

DIIS REPORT

THE UNITED NATIONS
AS A SECURITY POLITICAL ACTOR -
WITH A SPECIAL FOCUS ON AFRICA

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Abstract

The report analysis the UN's role in the provision of four different forms of security – national, societal, human and environmental security – both in general terms and with regard to Africa. It also contains brief surveys of the UN's collaboration with regional and subregional organisations and of envisaged UN reforms.

Executive Summary

The report analyses the role of the United Nations with regard to security, in several different senses of the word, i.e. national, societal, human and environmental security, first in theoretical and general terms and subsequently with regard to Africa.

As far as national security (i.e. the security of states as such) is concerned, it distinguishes between constitutive, reconstructive and protective roles, i.e. the UN's role in bringing African states into being in the first place, its role in helping reconstructing failed states and in protecting (by means collective security or peacekeeping missions) existing and functioning states, respectively. This is followed by an analysis of the UN's role in safeguarding societal security, i.e. identity and cohesion of societal groups such as nations or ethnic groups, e.g. against genocide and racism. Next comes an analysis of human security roles, intended to protect the survival and well-being of individuals against such threats as poverty with all its malign consequences. Two special cases of human security threats are mentioned, both affecting the most vulnerable members of society--child soldiers and rape victims. With regard to "environmental security" a distinction is made between threats to the environment such as poaching and threats to human beings related to the environment such as HIV/AIDS and conflicts over natural resources.

These analyses are supplemented with brief accounts of the UN's collaboration with regional and subregional organisations and of envisaged reforms of the UN.

Oversigt

Rapporten analyserer FN's sikkerhedspolitiske rolle mht. forskellige betydninger af begrebet "sikkerhed" – både teoretisk og generelt og mere konkret mht. Afrika.

Hvad angår national sikkerhed, dvs. sikkerhed for stater som sådanne, skelnes der mellem konstitutive, rekonstruktive og beskyttende roller, dvs. mellem FN's rolle i oprettelsen af stater som de afrikanske, i genopbygningen af fejlslagne stater og i beskyttelsen af eksisterende og fungerende stater gennem "kollektive sikkerhedsoperationer" og fredsbevarende indsatser. Herefter følger en analyse

af FNs rolle i sikringen af societal sikkerhed, dvs. samfundsmæssige gruppers (f.eks. nationers) identitet og sammenholdskraft overfor trusler som racisme og folkemord. Dette følges af en analyse af "human security"-opgaver med det formål at beskytte individer mod trusler som fattigdom med alle dens negative følgevirkninger. To specielle trusler mod særligt udsatte grupper gennemgås nærmere, nemlig tvangsrekrutterede børnesoldater og ofre for voldtægt under væbnede konflikter. For så vidt angår "miljømæssig sikkerhed" skelnes der mellem trusler mod miljøet som sådan (f.eks. krybskytteri) og trusler mod mennesker stammende fra miljøet som f.eks. HIV/AIDS og konflikter over naturressourcer.

Udover disse analyser indeholder rapporten også korte oversigter over FNs samarbejde med regionale og subregionale organisationer samt de planlagte reformer af FN-systemet.

Preface: What To Understand By Security

Peace and security would seem to constitute almost text-book examples of global “collective goods,” and as the global organisation *par excellence* the United Nations would appear as the obvious candidate for the provision of such global collective goods. Hence, we should indeed expect the UN to play a major role as a provider of security.¹ However, what to count as a contribution to security depends, of course, on the definition of “security”, which is indeed “an essentially contested concept”.²

Arnold Wolfers has suggested a definition which has become standard, according to which “Security, in an objective sense, measures the absence of threats to acquired values, in a subjective sense, the absence of fear that such values will be attacked.”³ However, even leaving aside the subjective element this definition leaves open a number of questions, most prominently whose values it is that might be threatened, the nature of these values, the possible sources of threat and the form of the threat. “Security” may thus have different “referent objects” (understood as the entity whose values are at stake) including the state, societal groups, individuals or the environment, usually labelled national, societal, human and environmental security, respectively. For obvious reasons, the values at stake also differ from one

Table I: Concepts of Security

<i>Label</i>	<i>Referent object</i>	<i>Value at risk</i>	<i>Sources of threat</i>	<i>Form of threat</i>
National security	The State (Regime)	Sovereignty Territorial integrity	Other states (Substate actors)	Military attack
Societal security	Nations societal groups	National unity Identity	(States) Migrants Cultures	Genocide, Ethnic cleansing, Discrimination
Human security	Individuals, Man-kind	Survival, Quality of life	The State Globalisation	Crime, Under-development
Environmental security	Eco-system, Species	Sustain-ability	Mankind	Pollution, Warming, Destruction of habitats

category of referent objects to another, and the threats to them may appear from different sources as well as in different forms, as summarised in Table 1.⁴

What further complicates the issue is the fact that “security” or “insecurity” do not have to be conceived of as inherent attributes of issues as such, but might better be viewed as ones that are socially constructed via a speech act (“securitisation”) which entails the claim that a problem is of existential importance, urgent and therefore one that warrants a resort to “extraordinary measures.”⁵ In principle, it is thus possible for anybody (in the role as “securitising actor”) to securitise anything on behalf of a referent object of security which may be anybody or even anything, e.g. the global environment as such or miscellaneous endangered species.⁶

Lest the concept of security should become analytically useless, however, one should be cautious about expanding its meaning too far, thereby watering it down by making it all-encompassing – and one should beware of the interplay of corporate or bureaucratic interests, some of which may be served by the labelling of something as a security issue, thereby giving it a higher priority in the battle over budgets, which is not necessarily what the rest of society might want.

The Global Security Role of the United Nations

Even though one might thus, in principle, label just about everything the UN (or any other actor) does as contributions to security, in the following analysis a pragmatic delimitation will be used, which includes all four referent objects of the table above, but mainly in so far as threats to the security of these referent objects has something to do with the deliberate use of force. The threats, the absence of which is denoted at security, thus include, for instance, crime but not decease, and the forceful dislocation of people through armed conflict or ethnic cleansing, but not the flight from natural disasters – and “food security”⁷ is taken into consideration only in so far as it is jeopardised by conflict (as all to frequently happens).⁸

A comprehensive overview of the UN’s contributions to security thus defined will be provided, first in general and then more specifically applied to Africa, but in neither case is there any presumption of exhaustiveness. The analysis will be arranged according to the various conceptions of security (i.e. national, societal, human and environmental) but a considerable overlap is inevitable, as the same measures may be contributions to several kinds of security simultaneously – as indeed they preferably should, lest the pursuit of one form jeopardises the other kinds of security.

The UN and “National” Security

The UN has, on paper at least, a pre-eminent role in the provision of national security to its member states, in the sense of underpinning the security of each state against attacks from any other state. Just as had been the case of its predecessor, the League of Nations,⁹ the UN was thus conceived in 1945 as a collective security system. As such it rests on the twin pillars of a general prohibition of attacks by states against each other and a universal obligation to help such states as are nevertheless the victims of attack.¹⁰

The UN Charter in article 2.4 thus proscribes not only the actual use of force by states against other states, but also the threat of such use. States are only allowed to use force in (collective or individual) self-defence, and even this right is conditional upon the endorsement of the UN Security Council (article 51). These provisions are not due to any inadvertent “slip of the pen” by the drafters of the UN Charter, but reflect a very deliberate attempt at banning war, as had

been the case of the Kellogg-Briand Pact of 1928.¹¹ The concept of self-defence did, of course, contain a certain ambiguity, but it was certainly not the intention to accept at face value any claim of attacking others in self-defence – if only because Nazi Germany's attack on Poland (1 September 1939) had been argued in such terms.¹² There has all along been some disagreement on the permissibility of "anticipatory self-defence," i.e. pre-emption, and the "war against terror" has raised further questions.¹³ However, there can be no dispute of the intentions of the UN Charter, namely to ban aggression and allow only genuine self-defence, perhaps including the pre-emption of imminent attacks in such cases where a reactive approach is deemed futile, but not preventive wars to forestall the appearance of future threats.¹⁴

The role of the Security Council is pre-eminent, as this body alone has the right to authorise the use of force, be that in self-defence or in order to restore the *status quo ante bellum* after an act of aggression.¹⁵ However, in combination with the Cold War the veto system built into the UN Charter meant that the entire system of collective security was almost still-born and remained ineffectual, as aggressors were in most cases protected by their veto-holding patrons, to say nothing of those cases where the aggressors themselves belonged to the exclusive group of permanent members, the "P5". The UN-authorized war against Iraq in 1991 was thus the first, and to date it remains the only, instance of a genuine collective security operation undertaken under the auspices of the UN.¹⁶

As a partial substitute for such "Chapter VII operations," the UN devoted most of its military activities to peacekeeping (sometimes labelled "Chapter Six-and-a-Half" missions), which has little to do with national security in the traditional sense, as it has in most cases been a matter of preventing an intrastate war from flaring up again through the interpositioning of international peacekeepers.¹⁷ For an overview of the missions see Table 2.¹⁸

Whereas "traditional" peacekeeping has usually been fairly unproblematic because of the modest military demands, the more recent "generations" of peacekeeping have been much more complicated, for several reasons: Most of them have taken place within, rather than between states; at least one of the parties has usually been a non-state actor, often with less than complete control of its armed forces; there has often been no clear and/or uncontested line of demarcation between the formerly warring parties; the truce or peace which the peacekeepers have been intended to keep has often been fragile, inevitably producing a certain

“mission creep”; many of the PKOs have been accompanied by humanitarian emergencies, necessitating a collaboration of the peacekeepers with a host of humanitarian NGOs and agencies; and, finally and potentially most seriously, several have been so urgent that the blue helmets have arrived too late, in too small numbers and with too inadequate equipment to really make much of a difference. While steps have been taken to address these shortcomings, *inter alia* following the rather severe critique raised in the “Brahimi Report,”¹⁹ much remains to be done.

Arguably, the UN has also helped enhance the national security of its member states through arms control and disarmament initiatives, including efforts to stem the proliferation of nuclear weapons and to outlaw certain weapons such as chemical and biological weapons as well as, more recently, anti-personnel landmines.²⁰ However, critics or sceptics contend that this endeavour is either illusory or irrelevant. Whereas the lofty goal of “general and complete disarmament” (GCD) would clearly matter, it is hardly realistic in the foreseeable future, the plethora of UN resolutions calling for it notwithstanding. It is even debatable whether it would be worth pursuing, even if such a disarmed world had been realistic. As “general and complete” is not tantamount to “irreversible,” GCD would probably be incompatible with prudent defence planning and it might damage stability, as it would place a high premium on deception and break-out. In a completely disarmed world, the first state to acquire a significant amount of military would enjoy an overwhelming superiority, that none of its neighbours would find acceptable. Hence, everybody would want to guard against such an eventuality, implying that GCD would never be genuine.²¹ Whereas more modest arms control agreements may well be more realistic, they rarely make much of a difference, as they usually simply codify what the signatories have already decided to do.²²

The UN and Societal Security

As far as the more controversial category of “societal security,” i.e. the protection of the cohesiveness and identity of human collectives such as nations, ethnic or religious groups, is concerned, the UN also has a role to play.

The most severe threat to societal security is, of course, genocide, to the prevention of which the 1948 Genocide Convention is devoted.²³ Other threats to societal security include “ethnic cleansing”²⁴ which falls under the rubric of “crimes against humanity”.²⁵ The 1948 Universal Declaration of Human Rights also

stipulated (art. 2) that the human rights were to apply to “everyone (...) without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,” thereby also indirectly safeguarding the groups to which the said individuals might belong.²⁶ Its sequels on economic, social and cultural rights and on civil and political rights, respectively, also contain provisions which may protect group identities,²⁷ as do various other conventions such as that protecting stateless persons and that on the elimination of all forms of racial discrimination²⁸ Some have even argued that a new set of collective human rights are in the making which directly protect group identities,²⁹ inter alia applying to indigenous peoples.³⁰

Not only has the UN thus been instrumental in generating international norms protecting societal security, but it has also gradually established an ephemeral machinery for actually enforcing these norms. It has thus established two special tribunals to try cases of war crimes, crimes against humanity and genocide, for the former Yugoslavia (ICTY: International Criminal Tribunal for Yugoslavia) and Rwanda (ICTR, more about which below), respectively, in addition to which

Legend (Table 2): DOMREP: Mission of the Representative of the Secretary-General in the Dominican Republic; MINUGUA: UN Verification Mission in Guatemala; MINURCA: UN Mission in the Central African Republic; MINURSO: UN Mission for the Referendum in Western Sahara; MINUSTAH: UN Stabilization Mission in Haiti; MIPONUH: UN Civilian Police Mission in Haiti; MONUA: UN Observer Mission in Angola; MONUC: UN Organization Mission in the Democratic Republic of the Congo; ONUB: UN Operation in Burundi; ONUC: UN Operation in the Congo; ONUCA: UN Observer Group in Central America; ONUSAL: United Nations Observer Mission in El Salvador; UNAMIC: UN Advance Mission in Cambodia; UNAMIR: UN Assistance Mission for Rwanda; UNAMSIL: UN Mission in Sierra Leone; UNASOG: UN Aouzou Strip Observer Group; UNAVEM: UN Angola Verification Mission; UNCRO: UN Confidence Restoration Operation; UNDOF: UN Disengagement Observer Force; UNEF: UN Emergency Force; UNFICYP: UN Peacekeeping Force in Cyprus; UNFIL: UN Interim Force in Lebanon; UNGOMAP: UN Good Offices Mission in Afghanistan and Pakistan; UNHTMIH: UN Transition Mission in Haiti; UNIKOM: UN Iraq-Kuwait Observation Mission; UNIMOG: UN Iran-Iraq Military Observer Group; UNIPOM: UN India-Pakistan Observation Mission; UNMEE: UN Mission in Ethiopia and Eritrea; UNMIBH: UN Mission In Bosnia And Herzegovina; UNMISSET: UN Mission of Support in East Timor; UNMIH: UN Mission in Haiti; UNMIK: UN Interim Administration Mission in Kosovo; UNMIL: UN Mission in Liberia; UNMIS: UN Mission in the Sudan; UNMOGIB: UN Military Observer Group in India and Pakistan; UNMOP: UN Mission of Observers In Prevlaka; UNMOT: UN Mission of Observers in Tajikistan; UNOCI: UN Operation in Côte d'Ivoire; UNOGIL: UN Observation Group In Lebanon; UNOMIG: UN Observer Mission in Georgia; UNOMIL: UN Observer Mission in Liberia; UNOMOZ: UN Operation in Mozambique; UNOMSIL: UN Observer Mission in Sierra Leone; UNOMUR: UN Observer Mission Uganda-Rwanda; UNOSOM: UN Operation in Somalia; UNPREDEP: UN Preventive Deployment Force; UNPROFOR: UN Protection Force; UNPSG: UN Civilian Police Support Group; UNSF: UN Security Force in West New Guinea; UNSMIH: UN Support Mission in Haiti; UNTAC: UN Transitional Authority in Cambodia; UNTAES: UN Transitional Authority in Eastern Slavonia, Baranja and Western Sirmium; UNTAET: UN Transitional Administration in East Timor; UNTAG: UN Transition Assistance Group; UNTSO: UN Truce Supervision Organization UNYOM: UN Yemen Observation Mission.

an International Criminal Court (ICC) has been established.³¹ Partly because of deliberate US obstruction,³² however, the latter has had rather a bumpy start and its potential remains hard to judge.

Such courts and tribunals may have a certain deterrent effect, thereby perhaps helping prevent future genocides, crimes against humanity or war crimes, but they do little to actually prevent or stop atrocities in progress. Some would argue that a (customary) right (or even an obligation) to undertake “humanitarian interventions” in such cases has developed through a UN-authorized practice, whereas others have questioned this, probably correctly.³³ Still others argue in favour of instituting such a right/obligation, e.g. with reference to a “responsibility to protect.”³⁴ If states do not live up to their responsibility to protect their citizens (or, indeed, if the state is the one against which people need protection) they forfeit their sovereign rights and others are then entitled or even obliged to offer such protection. In his report, delivered to the UN General Assembly (21 March 2005) *In Larger Freedom: Towards Development, Security and Human Rights for All*, the Secretary General thus included the admonition that “We must also move towards embracing and acting on the ‘responsibility to protect’ potential or actual victims of massive atrocities.”³⁵

Both the establishment of judicial institutions and mechanisms for passing judgment on crimes committed within a state’s sovereign domain and humanitarian interventions obviously represent serious challenges to the strong international norm of “non-interference in internal affairs.” This is enshrined in the UN Charter’s article 2.7, according to which not even the UN Security Council (much less individual states) are entitled to interfere in the domestic affairs of member states unless there exists a threat to *international* peace and security. The jury seems to still be out on the issue which norm to give precedence, i.e. on whether to prioritise national over societal (or human) security or vice versa.

What the UN has *not* been able or willing to do is to provide clear norms for what is in many cases the best safeguard of a group’s societal security, namely secession from the state which threatens its group identity. Whereas colonies were granted the right to secede (*vide infra*) other territories have typically not enjoyed such a right. The rather vague norm of “national self-determination” has been applied with great circumspection, giving priority to the norms of sovereignty and territorial integrity, and thus denying groups the right to secede³⁶ – even to the point of withholding recognition of “*de facto* states” (i.e. state-like territories

or politics), thereby sometimes transforming the “mother countries” from which they have, to all practical intents and purposes seceded, into partial “quasi states,” which are not in actual control of the entire territory formally encompassed by their sovereign domain.³⁷

The UN and Human Security

Much of what is mentioned above as contributions to, and safeguards of, societal security also applies to human security, i.e. the security (in the sense of survival and well-being) of individual human beings. Debatable though the analytical utility of this concept may be,³⁸ it seems to have entrenched itself in the political debate, both within the United Nations and other fora. Indeed, it seems to have first been coined by one of the UN’s special organisations, the UNDP (United Nations Development Programme), in its 1993 and 1994 *Human Development Reports*, as the following quotes will show.

