

United Nations Peacekeeping Missions, India and the Protection of Civilians Mandate

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Abstract

India had participated in 30 United Nations (UN) missions. UN peacekeeping/peace-enforcement missions are multinational operations in which the big powers who are permanent members of the United Nations Security Council (UNSC) call the shots. After 2008, the protection of civilians (POC) has become primary task of all the UN missions. Impartiality and not neutrality are now the main watchword of UN missions. This requires mainly political and diplomatic approaches. In addition, stable peacebuilding in conflict prone areas requires a political approach. This political dimension is missing in most of the cases in the recent peace-enforcement missions. As regards the construction of a political approach to ensure robust and stable peacebuilding, the permanent members of the UN play the crucial role and India is yet to get a permanent seat in the UNSC. In the post-Cold War era, India due to its rapid economic progress is emerging as a 'mini' superpower. New Delhi is unwilling anymore to call the shots on behalf of the big five till she gets a permanent seat at the UN

Introduction

In recent times, instead of interstate conflicts between national armies, we are witnessing intrastate conflicts conducted by paramilitaries and militias. Smuggling, organized crime, cybercrimes, pandemics and both natural as well as manmade

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disasters have become an essential feature of these new types of conflicts. As a result, civilians are becoming the principal victims of conflict, displacement and natural disasters. In the last three decades, civilians have accounted for 90 percent of the casualties compared to 10 percent of the total casualties during the previous two decades. This is more the case when the state institutions have collapsed as a result of endemic and long-duration civil wars such as in Somalia, South Sudan and the Democratic Republic of Congo (DRC). For the United Nations (UN) forces, intervention in these conflicts, keeping peace in war zones, makes the protection of the civilians (POC) the principal task of peace enforcement efforts. Instead of merely maintaining the armistices between the regular soldiers, as in previous peacekeeping operations, current peacebuilding/peace-enforcement missions involve humanitarian tasks (providing food and medical supplies to the civilians, monitoring human rights violation), protection of the safe areas, building roads, policing, escort of relief convoys, demobilization of the armed irregulars of the warlords (some supported by the host government and others by the neighbouring polities), promotion of national reconciliation and restoration of effective public institutions. A UN force personnel in addition to be a fighter has to be a diplomat, policeman/policewoman, administrator and a social worker.

Legality of the UN forces is also questioned when the host country does not want them or the civilians in conflict prone zones are threatened, either by the host government or the non-government militias. In the latter case, the UN peace-enforcers have to intervene even though, theoretically, they have to remain neutral. The POC mandate means that the UN mission has the right to protect the civilians of a country even when the host government does not support the UN's presence. This differentiates peacekeeping (UN mission is supported by the host government and only regular armies are involved) from peace-enforcement. This, in turn, raises important issues regarding legality and ethicality as the host country's sovereignty is breached.

The Changing Face of Indian and UNPKOs

India has consistently been one of the top troop contributing countries. Historically, India's primary motivation^{1,2,3} for such sustained involvement in UN peacekeeping has been to support

and maintain the UN as the most important multilateral institution in the world. This is in line with India's long-standing ideological commitment during the Cold War to avoiding alignment with either ideological bloc, focusing, instead on developing more equitable international institutions. India has seen participation in UN peacekeeping missions as both furthering the authority of the UN as an organisation, and of bolstering India's reputation and influence on the world stage.^{4,5} Particularly since the end of the Cold War, this desire for recognition has been especially focused on the goal of influence within the UN Security Council (UNSC), with the stated goal of a permanent seat on the council. India has perceived robust participation in UN peacekeeping missions as being a significant method towards influencing UNSC policy more generally, and particularly strengthening India's case for a permanent UNSC seat.^{6,7,8,9} While achieving further political influence within the UN seems to be the main reason behind India's firm peacekeeping participation, its military strategic mindset is less receptive to conducting robust operations against armed groups in recent missions. Atleast, that is the main criticism levied against Indian and other South Asian troops in UN documents and in interactions with UN political administrators.

India's peacekeeping mission in Korea in 1950 was simple, as the task was to keep the two regular armies apart. The first peace-enforcement operation by the Indian contingent was in Congo in 1961. The new type of peace-enforcement operation for the Indian forces which involved protection of the civilians as the primary task became clear during participation in United Nations Operation in Somalia(UNOSOM) II during August 1994. On 22 August 1994, seven Indian soldiers were killed in an ambush sprung by the militia. Things could have been worse but for the sage advice of Lieutenant General Satish Nambiar. He advised General Bipin Joshi, India's then Chief of the Army Staff who had been ordered to prepare a brigade sized force for deployment in Somalia that the force must have 'muscular' capacity. So, the Indian contingent had a troop of tanks, a battery of heavy mortars and some attack helicopters. The presence of these heavy weapons deterred the local militia. The attack helicopters came into assistance in extricating elements of Pakistani contingent which was attacked by the irregulars.

