TOWARD PROACTIVE PEACEKEEPING OPERATIONS WITHIN THE R2P

Authors:
- Metodi Hadji-Janev
- Vesna Poposka

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Abstract

The main goal of Responsibility to protect (R2P) is a responsibility to prevent conflicts and negative effects that come along. In order to create healthy environment that will support further retaliation and grievances effective R2P requires a responsibility to prevent, rebuild, reconcile, and reconstruct fragile or post-conflict environment. Envisioned as set of principles that provides the international community with a framework for taking action to prevent or stop these residual effects of conflicts R2P doctrine among other advances new tasks for peacekeepers.

The new role that peacekeepers should play in support of R2P requires different operational capability. On one hand in this new environment (set by the R2P principles) the objectives that determine success are nothing like traditional war fighting (i.e. to destroy enemy's capacities, not just to stop particular kinds of violence and intimidation). Nevertheless these objectives are neither like traditional peacekeeping (i.e. there is a peace to keep and is concerned essentially with monitoring, supervision, and verification). Considering the role which peacekeepers should play in the complex environment, the main objective of the article is to emphasize how peacekeepers could act proactively during their future involvement while supporting R2P pillar two in practice.

Therefore the article first briefly describes why prevention is utmost dimension and the core value of R2P. Then it argues that although preventive action is granted that does not mean success by definition. To prove this article analyzes several cases where United Nations has employed preventive force. To be successful peacekeepers need to focus on prevention by building capacities among local stakeholders. To achieve this, soldiers on the ground should link their lines of operation to the desired political end-states that have evoked R2P. While accomplishing their missions under the framework of prevention peacekeepers need to galvanize their actions in accordance with the social, cultural, religious, ethnic, economic and other forces that shape the dynamics of their theater of operation. Therefore if we are about to expect success in preventing human suffering and effective R2P building "strategic corporals" is something the UN should stimulate through the member states.

Introduction

Conceptualized by the Commission on Intervention and State Sovereignty in 2001and endorsed in 2005 World Summit Outcome Document, Responsibility to protect (R2P) challenged the so called "Westphalian concept" of sovereignty. As a concept it revived the idea that each sovereign state has a primary responsibility to protect its people from suffering grave harm, and if it is unable or unwilling to do so, this responsibility is transferred to the international society. Regardless of opposing views seen as "imperialist tool vs. weak and inappropriate protection to the vulnerable people" the R2P depends heavily on the United Nations' member states will. However when political obstacles are overcome the concept's success depends heavily on the quality of its employers.

The United Nations Peacekeeping is an independent institution that has ensured World's peace and security from the organization's inception. Relying on the member states military the United Nations has launched numerous peace operations, each reflecting the conflict specifics. As the perception to what constitutes threat to peace and security changed the spectrum of using military forces changed too. Building on the modern trend of connecting human suffering with threat to peace and security the R2P also consumes the utility of peacekeeping.

Mach of the debate regarding the R2P and use of military forces focuses on the concept's third pillar. However since the heart of the concept resides on prevention the paper elaborate the contribution of peacekeepers to R2P's second pillar. Giving that peacekeeping doctrine has been developed independently of the R2P we build our arguments on the broader experience and practice while analyzing several cases in which peacekeepers act preventively. Although we are aware of the fact that political will of member states plays crucial role in launching the concept in practice our main argument is that just acting preventively does not necessary brings success. To prove this we offer analyses of five cases where United Nations has act preventively.

The success of the future peacekeeping engagement under the concept of R2P pillar two depends on the ability of the peacekeepers to act proactively and with the comprehensive operational design. Although fully aware that recent peacekeeping challenges are far more complex the paper assumes these analyses under the idealistic peacekeepers' performance. This means that we do not consider inside challenges such as: corruption during their deployment, criminal activities or failure to deliver impartiality during the operations, as a measurement of success. We focus on the ability of the peacekeepers to accordingly produce their operational design in order to fulfill R2P's second pillar objectives. Absence of structural and systematic strategies that will put effective operational design in to practice is more than evident. Furthermore success will not be granted if the soldiers on the ground fail to understand what feeds challenges to their complex operational environment, and act accordingly.

1. Changing environment after the Cold War and its influence on Responsibility to Protect

Peace support operations' contribution to the responsibility to protect (R2P) is largely influenced by the political will and the ability of the peace labor to cope with the dynamics of the conflict environment. Successful implementation of the R2P concept requires International community to act on time and to design appropriate actions that will fulfill the core tasks of R2P. Political support largely depends on where the dominant international players will put the point of balance on a scale between state sovereignty and human rights. On the other hand so far the quality of understanding that social and cultural aspects of society has directly affected the military performance in the post-conflict environment. In fact one of the serious critics about the United Nations (UN) peace endeavors is that there is a paucity of: sufficiently competent available personnel.[1]

