

The effectiveness of The United Nations intervention in failed and failing states.

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Abstract:

United Nation (UN) intervention, and its effectiveness, is a controversial topic. This essay has studied the UN foundation and the evolution of its intervention which has been affected by many factors. The key factors discussed in this essay are the impact of Cold War, Agenda for Peace, and Responsibility to Protect on UN intervention. State building in failed and failing states is the latest kind of the UN intervention, since they became a threat to the international peace and security, which faces many challenges. Effectiveness of this intervention is based on the extent of achieving short-term and long-term objectives. The UN has had reasonable success in achieving short-term objectives; however, long-term objectives, to establish or strengthen political, economic,

and security institutions that are able to run their country independently, did not record the same level of success.

Key words: United Nation (UN), intervention, evolution, Agenda for Peace, Responsibility to Protect, State building, failed states, failing states.

الملخص:

إن تدخل منظمة الأمم المتحدة، وفاعليته، موضوع مثير للجدل. هذا المقال يدرس نشأة الأمم المتحدة وتطور أشكال تدخلها في الدول التي تعاني من مشاكل تمس السلم والأمن، والذي يتأثر بالعديد من العوامل. إن العوامل الرئيسية التي تم مناقشتها هي تأثير الحرب الباردة، أجندة السلام، مسؤولية الحماية على تدخل الأمم المتحدة في الدول التي تواجه مشاكل تتعلق بالسلم والأمن. إن بناء الدولة في الدول الفاشلة والدول التي في طريقها للفشل أصبح هو أحدث أشكال التدخل الأممي (الأمم المتحدة)، منذ أن أصبحت تهديداً للسلم والأمن الدوليين، والذي يواجه بالفعل العديد من التحديات. إن فاعلية هذا التدخل الأممي يعتمد على مدى تحقيق الأهداف من هذا التدخل، الأهداف قصيرة المدى، والأهداف بعيدة المدى. لقد حققت الأمم المتحدة نجاحاً مقبولاً في تحقيق الأهداف قصيرة المدى، ولكن بالنسبة إلى الأهداف بعيدة المدى، الرامية لإنشاء أو تقوية المؤسسات الوطنية السياسية، الإقتصادية، والأمنية القادرة على إدارة الدولة بصورة مستقلة فإنه لم يتم تحقيق نفس المستوى من النجاح المُحقق في الأهداف قصيرة المدى.

الكلمات المفتاحية : الأمم المتحدة، التدخل، تطور، أجندة السلام، مسؤولية الحماية، بناء الدولة، الدولة الفاشلة، الدولة التي في طريقها للفشل.

Introduction.

Through history, the world has experienced many humanitarian crises which have led to catastrophic ramifications. The world made huge efforts to protect people at risk; however, many arguments take place about the effectiveness of these efforts. This essay will “Analyse the effectiveness of United Nations (UN) intervention in failed and failing states”.

The core argument of the essay will be ‘to what extent the UN intervention achieved short-term/long-term objectives, and which of them lead to successful/effective intervention’. Discussing challenges may impede the effectiveness of this intervention differ in nature and impact.

To address the thesis, it was necessary to explore range of literature dealing with the UN’s history, its intervention, and its missions; some literatures dealing with failed and failing states, and state-building efforts; and UN official documents.

This essay will explore the evolution of UN intervention. The UN sought to possess an overreaching authority allowing it to achieve its foundation goals. The structure of the UN Security Council (UNSC), and the Cold War affected the UN intervention’s evolution. This essay will discuss stages of this evolution. Firstly, it will discuss traditional peacekeeping operations, where peacekeepers were deployed to monitor former belligerents’ commitment to cease-fire. Secondly, it will discuss

multidimensional peace operations, where mandates tried to tackle the root of conflicts. Thirdly, it will discuss humanitarian intervention, where the use of force aims to prevent inhabitants' suffering, which, from the essay's perspective, shares the same conditions with peace enforcement operations and therefore no need to distinguish them from each other. Fourthly, state building, where the preventive approach is applied, since failed and failing states become a threat to the international security.

UN foundation.

