The Protection of Civilians

Challenges for UNMISS

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Abstract

Since the Rwandan (1994) and Balkan (1990s) atrocities, the humanitarian dimension and in particular the protection of civilians (POC) mandate has become increasingly important in UN peacekeeping operations. It is often used as a visible indicator of a mission's success. Yet scores of civilian deaths continue to plague missions baring the failures of UN peacekeeping to fulfil its mandate. The aim of this thesis is to examine the key challenges of implementing a POC mandate in the United Nations Mission in South Sudan (UNMISS). The challenges will thereafter be analyzed using Cosmopolitan and Realist conceptions of peacekeeping. Both theories offer insights into the dilemma of state sovereignty versus human security. This investigation is based on the analysis of several primary sources as well as one interview with the Senior Coordination Officer for the Relief, Reintegrate and Protection (RRP) section of UNMISS. The findings reveal that the mission has been beset by access restrictions, a hostile political climate, as well as capacity/logistical problems on ground. These three challenges portray the macro, local, and technical dimension of peacekeeping. Ultimately, this paper leads to a better understanding of the difficulties felt by UNMISS when trying to protect civilians.

Key words: UNMISS, POC, cosmopolitanism, realism, sovereignty
Words: 9979

Abbreviations

CPA – Comprehensive Peace Agreement
DPKO – Department for Peacekeeping Operations
ICISS – International Commission on Intervention and State Sovereignty
MONUC – United Nations Mission in the Democratic Republic of the Congo
POC – Protection of Civilians
R2P – Responsibility to Protect
SPLM – Sudan People's Liberation Movement
SOFA – Status of Forces Agreement
TCC – Troop Contributing Countries
UN – United Nations
UNAMID – United Nations-African Union Mission in Darfur
UNAMSIL – United Nations Mission in Sierra Leone
UNMIS – United Nations Mission in Sudan
UNMISS – United Nations Mission in the Republic of South Sudan
UNSC – United Nations Security Council
UNSCR – United Nations Security Council Resolution

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1 Introduction

In the wake of the Rwandan genocide and Balkan atrocities that took place in the 1990s, the international community set out to address how to most efficiently react when human rights are being grossly violated. Former Secretary-General of the United Nations (UN) Kofi Annan posed the following question in his Millennium Report to the Member States:

> If humanitarian intervention is, indeed, an unacceptable assault of sovereignty, how should we respond to a Rwanda, to a Srebrenica, to gross and systematic violation of human rights that offend every precept of our common humanity? (ICISS, 2001, VII).

The report proposed that when a state fails to protect its civilians, the responsibility then shifts to the broader international community. It is based on the premise that human rights are ultimately more important than national sovereignty (United Nations, 2017). Humanitarian law therefore takes precedence over sovereignty. The Responsibility to Protect (R2P) was one of two major international initiatives that emerged from the previous tragedies, aimed at improving the protection of civilians. Resting upon three pillars, the doctrine holds that 1. Every state has the responsibility to protect their populations from mass atrocity crimes; 2. The international community has the responsibility to encourage and assist individual states in meeting that responsibility; 3. If states fail to do so, the international community must be prepared to take appropriate collective action in a timely and decisive manner and in accordance with the UN charter (Ibid., 2001).

The second initiative to emerge was the Protection of Civilians (POC). This mandate is guided by a set of legal and practical principles rooted in international human rights law and the UN charter. The first missions to receive a POC mandate was the UN Missions in Sierra Leone (UNAMSIL) in 1999. Since then, the Security Council has regularly included it in their resolutions (UNDPKO, 2015, 4). Moreover, although POC had been discussed after the Rwandan and Balkan atrocities, Annan's report entrenched the need for POC in peacekeeping. R2P and

POC share similar legal concepts, although R2P differs in that it may be invoked without the consent of the host state. R2Ps envisages action that goes beyond the principles of peacekeeping (which usually require the consent of the host state) in order to intervene (Ibid., 19). Thus, R2P can be considered an element –although controversial- of the POC normative framework (Steenberghe, 2014, 90). R2P does not cover all human suffering though, and is only referred to in extreme cases of or serious violations of humanitarian law (Pierik and Werner, 2010).

The POC mandate has become increasingly important in recent years despite remaining a controversial issue. The mandate has become central to the *raison d'être* of most UN Peacekeeping Operations. The POC mandate requires operations to "protect civilians, particularly those under imminent threat of physical violence." Peacekeeping operations with this mandate are authorized by the Security Council to "use all necessary means or actions," including the use of deadly force in implementing this order (United Nations, 2015). Nevertheless, there have been some serious concerns regarding the failure of some missions to effectively fulfill this mandate. A recent example is an attack that took place in South Sudan's capital where 73 civilians were killed (Human Rights Watch, 2016). Civilians were raped and killed despite their "frantic pleas for help to UN peacekeepers stationed less than a mile away" that went unanswered (Gladstone, 2016). The incident is not the first of its kind and has laid bare the strictures placed upon peacekeeping operations that contribute to their failures to fulfil their mandate effectively. Therefore, the question arises; what hinders a peacekeeping force from protecting civilians?