Post-Cold War complex events, among others, influenced the dynamics in international conflict resolution. According to some views many of the conflicts (predominantly intrastate) that erupted in the Cold War aftermath are the bloodiest since the advent of nuclear weapons. [2]Residual effects of these conflicts such as ethnic cleansing, genocide, deaths and displacement of millions of people, steadily grew. It became obvious that international conflict evolved and that domestic issues hold potential to affect regions and world peace. Dominated by the victorious liberalism international community considered measures and mechanisms to curb the intrastate violence, prevent human suffering and spill-over effects. Hence, the redefinition of the so called "Westphalian concept of sovereignty" became inevitable. Protagonists for this new concept of sovereignty cheered for norms that will impose new responsibilities on states to their citizens and the world community. The United Nations Security Council's resolutions for military interventions in Somalia, Liberia, Rwanda, Kosovo and Libya unequivocally confirm these concerns. In this context Rebecca Hamilton argues that these approaches have even led to a perception of a new challenge to the previously unchallenged notion of the inviolability of state sovereignty.[3]

Although many believe that launching the concept of R2P has transformed the traditional relationship between sovereignty, human rights and the duties of the international community to protect recent events in Syria seems to confirm quite the opposite. The feelings that responsibility to protect is dangerous disruption to the state's sovereignty practiced through humanitarian intervention seems that still have strong supporters. Their argumentation steams from the fact that UN member states did not adopted the International Commission on Intervention and State Sovereignty's (ICISS) recommendation wholesale. The new principle based on the idea of "sovereignty as responsibility" had weak "*erga omnes*" arguments. As Luck asserts, it is important "*to not confuse what we would like the R2P principle to be with what it actually is.*[4]

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[1] Caty Clement and Adam C. Smith, "Managing Complexity: Political and Managerial Challenges in United Nations Peace Operations," (New York: International Peace Institute 2009)

[2] Wallensteen, P. and Sollenberg M., "The end of international war? Armed conflict 1989-1995", 33 Journal of Peace Research, p. 353-370

[3] Rebecca J. Hamilton, "The Responsibility to Protect: From Document to Doctrine – But What of Implementation?" Recent Developments, 19 Harvard Human Rights Journal, Spring 2006, 291, <http://www.law.harvard.edu/students/orgs/hrj/iss19/hamilton.shtml#fnB1> accessed 10 January 2013

[4] Edward C. Luck The Responsible Sovereign and the Responsibility to Protect, Annual Review of United Nations Affairs 2006/2007 (New York: Oxford University Press, 2008), vol. 1, p. xxxiii-xliv

Nonetheless focusing among others on prevention R2P concept holds potentials to disconnect the debate from its central militarized character i.e. the debate between state sovereignty and human rights. The logic of this approach is to avoid potential political obstruction in side the United Nations Security Council later on when usually situation on the ground is worsen and forceful measures under third pillar are about to be implement. One could argue that preventive activities could also be subject of political blockade. Nonetheless the responsibility of the host nations' authorities (or assisting them) to provide civil protection is already a common wisdom. Of course there are indicators that need to be considered and confront appropriately with the international community's proactive engagement. Moreover regardless of different opinions it is more than clear that abuses of basic freedoms and rights today are subject to exposure and condemnation as never before. Event though there is always place for political obstacles and acting *ex ante* is more complicated than just consider it, with such focus R2P could avoid further political blockades based on a fear that the concept itself supports partially designed interests.

In order to be successful during prevention the future peace warriors need to understand the interstate dynamics. These dynamics however are not like they used to be. Recent practice shows that although international community has acted preventively conflicts and issues were not avoided (we will refer to this later). Therefore to be successful while implementing R2P concept future peace warriors need to understand the dynamics of the specific society. Giving that R2P concept depends heavily on the military instrument of power and that employment of this instrument is under the same doctrine of contemporary peace operations we will continue our debate on the connection between R2P and peaces operations.

2. Operationalizing R2P through peace operations

Combining elements of assistance, concept of human security and humanitarian efforts, R2P consume military instrument of power through existing UN peace operations doctrine. From the conceptual envisioning of the R2P and its implementation in the context of use of military forces it is clear that military personnel plays crucial role in all three pillars. International community so far, has launched various peace operations using military as an instrument of power outside of the R2P concept. The doctrine of these operations is designed to keep peace (either preventing the conflict or after the conflict is stopped under Chapter VI of the UN), to enforce peace (under Chapter VII of the UN) or to build peace (either under Chapter VI as preventive activity-our focus, or under Chapter VII of the UN by enforcing measures as persuasion). Using military force to maintain peace and security in a conventional sense or, to protect human suffering (i.e. when humanitarian intervention was seen as a threat to peace and security) in the broader context of the article 42 of the UN Charter, so far depended on political will. Nevertheless it is quite clear that the framework for UN military engagement has changed significantly under the evolution of the United Nations Security Council's practice, as a reflection of the member states' perceptions and opinions.