According to The UN Charter, the UN founders' intention was to provide international collective security, and to ensure the human rights for the entire world.¹ Thus one can consider that, implicitly, the idea of having overreaching authority, with Global Governance, was included in the UN's foundation. Whereby, intervention is considered a tool to achieve international peace and security.

The UN faced a dilemma in dealing with human crises. On the one hand, it restricted the use of force except for self-defence purposes, not to protect victims of human abuses. Only UNSC is permitted to mandate to use of force by the virtue of Chapter VII of the Charter; in some stages of crisis, use of force is the practical tool to stop human emergencies. On the other hand, the intellectual context has been shifted dramatically. By many legal obligations written in the UN system, such as Universal

Declaration of Human Rights and 1948 Genocide Convention, demonstrated clear limits on how domestic authority institutions could treat their citizens.² Unprecedentedly, domestic conducts of governments were to be subject of exposed scrutiny by other governments, NGOs, and international organizations; the new legal obligations shaped the new normative context. The gap between the normative commitments, and instruments, such as sanctions, persecutions, and use of force, let some governments abuse their citizens' rights with virtual impunity.³

During the Cold-War bipolarity, the two blocs preferred to negotiate rather than to fight, to fight minor wars rather than major wars, and to fight major wars rather than fail to eliminate the opposite bloc.⁴ One of the key factors in avoiding the confrontation between the two blocs was the UN intervention activities. Linking to the essay's question, the UN intervention has witnessed many stages of evolution. The next section will explore these evolutionary stages.

Traditional peacekeeping

From 1945 to 1988, all UN missions, except Congo 1960-1964 and West New Guinea 1962-63, prevented the direct confrontation between the two blocs in areas of tension. The traditional peacekeeping operations depended on the military component only. They were usually posted between belligerents and observing their commitments to a cease-fire. Consequently,

this created an opportunity for political and diplomatic efforts to resolve the dispute. The missions' mandates were after the conflict parties' consent and only after the exercise of a cease-fire. Use of force by the UN troops was limited to self-defence or defence the mission, and then to deter small-scale threats. The missions after the Suez Crisis (1956), and Iran-Iraq War (1988) illustrated these kinds of traditional missions. In case of facing further threats, peacekeepers generally have been withdrawn, like Sinai 1967. Only once did UN forces resist stiffly, during the Turkish invasion of Nicosia Airport, Cyprus in 1974.⁵

Multidimensional peace operations

Multidimensional peace operations appeared near the end of the Cold-War. These missions took place when UNSC permanent members were able to reach agreement on aspiring missions of sustainable peace. In addition to the traditional peacekeeping tasks, these missions' mandates included tackling the causes of the conflict. The UN set a timeframe to complete its mandate; placing more pressure on the local parties to achieve the peace. The local actors must be convinced that the worst-case scenario of compliance is better than going back to conflict. Mission is headed by 'Special Representative of the Secretary-General' (SRSG), and included other civilian components. According to the mission's mandate, the civilian component might include electoral, refugees, human rights, or civilian police observers'

components. Military provide the secure environment to civilian components to work.⁶

Humanitarian intervention.

According to Adam Robert it is “coercive action by one or more states involving the use of armed force in another state without the consent of its authorities, and with the purpose of preventing widespread suffering or among the inhabitants.”⁷ By this definition, the humanitarian intervention is considered a breach to the principle of sovereignty; however, the UN charter declaration of threats to peace and security could include the risk of transfer the conflict to neighbouring countries, or the surges of refugees affecting the stability of the region.⁸

Peace enforcement operations.

The mandate of peace enforcement operation allows the use of force to suppress conflict and apply a cease-fire, and facilitate dialogues among the domestic conflict belligerents. Also, the use of force could be to protect civilians from sequences of a complete governance collapse, or to maintain an endangered peace accord, like the situation in NATO-led intervention in Bosnia-Herzegovina in 1995. This kind of intervention is subject to criticism. It is not always for purely good intentions; it reflects the interpretation of member states’ national interest. The mentioned above about national interest could be illustrated in case of Rwanda. While it was a scaring large scale genocide, lack

of interest made it worst. The UNSC considered deploying peace enforcement mission, but the notion received little support.⁹

State building:

The Post-Cold War era has witnessed the concept of states building, due to the emergence of failed and failing states. It started as an action after the crisis; either after international intervention for humanitarian or security such as Afghanistan and Iraq, or with the process of peace-building after conflict.¹⁰ Also, from the late eighties, the concept of national security has been widened to include non-military transnational threats such as “terrorism, organized crimes, infectious diseases, energy security, and environmental degradation.”¹¹

The concept of state-building has been developed to be used as a policy package to prevent political and economic crises in failed and failing states; since these countries represent unprecedented threats to the international peace and security.