1.1   Aims and Objectives

This thesis aims to examine the key challenges to protecting civilians in the United Nations Mission in the Republic of South Sudan (UNMISS). This operation was chosen because it is among one of the largest peacekeeping missions that has recently received a great deal of media attention regarding its failure to protect civilians. This paper will use the two theoretical perspectives of *Cosmopolitanism* and *Realism* as frameworks for analyzing the case of UNMISS challenges. These contrasting theories provide good analytical frameworks for discussing the

preconditions for international cooperation and collective security measures to be taken in peacekeeping. The research questions are as follows:

What are the key challenges of implementing a protection of civilian's mandate in the UN peacekeeping force UNMISS?

How can these challenges be understood using cosmopolitan and realist conceptions of peacekeeping?

This paper will be based on a single case-study, although other missions may be referred to as well to help illustrate salient features of the challenges and practices, including the *realpolitik* behind implementing mandates. The challenges will however be primarily situated within the specific local context of UNMISS so that they can be examined in detail. It is believed that the challenges found in this study may prove to be generic and be present in other UN peacekeeping missions as well - although that is beyond the scope of this paper. Hence, the first question aims to identify the challenges. The sub question will draw on concepts taken from *Cosmopolitanism* and *Realism* in order to gain an in-depth understanding of these challenges in a political setting.

1.2   Significance of the Study

Several pre-existing studies have attempted to address the question of effectiveness of UN peacekeeping operations in preventing conflict. However, rarer is the question of why peacekeeping efforts often mitigate conflict but fail to protect civilians. The purpose of this research is to therefore shed light on the contributing factors which have impeded UNMISS's ability to fulfil their mandate on the latter. Case studies which have dominated the literature on this topic include UN peacekeeping missions in the Democratic Republic of the Congo (MONUC), Sierra Leone (UNAMSIL), as well as the preceding mission to UNMISS in Sudan (UNMIS) and the UN hybrid mission with the African Union in Darfur (UNAMID). Conversely, not a lot has been written about UNMISS as it can be considered relatively recent compared to other ongoing peacekeeping operations (United nations, 2017). It is in this sense that the research will fill a gap in the existing literature by addressing the challenges present in UNMISS – taking into account its

current status and developments. Furthermore, there exists many misconceptions as to the role and responsibilities of the UN in protecting civilians by the public. There has certainly been much more scrutiny and pressure on the United Nations to protect civilians because of social media and better news coverage in today's society. As recent events show, the means to address some of these challenges have not yet been successful, indicating that some may be insurmountable. Nonetheless, this study is significant because it contributes to a real and timely question, allowing for a discussion to be had on the limitations of the POC mandate in the light of cosmopolitan and realist values.

1.3   Background

Sudan has been riddled by conflict for several decades. Essentially there are several internal factors that have led to the region's instability, not least the division between North and South Sudan. The deteriorating conditions were created from decades long disputes stemming from socio-economic, political and cultural clashes between colonizing, regional and global powers and emerging political regime. The strife between the Government of of Sudan and the Sudan People's Liberation Movement (SPLM), the main rebel movement in the south, has essentially been based on a struggle over resources. However, power struggles have also been religious. Starting from 1983, the next two decades saw over two million people die, four million being uprooted and some 600,000 people forced to seek refuge in other countries (United Nations, 2017). The signing of the Comprehensive Peace Agreement (CPA) between the Government of Sudan and SPLM in 2005 initiated a six-year process that later led to South Sudan's independence. The South seceded and set up its own government. On July 9th 2011, South Sudan became the world newest country. UNMISS was deployed two days after this and replaced the former United Nations Mission in Sudan (UNMIS), whose mandate expired after South Sudan's independence.

The next three years proved to be turbulent for UNMISS, with the South Sudanese Civil war erupting in December 2013. Fighting broke out between troops loyal to President Salva Kiir and those to the former Vice President Riek Machar. Accounts as to what triggered this crisis vary, although many cite it started with the

President Kiir's accusation of Riek Machar attempting a coup d'état, which was denied by Machar who then later fled to lead the opposition to SPLM (Blanchard, 2016, 1). The political dispute triggering the South Sudanese crisis was not based on ethnic tensions, but as Blanchard points out, it "overlapped with pre-existing ethnic and political grievances" (Ibid). Many civilians died and were displaced as a result of attacks reportedly targeting the *Nuer* (Machar's ethnic group), followed by revenge attacks against the *Dinka (*Kiir's ethnic group) (Ibid.). The militia in this regard is organized on the basis of their personal loyalty to their commanders, resulting in ethnically based armed units. Hence part of the insolubility in Sudan has to do with tribalism, which UNMISS has had to take into account when facilitating peace talks. For more historical background of the crisis, see "South Sudan: The Untold Story from Independence to Civil War" and "Conflict in South Sudan and the Challenges ahead" (Johnson, 2016; Blanchard, 2016, 1-7).