The concept of security must change—from an exclusive stress on national security to a much greater stress on people’s security, from security through armaments to security through human development, from territorial security to food, employment and environmental security (*Human Development Report 1993*)³⁹

For most people today, a feeling of insecurity arises more from worries about daily life than from the dread of a cataclysmic world event. Job security, income security, health security, environmental security, security from crime—these are the emerging concerns of human security all over the world. (...) Human security is relevant to people everywhere, in rich nations and in poor. The threats to their security may differ – hunger and disease in poor nations and drugs and crime in rich nations – but these threats are real and growing. (...) Most people instinctively understand what security means. It means safety from the constant threats of hunger, disease, crime and repression. It also means protection from sudden and hurtful disruptions in the pattern of our daily lives—whether in our homes, in our jobs, in our communities or in our environment (*Human Development Report 1994*).⁴⁰

One might even argue that human security in the broad sense of the term corresponds quite closely to the “human development” which UNDP measures on an annual basis with its human development indexes, or what Johan Galtung

labelled a reduction of “structural violence.”⁴¹ Adopting such a broad definition obviously risks transforming just about everything the UN and its various affiliates are engaged in into contributions to security, to the detriment of the concept’s analytical utility. However, if we, for strictly pragmatic reasons, narrow down the concept to involve only such “human security problems” as are related to armed conflicts, it is possible to identify a narrower (but still comprehensive) field of activities.

The UN (e.g. the UNHCR: UN High Commissioner for Refugees)⁴² is thus heavily involved in humanitarian assistance, not least to war victims, including refugees and (to a somewhat lesser degree) IDPs (internally displaced persons) fleeing from a (civil) war in progress.⁴³ As we shall see below (under Rwanda) this has not always been unproblematic, and may occasionally even have exacerbated the problems it was intended to solve. In most cases, however, human lives are saved. The UN also usually takes the lead in the reconstruction of war-torn societies, which usually improves the human security of the surviving victims of an armed conflict,⁴⁴ as do other elements in what is in UN parlance⁴⁵ referred to as “post-conflict peace-building” such as democratisation.⁴⁶

We might also want to include the struggle against such direct human rights violations as might provoke a rebellion, the reduction of which might thus qualify as conflict prevention.⁴⁷ Not only has the UN contributed to codify human rights (*vide supra*), but in response to blatant and direct human rights violations the UN has on several occasions imposed sanctions. Realising that traditional (“blunt”) sanctions have often hurt the innocent without really affecting the culprits, whose behaviour they were intended to change, growing attention has recently been paid to devising so-called “smart” sanctions, but their usefulness remains to be documented.⁴⁸ Needless to say, these may also be applied in cases of violations of national or societal security.

The UN and Environmental Security

The concept of environmental security is, unfortunately, rather “fuzzy” and ambiguous. In principle, the environment as such may also be the referent object of security,⁴⁹ i.e. the entity whose survival is at stake: This may either be the global ecosystem as a whole, geographically limited ecosystems or even individual species. If so, this cannot be a matter of the survival of the elements (all of which are mortal or perishable) but of the whole, i.e. the species or ecosystem, pointing to reproductive capacity or sustainability as the relevant values at stake.

Proceeding from this conceptualisation we might well come to realise that the main threat to these values is Mankind. Considering that *homo sapiens* is not only a threat to other species, but also a species in its (our) own right, and that we are parts of the global and local ecosystems, rather than merely potential threats to them, it is also possible (and much less radical, albeit more “anthropocentric”) to conceptualise environmental security as an absence of such threats to national, societal or human security as are related to environmental factors.

Quite a compelling case can indeed be made for a reorientation of security studies in this direction,⁵⁰ and considerable attention has been paid to such matters, especially since the publication in 1987 of the report of the Brundtland Commission (established under the auspices of the UN) on *Our Common Future*.⁵¹ Ever since, the UN has been involved in both the debate over, and the actual provision of environmental security in both senses of the term, by mitigating environmental problems stemming from armed conflict, or even from preparations for war,⁵² and by seeking to prevent armed conflicts over environmental issues, e.g. in the form of resource wars that might jeopardise both national, societal and human security, as might localised struggles over scarce natural resources.⁵³

The UN’s role has mainly been that of a setter of norms and standards, e.g. with such treaties and conventions as UNCLOS-II (UN Convention on the Law of the Seas),⁵⁴ the Convention on the Law of the Non-navigational Uses of International Watercourses of 1997,⁵⁵ and the Kyoto Protocol,⁵⁶ and via the conferences convened by the UN Environment Programme, e.g. in Stockholm (1972), Rio de Janeiro (1992), Nairobi (1997), Malmö (2000) and Johannesburg (2002), each adopting declarations which are (at least politically) binding on the signatories.⁵⁷ In the Rio declaration, the links between peace and the environment were spelled out in the following principles:

(24) Warfare is inherently destructive of sustainable development. States shall therefore respect international law providing protection for the environment in times of armed conflict and cooperate in its further development, as necessary.

(25) Peace, development and environmental protection are interdependent and indivisible.

(26) States shall resolve all their environmental disputes peacefully and

by appropriate means in accordance with the Charter of the United Nations.⁵⁸

Even HIV/AIDS (which might also be labelled an environmental problem) has been proclaimed a security issue by the UN Security Council in its resolution 1308 (17 July 2000) which acknowledged that “the HIV/AIDS pandemic is also exacerbated by conditions of violence and instability, which increase the risk of exposure to the disease through large movements of people, widespread uncertainty over conditions, and reduced access to medical care.”⁵⁹

However, the UN and its several specialised agencies are also deeply involved in actually handling environmental problems as such or in mitigating environmental damage to populations, through disease, famine and malnutrition, dislocation, etc. This is, for instance, the case of the World Health Organisation (WHO),⁶⁰ UNAIDS,⁶¹ UNHCR, the World Food Programme (WFP)⁶² and others. It is beyond the scope of the present paper to elaborate on these activities, but we shall return to some of them (and the dilemmas facing these agencies) below under Africa.

The UN and Its Partners

We have thus seen that the UN has many obligations related to national, societal, human and environmental security, and that it has (at least in principle) various instruments at its disposal. However, we are left with the question whether the organisation is able to live up to its obligations and to which extent it has the capacity to wield the various instruments effectively.

The Inherent Problems of International Organisations

As most international organisations, the UN has no resources of its own, but it is entirely dependent on contributions from its members, each of whom may be tempted to “free-ride” on the others – a classical “collective action problem” known from numerous other instances involving the “production” of collective goods, where there is no direct link between contribution and “consumption”.⁶³

Pessimists (often posing as International Relations “realists”) thus generally advise against reliance on such organisations, the strength of which would arguably tend to be inferior to the sum of their members’ strengths,⁶⁴ especially so when adversaries are supposed to collaborate, which makes the distribution of the burdens involved in producing the collective good even more decisive, as it will be seen as affecting relative gains and losses.⁶⁵ They thus tend to prefer states to do what (they think) needs to be done on their own, either acting unilaterally or in (what is in US “newspeak” often called) “coalitions of the willing.”⁶⁶ They also tend to be generally pessimistic about the production of the collective goods, seeing the “tragedy of the commons” as an insoluble problem.⁶⁷

IR liberalists tend to be more optimistic, both about the possibilities of realising collective goods and about the strength of organisations,⁶⁸ pointing to the importance of absolute as compared to relative gains, and to the importance of regimes and institutions for producing such absolute (collective) gains,⁶⁹ as well as to the synergies deriving from collective action under the auspices of international organisations.⁷⁰

Unfortunately, judging from the meagre resources being placed at the disposal of the UN in comparison with, for instance, national military budgets, it seems that the pessimists are right and the optimists wrong, even though there is nothing “natural” or inevitable about this. It is simply a consequence of political choices

on the part of member states. Moreover, because the (lack of) resources available to the UN is bound to affect its performance, the sombre predictions of the Realists/pessimists may become self-fulfilling prophecies, as each failure by the UN in the field tends to make member states even less eager than before to contribute the requisite resources to the organisation. This makes it all the more imperative for international organisations like the UN to forge alliances and partnerships with other actors on the international scene.

Collaboration with NGOs and International Business

NGOs have been defined by the UN as “any non-profit, voluntary citizens’ group which is organized on a local, national or international level”,⁷¹ which is probably as good a definition as any. The UN has quite a long history of collaboration with such NGOs,⁷² and the importance of this partnership seems to be growing, just as national governments also outsource activities to such organisations.⁷³

Even though the concept of social movements is broader than that of NGOs, the latter play a prominent, and apparently growing, role as the organisational pillars of social movements.⁷⁴ Such social movements in general, and transnational ones in particular, have a long history (viz. the anti-slavery movement of the 19th century), and their role does indeed seem to be increasing. What seems more questionable are the claims about the perspectives entailed by NGOs, cast in the role of representing (global or national) “civil society”.⁷⁵ One might, of course, reject the broad definition above of NGOs in favour of one defining them as progressive and/or democratic, but that would tend to render most analyses circular. As a matter of fact, however, quite a lot of NGOs “happen to be” progressive as well as, in a certain sense at least, democratic – at least in the sense of representing a “democratic corrective” to governments.

Some have certainly envisioned the emergence of a true “global civil society”, heralding new forms of governance which will transcend that based on states. Such “civil society romanticists” have even seen this trend as tantamount to a democratisation of world politics.⁷⁶ In the same vein, many concrete suggestions have, indeed, been made for a “democratisation” of the UN that should allow it to become an organisation of peoples rather than states – as was seemingly implied by the opening words of the UN Charter: “We the peoples of the United Nations...” In such an attempted “democratisation”, NGOs have been envisaged as playing a central role.⁷⁷ As most NGOs are no more (probably less) accountable than most governments such romantic

visions may be more problematic than they might appear at first glance.

Moreover, even though NGOs are, by definition, non-profit, this does not mean that they are not, at least partly, driven by economic motives. In fact the “rules of the game” dictate that they maximise their revenues and minimise their expenses, just as private, profit-seeking, companies.⁷⁸ There may thus be less than meets the eye to the differences between them and private enterprises, with which the UN has also recently launch a collaboration (or at least consultation), e.g. under the auspices of the “Global Compact.”⁷⁹

Whereas the campaign to ban anti-personnel landmines represented a good example of collaboration between NGOs, governments and the UN,⁸⁰ the more recent global campaign against “blood diamonds” thus also included private business, *in casu* diamond merchants such as De Beers.⁸¹

Collaboration with States and Regional Organisations

Even though the UN’s collaboration with such non-state actors certainly holds promise, the cooperation with member state governments and regional organisations probably remains more important.

Especially the collaboration with the latter seems to be growing in importance. Since the end of the Cold War it has become increasingly fashionable to suggest that regional organisations should play a more prominent role – often argued as an application of the principle of “subsidiarity”. The origins of the principle of subsidiarity go way back, *inter alia* to the papal encyclicals *Rerum Novarum* (Leo XIII, 1891) and *Quadragesimo Anno* (Pius XI, 1931). According to the latter, the principle entails that

a community of a higher order should not interfere in the internal life of a community of a lower order, depriving the latter of its functions, but rather should support it in case of need and help to co-ordinate its activity with the activities of the rest of society, always with a view to the common good.⁸²

Subsidiarity is also one of the central principles of European Union law, and was thus also codified in the (apparently stillborn) Constitution for Europe signed in June 2004.⁸³ Furthermore, the principle is also enshrined in international law, defining certain roles for regional organisations. Chapter VIII of the UN

Charter thus stipulates that

The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority (art. 53.1) (...)

The Members of the United Nations (...) 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.” (art. 52.2)

Regional organisations thus represent instances of first resort as far as the peaceful resolution of conflicts is concerned, but it is also underlined that different rules apply to the use of non-peaceful means with the stipulation that “No enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council” (art. 53.1). The United Nations thereby reserves for itself the right to either authorise military action by regional organisations, or withhold such authorisation, in which case the use of forces constitutes a violation of art. 2.4 of the Charter, according to which “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 (...)”⁸⁴.

The gist of the norm of subsidiarity is thus that regional and subregional organisations should be the “first resort” for problems transcending national borders, leaving the “international community” and global organisations like the UN to deal only with those problems that cannot be solved at lower levels, as illustrated in Fig. 1.⁸⁵

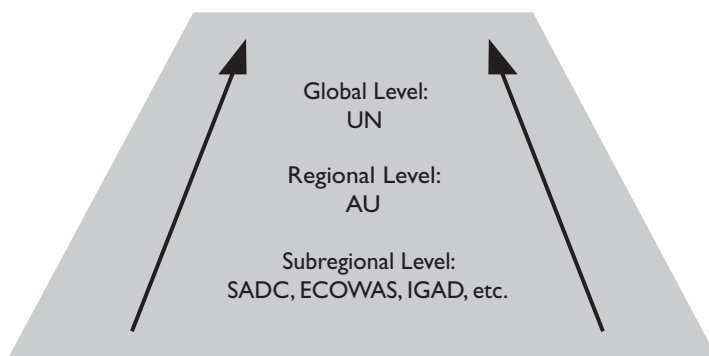
A number of considerations do indeed speak in favour of such a division of labour and responsibility. For instance, in the case of an intra-state conflicts, adjacent countries are often more inclined to get involved because they almost inevitably suffer from the consequences of the conflict, e.g. in the form of a flow of refugees. Hence, states may be more likely to honour their obligations as members of a region or subregion, i.e. as neighbours, than as members of the international community, as doing so corresponds to their national interest. Furthermore, neighbouring countries are often in a better position to comprehend a conflict than distant ones, as they tend to share the same culture. Finally, the

regional level of action is often most suitable for managing problems of ethnic groups and nations “straddling borders” as well as for handling other border-transcending issues, such as shared rivers and similar environmental matters, cross-border migration and transborder crime, and perhaps for dealing with border disputes.⁸⁶

Notwithstanding all these attractions, however, the subsidiarity norm is not without its inherent problems. First of all, regional or subregional organisations may either be missing or too weak for the task. Few regions have as strong economic, political and normative foundations for regional collaboration as has Western Europe, where a particular form of regionalisation predominates, namely regional integration. In most other parts of the world other and less ambitious modes of regionalisation are the best that can realistically be hoped for. By implication, to relegate the responsibility for such complicated matters as conflict prevention, management and resolution to such regional or subregional organisations may be a recipe for failure, as the requisite means may not be available at these levels, simply because of a general lack of resources affecting both the members and the organisation as such.

Secondly, subsidiarity may come to be seen as a justification for what is really “buck-passing”, i.e. for neglecting the developing world and leaving the solution of its problems to the weak Third World states. Thirdly, what makes such buck-passing even less fair is the fact that it will be the strong who are passing the buck to the weak, who neither have the economic nor the military capacity to

Fig. 1: Subsidiarity



shoulder the burden, as will be obvious from the distribution of global military expenditures in Chart 1.⁸⁷ If we compare this distribution of military capacities with the needs, i.e. the number of armed conflicts by region, the division of labour comes to look even less fair (see Table 3).⁸⁸

What may help a bit is the fact that the rich countries do acknowledge a certain responsibility to help the developing world. At its meeting on Sea Island, 10 June

Chart 1: Global Military Expenditure 2003

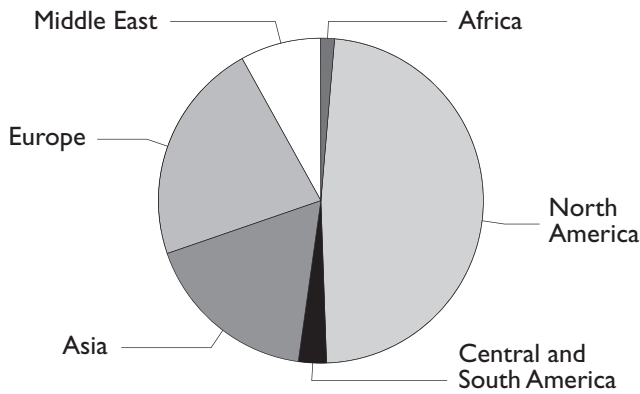


Table 3: Armed Conflicts by Region

	<i>Europe</i>	<i>Middle East</i>	<i>Asia</i>	<i>Americas</i>	<i>Africa</i>
1990	-	4	13	4	11
1991	1	6	11	4	11
1992	3	5	12	3	7
1993	5	6	10	3	7
1994	4	6	10	3	6
1995	3	6	11	3	5
1996	1	6	10	3	3
1997	-	4	9	2	4
1998	1	4	9	2	11
1999	2	3	9	2	11
2000	1	4	9	2	9
2001	1	4	9	3	7
2002	1	2	9	3	6
2003	1	3	8	3	4

2004, the G8 thus launched a “G8 Action Plan: Expanding Global Capability for Peace Support Operations”,⁸⁹ entailing a commitment to “train and, where appropriate, equip a total of approximately 75,000 troops worldwide by 2010.” Even though this is a poor substitute for the actual involvement to which these countries are both legally and morally obliged, it is probably better than nothing, seen from the vantage point of the envisaged beneficiaries.

•••

Having now provided an inevitably superficial survey of the security roles of the UN; the rest of the paper will be devoted to the roles played by the organisation in Africa.

In his *Africa Report* of 1998, UN Secretary General Kofi Annan highlighted several shortcomings, such as the marginalisation of Africa, the declining provision of ODA (official development assistance), and the receding willingness of non-African states to supply military forces for peace support operations in Africa.⁹⁰ Since then, it seems that Africa has received growing attention by the UN. Special reports have been published on the problems of the continent and a special “UN System-Wide Special Initiative on Africa” (SIA) has been established as part of the so-called “Africa Initiative”.⁹¹ However, the UN’s involvement is much older, as the organisation has, since its very foundation, been involved in a wide range of activities directly related to, or impacting upon, conflict prevention, management and resolution in various parts of Africa.⁹²

The UN and the National Security of African States

The UN's contribution to national (i.e. state) security has arguably been even more significant in Africa than elsewhere, as the organisation has not merely helped protect existing states but has also been instrumental in creating these states in the first place as well as in reconstructing failed states. We may thus logically distinguish between the UN's constitutive, (re)constructive and protective roles, whilst recognising that a certain overlap is likely.

The Constitutive Role: Decolonisation and Independence

The achievement of independence by the former colonies in Africa was manifested in their being recognised as independent states and their admission as such to the United Nations. However, not only did the UN play this "constitutive" role, but it also helped bring about independence and statehood in the first place, as had its predecessor, the League of Nations.