Understanding the shift in the UN military engagement is important due to the fact that the same legacy applies during implementing R2P concept. Starting from its Resolution 1265 (1999)[5] the United Nations Security Council has developed significant practice of recognizing the consequences of human suffering as a threat to international peace and security. This political shift has marked evident revolution in the substance of peace operations toward

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[5] United Nations Security Council resolution 1265, adopted unanimously on 17 September 1999, <http://unispal.un.org/UNISPAL.NSF/0/54C4EBF2D2209072052681100532442> accessed 23 January 2013

explicit and robust civilian protection. Even the General Assembly's Special Committee on Peacekeeping Operations has also recognized relationship between peace operations and the protection of civilians.[6]

The existing UN document on the use of military force in the context of the UN Charter (or in the context of its interpretation) distinguishes five categories of operations in which military could be used. Even though many confuses these terms equalizing them with peacekeeping operations there is crucial differences between different military engagements. All of these categories of military operations have legal and operational logic that accompanies specific political decision by the UNSC. The 2008 United Nations' Peacekeeping Principles and Guidelines, for example speaks about:

   - *Conflict prevention operations*: including structural and diplomatic measures to prevent disputes from developing into violent conflict,

   - *Peacemaking*: the use of diplomatic measures to bring hostile parties to a negotiated agreement,

   - *Peacekeeping*: the use of military, police and civilian personnel to lay the foundations of sustainable peace,

   - *Peace enforcement*: the use of military and other measures to enforce the will of the UN Security Council,

   - *Peacebuilding*: a range of measures aimed at reducing the risk of lapsing or relapsing into conflict.[7]

For the purpose of this paper (which is almost generally accepted among the military culture) we will consider peacekeeping operations all UN operations launched under Chapter VI, i.e. the so called "Chapter Six Missions". This includes use of military, police and civilian personnel with mission to lay foundations of sustainable peace, conflict prevention operations and to some extend peacebuilding operations.

The idea to put peace support operations in to context of the R2P means that one should consider several legal and operational (doctrinal) options under which military could be used. In general as we concluded military forces could operationalize R2P through all three pillars. Precisely military operations in accordance to R2P concept could

   - assist local authorities to build their own capacities to protect civilians,

   - assist civilian components with mandate for protection,

   - conduct combat operations in accordance with robust mandate – Under Chapter VII from the Charter.

From the legal point of view using military forces to accomplish R2P concept could be either under Chapter VI or under Chapter VII of the UN Charter. Both, the first and the second pillar of the R2P, open space for preventive use of military forces.[8] The 2005 World Summit Outcomes Document provides that assistance under pillar two of the R2P could take following forms: encouraging states to meet their responsibilities under pillar one; helping them to exercise this responsibility; helping them to build their capacity to protect or assisting states under stress before crises and conflicts break out. Applying military doctrine for peace

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[6] The United Nations General Assembly Official Records 'Report of the Special Committee on Peacekeeping Operations and its Working Group (C-34)', 2009 substantive session, 23 February-20 March 2009, A/63/19: 24

[7] 'United Nations Peacekeeping Operations: Principles and Guidelines' ed. Peacekeeping Best Practices Section (New York: United Nations, 2008)

[8] Report of the Secretary-General, "Implementing the Responsibility to Protect", A/63/677, 12 January 2009, p. 9, <http://unispal.un.org/UNISPAL.NSF/0/EEF9DE1F698AA70D8525755100631D7C> accessed 27 January 2013

operations under the UN understanding (discussed above), means that the military forces should conduct operations under Chapter VI. Conflict prevention missions, peacekeeping missions, or peacebuilding missions are one of the three missions that military could conduct if they are about to operationalize pillar one or pillar two of the R2P (The paper will further consider all of these operations as a peacekeeping operations). Unlike pillar one and pillar two, pillar three requires military engagement under Chapter VII of the Charter which means that military should conduct peace enforcement missions or peacemaking missions. In military language this means to conduct full scale combat operations (offensive and defensive) in order to accomplish the mission. Since peacebuilding also could be in the mandate (or annexed to it after major combat operations are over) military wisdom create operational design to conduct peace operations (stability operations) based on adjusted rules of engagements for use of deadly force and different guiding principles for the forces.

Conducting operations under Chapter VI Charter so far, mandated rules of engagements (RoE) for use of deadly force only in self – defense. Giving that military have effective control over the territory from the legal point of view rules of engagement have International Human Rights Law approach (or as some argue criminal law approach) to the right to life in connection with the use of deadly force. Precisely, military forces operating under Chapter VI of the Charter will use deadly force similarly if not equally as the law enforcement officers in national practice. Conversely conducting peace operations under Chapter VII of the Charter usually gives more robust rules of engagement – for use of deadly force. Created under the language to use "all necessary means" Chapter VII' rules of engagements for use of deadly force have International law of Armed Conflict approach to right to life. This means that *ius in bello* principles apply and the use of deadly force is under perception to neutralize not just immediate threat (as in law enforcement model operations-effective control of the territory) but the future potential threat that will endanger military necessity.[9]

The new role that peacekeepers should play in support of R2P requires different operational capability. On one hand in this new environment (set by the R2P principles) the objectives that determine success are nothing like traditional war fighting (i.e. to destroy enemy's capacities, not just to stop particular kinds of violence and intimidation). Nevertheless these objectives are neither like traditional peacekeeping (i.e. there is a peace to keep and is concerned essentially with monitoring, supervision, and verification).