“A number of contemporary global crises have their roots in forty or sixty fragile countries as these states have experienced prolonged conflict or misrule, networks of criminality, violence, and terror have solidified, providing an ever expanding platform that threatens the entire globe.”¹²

Linking to the essay’s question, many definitions have introduced the roots of the failed state. In 2009, Centre for

Research on Inequality, Human Security and Ethnicity (CRISE)'s working paper presented one broad definition which covers substantial areas related to the failed and failing states. Three dimensions were covered in this working paper.

“Firstly, authority failures, these are cases where the state lacks the authority to protect its citizens from violence of various kinds [...]. Secondly, service failures. These are cases where the state fails to ensure that all citizens have access to basic services – including basic education, health services, water, prevention of destitution, infrastructure for transport and energy. [...] Thirdly, legitimacy failures. Legitimacy failures occur where the state lacks legitimacy, for instance where the state has only limited support among the people.”¹³

Regardless the sort of intervention, the UNSC must issue a mandate describing the objectives and the instruments to be used in the mission. The construction of a mandate always projects challenging difficulties. On the one hand, the mandate must be precise and detailed to prevent any effects on the UN's impartiality which may hinder the fulfilment of the UN's role. On the other hand, the mandate must have some flexibility to face the unavoidable changes on the ground. This balance in the mandate is necessary to meet any ambiguous issue related to the operation. This dilemma was absent in unambiguous aggression cases, such as the Kuwait invasion by Iraq in 1990.¹⁴

Factors affecting the intervention.

End of Cold War and Agenda for Peace.

The stand-off between the NATO and the Warsaw Pact ensured that there is no space for arguing the political language in international relations arena. Thus, the state sovereignty concept was an unprecedented priority for the two blocs, except if it stood in the way of state or bloc interest. Although virtually all the states signed the Universal Declaration of Human Rights, respect for states' sovereignty prevented the humanitarian intervention. Also, respect of sovereignty boosted the respect of the states' territorial integrity; accordingly, the national self-determination right vanished.¹⁵ As a result, the state creation or recognition was limited to the context of decolonisation.

Moreover, respect of sovereignty allowed authoritarian regimes to replace elected ones, without any impact on their recognition internationally. By the virtue of the Charter, there was no discrimination in the protection to the state's sovereignty whether the regime was elected or not. In addition and most importantly, the nature of UNSC led to a paralysed system by almost automatic veto used by both sides against each other, and traditional usage of sovereignty marginalised the UN in playing its intended role.¹⁶

Agenda for Peace.

In his Agenda for Peace, Boutros Boutros-Ghali, United Nations Secretary-General (UNSG), had an ambition, enlarged when Kuwait crisis gave the hope that UN would play its role. His ambition was to prove the practicability of his new doctrine in Somalia: post-Cold War era, the state's sovereignty must be replaced by universal sovereignty to ensure the rights of individuals and people.¹⁷ Although he is the one who articulated this vision, it was based on proposals from governments, NGOs, institutions, and persons from different member states, concerning of safeguard the individual and people rights internationally.¹⁸

R2P emergence.

In 2001, the International Commission on Intervention and State Sovereignty (ICISS)'s report mentioned the basic principles for R2P. Firstly, state sovereignty demands important responsibilities; and the primary one is to protect the citizens. Secondly, in case of civilian war, insurgency, repression, or the state's failure, or inability to act, the principle of non-intervention must be hold and replaced by the international responsibility to protect.¹⁹ Further enhancements shaped the R2P as a comprehensive intervention instrument, based on three pillars. Firstly, the responsibility to prevent causes of the crisis. Secondly, the responsibility to react with suitable measures which could be sanctions, prosecution or military action. Thirdly,

the responsibility to rebuild and to provide assistance with recovery and reconciliation.²⁰ From the essay's perspective, state-building efforts overlap responsibility to prevent and responsibility to rebuild, since both either prevent crisis from outset or its renewal.