It may be debatable whether this is to be applauded or regretted, as some have argued that the state as an institution is an alien imposition on Africa and that the continent would have been better off without the period of colonisation followed by decolonisation and statehood, as it would have allowed African societies to develop less artificial forms of political organisation than the state.⁹³ By the time of independence there were, indeed, several attempts and initiatives at creating political structures other than states (especially all-African or regional federations) but their implementation was obstructed by the outgoing colonial powers as well as, occasionally, by would-be African politicians and hindered by the UN's demands for statehood. The international system was simply not designed to accommodate other entities than states and whatever other entities these states might form.⁹⁴

The first step towards future independence was arguably the proclamation of the norm of national self-determination by US President Wilson (in his famous "fourteen points")⁹⁵ in the wake of the First World War. Even though this norm was primarily intended for application to the vanquished (but anyhow moribund) Habsburg and Ottoman empires and their dependent territories, the norm was formulated in general terms. Imperialism was simply no longer quite *comme il faut*. The norm of self-determination was subsequently codified (albeit in rather vague and ambiguous terms) by the League of Nations, which in article 22 of its

covenant referred to colonies as “not *yet* able to stand by themselves” with the implication that “the well-being and development of such peoples form a sacred trust of civilisation”. Hence the need for “tutelage”, which should be entrusted to “advanced nations”, acting on behalf of the League.

As a consequence, the vanquished (including Germany) were forced to relinquish their colonies, but these were not simply taken over by the victors as colonies, but as “trusts.” A norm of accountability was further established, the mandate powers having to provide annual reports on their administration to the League. Moreover, the way in which the former colonies were classified according to their prospects of independence also established certain precedents and certainly a compelling logic, according to which colonies might advance towards independence, in due course.⁹⁶ In Africa the reordering of the colonial map meant that the former German colonies Rwanda and Burundi (treated as one territory) were to be administered by Belgium and Tanganyika by the UK. South-West Africa was, likewise, taken over by the UK, but it chose to “outsource” the administration to the *de facto* (but not yet *de jure*) independent South Africa (more about which below). The colonies Togo and Cameroon, in their turn, were divided between the UK and France.⁹⁷

After the Second World War the League’s norm of national self-determination was taken over by the UN, as evidenced by its creation of a Trusteeship Council.⁹⁸ Moreover, in 1960 some clarification was achieved as to the implications of self-determination when the General Assembly passed resolution 1514, known as the *Declaration on the Granting of Independence to Colonial Territories and Countries*, which effectively removed whatever international legitimacy colonialism might have retained until that date.

The General Assembly,
(...) Recognizing that the peoples of the world ardently desire the end of colonialism in all its manifestations. Convinced that the continued existence of colonialism prevents the development of international economic cooperation, impedes the social, cultural and economic development of dependent peoples and militates against the United Nations ideal of universal peace.

(...) Believing that the process of liberation is irresistible and irreversible and that, in order to avoid serious crises, an end must be put to

colonialism and all practices of segregation and discrimination associated therewith.

Declares that: (...)

2. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. (...)

4. All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected. (...)

6. Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.

While this declaration certainly provided legitimacy as well as urgency to decolonisation, it was not without its inherent contradictions. National self-determination was thus interpreted as applying only to geographically distinct territories, but neither to territories contiguous to the “mother country” such as the Russian and Soviet conquests (sometimes referred to as the “saltwater criterion”)⁹⁹ nor to parts of colonies. General Assembly (UNGA) resolution 1541 of 15 December 1960 thus mentioned an implicit *prima facie* criterion for accepting a territory as a colony, namely that it should be “geographically separate and (...) distinct ethnically and/or culturally from the country administering it” (Art. IV), in which case the said territory should be allowed to freely decide whether to form an independent state or integrate, or enter into an association, with an already independent state (Art. VI). Moreover, it was made clear that national self-determination was a right to be exercised only once, and that it did not apply to parts of former colonies.

This norm was put to a test with the several cases of attempted secession from newly independent African states, such as that of Katanga (from Congo) in 1961 and of Biafra (from Nigeria) in 1967-1970.¹⁰⁰ In both cases the secessionist attempt was almost unanimously condemned by the international community and recognition (and UN membership) was denied to the secessionists. The case of Western Sahara (i.e. what Africans call Sahrawi) was different, the African

countries (except Morocco) recognising it as an independent state, deeming the 1975 Moroccan conquest to have been illegal, but the rest of the world withholding recognition.¹⁰¹ The case of Eritrea was even more *sui generis* as this was a former Italian colony which had initially been associated, in the form of a federation, with independent Ethiopia but subsequently effectively annexed (1962), thereby provoking a war of secession, which was ultimately (1991) victorious. After a referendum in 1993, Eritrea then formally seceded from Ethiopia with the latter's consent, and only then did it receive international recognition, including membership of the UN.¹⁰²

Decolonisation thus proceeded with an astonishing pace, as is obvious from Table 4,¹⁰³ and most of it had been completed by the mid-sixties and in most cases peacefully and even amicably.¹⁰⁴ There were, however, a few cases of belated decolonisation (besides that of Eritrea, which arguably belongs to the same category), mainly involving the Portuguese colonies and the white minority regimes in Southern Africa.

Up until the 1974 "April Revolution" in Portugal, the regime in Lisbon remained recalcitrant in clinging to its three colonies in Africa, Angola, Mozambique and Guinea-Bissau (with Cape Verde). It thus waged quite a brutal counter-insurgency war against the armed liberation movements MPLA (*Movimento Popular de Libertação de Angola*), FRELIMO (*Frente de Libertação de Moçambique*) and PAIGC (*Partido Africano da Independência da Guiné e do Cabo Verde*), respectively.¹⁰⁵ Even though the above UNGA resolution should logically have produced a clear condemnation of Portugal, the Cold War prevented this, as the United States saw the liberation movements as Soviet allies and therefore supported its NATO ally Portugal, albeit discretely.¹⁰⁶ Hence, the UNSC did pass several resolutions condemning Portugal,¹⁰⁷ and the UNGA in December 1965 imposed (non-mandatory) sanctions against it (following the boycott proclaimed by the OAU in 1963),¹⁰⁸ but nothing more forceful – and all to small avail.

The former German colony Southwest Africa had, as mentioned above, by the League of Nations been made a South African mandate territory, initially acting on behalf of the UK. When the mandate was subsequently retracted by the UN, the apartheid regime simply refused to withdraw and maintained its hold on what was in 1990, after a protracted armed struggle by SWAPO (South-West African People's Organisation), to become the present Namibia.¹⁰⁹ The UN

Table 4: Decolonisation in Africa

<i>Present name</i>	<i>Inde- pendence</i>	<i>Temporary adm.</i>	<i>Present name</i>	<i>Inde- pendence</i>	<i>Temporary adm.</i>
German Colonies			Portuguese Colonies		
<i>Burundi</i>	1962	Belgium	<i>Angola</i>	1975	n.a.
<i>Cameroon</i>	1960	UK/France	<i>Cape Verde</i>	1975	n.a.
<i>Namibia</i>	1990	South Africa	<i>Guinea-Bissau</i>	1974	n.a.
<i>Rwanda</i>	1962	UK/Belgium	<i>Mozambique</i>	1975	n.a.
<i>Tanzania^a</i>	1961/63	UK	<i>Sao Tome/Pr.</i>	1975	n.a.
<i>Togo^b</i>	1960	UK/France			
British Colonies			French Colonies		
<i>Botswana</i>	1966	n.a.	<i>Algeria</i>	1962	n.a.
<i>Egypt</i>	1922	n.a.	<i>Benin</i>	1960	n.a.
<i>The Gambia</i>	1965	n.a.	<i>Burkina Faso</i>	1960	n.a.
<i>Ghana</i>	1957	n.a.	<i>Central Afr. Rep.</i>	1960	n.a.
<i>Kenya</i>	1963	n.a.	<i>Chad</i>	1960	n.a.
<i>Lesotho</i>	1966	n.a.	<i>Comoros</i>	1975	n.a.
<i>Malawi</i>	1964	n.a.	<i>Congo, Rep. Of</i>	1960	n.a.
<i>Mauritius</i>	1968	n.a.	<i>Cote d'Ivoire</i>	1960	n.a.
<i>Nigeria</i>	1960	n.a.	<i>Djibouti</i>	1977	n.a.
<i>Seychelles</i>	1976	n.a.	<i>Gabon</i>	1960	n.a.
<i>Sierra Leone</i>	1961	n.a.	<i>Guinea</i>	1958	n.a.
<i>South Africa^c</i>	1910/94	n.a.	<i>Madagascar</i>	1960	n.a.
<i>Swaziland</i>	1968	n.a.	<i>Mali</i>	1960	n.a.
<i>Sudan^d</i>	1956	Egypt	<i>Mauritania</i>	1960	n.a.
<i>Uganda</i>	1962	n.a.	<i>Morocco</i>	1956	n.a.
<i>Zambia</i>	1964	n.a.	<i>Niger</i>	1960	n.a.
<i>Zimbabwe^c</i>	1965/80	n.a.	<i>Senegal</i>	1960	n.a.
			<i>Tunisia</i>	1956	n.a.
Italian Colonies			Spanish Colonies		
<i>Eritrea^e</i>	1993	Ethiopia	<i>Eq. Guinea</i>	1968	n.a.
<i>Libya</i>	1951		<i>Sarawi^g</i>	n.a.	Morocco
<i>Somalia^f</i>	1960				
Belgian Colonies			Independent throughout		
<i>DR of Congo</i>	1960	n.a.	<i>Ethiopia^h</i>	1941/55	n.a.
			<i>Liberia</i>	1847	n.a.

Legend: a) Independence of Tanganyika (former mandate territory) and Zanzibar (former colony), respectively; b) French mandate territory, British part ceded to Ghana; c) Independence/ transition to majority rule; d) Anglo-Egyptian condominium; e) Federated with Ethiopia in 1952, annexed in 1962; f) Merger of Italian and British Somalia; g) The former Spanish West Sahara has been recognised by most African countries under the name Sahrawi, but not by Morocco; h) Formally an Italian colony from 1936 until it was liberated by the UK in 1941, but only formally recognised as a state in 1955

played a central role in this protracted liberation process,¹¹⁰ even though US officials have subsequently claimed credit for the accomplishment.¹¹¹

In the British colony of Southern Rhodesia, i.e. the present Zimbabwe, the white settler minority pre-empted independence in 1965 with a unilateral declaration of independence (UDI) in order to preserve minority rule and the other privileges of the whites, not least their property rights.¹¹² The UN (and the UK) responded with a refusal of recognition of the new would-be state (UNSCR 217 of 20 November 1965) followed by an imposition of mandatory sanctions against it (UNSCR 232 and 253, 16 December 1966 and 29 May 1968, respectively).¹¹³ As these UN initiatives ran concurrently with an armed liberation struggle,¹¹⁴ it is difficult to assess the relative importance of this sanctions regime in forcing the regime to finally compromise and sign up to the Lancaster House Agreement of 1979, which inaugurated majority rule in 1980 – a date which also marks independence.¹¹⁵

One might also reckon the transition to democracy by South Africa as the very final instance of decolonisation, but it appears more sensible to relegate the UN's efforts to this effect to the chapter on societal security (*vide infra*) as this was primarily a matter of a change of regime in an independent state as a means to improve the conditions of the majority of its citizens.

The (Re)Constructive Role: State-Building and Reconstruction

While the UN-assisted decolonisation of Africa did produce states enjoying formal sovereignty, the product was not necessarily viable and certainly not strong states. Hence the UN has also had to involve itself in state-building or state reconstruction in the cases of failed or collapsed states, in most cases as an integral part of what in UN parlance is usually referred to as post-conflict peace-building.

One reason for this is probably that the borders of the previous colonial domains have been taken over by the new states without revision, some of which made very little sense. Neither did they always represent “natural boundaries” (e.g. delimited by mountain ranges or rivers), nor did they correspond well to the residential patterns of nations, tribes or ethnic groupings. As a result the post-colonial states were often extremely ethnically diverse, hence vulnerable to ethnic strife, and awkwardly sized and/or shaped, e.g. landlocked, containing exclaves, too large to be manageable or unsustainably small.¹¹⁶ Indeed, the very

existence of borders was alien to nomadic peoples such as those in the Sahel region and elsewhere in Africa.

Moreover, the new states were born into a well-established and highly regulated state system,¹¹⁷ where the norms of statehood as such were fairly well established – codified in, inter alia, the *Draft Declaration on Rights and Duties of States* of 1949 (which has never entered into force, but nevertheless seems to have a politically binding character) and the *Vienna Convention on Succession of States in respect of Treaties*.¹¹⁸ It remains disputed whether any degree of (what is in modern parlance termed) “good governance” is a *legal* requirement for a polity’s recognition as a state,¹¹⁹ but it seems to be on the verge of becoming a *political* requirement for retaining the rights of sovereignty – also because the West (and particularly the United States) seems to believe (probably erroneously) that failed states are likely to harbour terrorists, hence constitute threats to their national security.¹²⁰

Even though the two are sometimes confused, it makes sense to distinguish between states that are unable and those that are unwilling to protect their citizens. In the former category we find weak as well as failed states, whereas the latter also includes strong states governed by malevolent, occasionally even genocidal, regimes. As the latter mainly constitute threats to the societal and/or individual security, I have relegated them to the chapter on societal security – also because such states should neither be built nor reconstructed, but reformed. Some states are, however, so weak that their very statehood is threatened, or it has already, to all practical intents and purposes, vanished as in the case of failed states.

Africa does, indeed, contain more than its fair share of such weak and even failed states, where the institution of the state has lost its Weberian “monopoly on the legitimate use of force.”¹²¹ In some cases, states have collapsed completely,¹²² which means that the state has lost what some have called “empirical sovereignty” or “internal sovereignty” whilst usually retaining formal (or external) sovereignty,¹²³ manifested in the continued recognition by other states as well as by the UN and other international organisations – in which case it constitutes a “quasi-state.”¹²⁴ In other cases, the state is fragile and perhaps weakening to the point where complete collapse seems a distinct possibility – and where the main task becomes to prevent such collapse by strengthening the states capacities. This may, however, well entail certain uncomfortable dilemmas,

as strengthening a non-democratic and oppressive state's capacities is likely to result in an exacerbated human rights situation, whereas democratising a state may well weaken its governing capacities, at least temporarily. All good things do not always go together!

Even though a growing number of African states in the early 1990s have adopted democratic constitutions¹²⁵ and held reasonably free and fair multi-party elections,¹²⁶ even such formally democratic states are often, to a large extent, neopatrimonial, in the sense that the real power structure resides in a tangled web of personal ties. While traditional patrimonialism (as described by Max Weber and others)¹²⁷ rested on authentic tradition, e.g. in the form of legitimate succession to power or religious legitimation (as with the Golden Stool of the Ashanti or the legendary descent of Ethiopian kings and emperors from King Solomon),¹²⁸ neopatrimonialism is built around "strong-men", often coming from the economic sphere or from the military.¹²⁹ Power is personalised and based on patron-client relations, where the patron enjoys the support of his clients in return for the favours he is able to bestow on them, e.g. in the form of jobs or protection, all in a very informal manner, in fact presupposing a primacy of the informal and defying accountability.¹³⁰ While neopatrimonialism is thus the antithesis of the Weberian meritocracy, it may nevertheless be tantamount to a social contract of sorts, as argued by Patrice Chabal and Jean-Pascal Daloz who in their book with the telling title *Africa Works* also find traces of accountability and representation:

[T]he foundations of political accountability in Africa are both collective and extra-institutional: they rest on the particularistic links between Big Men, or patrons, and their constituent communities (...) That is why, despite the undeniably large gap (in terms of resources and lifestyle) between elites and populace, leaders are never dissociated from their supporters. They remain directly linked to them through a myriad of nepotistic or clientilistic networks staffed by dependent intermediaries.¹³¹

This may, however, be too optimistic, if only because neopatrimonial states are usually haunted by corruption (some to the extent of being "kleptocratic" as in Mobuto's Zaïre),¹³² as a result of which politics tends to amount to little more than a struggle for personal enrichment. The state may thus degenerate into a vehicle for predation and illegitimate extraction and waste of scarce

resources, i.e. a “vampire state”, as argued by George Ayittey in his work on *Africa in Chaos*:

[I]n Africa, government officials do not serve the people. The African state has been reduced to a mafia-like bazaar, where everyone with an official designation can pillage at will. In effect, it is a “state” that has been hijacked by gangsters, crooks, and scoundrels. (...) The inviolate ethic of vampire elites is self-aggrandizement and self-perpetuation in power. To achieve those objectives, they subvert every institution of government: the civil service, judiciary, military, media, and banking. As a result, these institutions become paralyzed. (...) Regardless of their forms, the effects of clientelism are the same. Politics is viewed as essentially extractive.¹³³

Needless to say, such states do not automatically elicit the loyalty and support of their citizens upon which political stability might rest. Hence, when the behaviour of the incumbent regime provokes opposition, it tends to resort to oppressive means to quell it, thereby often forcing the opposition to take up arms, whence may result a civil war which further weakens the state, perhaps eventually to the point of complete collapse.

This was, more or less, what happened to Somalia, representing almost a textbook example of state failure. Because this was accompanied by widespread human suffering, including a (partly war-provoked) famine, the UN stepped into the breach with what was officially labelled a peacekeeping operation (UNOSOM I), even though its main objective was in fact state-building via humanitarian intervention. As such, however, it was singularly ineffective, partly (but not only) because of the less than constructive role played by the United States (*vide infra*). Not only did the UN (or at least UN-authorized) intervention thus utterly fail in its endeavour to reconstruct the Somali state, but the UN was also debarred by the above-mentioned strong norm against secession from granting recognition to what has since 1991 been a *de facto* state, the former British colony of Somaliland, which remains “in limbo,” even though its claims to statehood are far more credible than those of the successive interim governments of Somalia proper.¹³⁴

Other attempts at post-conflict and post-collapse state reconstruction in Africa have included Liberia, where the first attempt was singularly ineffective, as it did

not bring a halt to the civil war in progress and merely preserved a modicum of “quasi statehood” in (parts of) the capital Monrovia, leaving the rebels under the warlord Charles Taylor in control of most of the country. What eventually brought the civil war to a (temporary) halt was the electoral victory of the very same Taylor in 1997,¹³⁵ whose misgovernment by around 2000 provoked another round of civil war.¹³⁶ Even though the UN (as well as ECOWAS)¹³⁷ has been instrumental in bringing this to a negotiated end, it is too early to proclaim success in the state reconstruction endeavour.