In general the deployment of military forces under the R2P concept is usually associated with R2P's third pillar. Using military assistance to states however is a core part of the second pillar. In this context some believe that all contemporary UN peace operations are pillar two endeavors. According to these views military forces are deployed under the mandate that considers the host state's consent and operational design that produces tasks to assist the authorities in maintaining order, strengthening capacities and ultimately to build peace[10]. Even though we could not totally agree with these views it is worth mentioning that R2P itself is a concept that seeks prevention. As professor Evans says: "It is a central characteristic of the

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[9] For in depth analyses of the Rules of Engagement see: The Operational Law Handbook, 'The Judge Advocate General's Legal Center & School', 2012, US Army, Charlottesville Virginia, US, Ch5

[10] Alex Bellamy and others, 'Case Study: Pillar Two and the Regional Assistance Mission to the Solomon Islands (RAMSI)' (2009) The Asia-Pacific Centre for the Responsibility to Protect, available at: <http://www.humansecuritygateway.com/documents/APCRP_PillarTwo_RegionalAssistanceMissionToTheSolomonIslands.pdf> accessed 27 January 2013

responsibility to protect norm, properly understood, that it should only involve the use of coercive military force as a last resort [11]“.

Prevention is the utmost dimension and the core value of R2P. That is why what has to be understood is the fact that the very core of the doctrine concept is the second pillar. States have to learn what their main tasks are and to accept the support of their peers when they are failing to deliver. Otherwise, there is lack of chances that intervention with rough force to implement R2P, or a human catastrophe in her absence will be averted. In fact recent practice seems that confirms these theses. Events in Somalia, Bosnia, Rwanda, to a certain degree Kosovo, and arguably now Syria, demonstrate that intervening to late brings devastating results and great human suffering. Hence the best way to protect four crimes to occur is prevention. However, it must be clear that application of activities under the second pillar is the ultimate indication of readiness and determination of the state to fulfill it's obligation under the R2P norm.

Therefore all players in international community should bear in mind and use all means necessary through different instruments of political power to ensure this consent. The cost-benefits analysis in the context of the core of R2P principles will definitely follow this logic. Stepping earlier and working with the host government has so far given results in preventing escalation and massive human suffering. The UN involvement in Macedonia, Kenya, Burundi, Oceania and Chad exemplifies that acting preventively is not impossible. Giving the critics that follow R2P pillar three engagement in Libya preventive measures is something that should be encouraged in the future. Consequently regarding the doctrine of the peace operations and dynamics and critics of the R2P peacekeeping operations, conflict preventions and peace building operations are the most promising existing UN endeavors that should support R2P.

It could be argued that the link between prevention efforts under the R2P and UN existing mechanisms that ensure these mechanism seen through peace operations is weak. Preventive missions (conflict prevention, peacekeeping and peace building) are often deployed under the auspices of the Department of Political Affairs (DPA) with increasing involvement of the Peacebuilding Commission (PBC). Nevertheless, there is evident growing trend of the UN Department of Peacekeeping Operations (DPKO) involvement in these efforts as well.[12]

Although the R2P concept focuses only on four crimes successful preventive engagement is not easy to achieve. Dynamics in international relations after the Cold War require approach that goes beyond conventional understanding of preventive involvement. This means that if we are about to see successful R2P labor we would need peace forces that could cope with the modern challenges that highly influence all peace efforts including preventive one. At the same time, conducting peacekeeping operation for example within R2P means that the background of the doctrine concept is accepted by the host state. Consequently during the implementation both sides, peacekeepers and host state, must consider that: all elements and efforts focus on prevention, produce appropriate priorities and the core principles must be implemented[13]. Although fully aware that launching R2P resides primarily on political will we argue that without skillful peace forces ready to confront modern challenges there is great risk

[11] Gareth Evans, 'Operationalising R2P in Coercive Peace Operations' (International Humanitarian Law, Human Rights and Peace Operations, San Remo, 5 September 2008) <http://www.gevans.org/speeches/speech304.html> accessed 27 January 2013

[12] Charles Hunt, '*Mainstreaming the Responsibility to Protect in Peace Operations*' (Asia Pacific Center for responsibility to Protect 2009) p. 10

[13] International Commission on Intervention and State Sovereignty, 'The Responsibility To Protect' 2001 <http://responsibilitytoprotect.org/ICISS%20Report.pdf> accessed 27 January 2013

to success in implementing R2P even when political will is not an issue. To prove this we will analyze several cases where peacekeepers were preventively employed and the aftermath of these employments.