Although the Agenda for Peace did not mention the R2P explicitly, the relatively international consensus paved the road for more development in this trend. Moreover, it revived the initial legal framework was founded in 1948, when the UN issued the Universal Declaration of Human Rights. In the world summit in 2005, the member states included the R2P in the outcome's documents.²¹

The ICISS stated in its report that the IC will face more difficulties in tackling the humanitarian crises around the world. Also, it divided the responsibility to prevent into two types. "The basic point of preventive efforts is of course to reduce, and hopefully eliminate, the need for intervention altogether. But even where they have not succeeded in preventing conflict or catastrophe, they are a necessary precondition for responding effectively to it".²²

From what was quoted, the preventive efforts can prevent the need for intervention or at least they provide suitable environment for successful intervention.²³ From the essay's perspective that means preventive efforts could be after the

conflict and the aims are to tackle the roots of conflict, and prevent the renewal of it; as it will be studied in this essay's case studies. The preventive efforts took place after the crises in Somali and Haiti.

Firstly, direct preventive efforts, where the time is shorter. The efforts must seek 'fact-finding missions. The political and diplomatic efforts might contrast between dialogue and mediation as an extreme right end of the arc; and the threat of political sanctions such as diplomatic isolation, suspension of membership in regional or international organizations, and travel restrictions as an extreme left end of arc. Also, economic dimension may be used as positive and negative measures. Positively, loans, funding, and foreign investment may be used as stimulation for the government to comply with the efforts. Conversely, withdrawal of foreign investment, financial sanctions, or withdrawal international assistance may be negative incentives to be used. Secondly, efforts to tackle the root causes of conflict or poverty.²⁴ Generally, they are tackled by sustainable political, security, and economic stability.²⁵

Motivations of intervention

From the essay's perspective, the UN is as effective as member states want it, so it is necessary to discuss the members' intervention motivations, which affect decision, process, and result of UN intervention. There are two major approaches of

intervention decision. Firstly, cost and reward analysis before deciding to intervene. Secondly, the motivation of empathy to victims' suffering. Internationally, cost and reward, driven by national interests, is widely applied. The cost of intervention may cause undesired problems including military casualties. On the other hand, the cost of non-intervention may embarrass the country's image in terms of just and moral. By the same token, the reward of providing aid put the country in good light in terms of just and moral. Some factors shape the cost and reward. Military power determines the cost of intervention and the public opinion determines the cost of non-intervention. It is clear that mass media play a main role in identifying the cost and reward of intervention, hence it is a key factor when the intervention is likely to take place.²⁶ This national interest dimension has a negative reputation "almost no one would try to justify as "humanitarian" a so called humanitarian intervention that really reflected ugly strategic or economic – which should be view as hijacking humanitarian intervention".²⁷ However, the national interests remain the key drivers for any state's policy, "in world of uncertainty, insecurity, and lack of effective global governance to achieve international justice, national interests are the main concern of the decision makers. Statesmen focus on national interests because it represents the reality perspective".²⁸

In practice, the humanitarian interventions usually have mixed motivations. No one can guarantee that all political motivations are evil. While the moral humanitarian justification must be the explicit and prominent; in other words it must be the backbone of the intervention. The explicit humanitarian justification may be used to mitigate the negative impact of prominent non-humanitarian motivations; such as Nigerian security concerns in Liberia, or the US's concerns about the regime's nature in Haiti.²⁹

Challenges of state building.

As mentioned in the introduction, many attempts took place to identify the state-building challenges, which abstracted from real experiences. Some of them studied typical challenges, and others studied the same challenges under different labels. For example, one can find coherence, cooperation, and coordination tackling the same ideas within state-building's literatures. This essay will depend on a lecture in JSCSC narrowed the challenges of state-building to footprint, coherence, duration, participation, and dependency.