Neighbouring Sierra Leone also descended into chaos in the early 1990s, partly through “spill-over” from Liberia, where Charles Taylor lent his support to the RUF (Revolutionary United Front), notorious for its amputation practice and other atrocities.¹³⁸ Neither ECOWAS nor the UN were particularly successful in bringing this rebellion under control, but the UN had to be “bailed out” militarily, first by a South African-based private military company, Executive Outcomes, and then by a unilateral British intervention.¹³⁹ Around the turn of the century, however, peace seems to have come, at long last, to Sierra Leone, and the UN has assumed important roles, both with regard to military issues such as DDR (disarmament, demobilisation and reintegration) and security sector reform,¹⁴⁰ and civilian issues such as elections and “transitional justice.” It has, for instance, supported and participated in a special court to try cases of war crimes and crimes against humanity as well as sponsored a South Africa-inspired Truth and Reconciliation Commission.¹⁴¹

A more successful case of state-building was the UN mission to civil war-torn Mozambique in the early 1990s, where a massive UN presence allowed for an orderly transition to peace entailing, *inter alia*, the transformation of the rebel group RENAMO into a political party contesting the ruling FRELIMO in reasonably free and fair elections, accompanied by a comprehensive DDR programme.¹⁴²

The Protective Role (I): Collective Security

Besides the above constitutive and (re)constructive tasks of helping to bring states into being and/or putting them back together when they have collapsed, the UN should ideally also help protect existing states against foreign aggression, *i.e.* perform the traditional role of a collective security organisation. However, neither the track records in Africa of the UN nor its predecessor, the League of Nations, are particularly impressive in this respect.

The membership of Ethiopia (Abyssinia) in the League of Nations thus helped very little when the fascist regime of Italy in 1935 invaded the country in a second attempt at establishing a colony.¹⁴³ Even though this constituted a clear breach of the League's rules, and almost a textbook example of a contingency calling for a collective security response, the appeals by the Emperor for assistance were largely ignored and Ethiopia's military defence against the Italian aggression proved unsuccessful.¹⁴⁴

Since WWII there have, fortunately, only been few situations calling for collective security responses, simply because the African continent has seen very few international wars, as most armed conflicts have either been simple intrastate or internationalised intrastate (i.e. "transnational") conflicts. The main explanation is probably neither that the African states have lacked any *casus belli* (for which the aforementioned odd borders might well have qualified), nor that they were deterred from aggression by the UN's prohibition of aggression, nor even that each state was able to deter would-be aggressors by means of adequate defensive capabilities (which most African states lack). A better explanation may be that very few African states have possessed the requisite military capabilities (and especially power projection capabilities) to launch any major attacks, even against next-door neighbours.¹⁴⁵ Besides numerous small-scale cross-border operations, there have thus only been two "real wars" on the continent, in neither of which the UN came to the rescue of the victim of aggression:

- The Ogaden War between Somalia and Ethiopia (1977-78), launched by the former as a follow-up to its support for ethnically Somali rebels in a part of Ethiopia claimed by Somalia.¹⁴⁶
- The war between Ethiopia and Eritrea (1998-2000), initiated by the latter by a small-scale "land grab" focused on the Badme plains, claimed by Eritrea, which provoked a forceful Ethiopian response turning it into a major war.¹⁴⁷

A partial explanation of the lack of UN involvement in the Ogaden War might (as in other wars in this period) be the stalemate in the UN Security Council produced by the Cold War. Indeed, the USSR was quite heavily involved (both directly and by "proxy" in the shape of Cuban troops) on the side of Ethiopia, whereas the United States leaned heavily to the Somali side.¹⁴⁸ In the latter case, however, this "excuse" was no longer valid, but we must look elsewhere for an explanation.

Just as the Cold War gave the superpowers an interest in becoming involved in Africa (as everywhere else),¹⁴⁹ it also offered them several reasons *not* to do so, unless some kind of cooperation, or at least a tacit understanding, with the respective other was possible.¹⁵⁰ Neither of them was prepared to be “sucked into” an African conflict that might eventually result in them fighting each other directly, with all the accompanying risks of uncontrollable escalation.¹⁵¹ Hence the tendency (especially on the part of the USSR) to disengage before a conflict might escalate out of control and pose risks of a direct confrontation between US and Soviet forces.¹⁵² Since the end of the Cold War, however, almost exactly the opposite might be said of the USA and its allies as well as of Russia: Whereas there are no longer any particular risks involved with becoming engaged, the reasons for doing so have also vanished into thin air. Africa simply no longer really matters,¹⁵³ and this attitude on the part of two of the members of the Security Council is bound to impact on the decisions of this body, producing a reluctance to get involved in anything African and especially so in the case of major wars.

Besides the few international wars, some of the aforementioned transnational wars have also featured so significant elements of foreign interference that they might arguably have qualified as contingencies calling for collective security responses.¹⁵⁴ Examples include the following:

- The civil war in Mozambique was, to at least the same extent, a proxy war waged by the UDI regime in “Rhodesia” and subsequently by apartheid South African against the FRELIMO government by means of extensive support for the (MNR, i.e. Mozambican National Resistance, and subsequently) RENAMO rebels.¹⁵⁵
- The Angolan civil war featured extensive support from both Zaïre and South Africa for first FNLA (*Frente Nacional de Libertação de Angola*) and then UNITA in their struggle against the MPLA government, in its turn a beneficiary of substantial Cuban and Soviet support. The latter stages of the war also saw occasional direct South African operations against Angola.¹⁵⁶
- The several civil wars in Ethiopia were internationalised in several respects: through Arab support for the ELF (Eritrean Liberation Front) and Sudanese support for the EPLF (Eritrean People’s Liberation Front), both secessionist movements in Eritrea; and by first Israeli and later Soviet and Cuban support to the successive governments in Addis Ababa – concurrently with the aforementioned support by Somalia for the secessionist WSLF (Western

- Somali Liberation Front) in the Ogaden region.¹⁵⁷
- The North-South civil war in Sudan also saw Israeli, Ethiopian and Ugandan support for first the Anya-nya and then the SPLF (Sudan People's Liberation Front) in their struggles for secession and/or autonomy. In retaliation, Sudan has lent its support for the LRA (Lord's Resistance Army) in northern Uganda.¹⁵⁸
 - The war in the Congo, which has been called "Africa's great war," was an unsavoury mixture of a civil war between a multitude of indigenous groups and a transnational war involving, among others, Rwanda and Uganda, first on the side of the AFDL (*Alliance des forces démocratiques pour la libération du Congo*) rebels against the Mobuto regime, and then on the side of other rebels against the new government of Laurent Kabila, and Angola, Namibia and Zimbabwe on the side of the successive post-Mobuto government of the two Kabilas (*père* and *fil*s).¹⁵⁹

In neither of these cases (nor in the several not mentioned), however, has the UN played any major role in bringing the conflict to an end, except for mediation and other "good offices."¹⁶⁰ After the termination of hostilities in such conflicts (and others), however, the UN has been involved in post-conflict peacebuilding, inter alia by means of peacebuilding missions and offices where their role is mainly civilian and political. For a summary of these missions as of June 2005, see Table 5.¹⁶¹

Table 5: UN Peace-building and Political Offices in Africa (June 2005)

Country	Acronym	Full Name	Since
Central African Republic	BONUCA	UN Peace-building Office In The Central African Republic	2000
Guinea Bissau	UNOGBIS	UN Peace-building Support Office In Guinea-bissau	1999
Somalia	UNPOS	UN Political Office for Somalia	1995
Great Lakes Region		Office of The Special Representative of The Secretary-general for The Great Lakes Region	1997
West Africa		Office of The Special Representative of The Secretary-general West Africa	2001

The Protective Role (2): Peacekeeping

The main military involvement by the UN in support of its African member states in their (intrastate or transnational) conflicts has, beyond comparison, been in the form of peacekeeping operations, of which there have been a total of 23 in Africa,¹⁶² a summary of which is provided in Table 6.¹⁶³

Some of these missions (e.g. UNASOG and UNMEE)¹⁶⁴ have constituted “traditional peacekeeping” in situations where the forces could be deployed in an interpositioning mode between formerly warring parties and tasked with monitoring a truce to which both sides were genuinely committed. Some have been adequately resourced, even for complex and demanding mandates, even including elements of state-building (*vide supra*), as MINURCA,¹⁶⁵ UNTAG,¹⁶⁶ UNOMOZ and UNAMSIL (*vide supra*). One (MINURSO)¹⁶⁷ has performed quite successfully, yet without any end in sight.

Others, such as the successive UNAVEM and MONUA missions,¹⁶⁸ as well as UNOMIL and UNOMSIL¹⁶⁹ had to do with truces that were violated by at least one side, inevitably leading to the dreaded “mission creep.”¹⁷⁰ In many cases, the resources have been totally incommensurate with the mandate, especially when taking the size of the countries of deployment into consideration. This has, for instance, been the case of MONUC, where it was initially envisaged to deploy a maximum of 5,000 troops (now expanded to 16,700) to a country with an area of 2.3 million square kilometres, i.e. six times that of Germany (*sic!*).¹⁷¹ Most of the UN PKOs were thus problematic in one respect or the other, but the most obvious failures were probably the following, all of which may actually have done more harm than good:

The first PKO in the Congo (ONUC) effectively ended up as a warring party in the extremely chaotic situation following the country’s independence from Belgium. Rather than supporting the democratically elected prime minister Patrice Lumumba, ONUC ended up supporting the rebels, and rather than helping secure the unity of the country, they temporarily collaborated with secessionist Katanga – all because the United States succeeded in persuading the UN that Lumumba was a Soviet “pawn.”¹⁷²

The two PKOs in Somalia (UNOSOM-I and II) went terribly wrong, not least because of the lack of collaboration with the (partly concurrent) American UNITAF-mission, which went its separate ways. For instance, it unilaterally

Table 6: UN Peacekeeping Missions in Africa: Overview

Country	Full Name	Agro-nym	Time	Past Operations		Max. Size
				UNSCR #	Mandate Mission	
Angola	UN Angola Verification Mission (I-III)	UNA VEM-I	Dec 1988- May 1991	#626 (20.12.88)	Verify redeployment and withdrawal of Cuban troops	70
			May 1991- Feb 1995	#696 (30.05.91)	Monitor ceasefire and police	490
				#747 (24.03.92)	Same plus observe elections	
				#804 (20.01.93)	Modalities for peace process/local ceasefires	
				#952 (27.10.94)	Verify implementation of Lusaka Agreement	
		UNA VEM-III	Feb 1995- June 1999	#976 (08.02.95)	Restore Peace under Lusaka Protocol and Acordoz do Paz	4,220
		UN Observer Mission in Angola	MONUA	June 1997- Feb 1999	#1118 (30.06.97)	Consolidate peace and reconciliation, confidence-building, environment conducive to long-term stability, democratic development, rehabilitation
				#1180 (29.06.98)	Extension, resumption of withdrawal	
				#1229 (26.02.99)	Termination of mandate	
Central African Republic	UN Mission in the Central African Republic	MINURCA	Apr 1998- Feb 2000	#1159 (27.03.98)	Enhance security, disarmament, support for elections	1,374
Chad-Libya	UN Aouzou Strip Observer Group	UNA SOG	May-June 1994	#914 (04.05.94)	Monitor Libyan withdrawal	12
Congo	UN Operation in the Congo	ONUC	July 1960- June 1964	#143 (14.07.60)	Provide military assistance to the government	19,828
				#161 (21.02.61)	Prevent the occurrence of civil war, arrangements for ceasefire, use of force as last resort	
				#169 (24.11.61)	Apprehension, deportation of mercenaries	
Liberia	UN Observer Mission in Liberia	UNO MIL	Sept 1993- Sep 1997	#866 (22.09.93)	Monitor ceasefire and peace agreement, cantonment, disarmament, de-mobilisation, monitor elections, train ECOMOG mine-clearance, coordinate humanitarian assistance	458
				#1020 (10.11.95)	Slight adjustments (fewer tasks)	

Table 6: (continued)

Past Operations						
Country	Full Name	Agronym	Time	Mandate		Max. Size
				UNSCR #	Mission	
Mozambique	UN Operation in Mozambique	UNO MOZ	Dec 1992- Dec 1994	#797 (16.12.92)	Monitor ceasefire, disarmament and demobilisation, withdrawal of foreign forces, technical assistance to/monitoring of electoral process; coordinate and monitor humanitarian assistance	7,663
Namibia	UN Transition Assistance Group	UNTAG	Apr 1989- Mar 1990	#632 (16.02.89)	Oversee elections, ensure end to hostile acts	5,993
Rwanda	UN Assistance Mission for Rwanda	UNA MIR	Oct 1993- Mar 1996	#872 (05.10.93) #912 (21.04.94) #918 (17.05.94) #965 (30.11.94) #997 (09.06.95) #1029 (12.12.95)	Help implement Arusha agreement Seek ceasefire, assist in humanitarian aid, protect civilians Secure humanitarian areas, establish security Protect international staff, train police force Repatriation of refugees, monitor security situation, assist in provision of humanitarian aid Repatriation of refugees	5,090
Rwanda-Uganda	UN Observer Mission Uganda-Rwanda	UNO MUR	June 1993- Sep 1994	#846 (22.06.93)	Prevent military assistance from Uganda to RPF in Rwanda	81
Sierra Leone	UN Observer Mission in Sierra Leone	UNOM SIL	July 1998- Oct 1999	#1181 (13.07.98)	Monitor military situation, monitor disarmament/demobilisation	209
Somalia	UN Operation in Somalia (I-II)	UNO SOM-I UNO SOM-II	Apr 1992- Mar 1993 Mar 1993- Mar 1995	#751 (24.04.92) #775 (28.08.92) #794 (03.12.92) #814 (26.03.93) #837 (06.06.93) #897 (04.02.94)	Monitor ceasefire, protection of int. staff and humanitarian aid (only Mogadishu) Protect humanitarian aid in all of Somalia Authorising UNITAF (United Task Force) Take over from UNITAF, create secure environment (enforcement measures), disarmament, mine-clearance, repatriation Same plus arrest of perpetrators of attack against UN staff Same without use of coercive means	949 28,000

Table 6: (continued)

Current Operations						
Country	Full Name	Agro-nym	Time	Mandate		Max. Size
				UNSCR #	Mission	
Burundi	UN Operation in Burundi	ONUB	June 2004 -present	#1545 (21.05.04)	Monitor ceasefire and flow of arms, disarmament, demobilisation, secure environment for elections, protect civilians	5,445
Côte d'Ivoire	UN Operation in Côte d'Ivoire	UNOCI	Apr 2004 -present	#1528 (27.02.04)	Monitor ceasefire and borders, DDR, support for humanitarian assistance	6,237
DRC	UN Organization Mission in the Democratic Republic of the Congo	MONUC	Nov 1999 -present	#1291 (24.02.00)	Monitor ceasefire, DDR, facilitate humanitarian assistance, emergency mine action	17,004
				#1445 (04.12.02)	Higher troop numbers	
				#1493 (28.07.03)	Higher troop numbers	
				#1565 (01.10.04)	More troops, protection of civilians, collaboration with ONUB, cease arms, security of government, assist humanitarian aid, assist DDR, assist in elections, promote human rights	
Ethiopia /Eritrea	UN Mission in Ethiopia and Eritrea	UNMEE	July 2000 -present	#1320 (15.09.00)	Interpositioning, monitor ceasefire, assistance for mine-clearing	4,200
Liberia	UN Mission in Liberia	UNMIL	Sept 2003 -present	#1509 (19.09.03)	Monitor ceasefire, cantonment, plan DDRR, provide security, support humanitarian assistance and security reform, assist in preparation for elections	16,503
Sierra Leone	UN Mission in Sierra Leone	UNAM SIL	Oct 1999 -present	#1270 (22.10.99)	Implement peace agreement, DDR, facilitate humanitarian aid	17,500
				#1289 (07.02.00)	Same plus provide security, protect civilians	
Sudan	UN Mission in the Sudan	UNMIS	Mar 2005 -present	#1590 (24.03.05)	Monitor ceasefire, assist in DDR, assist in public information campaign, promotion of human rights and security sector reform	<10,000
Western Sahara	UN Mission for the Referendum in Western Sahara	MINURSO	Apr 1991 -present	#690 (29.04.91)	Monitor ceasefire, oversee exchange of POW, repatriation, voter registration, organise referendum	237

launched a hunt for one of the rivalling warlords, Mohammed Aideed, only to call off the chase after the loss of eighteen troops (from the secret “Delta Force”) in a shootout which also cost the lives of between three hundred and a thousand Somalis. As a reaction to this humiliation Washington commenced a complete withdrawal accompanied by a campaign to make the other contributing countries to likewise withdraw. Rather than having solved or even mitigated the conflict, the UN missions thus left behind a country in complete dissolution, where real power to an even greater extent than before the mission had been transferred from tradition leaders (e.g. clan elders) to the warlords.¹⁷³

Most disastrous of all was the PKO in Rwanda (UNAMIR).¹⁷⁴ It had been intended to monitor a ceasefire in the civil war which had erupted following the incursion in 1990 by the (Tutsi-dominated) rebel movement RPF/A (Rwandan Patriotic Front/Army) from its bases in neighbouring Uganda. In conformity with its “standard operating procedure” for civil wars the UN had mandated a small and lightly armed PKO (UNAMIR, for a period assisted by UNAMUR to monitor the border with Uganda), which was tasked with monitoring a ceasefire between the two parties. Concurrently with the civil war, however, the government of Rwanda (and particularly the extremist wings of the Hutu-dominated governing parties) was planning a genocide with the aim of nothing less than the total extermination of the Tutsi population, making up about fifteen percent of the total population. Even though credible warnings about this were received in January 1994 (including information about the training by the army of Interahamwe and *Impuzamugambi* militias in mass killings by means of machetes) these were disregarded by the UN Security Council, apparently reflecting a meeting of minds between two of the permanent members, the United States and France.