2.1. Specific case of preventive peacekeeping mandate- Macedonia a successful story?

Preventive diplomacy played a key role for Macedonian peacefully independence. UNPREDEP has fully implemented its mission. The United Nations Preventive Deployment Force - UNPREDEP -is the first mission in the history of United Nations peacekeeping to have a preventive mandate[14]. It is also true that there was clear political will on the both sides that produced a successful peacekeeping story. Consisted of 1,050 troops; 35 military observers; 26 civilian police in total in the period from 31 March 1995 to 28 February 1999[15] UNPREDEP was a mission that left picture of how preventive deployment can be very effective if conducted timely and with clear mandate. But, did the peacekeepers, considering both the civil and the military part of the mission, really understand their task?

This question rises from the fact that several years after this mission ended a 2001 ethnic conflict threatened the future of the country. The common view is that UNPREDEP was a successful operation. While peacekeepers performed their duties they prevented Yugoslav conflicts to spill over. Nevertheless a closer look to the mandate in the context of UNPREDEP aftermath events illuminates that UNPREDEP did not accomplished its mission.

2.2. Preventing post-electoral violence: Kenya

Invoking the vocabulary of R2P turned on the alarm for the Kenyan crisis. Early prevention here failed, most probably because no one expected that elections can transform into war. Kenya is a school example for the importance of stable and capable institutions and the need for effective early warning mechanisms.

It is a matter of fact that the international assistance in Kenya has prevented development and intensifying of the violence, but what remains is the fact that 1000 people lost their lives and 500 000 people lost their homes[16]. Still, the good news is that for those who regarded R2P as little more than military intervention, Kenya revealed how non-coercive tools, such as mediation, can help halt atrocities when employed early, with sufficient resources and international support[17]. This rapid and coordinated reaction by the international community was praised as "a model of diplomatic action under the Responsibility to Protect"[18].

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[14] Data prepared by the Peace and Security Section ,United Nations Department of Public Information ,Last update 16 March 1999(not an official document of the United Nations) <http://www.un.org/en/peacekeeping/missions/past/unpred_b.htm#PREVENTIVE> accessed 27 January 2013
[15]ibid
[16] International Coalition for the Responsibility to Protect, 'Crisis in Kenya- Disputed 2007 Presidential Election: Political & Humanitarian Crisis' <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-kenya> accessed 27 January 2013
[17] Global Center for the Responsibility to Protect, 'The Responsibility to Protect and Kenya: Past Successes and Current Challenges' (2010) <http://www.globalr2p.org/media/files/the-responsibility-to-protect-and-kenya-past-successes-and-current-challenges.pdf> accessed 27 January 2013
[18] International Coalition for the Responsibility to Protect, 'Crisis in Kenya- International Response to halt the spread of violence' < http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-kenya#2> accessed 27 January 2013

That kind of rapid answer of the international community not only prevented greater loss of lives, but also proposed a way forward to the society, as well as transitional justice and international criminal law responses[19].

2.3. Active engagement while developing conflict: Burundi
Burundi is another case where early prevention failed, but the international assistance and most of all regional cooperation have saved the day, preventing further violence.
The United Nations Operation in Burundi (ONUB) was established by United Nations Security Council in May 2004 to ensure the continuation of the Arusha Peace and Reconciliation Agreement signed on 28 August 2000. However, the UN and international community have been engaged within the conflict resolution process from the very begging through different ways: UN diplomacy, economic sanctions, African regional peacekeeping forces, and later on UN preventive deployment of peacekeepers[20]. Facing the inability of the UN Security Council to deploy a peace support operation to monitor and verify the partial ceasefire, in April 2003 the AU deployed the African Mission in Burundi. AMIB was only partly able to implement its mandate to observe the ceasefire, initiate the demobilization of combatants and protect civilians at risk. Still, it is recognized that this mission played a crucial role in laying the foundations for a more comprehensive UN led mission. This regional engagement has shown profound role within the whole peace process.

Another specific tool of international assistance in order to set the agenda forward and ensure peace and stability on a long run is the development of national leadership training program[21] designed to rebuild the leadership capacity to work effectively together in advancing their country's postwar reconstruction[22]. The UN mission has more or less fulfilled its mandate. Unfortunately, as we will see later on, that does not currently mean durable peace in Burundi.

2.4. Putting pillar two into practice in Oceania
The islands in the region of Oceania have also faced severe internal conflicts. The engagement for the overcoming of those challenges has gone through three different modalities: multilaterally, with UN engagement in Timor-Leste, regionally through Pacific Islands Forum in the Solomon Islands, and bilaterally through direct Australian programs in Papua New Guinea and Timor –Leste[23]. In all of the three cases, what is interesting is that as peacekeepers police forces were deployed. National programs for police building capacities

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[19] Human Rights Watch March, 'Ballots to Bullets: Organized Political Violence and Kenya's Crisis of Governance' (2008) < http://www.hrw.org/reports/2008/03/16/ballots-bullets> accessed 27 January 2013