India's UN peacekeepers played a positive role when UN Mission in South Sudan (UNMISS) was deployed in South Sudan in 2012. The UN mission was to assist the just independent country of South Sudan's transition to peace and economic recovery. The government of South Sudan soon turned against the UN mission. Thus, not only the UN force became interventionist, but also a party to the conflict, rather than an agent of neutral diplomacy. However, the peacekeepers provided medical services including veterinary support, and engineering services which immensely aided the local communities.¹⁰

The UNMISS took over from the UN Mission in Sudan (UNMIS) on 8 July 2011, one day before South Sudan became independent. On 15 December 2013, fighting broke out between two factions of the Sudan People's Liberation Movement (SPLM). The intrastate conflict soon spread to different parts of the country. When the civil war started in 2013, the Government of South Sudan complained that the UNMISS is supporting the opposition forces. The intrastate conflict proved destructive to the country creating a humanitarian crisis. By March 2021, more than 1.6 million South Sudanese were displaced and 2.2 million sought refuge in the neighbouring countries. UNMISS had to adapt its task, from creating new public institutions, to feed and provide protection to the displaced persons. At one time, UNMISS had to cater for more than 200,000 people in the POC sites in its compounds. During the two peace agreements signed in 2015 and 2019, UNMISS had the additional responsibility of supporting the Cease-fire Transitional Supporting Arrangement Mechanism (CTSAM), and the Joint Monitoring and Evaluation Commission (JMEC), for the implementation of these agreements.

The point is that the Government of South Sudan turned against the UNMISS. The Sudan People's Liberation Army (SPLA) had fought for 20 years against the Government of Sudan before independence. After South Sudan became an independent country, SPLA became the national army. During the civil war in South Sudan, SPLA was fighting breakaway factions like Sudan People Liberation Movement-In-Opposition (SPLM-IO). The SPLA had Armoured Fighting Vehicles (AFVs), artillery and attack helicopters. Proper implementation of POC task by UNMISS might have resulted in a war with SPLA. The UNMISS was not militarily prepared for such a war. Further, such a conflict would have

resulted in greater civilian casualties.¹¹ Now the issue is whether it is ethically correct that in pursuit of the POC mandate for saving comparatively 'few,' as the UNMISS's action might result in a broader war which would have caused dangers to the majority of the civilians of South Sudan? There also growing concerns about peacekeepers being targeted, whether by armed groups or by civilians, who can vent their frustrations on them. Recalling an incident in the Bentiu Protection of Civilian (PoC) site, a former sector commander noted how the civil affairs head of office for the sector headquarters had come under attack when seeking to pass on condolences linked to a civilian death in the PoC site.

To a great extent, the scenario has been similarly challenging in the case of United Nations Organisation Stabilisation Mission in Democratic Republic of Congo (MONUSCO) in the DRC. During the Second Congo War (1998-1999), between Rwanda and Uganda versus DRC, Angola and Zimbabwe, a number of armed militias emerged in eastern DRC. In 2013, there were about 70 armed insurgent groups operating in eastern DRC. Their objectives were diverse: from protection of various ethnic communities to establishment of an Islamic state in Uganda. These armed insurgent groups often fought against each other and the Congolese Armed Forces (FARDC). Some of these irregulars received support from the neighbouring countries. By all means, the situation was messy.

Extensive and intensive internecine fighting in eastern DRC proved destructive to Congo's civilians and society. Widespread and systematic looting, sexual violence, forced labour, kidnapping, and forced recruitment of child soldiers were common. Rape was used as a weapon of war. Besides illegal exploitation of natural resources, the insurgent groups resorted to taxation of businesses, markets, and households. According to one count, by 2017, between 1 to 6 million people had died and the number of internally displaced persons came to about 3.8 million.

According to UN's POC mandate, MONUC/MONUSCO cannot look away even when the FARDC crossed the red line. MONUSCO was authorized to use force in support of its POC mandate. How far such a posture is legal and ethical because questions are raised whether the UN mission can be proactive and interventionist? After all, the UN mission should not use force beyond self-defence.