When the genocide was launched on the 6th of April 1994, UNAMIR was thus unable to prevent it, notwithstanding repeated appeals for reinforcement sent by its supreme commander, Roméo Dallaire. In the course of the following hundred days, an average of 8-10,000 people (i.e. three times “9/11”) were thus slaughtered

Legend (Tabel 6): Max Size: Only international personnel, both military and civilian; The maximum strength for UNOMOZ calculated as max. military strength (30 Nov 1993) plus max. civilian police (31 Oct 1994); UNSCR: UN Security Council Resolution no., extensions with no or only minor amendments not included, **boldfaced** when adopted under Chapter VII (in some cases only for part of the mandate); DDR: Disarmament, demobilisation and reintegration; DDDR: Disarmament, demobilisation and reintegration and repatriation; POW: prisoners of war

per day (*sic!*) with the utmost brutality, while the UN merely planned for the evacuation of the ex-pats and the final withdrawal. Indeed, UNAMIR did not even have the means to jam the broadcasts of the radio station (*Radio-Télévision Libre des Mille Collines*) that was directing the killers to their victims.¹⁷⁵

The *postludium* to this tragedy was arguably even less dignified. When the civil war was resumed by the RPF after the launch of the genocide, it swiftly forced the army and militias into retreat. Seeing its former allies in distress, France succeeded in obtaining a UN mandate (UNSCR 929 of 22 June 1994) for a “humanitarian intervention,” code-named *Operation Turquoise*. This did not even attempt to save the victims of the genocide, but allowed the perpetrators to escape (using civilians as cover and bringing along the entire army with its

Table 7: African Contributions to UN Peacekeeping (as of March 2005)

Rank	Name	Troops
4	Ethiopia	3,421
6	Ghana	3,320
7	Nigeria	3,041
10	South Africa	2,316
11	Morocco	1,709
12	Senegal	1,572
13	Kenya	1,483
17	Namibia	880
23	Tunisia	520
25	Niger	474
28	Benin	410
33	Togo	324
45	Mozambique	193
48	Zambia	132
49	Egypt	122
50	Cameroon	121
53	Burkina Faso	97
54	Mali	92
55	Zimbabwe	86
60	Guinea	61
61	Gambia	58
62	Malawi	55
68	Chad	40
74	Djibouti	24
78	Uganda	22

weaponry, the state treasury and most of the civil service) into neighbouring Zaïre,¹⁷⁶ whence they have ever since launched small-scale attacks into Rwanda as well as participated in the Congolese civil war.¹⁷⁷ This has probably been the most outrageous abuse of alleged humanitarian reasons to justify a military intervention since Nazi Germany invaded Czechoslovakia to protect the Sudeten Germans in 1938!¹⁷⁸

Africa's experience with UN peacekeeping has thus not only been positive, which serves to qualify the widespread impression that the rest of the world is helping the black continent. It should also be recalled that African countries are not merely consumers of peacekeeping, but also providers of peacekeepers to missions both within and beyond their own continent, as becomes obvious from Table 7.¹⁷⁹ For comparison, the first NATO country to appear on the list is Poland (ranked as no. 20 with 721 troops), whereas the United States only appears as no. 30 with a mere 363 troops, i.e. about one tenth of what countries such as Ethiopia, Ghana and Nigeria are contributing.

The UN and the Societal Security of African Peoples

As the most dramatic threat to the societal security of a human collective (e.g. a nation or an ethnic or religious group) is obviously genocide, the above account of the Rwandan genocide and the UN's failure to prevent or stop it might as well have been included in the present chapter.

The case dramatically illustrates the potential trade-off between national security (including the protection of sovereignty and territorial integrity) and societal (and human) security. On the one hand, the former allows a state to inflict unspeakable suffering on its citizens with impunity, both as individuals and as collectives. Safeguarding of the latter may, on the other hand, require either the launch of a humanitarian intervention or an acceptance of the right of an oppressed group to secede from a state governed by their oppressors. Difficult choices may thus have to be made, which the UN is poorly equipped to do. Hence, the UN does not seem to have been much better at protecting societal than national security in Africa.

The UN, Genocide and Ethnic Cleansing in Rwanda and Sudan

Whereas the UN has thus neither managed to stop on-going or prevent impending genocides, it may play a role in deterring would-be *genocidaires* from implementing their genocidal plans via the threat of punishment by means of a judicial machinery to try cases of genocide.

In the wake of the Rwandan genocide, the UN Security Council thus decided (in UNSCR 955 of 8 November 1994) to establish an International Criminal Tribunal for Rwanda (ICTR),¹⁸⁰ which came to be located in Arusha, Tanzania. Its jurisdiction was stipulated as three sets of crimes (genocide, crimes against humanity and war crimes) committed in a specific period (1 January-31 December 1994) either in Rwanda or by Rwandan citizens elsewhere.¹⁸¹ It was ensured that there would be no relaxation of traditional rules of procedure, evidence, etc.¹⁸² The ICTR began its proceedings in 1995 and issued its first indictments in November 1995. Since then however, the ICTR has only managed to ensure the arrest of around fifty suspects and convict (as of June 2005) a mere twenty-one, of which eight sentences had been appealed.¹⁸³ A total of sixteen cases were awaiting trial and twenty-five were still in progress, ten of them conducted *in absentia* because the accused were still at large.¹⁸⁴

All good intentions notwithstanding, this entire procedure has been quite controversial. First of all, the government of Rwanda feels it should have jurisdiction over those responsible for crimes committed in Rwanda by Rwandans against other Rwandan citizens, which is surely not an unreasonable demand. Secondly, it is dissatisfied with the inability of the ICTR to pass death sentences; and thirdly, it is understandably frustrated by the slow pace of the court cases.¹⁸⁵

The critique notwithstanding, a positive consequence of the establishment of the ICTR (along with the ICTY and the ICC, and to some extent even the aforementioned Special Court for Sierra Leone) is certainly that international law becomes clarified by the establishment of precedents. For instance, in 2004 the ICTR passed judgement on three of the ideological and propagandistic leaders of the genocide, i.e. the founders of the infamous hate radio station RTLMC, Ferdinand Nahimana and Jean-Bosco Barayagwiza (both sentenced to life imprisonment, in the latter's case reduced, because of mitigating circumstances, to 35 years) and Hassan Ngeze, the editor of the extremist newspaper *Kangura* (which had in published the "Hutu Ten Commandments"), likewise to life imprisonment. These sentences surely establish a legal precedent to the effect that the freedom of speech does not apply to hate propaganda and incitement to genocide. In the words of the tribunal (referring to Nahimana), "without a firearm, machete or any physical weapon, he caused the deaths of thousands of innocent civilians."¹⁸⁶

That the setting of such precedents does not suffice as a deterrent against genocides or crimes against humanity has been dramatically demonstrated by the events in the Darfur provinces of Sudan since February 2003. Whereas the United States has officially proclaimed this to be a genocide in progress, other actors such as the EU, the AU and the UN have found the evidence inconclusive.¹⁸⁷ There is, however, little doubt that the government is waging an extremely brutal counter-insurgency war, including massive ethnic cleansing against the two rebel movements SLA and JEM (Justice and Equality Movement), with an estimated death toll (as of June 2005) of 180,000 people and an internal displacement of up to two million.¹⁸⁸ Most of the atrocities have been committed by the Arab *Janjaweed* militias; there is conclusive evidence of support by government forces – as there was for Khartoum's previous use of *Baggarra* tribal militias to raid Dinka villages in order to weaken the SPLA, but also taking advantage of the situation for private slave raids.¹⁸⁹

The government in Khartoum is thus, beyond any reasonable doubt, guilty of crimes against humanity, implying that the international community is obliged to prosecute the culprits. This raised the question where and how to stage the trial, bringing into play the long-standing dispute between the United States and most of the world community, most prominently the EU, over the ICC: Washington initially promoted the idea of yet another special tribunal (or even the use of the ICTR), whereas the EU insisted on using the ICC. Eventually, a compromise was struck (in UNSCR Resolution 1593, 31 March 2005) according to which the US consented to the use of the ICC on the condition that no US citizen would be brought to trial (which nobody had intended in the first place). By the time of writing, the first arrest warrants had thus been issued, but no legal proceedings had yet begun.¹⁹⁰

One might have expected the United States, having proclaimed it a genocide, to have undertaken, or at least advocated the UN to take, more forceful action, for instance in the form of a humanitarian intervention. However, not only was the US and its allies by that time already “over-extended” with major deployments in Iraq, Afghanistan and the Balkans, but it was also unclear what might be accomplished by military means. To do an “Iraq” against the Sudan would have been extremely demanding, and to establish a “safe haven” within Darfur might simply have played into the hands of the ethnic cleansers. Moreover, there were (entirely justified) concerns that forceful action over Darfur might have derailed the fragile peace process between the government and the SPLA in southern Sudan, thereby perhaps spoiling the best chance for decades to bring Africa’s longest and most destructive civil war to an end.¹⁹¹

What the UN (and the rest of the international community) did was to “pass the buck” in Darfur to the AU, which is now present with a major military observer group, supported financially and logistically by both NATO and the EU.¹⁹² This allows the UN to concentrate its own military efforts on monitoring the peace between North and South by means of UNMIS. Its mandate (formulated in UNSCR 1590) also include several tasks very central to societal security of the peoples of the South, including their freedom of religion and the safeguarding of their collective identities, which has been a prominent issue in Sudan’s “conflict history” ever since independence, indeed ever since colonial times.¹⁹³ UNMIS is thus supposed to

(a.vi) to assist the parties to the Comprehensive Peace Agreement in addressing the need for a national inclusive approach, including the role

of women, towards reconciliation and peace-building; (...)

(A.ix) to ensure an adequate human rights presence, capacity, and expertise within UNMIS to carry out human rights promotion, protection, and monitoring activities; (...)

(b) to facilitate and coordinate, within its capabilities and in its areas of deployment, the voluntary return of refugees and internally displaced persons, and humanitarian assistance, inter alia, by helping to establish the necessary security conditions;¹⁹⁴

To what extent this will prove successful remains to be seen. Besides these efforts, the UN Secretary General has also been reporting continuously on Sudan, as has his appointed special representative for the Sudan, Jan Pronk.¹⁹⁵ Moreover, several UN special agencies have been involved in humanitarian assistance to the victims of the two concurrent civil wars in Sudan – for instance the UNHCR, UNHCHR, WHO, UNDP, UNICEF and WFP.¹⁹⁶

The UN and Apartheid

Apartheid as practiced in South Africa obviously constituted a threat to the societal security of the non-white peoples of the country, i.e. mainly the black majority, but also the Asians and coloured.¹⁹⁷ This policy of segregation according to racial criteria was partly intended as a means of protecting economic and other privileges for the white minority,¹⁹⁸ and was underpinned, until the late 1980s, by a “divine sanction” in the form of an endorsement of apartheid by the Calvinist church.¹⁹⁹ It clearly threatened the identity and collective cohesion of the non-whites via the banning of the ANC (African National Congress) and other liberation movements and numerous other human rights violations – even though in the process it strengthened, rather than weakening, “black consciousness” and political support for the ANC.²⁰⁰

The UN, and especially the General Assembly, soon became a battleground for a controversy between the adamant opponents of apartheid (mainly in the Third World) and its lukewarm supporters in the West, who saw the regime as a (rather unattractive, but useful) bulwark against a (largely imaginary) communist threat.²⁰¹ Eventually, however, the opponents’ views prevailed, producing a growing constituency in favour of sanctions against the regime, which were indeed imposed and gradually made both broader and more compulsory and binding.²⁰²

Foreign and transnational NGOs played an important role in this global struggle against apartheid,²⁰³ e.g. by promoting such sanctions as were asked for by the ANC.²⁰⁴ The means employed to the end of deposing the apartheid regime included a combination of support for the liberation movements (mainly the ANC) and pressure directed at the respective governments in the home countries of the NGOs – e.g. in the United States where the objective was to make the U.S. government cease its support for the apartheid regime and impose sanctions.²⁰⁵ NGOs also worked closely with the UN²⁰⁶, especially its Special Committee against Apartheid. The *Declaration of the International Conference on Sanctions against South Africa* (Paris, 27 May 1981) thus emphasised

... the importance of action by local authorities, mass media, trade unions, religious bodies, co-operatives and other non-governmental organisations as well as men and women of conscience, to demonstrate their abhorrence of apartheid and their solidarity with the legitimate struggle of the oppressed people of South Africa and Namibia. It draws particular attention to the constructive value of consumer boycotts, sports boycott, cultural and academic boycott (...) It encourages assistance to the victims of apartheid and their national liberation movements, as appropriate actions by the public, in support of international sanctions against apartheid.²⁰⁷

These recommendations were confirmed in the (very elaborate) *Programme of Action against Apartheid*, which was adopted by the UN General Assembly in 1983, containing admonitions to NGOs, trade unions, political parties, etc. to cease all collaboration with the apartheid regime and to support the liberation movements.²⁰⁸

The UN thus contributed significantly to the eventual fall of the apartheid regime, just as it was involved in monitoring and facilitating the transition itself, as well as in supervising the first democratic elections in 1994.²⁰⁹ The UN thereby helped improve the societal security of all non-white inhabitants of South Africa. The deposed minority, however, and especially the Afrikaans-speaking whites, began to see the transition as a threat to their own societal security²¹⁰ and for a time sought protection in “consociational” forms of democracy-cum-power sharing such as promulgated by Aron Lijphardt and others,²¹¹ yet eventually consented to the protection accorded to them by one of the world’s most democratic constitutions, underpinned by a protection of private property rights.²¹²

The UN and the Human Security of Africans

Human security, in the sense of an absence of serious threats to the survival and well-being of humans as individuals, is seriously endangered in most of Africa, where the life of most people is indeed “solitary, poor, nasty, brutish, and short.”²¹³

Poverty and Human Security

The general and almost permanent economic crisis in which most African states have found themselves for decades²¹⁴ is probably the main cause of this, the steadily deteriorating living conditions leaving close to half of the population to get by on less than a dollar a day (see Table 8).²¹⁵

**Table 8: Global Poverty:
People Living on Less than 1 \$ a Day**

Region	Percentage		Number	
	1990	1999	1990	1999
Sub-Saharan Africa	47.4	49.0	241	315
East Asia and Pacific	30.5	15.6	486	279
South Asia	45.0	36.6	506	488
Latin America/Caribbean	11.0	11.1	48	57
C/E Europe & CIS	6.8	20.3	31	97
Middle East/ North Africa	2.1	2.2	5	6

Fig. 2: Poverty, Conflict and Human Security

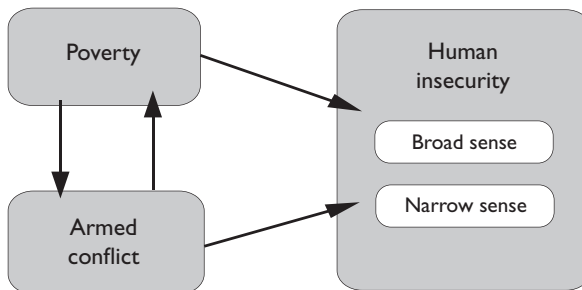
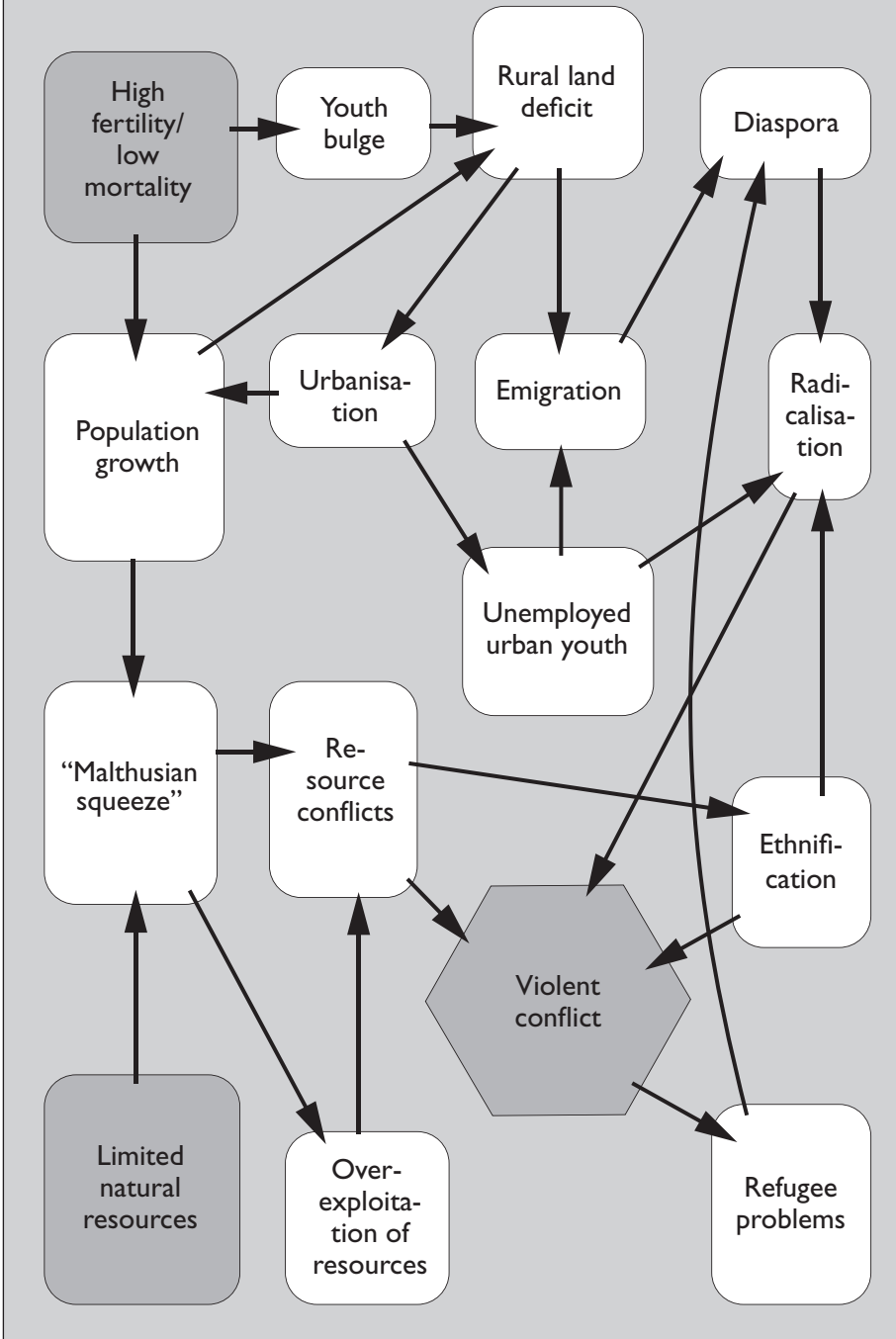


Fig. 3: Poverty and Conflict: Illustrative Causal Path



However, besides general poverty and misery, armed conflicts also play a significant role as challenges to human security, and not only in the direct sense of representing a threat of violent death, as illustrated in Fig. 2. First of all, armed conflict tends to exacerbate developmental problems and aggravate poverty, thereby damaging human security in the broader sense. Indeed, it is not merely actual armed conflict which has this detrimental effect, but also such potential armed conflicts as are planned for, usually in the form of armaments representing a drain on societal security. Even though some have claimed that an arms build-up in “backward” countries may contribute to modernisation,²¹⁶ most analysts today agree that the opposite is normally the case, i.e. that an arms build-up comes at the expense of economical and social development.²¹⁷

Secondly, poverty may, at least to some extent, contribute to conflicts and thereby indirectly harm human security in the narrow sense of the term. There is no direct causal link between poverty and violence, neither in the sense that armed conflicts are predominantly waged by poor people, nor that there is any significant positive correlation between a country’s level of poverty and its propensity for armed conflict. Rather, the link is indirect and the causal path runs through poverty-related problems such as relative deprivation and inequality, “youth bulges,” societal marginalisation and ethnification. Several such causal paths are illustrated in Fig. 3, but it is beyond the scope of the present paper to elaborate further on this.²¹⁸

There is thus a plausible, albeit partly indirect, link between poverty and conflict and, by logical implication, between development and human security. This means that the considerable share of global development aid which is channelled through the UNDP and other UN agencies, could be seen as contributions to enhancing human security, as might the UN’s promotion of human rights, inter alia under the auspices of UNHCHR (UN High Commissioner for Human Rights) and OCHA (Office for the Coordination of Humanitarian Affairs).