[20] Human Rights Center (Religion, Politics and Globalization Program International Human Rights Law Clinic University of California, Berkeley), 'The Responsibility to Protect (R2P):Moving the Campaign Forward' (2007) < http://www.law.berkeley.edu/files/HRC/Publications_R2P_10-2007.pdf> Accessed 27 January 2013

[21] Implemented by the Woodrow Wilson International Center for Scholars with support from the World Bank's Post-Conflict Fund, UK's Department for International Development, the European Community and U Department for International Development

[22] Howard Wolpe and Steve McDonald, 'Burundi's Transition: Training Leaders for Peace' (2006) 17/1 *Journal for Democracy* 17/1

[23] Asia Pacific Centre for the Responsibility to Protect, 'Pillar II in Practice: Police Capacity-Building in Oceania' (2012) APC R2P Brief, Vol. 2 No. 4 <http://www.r2pasiapacific.org/documents/R2P%20Ideas%20in%20Brief%20Pillar%20II%20in%20Practice%20 Police%20Capacity-Building%20in%20Oceania.pdf> accessed 27 January 2013

were developed. Capacity development and institutional building were the main priority. Slowly but surely, those countries are moving to stable peace.

2.5. MINURCAT- United Nations Mission in the Central African Republic and Chad

MINURCAT was established pursuant to Security Council resolution 1778 of 25 September 2007[24]. The resolution sets multidimensional presence intended to support setting core stones of stable conditions in order to secure sustainable homecoming of refugees and displaced persons, through protection of endangered population as well as facilitating the provision of humanitarian assistance in eastern Chad and the north-eastern Central African Republic (CAR) and crafting environment for the reestablishment of economic and social development- supporting rule of law and justice programs. After the Security Council assessed the lack of the state's capacity to protect its population effectively as well as the presence of a threatening armed opposition that is also responsible for crimes and human rights violations, it decided to deploy a Human Rights component to help the state of Chad meet its responsibility to protect as described under pillar two[25].

2.6. The reality - what did and didn't work out?

The analysis of the above mentioned case studies evokes mix feelings about the UN preventive efforts. Issues like failure of early warning mechanism, absence of political will and delay of concrete actions, lack of capacities and resources for timely and decisive response, political correctness and ill reports on the core issues or failure to recognize the forthcoming conflict and to recognize importance of sustainable regional development along the incompetence of fulfilling the social gaps between different groups mainly had shaped the results of the UN preventive endeavors.

According to the mandate UNPREDEP had task to monitor and report (clear Chapter VI mandate) any developments in the border areas which could have undermined confidence and stability in the Republic of Macedonia. The mission was conceptualized to serve as an early warning source for the Security Council, to help in strengthening mutual dialogue among political parties and assists in monitoring human rights as well as inter-ethnic relations in the country. In addition UNPREDEP covered social and economic development. Thus although UNPREDEP technically fulfilled its mandate, it could be agued that on a long run prevention failed. Additionally there is noting from the UNPREDEP's official archive that indicated potential inter-ethnic conflict when the mission was accomplished. The short inter-ethnic conflict ended up with the signing of the Ohrid Framework Agreement. Thirteen years after the short conflict, there are still uneasiness for the interethnic relations.[26]

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[24]MINURCAT: United Nations Mission in the Central African Republic and Chad, 'Protecting civilians, promoting human rights, rule of law and regional peace' <http://www.un.org/en/peacekeeping/missions/minurcat/mandate.shtml> accessed 27 January 2013

[25]Christoph Mikulaschek and Hans Winkler, eds 'The United Nations Security Council and the Responsibility to protect: Policy, Process and Practice' (Report from the 39th International Peace Institute Vienna Seminar on peacemaking and peacekeeping) *Favorita Paper* journal Diplomatic Academy of Vienna <http://www.ipacademy.org/publication/policy-papers/detail/312-the-un-security-council-and-the-responsibility-to-protect-policy-process-and-practice.html > accessed 27 January 2013

[26]International Crisis Group, 'Macedonia: Ten Years after the Conflict' (2011) <http://www.crisisgroup.org/en/regions/europe/balkans/macedonia/212-macedonia-ten-years-after-the-conflict.aspx> Accessed 27 January 2013

The situation in Kenya, although great improvement has been done, is far away from glowing[27]. Additionally, Somalia's growing Islamist radicalism is spilling over into Kenya[28]. This is empiric proof that the security environment changes rapidly, and new challenges appear faster than the reconciliation processes. Still, it does not give justifications for those deaths and displacements that have occurred, as post electoral violence. It only speaks enough about the systematic flaws that were not addressed in timely manner.

Nowadays, Kenya is preparing for another election that is supposed to be conducted in March 2013. The complex surrounding, the problem with great number of refuges, and the presence of violence[29], unfortunately does not promise very bright future.