And a UN mission remains in a country only at the request of the host state. In July 2010, the Congolese Government demanded that the UN mission should leave as the security situation had improved. But the UNSC (led by the big five) did not agree and MONUC renamed as MONUSCO remained. Its objectives were to stabilize eastern DRC and provide protection to the civilians. In 2012, MONUSCO protected the civilians from the M23 rebel group which was created by Rwanda. At the behest of the UNSC, in March 2013, the Force Intervention Brigade (FIB) was formed. FIB was authorized to carry out limited offensive with or without the FARDC against the indigenous and foreign sponsored rebel militias in eastern DRC. This is a clear-cut example of highly active type of peace-enforcement. By 2014, it was clear that such types of military interventions was not very effective due to lack of political cooperation between the UNSC and the DRC Government. One could conclude that the FIB type of model for peace-enforcement was effective for implementing the POC in the short run but in the long run what is required is political solutions through diplomatic channels.¹²

The changing nature of UN missions, which with time is becoming 'gun heavy' is clear in the case of United Nations Interim Force in Lebanon (UNIFIL) after 2006. This contingent had Main Battle Tanks, artillery and also 15 ships (five frigates and 10 fast patrol boats). The situation was messy because the Lebanese Army did not fight the Hezbollah as they considered the latter as 'resistance fighters'. UNIFIL had to take care of 500,000 Palestinian refugees housed in 12 camps. They lived in sub-human conditions without any citizenship rights and engaged in smuggling and gun running out of desperation.¹³

Strength and Limitations of Indian UN Peacekeeping/Peace-Enforcement Operations

One positive thing about Indian UN peace-enforcement missions is deployment of women. In 2007, India became the first country to deploy an all women contingent. Women peacekeepers are essential for protection of women and children in the conflict-ridden areas.¹⁴

To a great extent, India's extensive counter insurgency (COIN) operations in different parts of the subcontinent have influenced India's peacekeeping and peace-enforcement operations with the UN. While peacekeeping involves use of minimum force, peace-

enforcement require a more robust application of necessary force. India's COIN doctrine is characterised by use of minimal force. Lieutenant General IS Singha, who was the Chief Logistics Officer in the UN Mission in Ethiopia and Eritrea and later the Force Commander and Head of Mission of the UN Disengagement Force at Golan Heights (UNDOF established in May 1974) rightly noted: "It took great amount of effort to shed the defensive mind set and make the peacekeepers move tactically and be in a position to fire back instantaneously".¹⁵ In this case both the rebel and government militias, took away UN vehicles and the Syrian Government's bombing resulted in death of the civilians. Many over cautious commanders did not even issue ammunition to their troops to prevent accidental fire. Later, the UNDOF took a more proactive stance.

India's COIN operations are distinguished by full scale support for the military by the political establishment. This political support had been missing in many UN peace-enforcement missions where the Indian troops had been involved. So, in many cases involving peace-enforcement tasks in various African countries, the Indian doctrine of minimal support without full scale political backing by the host country had led to serious troubles. Nor the big powers who calls the shots provide full support to the UN mandate. As Lieutenant General Satish Nambiar [once head of United Nations Protection Force (UNPROFOR) in Yugoslavia] perceptively observes: "Regional players, as also the major powers, pursue their own agenda that in many cases do not necessarily complement the mission mandate".¹⁶

Further, effective implementation of the POC mandate against the wishes of the host country requires heavy weapons and soldiers in large numbers along with unity of command and interoperability of weapon, command and transportation systems. UN peacekeepers are generally limited in size, and unity of command, and shared doctrine are generally absent in such multinational missions. The implementation of the POC mandate operates at three levels: protection through dialogue, physical protection and finally generation of an enabling environment. The first and the third layers are most effective. It is too much to ask from the UN peacekeepers/peace-enforcers to do the three tasks simultaneously. The UN missions need to be fitted with a full-scale diplomatic corps while executing the POC mandate.

India lacks special training establishments, where specialised training thoroughly and intensively could be given to the potential peace-enforcers.¹⁷ This is especially important because now peacebuilding requires disarming, demobilizing and reintegrating the personnel from insurgent militias and ensuring socio-economic recovery of the country in question. A Centre for United Nations Peacekeeping was set up in September 2000 at Delhi for training the peacekeepers. This centre is supported by the Ministries of External Affairs, and Defence, and Army Headquarters. Personnel from other countries also participate in the training courses run by this centre. This is a step in the right direction but much more needs to be done.

Conclusion

In the preceding half century, India had participated in 30 UN missions. While in 1994, India deployed 6,000 peacekeepers worldwide, in 2006, the numbers jumped to 9,909.¹⁸ Till date, 178 Indian soldiers have sacrificed their lives for UN peacekeeping/peace-enforcement missions, the highest fatality suffered by any country among 'blue helmets'. UN peacekeeping/peace-enforcement missions are multinational operations in which the big powers, who are permanent members of the UNSC, call the shots. In the post-Cold War era, India due to its rapid economic progress is emerging as a 'mini' superpower. New Delhi is unwilling anymore to call the shots on behalf of the big five till she gets a permanent seat at the UN.

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Endnotes

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