However, as it is beyond the scope of the present paper to elaborate on this general problematique, we shall concentrate on some of the special problems of two categories of people, namely children running the risk of being abducted to serve as child soldiers or auxiliaries in armed conflicts, women running the risk of becoming the victims of war-related rape.

Table 9: Child Soldiers in Sub-Saharan Africa (2004)

State	Conventions					Government side		Opponents	
	AC	AP	CRC	ILO	OP	RAF	Non-statutory forces	Movement/Army	
Angola	●	●	○	●		Y	-	FLEC: Frente da libertação do enclave de Cabinda–Forças Armadas de Cabinda	P
Burkina Faso	●	●	●	●	○	N	-	(MPCI: Mouvement patriotique de Côte d'Ivoire)	P
Burundi		●	●	●	○	Y	Guardians de la Paix	CNDD: Conseil national pour la défense de la démocratie	Y
								CNDD-FDD: Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie	Y
								FNL: Parti de libération du peuple hutu-Forces nationales de libération (and youth wing: Jeunesse Patriotique Hutu)	Y
CAR		●	●	●		P	Self-defence groups	(MLC: Mouvement pour la libération du Congo)	P
Chad	●	●	○	●	●	Y	-	MDJT: Mouvement pour la démocratie et justice au Tchad	Y
Congo, Democratic Republic of	●	●	●	●	●	Y	Mayi-Mayi, including Mudundu-40	CNDD-FDD: Conseil national pour la défense de la démocratie—Forces pour la défense de la démocratie	Y
								FARDC: Forces armées de la République démocratique du Congo	Y
								FDLR: Force démocratique de libération du Rwanda	Y
							RCD-ML: Rassemblement congolais pour la démocratie-Mouvement de libération	FAPC: Forces armées populaires congolaise	Y
								FNI: Front nationaliste et integrationniste	Y
								MLC: Mouvement pour la libération du Congo	Y
								RCD-Goma: Rassemblement congolais pour la démocratie (with local defence forces, LDF)	Y
								PUSIC: Parti pour l'unité et la sauvegarde du Congo	Y
								UPC: Union des patriotes congolais	Y
Congo, Rep. of	●	●	●	●		P	-	Ninjas	Y
Côte d'Ivoire		●	○	●		Y	Jeunes Patriotes	MPJ: Mouvement pour la paix et la justice	Y
							(LURD: Liberians United for Reconciliation and Democracy)	MPIGO: Mouvement populaire ivoirien pour le Grand Ouest	Y
							(MODEL: Movement for Democracy in Liberia)		Y
							FLGO: Forces de Libération du Grand West	MPCI: Mouvement patriotique de Côte d'Ivoire	Y

Table 9: (continued)

State	Conventions					Government side		Opponents	
	AC	AP	CRC	ICC	ILO	OP	RAF	Non-statutory forces	Movement/Army
Eritrea	●		○			P		-	-
Guinea	●	●	●	●		P		Jeunes Volontaires (LURD: Liberians United for Reconciliation and Democracy)	P Y
Liberia	○		●	●		Y		SBU: Small Boys Units ATU: Anti-Terrorist Units	Y Y
Nigeria		●	●	●	○	N		Bakassi Boys	Y
Rwanda	○	●	●	●	●	Y		LDF: Local Defence Forces RCD-Goma: Rassemblement congolais pour la démocratie (in the DRC)	Y Y
Sierra Leone	○	●	●	●	●	N		CDF: Civil Defence Forces	P
Somalia	○	○				P		Regional adm. Lower Shabelle Regional adm. Middle Shabelle Regional adm. Puntland	Y Y Y
Sudan			○	●		Y		Janjaweed	Y
Uganda	●	●	●	●	●	Y		LDU: Local Defence Units	Y
Zimbabwe	●	●	○	●		Y		Green Bombers	Y

Legend: ●: ratified; ○: signatory, but not ratified; (○): group from another country operating in the listed country; **AC:** African Charter on the Rights and Welfare of the African Child; **AP:** Additional protocols to the Geneva Conventions (1977); **CAR:** Central African Republic; **CRC:** Convention on the Rights of the Child; **DRC:** Democratic Republic of Congo; **ICC:** Rome Statute of the International Criminal Court; **ILO:** International Labour Organization (ILO) Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour; **N:** No use of child soldiers; **OP:** Optional Protocol to CRC on the Involvement of Children in Armed Conflict; **P:** Possible/Probable use of child soldiers; **RAF:** Regular armed forces; **Y:** Confirmed use of child soldiers

Child Soldiers

Notwithstanding the almost universal condemnation of this phenomenon, and the existence of many conventions and other legal instruments to prohibit the use of under-eighteens as soldiers,²¹⁹ there are an estimated 300,000 children in the government and rebel armies around the world, of which a around 100,000 are to be found in Africa.²²⁰ Not only rebel movements recruit children for their armies, but various governments do the same, as set out in Table 9. It omits countries whose birth registration systems leave something to be desired, and which may thus inadvertently recruit under-eighteens (as Botswana).²²¹

Most child soldiers are boys, but in some (government as well as rebel) armies the ranks of under-eighteens also include girls, who are in some cases used in combat roles, whereas in others they mainly serve as auxiliaries and sex.-slaves for (usually euphemistically called “wives” of) the adult fighters.²²² Some of the cases are clearly more severe than others, the widespread, systematic and cruel use of (usually abducted or otherwise forcefully recruited) child soldiers for combat roles in Angola, Liberia, Sierra Leone, Burundi and the DRC being among the worst examples.²²³

The UN’s roles in addressing this severe human security problem have mainly been those of setting norms (inter alia most of the aforementioned conventions) and of reporting on the (all too widespread) violations of these norms. UN agencies such as UNICEF have further been involved in an ameliorating role, inter alia by assisting in the demobilisation of child soldiers, which is usually even more complicated than what the demobilisation of an adult fighter entails as the children have usually been forcefully abducted, sexually abused, generally brutalised and, as a result, deeply traumatised.

Wartime Rape Victims

Another particularly vulnerable group in situations of armed conflict is that of women. Whereas women are less likely than men to die in combat, for the simple reason that they constitute merely a small minority of the actual fighters in most civil wars, the fact that most war deaths are to be found among civilians means that women are at least as likely to be targeted as men. Moreover, they are much more likely to suffer a fate which is becoming increasingly common in (un)civil wars in Africa as well as elsewhere, i.e. to end up as rape victims.

Rape has, of course, been a recurrent phenomenon in wars since time imme-

morial,²²⁴ at least in the sense of being seen by commanders as “a perk for the boys”.²²⁵ In several of the aforementioned conflicts, however, rape seems to have been used almost as a political weapon in an ethnic or national conflict, where it is directed against the women who usually are the ones to reproduce as well as symbolise the community in question. There is nothing particularly African about this, but we have seen this in the conflicts in the former Yugoslavia and perhaps even in what was probably history’s largest mass-rape, the Japanese “rape of Nanking”, where an estimated 80,000 women were raped and many mutilated and killed between December 1937 and March 1938.²²⁶ In Rwanda as well, the systematic rape of Tutsi women by Hutu extremist forces was also intended as a means to the genocide in progress, as it damaged the reproductive capacity of the Tutsi nation.²²⁷ The fact that the perpetrators of rape in Africa are often HIV-positive exacerbates the crime and aggravates the plight of the victims,²²⁸ who are often also ostracized from their local communities and extended families.

The UN’s role in addressing these problems has mainly been the same as for child soldiers: the setting of international norms, the prosecution of violators of these norms, combined with certain ameliorative functions. Most importantly, it has authoritatively proclaimed wartime rape to constitute a crime against humanity which may even qualify as a means of genocide. This was, *inter alia*, established by the aforementioned ICTR, which in its sentence in the trial against the *bourgmestre* of the Taba commune, Jean-Paul Akayesu, argued

[R]ape and sexual violence (...) constitute genocide in the same way as any other act as long as they were committed with the specific intent to destroy, in whole or in part, a particular group, targeted as such. (...) In light of all the evidence before it, the Chamber is satisfied that the acts of rape and sexual violence described above, were committed solely against Tutsi women, many of whom were subjected to the worst public humiliation, mutilated, and raped several times, often in public (...), and often by more than one assailant. These rapes resulted in physical and psychological destruction of Tutsi women, their families and their communities. Sexual violence was an integral part of the process of destruction, specifically targeting Tutsi women and specifically contributing to their destruction and to the destruction of the Tutsi group as a whole. The rape of Tutsi women was systematic and was perpetrated against all Tutsi women and solely against them. (...) Sexual violence was a step in the process of destruction of the tutsi

group - destruction of the spirit, of the will to live, and of life itself. (...) [T]he acts of rape and sexual violence, as other acts of serious bodily and mental harm committed against the Tutsi, reflected the determination to make Tutsi women suffer and to mutilate them even before killing them, the intent being to destroy the Tutsi group while inflicting acute suffering on its members in the process.²²⁹

According to the Rome Statute, the ICC is also ready to prosecute cases of wartime rape as crimes against humanity or genocide.²³⁰

Besides these more direct initiatives, the UN is also involved, less directly but potentially equally significantly, in a range of projects aiming at strengthening women's rights and empowering women.²³¹ It has, inter alia, instituted a Special Rapporteur on violence against women, its causes and consequences as well as a Committee on the Elimination of Discrimination against Women to oversee the implementation of the various conventions on women's rights such as the Convention on the Political Rights of Women (1952, in force since 1954) and the Convention on the Elimination of All Forms of Discrimination against Women (1979, in force since 1981).²³² Not only may this have a certain deterrent effect against prospective rapists, but it may also help rape victims to deal with (or even better remove) their stigmatisation by certain societies. It thus contributes to the human security of the entire female half of the various populations.

The UN and Environmental Security in Africa

As mentioned above, the term “environmental security” can be used in two different senses, either referring to the security of the environment as such, including its protection from mankind, or to environmental threats to humans, i.e. to the national, societal or human security of states, human collectives or individuals. The UN plays a role in Africa with regard to both sets of issues.²³³

Human Threats to the Environment

As mentioned in the introduction, the UN may be seen as a provider of collective goods and a guardian of collective values. Some of these are important for the survival of the planet or particular habitats or species, whereas cultural sites of historical significance and certain natural sites are mainly deemed valuable for their aesthetic or recreational features – thus, strictly speaking, perhaps not belonging to the category of threats to the environment, as the value is merely in the eyes of the (human) beholder.

For the protection of the environment as such, the UN has established a United Nations Environment Programme (UNEP), featuring inter alia a World Conservation Monitoring Centre (WCMC).²³⁴ Its main concern is the protection of biodiversity, to which the UN at the Rio Earth Summit in 1992 adopted a Convention on Biological Diversity.²³⁵ A central concept in this convention is that of “protected area,” defined as “an area of land and/or sea especially dedicated to the protection and maintenance of biological diversity and of natural and associated cultural resources, managed through legal or other effective means.”²³⁶ Many of these areas are located in Africa. The same is the case of many of the endangered species, to which another UN convention is devoted, the “Convention on International Trade in Endangered Species of Wild Fauna and Flora” (CITES), which is supplemented by a list of the endangered animal and plant species entitled to protection.²³⁷

The UN special organisation UNESCO (United Nations Educational, Scientific and Cultural Organization) coined the phrase “World Heritage” for the latter category, and in 1972 adopted the “World Heritage Convention.”²³⁸ Since that time the organisation has compiled, and continuously updates a list of (cultural as well as natural) “world heritage sites,” several of which are located in Africa, to which the states parties to the convention are obliged to

provide some protection, for which effort they are entitled to some international support.²³⁹

Whereas all such initiatives are, of course, applauded by environmentalists, for their contribution to environmental security in the radical sense, they sometimes also entail uncomfortable dilemmas stemming from the fact that humans are dependent on the utilisation of the environment, and the more desperately so the poorer they are. In some cases, the protection of habitats may thus entail a loss of land for cultivation or other use, which may even jeopardise the food security of the human inhabitants as may be the case when endangered animal species form part of their traditional diet. Moreover, the very fact of protection, e.g. in the form of a ban on the sale and export of (parts of) animals or plants, such as elephant tusks, rhino horns or various furs, creates a “shadow economy” of poaching and smuggling, benefiting from the inflated prices of the outlawed goods. Sometimes this economy involves the people deprived of their traditional livelihood by the application of the conventions, but sometimes the beneficiaries are newcomers to the area.²⁴⁰

Fortunately, it is sometimes possible to devise win-win solutions, to such dilemmas, e.g. by taking into account the economic benefits which may be derived from an unspoiled natural environment, e.g. in the form of “eco-tourism,” where jobs and income lost by conservation and habitat or species protection may be compensated for (at least economically) by the tourist industry.²⁴¹ Ideally, such schemes might even take the form of “peace parks,” for the creation and maintenance of which cooperation between (formerly) mutually hostile adjacent states is required.²⁴²

Environmental Threats to Man

In Africa perhaps more than elsewhere, the natural environment poses numerous threats to man, both as states, collectives and individuals, on which the UN may impact.

National security, i.e. the security of states may be reduced by a virus such as that causing HIV-AIDS, which threatens to further reduce the (already severely deficient) military capacities of African states, for the simple reason that large proportions of the troops in most African armies are infected. Not only are the ranks thus depleted, but the ability to project military power, if only for peacekeeping operations, is also impaired by the risk of spreading the virus to

the people the troops were supposed to help.²⁴³ In this respect the UNAIDS programme may certainly be of assistance, as may the UNDPKO by ensuring a testing for HIV/AIDS of all UN peacekeepers, as is its stated policy.²⁴⁴

The security of African states may also be jeopardised by resource wars, the prevention (or, if unsuccessful, the stopping) of which may call for collective security or peacekeeping missions. Such resource wars tend to come in two different versions, which might be labelled “wars of scarcity” and “wars of plenty,” respectively. To the former category belong wars, including intrastate armed conflicts, over scarce resources such as water, and they are thus driven by basic needs, whereas the underlying motive in the conflicts of the latter category is greed, i.e. the quest for riches such as oil or diamonds.

Water conflicts are certainly conceivable in large parts of Africa where rainfall is limited and states thus dependent on riverine water resources. We shall take as an example what is probably the potentially most conflict-prone river basin in Africa, namely that of the Nile, flowing from Uganda and Ethiopia through Sudan to Egypt. Their shared dependency on the Nile has for centuries or even millennia locked Sudan and Egypt into a symbiotic relationship, but both are dependent on the other two countries hosting the springs of the White and Blue Nile, respectively. However, neither Uganda nor Ethiopia are parties to the bilateral (Egyptian-Sudanese) Nile Waters Agreement of 1959.²⁴⁵ If Ethiopia were to become able to exploit the tributaries to the Blue Nile (which presently flow out of the country without being exploited because of lack of infrastructure), this might well put it on a collision course with both Sudan and Egypt. In principle, Uganda would be in a comparable position with regard to the White Nile, and its president Museveni in 2004 demanded his fair share of influence.²⁴⁶

In Sudan the most controversial project has been the planned Jonglei Canal, dating back to 1901, but only reinvigorated in 1974 by the Nimeiri government, who intended to construct the canal to prevent the evaporation of Nile waters in the large Sudd swamps in the Jonglei province. While this would benefit both the north and Egypt, it would be at the expense of the local population, who depend on the swamps.²⁴⁷ It might thus be seen as a conflict between the government’s quest for national security and the struggle of the peoples (Dinka, Nuer, Nuba, etc.) of the South for societal security. The construction projects for the canal came under military attack by the SPLA in 1983, and the plans have not since been revived.²⁴⁸

How likely issues such as these are to produce armed conflict depends, according to Thomas Homer-Dixon, on several factors such as the dependency of the countries involved on these rivers and the balance of power between them.²⁴⁹ As far as the Nile is concerned, for instance, the country which is most dependent on its unimpeded flow is downstream Egypt which is, however, also militarily much stronger than both Ethiopia and Sudan. Hence, neither of these two upstream countries is likely to provoke Egypt to a military confrontation by depriving it of water – and Egypt is not in a position to affect the water supplies of any of the downstreamers. Even though a war may thus be unlikely, there is still a need for regulation, ideally even collaboration. In recognition of the need for a somewhat broader framework of collaboration than the bilateral agreement, the so-called Nile Basin Initiative was launched in 1999, encompassing all stake-holders, but it remains, at best, a multilateral regime *in embryo* and has no legal force.²⁵⁰

The UN may play a role, inter alia via the Convention on the Law of the Non-navigational Uses of International Water-courses, which was adopted by the UN General Assembly in 1997.²⁵¹ Among the general principles enshrined in it were the following:

Article 5 (1) Watercourse States shall in their respective territories utilize an international watercourse in an equitable and reasonable manner. In particular, an international watercourse shall be used and developed by watercourse States with a view to attaining optimal and sustainable utilization thereof and benefits therefrom, taking into account the interests of the watercourse States concerned, consistent with adequate protection of the watercourse.

(2) Watercourse States shall participate in the use, development and protection of an international watercourse in an equitable and reasonable manner.

In determining what is equitable, states will be obliged to take into account not only ecological imperatives but also “the social and economic needs of the watercourse States concerned” (art. 6.1.b). Moreover, they are committed to “take all appropriate measures to prevent the causing of significant harm to other watercourse States.” (art. 7.1). Article 8 entails a general obligation to cooperate:

(Article 8.1) Watercourse States shall cooperate on the basis of sovereign equality, territorial integrity, mutual benefit and good faith in order to attain optimal utilization and adequate protection of an international watercourse.