Footprint

State building faces footprint dilemma which means foreign interference in state's affairs. The third world states' are sensitive to intervention since the decolonization movements post WWII. Moreover the dominance of national interest for interveners

coated the intervention concept with negative reputation. In addition state building contains the notion of political authority, which was absent in classical peacekeeping, and multidimensional peace operation. The political authority's effect is to reward and punish individuals. It may facilitate or enhance security, and the attainment of the general good. Yet it may provide some people access to some benefits or values, and deny some others from these benefits or values; so, the authority of UN is not always welcomed.³⁰

The classical developmental assistances were conducted through foreign expertise, without any direct exchange between the donors and the aid recipients. Then, it has been evolved to take into consideration that the recipients know best what they need. The term 'local ownership' appeared in 1996 as a main concept for cooperation within the development assistance community.³¹ On the one hand, the integration of local actors may help in covering the UN knowledge gap, which according to Thomas Weiss, is one of five global governance gaps which face the UN: knowledge, norm, policies, institutions, and compliance. These gaps form an area of study helping in deeper understanding of effectiveness of UN intervention and concept of global governance, worthy to be covered in further researches. The knowledge gap filling required the role of the local actors, since the domestic issues vary from case to another.³² On the other hand, back to the failed and failing state definition and

pillars of the failure, these states mostly have an authority failure, which will be an obstacle for the local ownership and the successful state building. So, the dilemma is to balance between the foreign footprint, and the local ownership.

Coherence

State building faces a coherence dilemma, which means a problem of coordination with various international actors, or donors. The ever-changing international environment and the evolving international norms lead to a strong transfer in the way of understanding and applying assistances. Contemporary trends have shifted the centre of sovereignty from governmental actors to the people. In practice, NGOs play a key role in dealing directly with the people. Transnational NGOs bypass governments, in a way made major changes take place in the world order. Although the growing role of NGOs, they are far from achieving their objectives for many reasons. Firstly, they work in various fields. Secondly, they lack of funds, manpower, and coercive legal or political power.

“These organizations lack both economic clout and coercive. Each special group represents a small segment of humanity and a very particular pressure group. In the global scheme, it appears as if an army of ants is being sent to do the job of an elephant. But the metaphor is totally misleading. The multiplicity of groups does not constitute an army”.³³

On states' level, many researches discussed the difficulties resulting from donor coordination may outweigh its benefits, specifically in circumstances where rapid action is required. There is an old debate around the coordination between donor governments and agencies in state building. Donors are blamed for not fulfil their commitments. However, fragile states add more problems for operative coordination, since they have weak institutions.³⁴ The UN established the Peacebuilding Commission to mitigate the coherence challenge as it has been stated in its mandate.³⁵ The establishment of this commission is a good step on the way; however it is not enough because the criticism for the lack of coordination still existed. Also, the coordination dilemma reflects the effects of norms, and policies gaps. The norms gap is about difficulty to reach consensus for defined pattern of behaviour among the IC actors; which leads to the policies gap, where different policies are applied by the IC actors.³⁶

Duration

The state-building process faces the duration dilemma. There are three distinct interrelated stages in the state-building's process, making the process's duration unpredictable. Firstly, post-conflict rebuilding, where the local authority has collapsed completely, and needs to be built from the scratch, such as Afghanistan, Somalia, and Kosovo. The IC's main concern in this phase is to restore stability by focus on security. Also,

humanitarian relief, and technical assist take place to restore basic services such as electricity, water, health, and banking.³⁷ Back to the addressing of the essay's question, success in this phase illustrates the UN interventions' short-term objectives.

Secondly, efforts of create and empower local institutions able to survive the withdrawal of international intervention. This phase is more difficult and complicated than the first phase, because it runs by immature institutions within unstable environment. The third phase overlaps the second phase. Their efforts are to strengthen the weak state, which has relatively stable authority, but cannot fulfil its commitments as a state.³⁸ Back to the addressing of the essay's question, successes in these two phases illustrate the UN interventions' long-term objectives.

