of Katanga with the aid of external resources and foreign mercenaries, and *completely rejecting* the claim that Katanga is a "sovereign independent nation,"

Noting with deep regret the recent and past actions of violence against United Nations personnel,

Recognizing the Government of the Republic of the Congo as exclusively responsible for the conduct of the external affairs of the Congo,

Bearing in mind the imperative necessity of speedy and effective action to implement fully the policies and purposes of the United Nations in the Congo to end the unfortunate plight of the Congolese people, necessary both in the interests of world peace and international cooperation, and stability and progress of Africa as a whole,

1. *Strongly deprecates* the secessionist activities illegally carried out by the provincial administration of Katanga, with the aid of external resources and manned by foreign mercenaries;

2. *Further deprecates* the armed action against United Nations forces and personnel in the pursuit of such activities;

3. *Insists* that such activities shall cease forthwith, and calls upon all concerned to desist there from;

4. *Authorizes* the Secretary-General to take vigorous action, including the use of a requisite measure of force, if necessary, for the immediate apprehension, detention pending legal action and/or deportation of all foreign military and para-military personnel and political advisers not under the United Nations Command, and mercenaries as laid down in paragraph A-2 of the Security Council resolution of 21 February 1961;

5. *Further requests* the Secretary-General to take all necessary measures to prevent the entry or return of such elements under whatever guise and also of arms, equipment or other material in support of such activities;

6. *Requests* all States to refrain from the supply of arms, equipment or other material which could be used for warlike purposes, and to take the necessary measures to prevent their nationals from doing the same, also to deny transportation and transit facilities for such supplies across their territories, except in accordance with the decisions, policies and purposes of the United Nations;

7. *Calls upon* all Member States to refrain from promoting, condoning, or giving support by acts of ommission or commission, directly or indirectly, to activities against the United Nations often resulting in armed hostilities against the United Nations forces and personnel;

8. *Declares* that all secessionist activities against the Republic of the Congo contrary to the *Loi fundamentale* and Security Council decisions and specifically *demands* that such activities which are now taking place in Katanga shall cease forthwith;

9. *Declares* full and firm support for the Central Government of the Congo, and the determination to assist

that Government in accordance with the decisions of the United Nations to maintain law and order and national integrity, to provide technical assistance and to implement those decisions;

10. *Urges* all Member States to lend their support, according to their national procedures, to the Central Government of the Republic of the Congo, in conformity with the Charter and the decisions of the United Nations;

11. *Requests* all Member States to refrain from any action which may directly or indirectly impede the policies and purposes of the United Nations in the Congo and is contrary to its decisions and the general purposes of the Charter.

Source: Crisis in the Congo, Ernest W. Lefever, 1965.

Appendix F

List of Participating Countries in the UN Operation in the Congo

The following countries contributed military personnel to the UN Operation in the Congo (ONUC):

Argentina
Austria
Brazil
Burma (now Myanmar)
Canada
Ceylon (now Sri Lanka)
Denmark
Ethiopia
Ghana
Guinea
India
Indonesia
Iran
Ireland
Italy
Liberia
Malaya
Federation of Mali
(now Mali and Senegal)
Morocco
Netherlands
Nigeria
Norway
Pakistan
Phillipines
Sierra Leone
Sudan
Sweden
Tunisia
United Arab Republic
(Former) Yugoslavia

From February 1963 to the end of the United Nations Operation in the Congo, a battalion of the Congolese National Army was incorporated in ONUC.

In addition, the following countries made voluntary contributions that consisted primarily of airlift and sealift of food, equipment, troops and supplies.

Canada
Soviet Union
Switzerland
United Kingdom
United States

Source: The Blue Helmets: A Review of United Nations Peacekeeping, 2d ed., United Nations Department of Public Information, 1990.

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