Moreover, should conflicts (over water or other issues) nevertheless erupt, the convention also stipulates that

(Article 29) International watercourses and related installations, facilities and other works shall enjoy the protection accorded by the principles and rules of international law applicable in international and non-international armed conflict and shall not be used in violation of those principles and rules.

Alas, however, this convention, adopted by the UN in 1997 (with 103 votes in favour and a mere three against) has still not been ratified by the 35 states required for it to enter into force, but only twelve countries had, by 2002, ratified or consented to be bound by it.²⁵²

While water conflicts are about scarcity, other resource wars are about valuable natural resources such as oil, diamonds, coltrane or slow-growth timber, which have haunted countries such as Angola, Liberia, Sierra Leone and the Congo in the form of protracted (and partly internationalised) civil wars.²⁵³ Indeed, according to Paul Collier and others, the presence of such resources is a much stronger propellant towards conflict than scarcity as it brings greed into play, either on the part of domestic elites or of foreign actors.²⁵⁴

The UN has embarked on handling such conflicts in several ways. First of all, it has published reports on the exploitation of natural resources, e.g. in the Congo, thereby “naming and shaming” both states such as Rwanda, Uganda and Zimbabwe and individual members of their respective elites, which may have a certain impact.²⁵⁵ Secondly, it has imposed sanctions against parties such as RUF (in Sierra Leone) and UNITA, (in Angola) thereby denying them access to the revenues from diamond sales that had had used to purchase arms, which has probably contributed to shortening the conflicts. Thirdly, spurred by NGOs it has been involved in the aforementioned campaign against “conflict diamonds” in the “Kimberley Process” aiming towards a certification scheme for diamonds, allowing customers to distinguish “dirty” from “clean diamonds.”²⁵⁶

The UN has thus played a role (and might play an even more significant one) in addressing environmental threats to national security. As far as environmental threats to societal security, others are conceivable than the above Jonglei Canal dispute. Some might involve the possible destruction of human habitats (i.e. livelihoods) as seems to have happened in Darfur since the start of the civil war

Table 10: Droughts, Floods and Famine in the Horn of Africa, 1961-2001

<i>Year</i>	<i>Djibouti</i>	<i>Ethiopia</i>	<i>Eritrea</i>	<i>Somalia</i>	<i>Sudan</i>
1961				F	
1964				D	
1965		D			
1968		F			
1969		D		D	
1972		Fam			
1973		D			
1974		D		D	D
1975		D			F
1976		F		D	
1977	F	D+F		F	
1978	F	D+F			F
1980	D		Not applicable	D	D
1981	F	F		F	
1983		D		D	D+Fam
1984	D	D			D
1985		F			
1987		D		D	D
1988	D	F		D	F
1989	F	F+D		F	
1990		F+D			D+F
1991		D			D
1992		D			D
1993	F	F+Fam	W		
1994	F	F+Fam		F	F
1995		F		F	
1996	D	F			F+D
1997		F+D		F	F
1998		Fam+D			F+Fam
1999	D	D+F+Fam		Fam	Flood
2000	D	D+F	D	D+F	D
2001	D	D+F	D	D+F	D+F

in 2003, which may be tantamount to ethnic cleansing and potentially even genocide against the Fur people.²⁵⁷ What the UN may do in such situations is more less the same as mentioned above in the general section on societal security.

Environmental threats to human security (i.e. survival and well-being) are legio as the environment in large parts of the continent is distinctly inhospitable to human inhabitants. The Horn of Africa is this far from unique even though it may be somewhat worse off than other regions. As listed in Table 10,²⁵⁸ all the countries of this region have been haunted by environmental catastrophes such as earthquakes, flood and drought (as well as swarms of locust), producing recurrent (albeit usually localised)= famines with death tolls in the thousands..

What the UN can do (and does) in such situations to protect the human security of the victims is, of course, mainly to provide humanitarian aid, e.g. in the form of food supplies, blankets, medicine etc. However, as repeatedly pointed out by authors such as Alex de Waal, Mark Duffield and others, and as increasingly realised by the UN and the humanitarian NGOs with whom they are usually collaborating, such aid is rarely apolitical. Very often, large parts of the emergency aid is “taxed” heavily by governments and rebel groups, and sometimes humanitarian emergencies and even famines are even exploited by the incumbent regimes (e.g. in Ethiopia and Sudan) to tilt the balance-of-power *vis-à-vis* rebel groups.²⁵⁹ Hence the need for the UN and others to keep in mind the norm of the medical profession, *primum non nocere*, i.e. to do no harm.²⁶⁰

Conclusion and Perspectives

We have thus seen that the United Nations does indeed matter to Africa, also with regard to security issues. This holds true both with regard to national security in the narrow and traditional sense (to the extent that this concept makes sense in an African context) and as far as expanded concepts of security are concerned, including societal, human and environmental security.

This has also been acknowledged by the African Union, e.g. in connection with its adoption in February 2004 (in the form of a “solemn declaration”) of nothing less than a “Common African Defence and Security Policy.”²⁶¹ The AU in this document committed itself to quite a broad concept of security, similar to the one that has formed the basis for the above analysis:

... ensuring the common security of Africa involves working on the basis of a definition which encompasses both the traditional, state-centric, notion of the survival of the state and its protection by military means from external aggression, as well as the non-military notion which is informed by the new international environment and the high incidence of intra-state conflict. The causes of intra-state conflict necessitate a new emphasis on human security, based not only on political values but on social and economic imperatives as well. This newer, multi-dimensional notion of security thus embraces such issues as human rights; the right to participate fully in the process of governance; the right to equal development as well as the right to have access to resources and the basic necessities of life; the right to protection against poverty; the right to conducive education and health conditions; the right to protection against marginalization on the basis of gender; protection against natural disasters, as well as ecological and environmental degradation (art. 6)

The AU further committed itself to collaborating closely with the UN, inter alia via its Peace and Security Council:

In the fulfillment of its mandate for the promotion and maintenance of peace, security and stability in Africa, the Peace and Security Council shall cooperate and work closely with the United Nations Security

Council, which has the primary responsibility for the maintenance of international peace and security. The Peace and Security Council shall also cooperate and work closely with other relevant UN Agencies in the promotion of peace, security and stability in Africa. Where necessary, recourse will be made to the United Nations to provide the necessary financial, logistical and military support for the African Union's activities in the promotion and maintenance of peace, security and stability in Africa, in keeping with the provisions of Chapter VIII of the UN Charter on the role of Regional Organizations in the maintenance of international peace and security (art. 38).

The Peace and Security Council and the Chairperson of the Commission shall maintain close and continued interaction with the United Nations Security Council, its African members, as well as with the Secretary General, including holding periodic meetings and regular consultations on questions of peace, security and stability in Africa (art. 39).

That the UN thus matters to Africa, however, does not mean that its actual performance on the continent has been beyond reproach. In a number of instances, the UN has failed, either in the sense of intervening but thereby making matters worse rather than better (as in the case of Somalia), or of not intervening to stop a genocide in progress, as in Rwanda, where the UN persisted in treating the conflict as a civil war. However, it is debatable whether it is fair to blame the UN as such for errors such as these or whether the real culprits are the member states in general, and perhaps the five permanent members of the UN Security Council, the "P5." There is little doubt that mistakes were indeed made by the UN as such, but even with the most competent staff and the best of intentions the organisation's ability to do anything the P5 would not agree to have it do would be very limited.

Whereas the Security Council was for decades largely prevented from acting by the East-West conflict, since around 1990 the explanation has to be found elsewhere, most obviously in the fact that Africa no longer really matters to the P5. There is thus a lot to be said in favour of a reform of the UN in general and the Security Council in particular, which should make it both more efficient and more legitimate in the eyes of the world, inter alia by making it more truly representative of the world community. The choice of the UK and France as permanent members of the Security Council alongside the United States, the

Soviet Union and China may have appeared reasonable in 1945, as these two powers in a certain (perverted) sense “represented” their extensive colonial empires and thus, for instance, most of Africa. Since decolonisation around 1960 this has become an obvious anachronism which seriously detracts from the UN’s legitimacy.

Some wheels are presently in motion for a reform of the UN in general and the Security Council in particular. The High-Level Panel on Threats, Challenges and Change appointed by Secretary-General Kofi Annan in November 2003 in December 2004 published its recommendations in a report on *A More Secure World. Our Shared Responsibility*, in which it advanced two different models for a change of the composition of the Security Council:

- Model A envisaged six new permanent seats on the SC, yet without veto powers, as well as three new non-permanent seats divided among the various regions.
- Model B envisaged no new permanent members, but a category of eight four-years seats on the Council, which would be renewable as well as one new two-year seat to be divided between the regions.²⁶²

In his aforementioned report, *In Larger Freedom*, Kofi Annan refrained from recommending either of the two models, but urged member states to proceed with reform, and it does indeed seem conceivable that one of the two reform models may be implemented in the near future. Which it will be makes little difference for Africa, as both envisage granting the continent a total of six seats out of a total of 24 in the SC, of which two would be permanent according to model A, whereas model B merely envisages two renewable four-year seats – which may well turn out to be *de facto* permanent.

The AU has generally welcomed the reform proposals, but demanded an additional seat. Even without this, and regardless of whether models A or B is implemented, the reform would surely represent an improvement on the present situation (with a mere two rotating seats) seen from an African point of view. This will leave the continent’s states with the need to select two from their midst to serve as long-term or permanent representatives of them all. Three states have announced their candidature, namely Nigeria, South Africa and Egypt for this. In view of the present collaboration between the two former, almost constituting a “hegemonic duo”²⁶³ it seems likely that they will prevail

over Egypt which is only “half-African,” given the fact that it also belongs, to at least the same extent, to the Middle East. However, at the AU summit in July 2005, no agreement was reached, so by the time of writing (5 July 2005) the jury was still out.²⁶⁴

Notes

¹ On the general theory of collective (or public) goods see, for instance, Kaul, Inge, Isabelle Grunberg & Marc A. Stein: "Defining Global Public Goods," in idem, idem & idem (eds.): *Global Public Goods. International Cooperation in the 21st Century* (Oxford: Oxford University Press, 1999), pp. 2-19; Desai, Maghnad: "Public Goods: A Historical Perspective," in Inge Kaul, Pedro Conceicao, Katell le Goulven & Ronald U. Mendoza (eds.): *Providing Public Goods. Managing Globalization* (Oxford: Oxford University Press, 2003), pp. 63-77. On peace as a collective good see Mendez, Ruben P.: "Peace as a Public Good," in Kaul, Grundberg & Stein (eds.): *op. cit.*, pp. 382-416. For a critical analysis of some of the underlying assumptions see Møller, Bjørn: "Peace as a Global Public Good," forthcoming (both in Danish and English) in anthologies published by the Danish Institute for Human Rights. Preliminary version available at www.diis.dk/graphics/personweb/bmo/Peace-as-a-global-public-good.doc.

² Gallie, W.B.: "Essentially Contested Concepts," in Max Black (ed.): *The Importance of Language* (Englewood Cliffs, NJ: Praeger, 1962), pp. 121-146.

³ Wolfers, Arnold: "National Security as an Ambiguous Symbol," in idem: *Discord and Collaboration. Essays on International Politics* (Baltimore: John Hopkins University Press, 1962), pp. 147-165 (quote from p. 150).

⁴ For an overview see Møller, Bjørn: "National, Societal and Human Security: Discussion–Case Study of the Israel-Palestine Conflict," in Hans Günter Brauch, Peter H. Liotta, Antonio Marquina, Paul Rogers & Mohammed Selim (eds.): *Security and Environment in the Mediterranean. Conceptualising Security and Environmental Conflicts* (Berlin: Springer, 2003), pp. 277-288. The main works are Buzan, Barry: *People, States and Fear. An Agenda for International Security Studies in the Post-Cold War Era*, 2nd ed. (Boulder, CO: Lynne Rienner, 1991); Wæver, Ole, Barry Buzan, Morten Kelstrup and Pierre Lemaitre: *Identity, Migration and the New Security Agenda in Europe* (London: Pinter, 1993); Buzan, Barry, Ole Wæver & Jaap de Wilde: *The New Security Studies: A Framework for Analysis* (Boulder, CO: Lynne Rienner, 1998). For a critique of the concept of societal security and an advocacy of human security see McSweeney, Bill: "Security and Identity: Buzan and the Copenhagen School," *Review of International Studies*, vol. 22, no. 1 (1996), pp. 81-93; idem: *Security, Identity and Interests. A Sociology of International Relations* (Cambridge: Cambridge University Press, 1999).

⁵ Wæver, Ole: "Securitization and Desecuritization," in Ronnie D. Lipschutz (ed.): *On Security* (New York: Columbia University Press, 1995), pp. 46-86.

⁶ An example of this (logical, but very radical) view is Eckersley, Robyn: *Environmentalism and Political Theory* (London: UCL Press, 1992).

⁷ The central UN agency is, of course, FAO (Food and Agriculture Organisation), the website of which is www.fao.org/, and under whose auspices a Committee on World Food Security has been established, publishing annual reports on food security in all countries (www.fao.org/ES/ESA/en/fs.htm). On food security see also Devereux, Stephen & Simon Maxwell (eds.): *Food Security in Sub-Saharan Africa* (London: IDTG Publishing, 2001); Young, E. M.: "Globalization and Food Security: Novel Questions in a Novel Context?" *Progress in Development Studies*, vol. 4, no. 1 (2004), pp. 1-21; Dimitrov, Radoslav S.: "Water, Conflict, and Security: A Conceptual Minefield," *Society and Natural Resources*, vol. 15, no. 8 (2002), pp. 677-691. For a thought-provoking argument

to the effect that humanitarian relief in situations of famine often (inadvertantly) damages food security see de Waal, Alex: *Famine Crimes. Politics and the Disaster Relief Industry in Africa* (Oxford: James Currey, 1997). See also Labonte, Ronald, Ted Screcker, David Sanders & Wilma Meeus: *Fatal Indifference. The G8, Africa and Global Health* (Lansdowne, South Africa: University of Cape Town Press, 2004), pp. 96-115.

⁸ According to FAO, less than twenty percent of the world's food crises were thus from 1986-91 mainly caused by conflict and similar man-made contingencies, whereas the share had risen to almost forty percent in the period from 1992-2004. See FAO: *The State of Food Insecurity in the World 2004* (Rome: FAO, 1994), p. 16. On war-related food insecurity see also Scanlan, Stephen J.: "Guns, Butter, and Development: Security and Military Famine Extensions of the Modernization versus Dependency Debate," *Journal of Political and Military Sociology*, vol. 29, no. 2 (2001), pp. 331-355; idem & J. Craig Jenkins: "Military Power and Food Security: A Cross-National Analysis of Less-Developed Countries, 1970-1990," *International Studies Quarterly*, vol. 45, no. 1 (2001), pp. 159-187; Pingali, Prabhu, Luca Alinovi & Jacky Sutton: "Food Security in Complex Emergencies: Enhancing Food System Resilience," *Disasters*, vol. 29, Supplement 1 (2005), pp. 5-23; Flores, Margarita, Yasmeen Khwaja & Philip White: "Food Security in Protracted Crises: Building More Effective Policy Frameworks," *ibid.*, pp. 25-50; White, Philip: "War and Food Security in Eritrea and Ethiopia, 1998-2000," *ibid.*, pp. 92-112; Archibald, S. & Paul Richards: "Seeds and Rights: New Approaches to Post-war Agricultural Rehabilitation in Sierra Leone," *ibid.*, vol. 26, no. 4 (2002), pp. 356-367; Mancusi-Materi, Elena: "Food Aid for Social Development in Post-Conflict Situations," *Development*, vol. 43, no. 3 (2000), pp. 106-112; Clarke, Paul: "Food Security and War in Afghanistan," *ibid.*, pp. 113-119

⁹ On the shortcomings of the League of Nations in general see Bennett, A. LeRoy: *International Organizations* 6th ed. (Englewood Cliffs, NJ: Prentice Hall, 1995), pp. 24-42; Northedge F.S.: *The League of Nations. Its Life and Times, 1920-1946* (Leicester: Leicester University Press, 1986), *passim*; Claude, Inis L. Jr.: *Swords Into Plowshares. The Problems and Progress of International Organization*, 4th ed. (New York: Random House, 1984); and, of course, the unrivalled classic, Carr, E.H.: *The Twenty Years' Crisis, 1919-1939. An Introduction to the Study of International Relations*. 2nd ed. (New York: Harper Torchbooks, 1964).

¹⁰ On collective security in general see Weiss, Thomas G. (ed.): *Collective Security in a Changing World* (Boulder, CO: Lynne Rienner, 1993); Johansen, Robert C.: "Lessons for Collective Security," *World Policy Journal*, vol. 8, no. 3 (1991), pp. 561-574; Kupchan, Charles A. & Clifford A. Kupchan: "Concerts, Collective Security, and the Future of Europe," *International Security*, vol. 16, no. 1 (1991), pp. 114-161; idem & idem: "The Promise of Collective Security," *ibid.*, vol. 20, no. 1 (1995), pp. 52-61; Lutz, Dieter S.: *Sicherheit 2000. Gemeinsame Sicherheit im Übergang vom Abschreckungsregime zu einem System Kollektiver Sicherheit in und für Europa* (Baden-Baden: Nomos Verlagsgesellschaft, 1991); Jaberg, Sabine: *Systeme kollektiver Sicherheit in und für Europa in Theorie, Praxis und Entwurf. Ein systemwissenschaftlicher Versuch* (Baden-Baden: Nomos Verlagsgesellschaft, 1998); Hook, Steven W. & Richard Robyn: "Regional Collective Security in Europe: Past Patterns and Future Prospects," *European Security*, vol. 8, no. 3 (1999), pp. 82-100. More critical analyses include Russell, Richard: "The Chimera of Collective Security in Europa," *ibid.*, vol. 4, no. 2 (1995), pp. 241-255; Betts, Richard K.: "Systems for Peace or Causes of War? Collective Security, Arms Control, and the New Europe," *International Security*, vol. 17, no. 1 (1992), pp. 5-43; Joffe, Josef: "Collective Security and the Future of Europe: Failed Dreams and Dead Ends," *Survival*, vol. 34, no. 1 (1992), pp. 36-50; Yost, David: "The New NATO and Collective Security," *ibid.*, vol. 40, no. 2 (1998), pp. 135-160; Miller, Lynn H.: "The Idea and the Reality of Collective Security," *Global Governance*, vol. 5, no. 3 (1999), pp. 303-332; Clark,

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¹² See Calvocoressi, Peter & Guy Wint: *Total War. Causes and Courses of the Second World War* (Harmondsworth: Penguin Books, 1974), p. 90. See also Welch, David A.: *Justice and the Genesis of War* (Cambridge: Cambridge University Press, 1993), pp. 147-153.