When it comes to Burundi, it is crucial to appoint the role of the newly established Peacebiliding Commission and the Peacebuiling fund[30]. The systematic engagement of the international actors shows that progress comes slowly but surely. However, it does not mean that another potential crisis will not arise: Although the institutions are functioning and the government shows satisfaction on the development and the security achievements, Burundi is regressing. In accordance with the reports of the International Crisis Group, the 2010 elections did not bring any good news- de facto one party system has been established[31]. The violence arose once again- political killings are stemming from the 2010 elections[32].

Researching the conflicts in the region of Oceania, has produced a few interesting specific lessons, especially speaking about the Solomon Islands. To be purely honest, this country is unique for its geographical structure that implies difficulties in the ruling from the very beginning. Still, the nature of the conflict included factors that are common for internal conflicts. The country has been also appointed as "failed state''- a wording that nowadays is more associated with the modern asymmetric threats of terrorism. The first urge for help was ignored, that raises the question- what if there was earlier regional engagement within the conflict?[33] Being indicated as one of the most appropriate examples of implementation of the pillar two of R2P[34], and referring to the nature of the conflict and the fact that main actors were armed groups, the implementing of the pillar two in the Solomon Islands poses legitimacy to possible invoking of the R2P vocabulary within the counterterrorism framework. Furthermore, the Australian Strategic Policy Institute (ASPI) produced an influential paper that suggested Solomon Islands was at greatest risk of state failure in the region and was a potential haven for terrorist groups. The paper contained 'five references to possible terrorism and twelve references to a "failed state"'[35].

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[27] The Guardian, 'Deadly clashes in Kenya fuel fears of election violence' (2012)
<http://www.guardian.co.uk/world/2012/sep/13/kenyan-tribal-clashes-116-dead> Accessed 27 January 2013
[28] ibid
[29] <http://www.aljazeera.com/indepth/features/2012/09/20129199284236744.html> Accessed 27 January 2013
[30] UN Peace Building Commission key documents on Burundi, available at
<http://www.un.org/en/peacebuilding/doc_burundi.shtml#keydocs> Accessed 27 January 2013
[31] International Crisis Group, 'Bye Bye Arusha' (2012) <http://www.crisisgroup.org/en/regions/africa/central-africa/burundi/192-burundi-bye-bye-arusha.aspx> accessed 27 January 2013
[32] Human Rights Watch, 'Burundi: Escalation of Political Violence in 2011' (2012) <http://www.hrw.org/news/2012/05/02/burundi-escalation-political-violence-2011> accessed 27 January 2013
[33] John Braithwaite and others, 'Pillars and Shadows: Statebuilding as peacebuilding in Solomon Islands' (ANU E Press 2010) 25
[34] Asia Pacific Centre for the Responsibility to Protect, 'Pillar II in Practice: Police Capacity-Building in Oceania' (2012) APC R2P Brief, Vol. 2 No. 4
[35] Tim Anderson, *The Limits of RAMSI*, (Sydney: AID Watch), 2008

It is quite obvious, that in any of the analyzed cases structural and systematic prevention is missing. Investing early to prevent conflicts from escalating into violent crises is, on average, 60 times more cost effective than intervening after violence erupts[36]. Ensuring peace is a process, not just a short term destination. Wider vision must be formed and included. After withdrawal international community's mark must equate strong institutions capable to cope with the existing challenges in appropriate manner. The effects of preventive strategies implemented have to be measurable not only by the quality of absence of war, but also by quantity and quality of improved everyday lives of the common people.

Experience on the ground shows that structural prevention as an activity within the pillar two peacekeeping operations is extremely important. This has also been included in the subcategory of the pillar two activities[37].

3. Improving R2P pillar's two effectiveness through proactive peacekeeping

General wisdom from the recent practice of R2P attests that even though the R2P concept focuses on four crimes only, without comprehensive preventive approach toward stable society peacekeepers will probably fail to accomplish dedicated missions. Putting prevention and assistance in the focus, requires a higher engagement of the regional and sub-regional organization and emphasizes the importance of cooperation. This particularly goes for the early warning mechanisms.

Employing peacekeeping as a mechanism that will ensure effective prevention in accordance with the R2P's second pillar requires proactive peacekeepers. Complex operational environment comprised with the effects of globalization, and bounded with specific region's security, historic, economic, ethnic, religious or social patterns urges for improved and upgraded approach while deploying peacekeepers. "Proactivity" must be designed in a way that complements updated conflict management strategies with qualitative skills among the preventive labor. In these lights future peacekeepers must be capable of conducting appropriate transfer of these strategies in to tasks on the ground. Accordingly these tasks must ensure prevention that will end up with strong societies capable and responsible for appropriate civilian protection. To achieve this, peacekeeping planners must ensure that they design appropriate measures of effectiveness and measures of success as guiding principles while tailoring their activities in the theatre of operations. Giving that complex environment had changed the influence of success (regarding the different actors' presence in the theater such as NGOs and media that could play independent role) military wisdom must understand that tactical effects could produce strategic impacts. Therefore if we are about to expect success in preventing human suffering and effective R2P building those "strategic corporals" is something the UN should stimulate through the member states.