The prolonged process of state-building keeps the window open to slide into conflict and poverty. There is a gap or a dilemma between the planning and the execution. The planned time framework is affected by the circumstances on the ground. Focusing on arbitrary deadlines decided from outside leads to inevitable failure.³⁹

Participation

State-building faces a participation dilemma. It must be a multi-stakeholders process where all fractions are called to take part.⁴⁰ Generally, the donors focus on the institution building, since the trend of cost-benefit analyses becomes dominating in

the last decades. A rapid economization of public services, for example, health and education, leads to this donors' perspective of effectiveness (cost-benefit). Through this materialist perspective and focus on building the state's institutions only, the donors are disremembering the other important aspects such as religion and ethnicity, which might be the roots of conflict.⁴¹

To guarantee an effective state-building process it must be led by a collection of minority groups which will create their state's identity. Almost, in failed or failing states there are groups who claim domination and seek to apply it on the others. In fact, all of them are minorities, compared to the whole population. Although these groups, such as the Shia in Iraq or the Pashtun in Afghanistan, claim domination, they are large minorities. The challenge is to build an overreaching national identity out of range of minority identities. Creating deeper sense of belonging makes the state stronger, and more resilient to face its challenges. The effectiveness of state building depends on the practice of citizenship; where the ability to share in the process positively. There is an urgent need for deep listening to all the stakeholders. All the parties have something unique to propose, and have the right to be heard.⁴²

Dependency

State-building faces a dependency dilemma. The aiding process could undermine local government. The large number of small schemes designed to help a specific, area, school, or hospital

ends up attracting the local employees, teachers, or doctors to work for these internationally aided projects. They prefer to work as secretaries, translators, or drivers in these projects rather than work in fields they are qualified to. These projects create dual bureaucracies, the local one (which is underpaid, and overemployed), and the international one (which is paid many times more than the governmental).⁴³ Also, the emerging local private sector faces another form of dependency problem. The IC spends a huge amount of funds to contract with international companies for businesses in failed and failing countries, yet the local companies and the whole private sector cannot challenge the international firms in bidding process and criteria.

“The clusters of people and organizations that underpin a country’s growth resulted from a combination of imagination, research, capabilities, and public and private money from governments, firms, and universities. The donor-driven project approach, by contrast, has been an exercise in the perpetuation of dependence. After sixty years of aid, local contractors in some countries are still serving as subcontractors to foreign firms for small works”.⁴⁴

From this essay’s perspective, dependency appears on the macro economy scale as well. Failed and failing states need to achieve rapid and large economic growth rates to recover their economies, which are difficult to achieve independently.

Consequently, failed and failing states probably depend on foreign aid for the economic recovery. This dependency leads to unpredictable economic performance since it is linked to other countries' willing, condition, and capabilities. Also, it leads to an economy vulnerable to suffering once the aid stops.

Conclusion.

This essay has discussed the UN foundation and how it hoped to prevent the humanitarian suffering; to do so, its efforts adapted to the international environment. Traditional peacekeeping was the first shape of the UN intervention, and then evolved to be multidimensional peace operations. Later, humanitarian intervention and peace enforcement emerged, then eventually, state-building efforts. The end of Cold-War was a chance to revive the UN's role. Agenda for Peace was a step in reviving this role. Although there were other steps, such as Kofi Annan's Millennium Report and Brahimi Report considered the UN intervention, this essay linked Agenda for Peace with R2P, since they, from the essay's perspective, shared the same vision towards state sovereignty and international sovereignty, where the state sovereignty should be replaced by an international one in case of humanitarian suffering.

Failed and failing states have been studied since they became a threat to the international peace and security. The UN intervention in these states aims to tackle the roots of the

problems lead to states' authority, services, and legitimacy failures. The state-building intervention faces many challenges; this essay has discussed five of them: footprint, coherence, duration, participation, and dependency. Based on the discussion in chapter one, in the same context of post-Cold War era and the UN's attempts to play an effective role in dealing with the humanitarian crises.

In sum, intervention is a temporary action and its long-term aim is to empower the local actors; the success of state building is measured by the success of local governance. The UN has had reasonable success in achieving short-term objectives; however, long-term objectives, to establish or strengthen political, economic, and security institutions that are able to run their country independently, did not record the same level of success.⁴⁵

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⁴⁴ Ibid., 98.

⁴⁵ Francis Fukuyama, *State-Building, Governance and World Order In The Twenty-First Century*, 138.