¹³ Dinstein, Yoram: *War, Aggression and Self-Defence*. 2nd ed. (Cambridge: Grotius Publications, Cambridge University Press, 1994), pp. 83-97 & *passim*. On the more recent debates see, for instance, Drumbl, Mark A.: "Self-Defense and the Use of Force: Breaking the Rules, Making the Rules, or Both?" *International Studies Perspectives*, vol. 4, no. 4 (2003), pp. 409-431; Calhoun, Laurie: "Self-defence, Defence and Pre-emption," *Politics*, vol. 24, no. 3 (2004), pp. 181-188; Müller, Anna Caroline: "Legal Issues Arising from the Armed Conflict in Afghanistan," *Non-State Actors and International Law*, vol. 4, no. 3 (2004), pp. 239-276; Frank, Justin N.B. & Javaid Rehman: "Assessing the Legality of the Attacks by the International Coalition against Terrorism against Al-Qaeda and the Taleban in Afghanistan: An Inquiry into the Self-Defence Argument under Article 51 of the UN Charter," *Journal of Criminal Law*, vol. 67, no. 5 (2003), pp. 415-430.

¹⁴ Murphy, John F.: "Force and Arms," in Oscar Schachter & Christopher C. Joyner (eds.): *United Nations Legal Order*, vols. 1-2 (Cambridge: Cambridge University Press, 1995), vol. 1, pp. 247-317.

¹⁵ See, for instance, Russett, Bruce (ed.): *The Once and Future Security Council* (New York: St. Martin's Press, 1997).

¹⁶ The UN Security Council Resolution 678 (29 November 1990) thus authorised "Member States co-operating with the Government of Kuwait, unless Iraq on or before 15 January 1991 fully implements ... the foregoing resolutions, to use all necessary means to uphold and implement Security Council resolution 660 (1990) and all subsequent relevant resolutions and to restore international peace and security in the area.. UNSCR 660 (2 August 1990), simply demanded "that Iraq withdraw immediately and unconditionally all of its forces to the positions in which they were located on 1 August 1990". See also See Schachter, Oscar: "United Nations Law in the Gulf Conflict," *American Journal of International Law*, vol. 85, no. 3 (1991), pp. 452-473.

¹⁷ On peacekeeping in general see Diehl, Paul F.: *International Peacekeeping* (Baltimore, MD: Johns Hopkins University Press, 1993); Durch, William J. (ed.): *The Evolution of UN Peacekeeping: Case Studies and Comparative Analysis* (New York: St. Martin's Press, 1993); idem (ed.): *UN Peacekeeping, American Politics and the Uncivil Wars of the 1990s* (New York: St. Martin's Press, 1996); Hill, Stephen & Shahin P. Malik: *Peacekeeping and the United Nations* (Aldershot: Dartmouth, 1996); Otunnu, Olara A. & Michael W. Doyle (eds.): *Peacemaking and Peacekeeping for the New Century* (Lanham: Rowman & Littlefield, 1998); Ratner, Steven R.: *The New UN Peacekeeping. Building Peace in Lands of Conflict After the Cold War* (New York: St. Martin's Press, 1995); Warner, Daniel (ed.): *New Dimensions of Peacekeeping* (Dordrecht, the Netherlands: Martinus Nijhoff Publishers, 1995); Whitman, Jim (ed.): *Peacekeeping and the UN Agencies* (London: Frank Cass, 1999); Findley, Trevor: *The Use of Force in Peace Operations* (Oxford: Oxford University Press, 2002).

¹⁸ Based on information at the UN Department of Peacekeeping Operations (UNDPKO) at www.un.org/Depts/dpko/dpko/index.asp.

¹⁹ The official title of the Brahimi Report is *Report of the Panel on UN Peace Operations* (A/55/305, S/2000/809). It is available at www.un.org/peace/reports/peace_operations/. See also Zittel, Brian E.: "The Brahimi Report: At a Glance," *Journal of International Affairs*, vol. 55, no. 2 (2002), pp. 502-504; Guéhenno, Jean-Marie: "The United Nations Post-Brahimi: An Interview with the UN Under Secretary-General for Peace Operations," *ibid.*, pp. 489-500; Norberg, Annika Hilding: "Challenges of Peace Operations," *International Peacekeeping*, vol. 10, no. 4 (2003), pp. 94-103; Van Baarda, Ted1 & Fred Van Ierse: "The Uneasy Relationships between Conscience and Military Law: The Brahimi Report's Unresolved Dilemma," *ibid.*, vol. 9, no. 3 (2002), pp. 25-50; Peou, Sorpong: "The UN, Peacekeeping and Collective Human Security: From An Agenda for Peace to the Brahimi Report," *ibid.*, no. 2 (2002), pp. 51-68; Thakur, Ramesh: "Cambodia, East Timor and the Brahimi Report," *ibid.*, vol. 8, no. 3 (2001), pp. 115-124.

²⁰ For an overview see Dhanapala, Jayantha (ed.): *The United Nations, Disarmament and Security. Evolution and Prospects* (Geneva: UNIDIR, 1991); Roberts, Adam: "The United Nations and International Security," *Survival*, vol. 35, no. 2 (1993), pp. 3-30; Whittaker, David J.: *United Nations in the Contemporary World* (London: Routledge, 1997), pp. 57-67; Gati, Toby Trister & Edmund T. Piasecki: "The United Nations and Disarmament," in Burns (ed.): *op. cit.* (note 11), vol. 2, pp. 751-770; Brauch, Hans Günter, Czeslav Mesjasz & Björn Möller: "Controlling Weapons in the Quest for Peace: Non-Offensive Defence, Arms Control, Disarmament and Conversion," in Chadwick F. Alger (ed.): *The Future of the United Nations System: Potential for the Twenty-First Century* (Tokyo: United Nations University Press, 1998), pp. 15-53. On the Ottawa Convention banning landmines see Thakur, Ramesh & William Maley: "The Ottawa Convention on Landmines: A Landmark Humanitarian Treaty in Arms Control?" *Global Governance*, vol. 5, no. 3 (1999), pp. 273-302.

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²⁴ The "deportation or forcible transfer of population" is thus listed in art. 7 (defining crimes against humanity) of the "Rome Statute of the International Criminal Court," available at www.preventgenocide.org/law/icc/statute/part-a.htm#2. See also Petrovic, Drazen: "Ethnic Cleansing – An Attempt at Methodology," *European Journal of International Law*, vol. 5, no. 3 (1994), pp. 342-359; Ahmed, Akbar S.: "'Ethnic Cleansing': a Metaphor for Our Time?" *Ethnic & Racial Studies*, vol. 18, no. 1 (1995), pp. 1-25; Simons, Anna: "Making Sense of Ethnic Cleansing," *Studies in Conflict and Terrorism*, vol. 22, no. 1 (1999), pp. 1-19; Preece, Jennifer Jackson: "Ethnic Cleansing as an Instrument of Nation-State Creation: Changing State Practices and Evolving Legal Norms," *Human Rights Quarterly*, vol. 20, no.4 (1998), pp. 817-842; Wolff, Stefan: "Can Forced Population Transfers Resolve Self-Determination Conflicts? A European Perspective," *Journal of Contemporary European Studies*, vol. 12, no. 1 (2004), pp. 11-29; Mueller, John: "The Banality of 'Ethnic War'," *International Security*, vol. 25, no.1 (2000), pp. 43-71. For a historical overview see Brubaker, Rogers: "Aftermaths of Empire and the Unmixing of People: Historical and Comparative Perspectives," *ibid.*, no. 2 (1995), pp. 189-218; Bell-Fialkoff, Andrew: "A Brief History of Ethnic Cleansing," *Foreign Affairs*, vol. 72, no. 3 (1993), pp. 110-121; Walling, Carrie Booth: "The History and Politics of Ethnic Cleansing," *International Journal of Human Rights*, vol. 4, no. 3-4 (2000), pp. 47-66; Rieber, Alfred J.: "Repressive Population Transfers in Central, Eastern and South-eastern Europe: A Historical Overview," *Journal of Communist Studies and Transition Politics*, vol- 16, no. 1-2 (2000), pp. 1-27; Martin, Terry: "The Origins of Soviet Ethnic Cleansing," *Journal of Modern History*, vol. 70, no. 4 (1998), pp. 813-861; Hayden, Robert M.: "Imagined Communities and Real Victims: Self-determination and Ethnic Cleansing in Yugoslavia," *American Ethnologist*, vol. 23, no. 4 (1996), pp. 783-801. For an argument that the UN inadvertently encourages ethnic cleansing see Sproat, Peter Alan: "The United Nations' Encouragement of Aggression and Ethnic Cleansing: Time to Abandon the Right to Self-Determination?" *Terrorism and Political Violence*, vol. 8, no. 1 (1996), pp. 93-113.

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²⁷ “International Covenant on Economic, Social and Cultural Rights,” in *The United Nations and Human Rights (op. cit., note 26)*, pp. 229-234; “International Covenant on Civil and Political Rights,” *ibid.*, pp. 235-244 (with an optional protocol on pp. 244-246). See also Hamm, Brigitte: “A Human Rights Approach to Development,” *Human Rights Quarterly*, vol. 23, no. 4 (2001), pp. 1005-1031; Wellman, Carl: “Solidarity, the Individual and Human Rights,” *ibid.*, vol. 22, no. 3 (2000), pp. 639-657; Udombana, N. J.: “The Third World and the Right to Development: Agenda for the Next Millennium,” *ibid.*, pp. 753-787; Robinson, Fiona: “NGOs and the Advancement of Economic and Social Rights: Philosophical and Practical Controversies,” *International Relations*, vol. 17, no. 1 (2003), pp. 79-96.

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⁸³ See “Provisional Consolidated Version of the Draft Treaty Establishing a Constitution for Europe” (CIG 86/04), Title III: Union Competences, Art. I.9: Fundamental Principles, para 3. See also Wilke, Marc & Helen Wallace: “Subsidiarity: Approaches to Power-sharing in the European Community,” *RIIA Discussion Papers*, no. 27 (London: Royal Institute of International Affairs, 1990); Barber, N.W.: “The Limited Modesty of Subsidiarity,” *European Law Journal*, vol. 11, no. 3 (2005), pp. 308-325; Henkel, Christoph: “The Allocation of Powers in the European Union: A Closer Look at the Principle of Subsidiarity,” *Berkeley Journal of International Law*, vol. 20, no. 359 (2002), pp. 359-386; Cameron, John & Tidings P. Ndhlovu: “The Comparative Economics of EU ‘Subsidiarity’: Lessons from Development/Regional Economics Debates,” *International Journal of Urban and Regional Research*, vol. 25, no. 2 (2001), pp. 327-345; .

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⁸⁷ Figures from SIPRI “World and Regional Military Expenditure Estimates 1994 –2003,” at http://web.sipri.org/contents/milap/milex/mex_wnr_table.html.

⁸⁸ “Regional Distribution, Number and Types of Major Armed Conflicts, 1990-2003,” at http://web.sipri.org/contents/conflict/MAC_patterns.html.

⁸⁹ Available at www.g8.utoronto.ca/summit/2004seaisland/peace.html.

⁹⁰ *The Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa*. Secretary General’s Report to the United Nations Security Council (16 April 1998) at www.un.org/ecosocdev/geninfo/afrec/sgreport/index.html. On follow-up initiatives see *Development of Africa: Implementation of the Recommendations in the Report of the Secretary-General to the Security Council and the General Assembly, Specifically the Implementation and Coordinated Follow-up by the United Nations System of Initiatives on Africa*. Report of the Secretary-General (A/54/133, E/1999/79), at www.un.org/peace/africa/pdf/9917817E.pdf. The UN also established an “Open-Ended Ad Hoc Working Group of the General Assembly on the Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa” to monitor the implementation of the recommendations.

⁹¹ SIA is described at www.uneca.org/unsia/index.htm.

⁹² An overview of the various conflict-related activities is provided by the *United Nations in Africa* website at www.un.org/peace/africa/index.html. See also Akinrinade, Sola: “Africa and the United Nations,” in idem & Amadu Sesay (eds.): *Africa in the Post-Cold War International System* (London: Pinter, 1998), pp. 172-194.

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¹¹⁷ Ayoob: *op. cit.* (note 93), *passim*.

¹¹⁸ See the website of the UN’s International Law Commission at www.un.org/law/ilc/texts/decfra.htm. For a contemporaneous critique see Kelsen, Hans. “The Draft Declaration on Rights and Duties of States,” *American Journal of International Law*, vol. 44, no. 2 (1950), pp. 259-276. After consideration by the UNGA, it decided (in GA Res. 596-VI of 7 December 1951) to postpone further deliberations *sine die*. See also the *Vienna Convention on Succession of States in respect of Treaties*, which contains a chapter on “newly independent states” (articles 16-30), exempting them from some of the obligations to honour the obligations of their former colonial rulers, yet with the presumption that, all other things being equal, these are binding. Available at www.un.org/law/ilc/texts/tresufra.htm or in *The American Journal of International Law*, vol. 72, no. 4 (1978), pp. 971-988. For an analysis see Lavalle, Roberto V.: “Dispute Settlement under the Vienna Convention on Succession of States in Respect of Treaties,” *ibid.*, vol. 73, no. 3 (1979), pp. 407-425.

¹¹⁹ For an early argument to this effect, claiming that the above-mentioned non-recognition of UDI “Rhodesia” created a customary law requirement in terms of governing capacity and legitimacy see Devine, D. J.: “The Requirements of Statehood Re-Examined,” *Modern Law Review*, vol. 34, no. 4. (1971), pp. 410-417.

¹²⁰ President Bush is thus quoted for the statement “[W]hen governments fail to meet the most basic needs of their people, these failed states can become havens for terror”. (“President Proposes \$5 Billion Plan to Help Developing Nations. Remarks by the President on Global Development Inter-American Development Bank, Washington, D.C.,” 14 March 2002, at www.whitehouse.gov/news/releases/2002/03/20020314-7.html); and Prime Minister Blair for the statement that “Poverty and instability leads to weak states which can become havens for terrorists and other criminals.” (“PM’s speech on Africa 7 October 2004,” at www.pm.gov.uk/output/Page6452.asp); External Relations Commissioner of the EU, Chris Patten, argues along the same lines: “Today’s weak states can easily turn into tomorrow’s failed states. They impoverish their people. But they nourish and enrich terrorists and organised crime. No wonder they attract them, like flies around a carcass.” (Speech by The Rt Hon Chris Patten, CH, OSCE MINISTERIAL, Bucharest, 3 December 2001, at http://europa.eu.int/comm/external_relations/news/patten/sp01_605.htm See also Commission for Africa: *Our Common Interest. Report of the Commission for Africa* (2005, available at www.commissionforafrica.org/english/report/), pp. 34, 62, 152. Academic arguments to the same effect include Mallaby, Sebastian : “The Reluctant Imperialist: Terrorism, Failed States, and the Case for American Empire,” *Foreign Affairs*, vol. 81, no. 2 (2002), pp. 2-7; TaKeyh, Ray & Nikolas Gvosdev: “Do Terrorist Networks Need a Home?,” *The Washington Quarterly*, vol. 25, no. 3. (Summer 2002), pp. 97-108; Fearon, James D. & David D. Laitin: “Neotrusteeship and the Problem of Weak States,” *International Security*, vol. 28, no. 4 (2004), pp. 5-43; Krasner, Stephen D.: “Sharing Sovereignty: New Institutions for Collapsed and Failing States,” *ibid.*, vol.

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¹⁶⁰ An overview of the various conflict-related activities is provided by the *United Nations in Africa* website at www.un.org/peace/africa/index.html. See also Akinrinade: *loc. cit.* (note 92).

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¹⁶² See the website of the UN Department of Peacekeeping Operations at www.un.org/Depts/

dpko/dpko/co_mission/co_miss.htm. See also the works cited in note 17. The “Brahimi Report” of 2000 also devoted much attention to the special problems of Africa. See *op. cit.* (note 19)..

¹⁶³ Based on data on the various missions from the UN’s DPKO: “United Nations Peacekeeping,” at www.un.org/Depts/dpko/dpko/index.asp.

¹⁶⁴ On UNASOG see www.un.org/Depts/dpko/dpko/co_mission/unasog.htm. On the conflict as such and the role of the ICJ see McKeon Jr., Robert W., Case: “The Aouzou Strip: Adjudication of Competing Territorial Claims in Africa by the International Court of Justice,” *Western Reserve Journal of International Law*, vol. 23, no. 1 (1991), pp. 147-170. On Ethiopia-Eritrea and UNMEE see www.un.org/Depts/dpko/missions/unmee/; and the works listed in note 147. See also Lata, Leenco: “The Ethiopia-Eritrea War,” in Boulden (ed.): *op. cit.* (note 139), pp. 153-184; International Crisis Group: “Ethiopia and Eritrea: War or Peace?” *ICG Africa Report*, no. 68 (Brussels: ICG, 2003). On the experience with SHIRBRIG in UNMEE see International Peace Academy: “Seminar on Standby High-Readiness Brigade (SHIRBRIG)” at www.ipacademy.org/programs.

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¹⁶⁸ On the missions in Angola see Dzinesa: *loc. cit.* (note 110); Munslow, Barry: “Angola: the Search for Peace and Reconstruction,” in Furley & May (ed.): *op. cit.* (note 115), pp. 179-206; Hare, Paul: *Angola’s Last Best Chance for Peace. An Insider’s Account of the Peace Process* (Washington, DC: United States Institute of Peace Press, 1998); Sommerville, Keith: “Angola – Groping Towards Peace or Slipping Back Towards War?,” in William Gutteridge & J.E. Spence (red.): *Violence in Southern Africa* (London: Frank Cass, 1997), s. 11-39; Firtna, Virginia Page: “United Nations Angola Verification Mission I,” in Durch (ed.): *op. cit.* 1993 (note 17), pp. 376-387; ida: “United Nations Angola Verification Mission II,” *ibid.*, pp. 376-387; Lodico, Yvonne C.: “A Peace that Fell Apart: The United Nations and the War in Angola,” in Durch (ed.): *op. cit.* 1996 (note 17), pp. 103-134; Human Rights Watch: *Angola Unravels. The Rise and Fall of the Lusaka Peace Process* (1999), at www.hrw.org/reports/1999/angola/.

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¹⁷² See above, note 100..

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