The 21st Century is seeking for a peacekeeping with added value. This is not new within the UN system and vocabulary. However, reworked as a part of the new R2P concept, it

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[36] Friends Committee on National Legislation leaflet '60:1' <http://fcnl.org/issues/ppdc/prevention_60_1_cost_effective.pdf> Accessed 27 January 2013

[37] Breaky and others, 'Enhancing Pprotection Capacity: Policy Guide to the Responsibility to Protect and the Protection of Civilians in Armed Conflicts' (2012) < http://unu.edu/publications/policy-briefs/enhancing-protection-capacity-policy-guide-to-the-responsibility-to-protect-and-the-protection-of-civilians-in-armed-conflicts.html> accessed 27 January 2013

got new and revived spirit that should be respected, emphasizing the importance of early warning mechanism and the positive examples that have occurred.

Conflict prevention is usually considered to be conducted even after conflict arises, in the stabilization phase. However, what is natural or at least should be considered typical is the precautionary principle. The precautionary principle is usually invoked in environmental epidemiology, if 'there is uncertainty as to the likelihood of a catastrophic event, the costs and consequences of doing nothing are greater than those of prevention[38]'. The same goes for conflict prevention and conflict management.

The absence of war does not mean peace or a guarantee that mass atrocities will not be conducted. In most cases belonging and identity served as an initial capsule for a conflict. Usually variables that stimulate intolerance has economic, legal, political or social prefix. Ultimately all of them influence individuals' quality of life. Although not exclusively qualitative governance and the rule of law along with effective state's mechanisms and functioning for example have proven to be the most effective tool in preventing the mass atrocities. This is why if the peacekeepers expect to be effective must focused on addressing all different aspects of potential challenges. To achieve this nevertheless, there is a need of appropriate preventive strategy that could be applied to proactively use peacekeeping under the R2P pillar's two.

3.1. *Structural or pre-crises prevention strategies*

There are several prevention strategies that enable capacity building in complex environment. Considering the stage of prevention, theoretically, three frameworks can be applied.[39] Nevertheless only structural prevention strategy fits the purpose of this debate.

Speaking about structural preventions alludes to addressing of the root causes, mostly about the institutional and capacity building mentioned above. The UN have credible legacy for applying this strategy. Many programs have been developed through the UN agencies, national and international organizations and foundations, for this purpose. The structural prevention is considered to be operationalized through democracy building processes or assisting transition to democracy. It also deals with the development of social and economic stability, fighting corruption, strengthening the rule of law and good governance. The development of special educational programs for tolerance in the potential conflict areas has been also considered as an effective mechanism for building stable peace-we have seen above the idea of special leadership training developed in Burundi. Therefore giving the requirements that peacekeepers need to accomplish under the R2P's pillar two structural prevention strategy is the right choice.

Unfortunately, there is not a clear case where the structural prevention strategy has been developed and implemented fully as a complex response to worrying information reached by early warning mechanisms. It has been used mostly as a part of a wider stabilization program, where the conflict supporting factors have reached perturbing levels. Not to be misunderstood- implementing structural prevention is awesome instrument even for the stabilization phase. However, post conflict implementation of the structural prevention

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[38] Asia-Pacific Centre for the Responsibility to Protect, 'The Responsibility to Prevent: Opportunities, Challenges and Strategies for Operationalisation' (2010) <http://www.humansecuritygateway.com/documents/APCRP_R2P_OpportunitiesChallengesStrategiesForOperationalisation.pdf> accessed 27 January 2013
[39] Ibid

strategies requires much more efforts and resources for reaching even weaker results than those that would be reached if used preventively.

Conclusion

The future success of the Responsibility to protect among others depends on the effectiveness of peacekeeping. Combining elements of assistance, concept of human security and humanitarian efforts, R2P consume military instrument of power through existing UN peace operations doctrine. This means that military forces could operate under Chapter VI or under Charter VII of the United Nations Charter. Following the R2P concept operating under pillar one and two i.e. preventively, most probably is that peacekeepers will operate under Chapter VI of the Charter.

Giving that prevention is the utmost dimension and the core value of R2P international community must invest toward encouraging early warning mechanisms that will inhibit potential root causes of genocide, war crimes, crimes against humanity and ethnic cleansing. Nevertheless preventive engagement is not guarantee for success. Complex operational environment dictate that to successfully operationalyze pillar two of the R2P peacekeepers must act proactively. "Proactivity" must be designed in a way that complements updated conflict management strategies with qualitative skills among the preventive forces on the ground. In these lights future peacekeepers must be capable of conducting appropriate transfer of these strategies in to tasks on the ground. While accomplishing their missions under the framework of prevention peacekeepers need to galvanize their actions in accordance with the social, cultural, religious, ethnic economic and other forces that shape the dynamics of their theater of operation. Accordingly these tasks must ensure prevention that will end up with strong societies capable and responsible for appropriate civilian protection. Therefore if we are about to see more effective preventive endeavors under the R2P the United Nations must invest toward this direction.