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At the time of deployment, three days after South Sudan's independence, UNMISS's initial mandate had included several state building tasks which made clear the UN's role in supporting and assisting the government to prevent further conflict. This however was difficult as the Security Council felt that 1. The mission could not support a government that had been engaged in mass atrocities; and 2. The worsening security context made the mandate to foster institution building unviable (Curran, 2015, 68). After the outbreak of violence in 2013, the UNMISS mandate underwent a mandate review. Accordingly, the passing of resolution 2132 marked a shift in the mission's focus, from state building activities to protection of civilians. In May 2014, resolution 2155 was passed, which represented one of the strongest articulations of POC provisions in any peacekeeping mandate (UN Security Council S/Res/2155, 2014). The mandate included four major tasks, namely: POC, monitoring and investigating human rights, creating enabling conditions for the delivery of humanitarian assistance, and supporting the implementation of the cessation of hostilities agreement (United Nations, 2017; UN Security Council S/Res/2155, 2014). The protection of personnel and civilians remains a priority in the mandate to this day and allows UNMISS to act under

Chapter VII of the Charter of the United Nations – as authorized by the Security Council.

1.4 Disposition

The introduction has thus far included a brief overview of the two major concepts underpinning humanitarian intervention in the 21st century. The aims, objectives and significance of study have also been addressed. Subsequently, a short background was given on the South Sudanese conflict, together with a mission brief of UNMISS. The next chapter will provide a short literature review of POCs effectiveness in peacekeeping missions and its concept, followed by examples of challenges that have been present in other peacekeeping missions. Following this, the methodology for this research will be presented. The fourth chapter will introduce the two theories, *Realism* and *Cosmopolitanism*, which this paper will later use for analytical purposes in pointing to the constraints of UNMISS. Finally, the findings and analysis chapter will identify three challenges and engage with tenants of realist and cosmopolitan concepts of sovereignty, in order to shed light on the state-based nature of peacekeeping operations. Concluding remarks will then be made.

2   Literature Review

This section aims to provide a brief and comprehensive review of the previous research that has been done on the concept of POC and its effectiveness in peacekeeping. Challenges that have been identified in other peacekeeping missions will also be acknowledged. These can later be contrasted with the challenges identified for UNMISS.

2.1   The Effectiveness of POC in UN Peacekeeping

Previous statistical studies have been made on the overall effectiveness of peacekeeping missions in maintaining peace, often focusing on whether they have been successful or not. Numerous studies point to the fact that UN peacekeeping operations have maintained a lower level of violence that could be expected had they not been there [in conflict torn countries] (Hultman et al, 2013, 2; Blocq, 2014; Paris, 2014; Sambanis, 2008). Yet the success and failures of peacekeeping missions is poorly understood and has therefore been the subject of many debates (Blocq, 2014). There are those critics who argue that there have been many failed operations and that peacekeeping does not help prevent a return to violence (Paris, 2014). To look at the broader picture, it is interesting to question what would have happened if the Department for Peacekeeping Operations (DPKO) did not have their mandate to protect civilians? Would there have been more civilian deaths? These rhetorical questions are important and there exists significant quantitative data that supports the fact that peacekeeping has a large and statistically significant effect on the duration of peace in conflict torn countries (Blocq, 2014). In a recent statistical study focused on the protection of civilians, authors Lisa Hultman, Jacob Kathman, and Megan Shannon concluded that "Increasing the number of UN troops and police significantly decreases violence against civilians by both government and rebels (Hultman et al, 2013, 876). Consequently, there are still divided opinions over whether and when force should be used in the Protection of Civilians mandate

(United Nations GA/SPD/597, 2015). Critics warn that the POC concept needs to be better defined, as it should never be used as a "pretext for interference in the domestic affairs of states" (Ibid). The main responsibility to protect civilians, they argue, rests with the host states.

2.2   The Concept of POC

In their paper "Challenges to Implementing the Protection of Civilians Agenda," authors Benjamin de Carvalho and Jon Harald Sande Lie discuss the disparities between the conceptual meaning of POC and its application. Carvalho and Lie suggest that the successful implementation of the POC agenda depends on the UNs ability to overcome a number of challenges at headquarters, in the missions, and in addressing the interpretations of POC. A number of studies have pointed to the fact that the evolving nature of the concept has caused confusion on the ground (Schütte, 2011; Durch and Giffen, 2016). The POC concept is often considered broad and to "lack tangibility" (Carvalho and Lie, 2009, 3). As articulated by the two authors, "POC cannot be written down to a checklist or handbook which can be carried around in the field, as protection may mean different things in different contexts" (Ibid, 3). At the headquarter level, the concept requires better mainstreaming and to become more powerfully embedded in DPKO missions if it is to be successfully implemented (Ibid, 3). According to Carvalho and Lie, the concept also needs to become a greater part of mission's trainings. These trainings must build an understanding of the scope of action allowed by any mandate, and the willingness to act upon it (Ibid, 5). Understanding local contexts and forming situational awareness needs to also be embedded at a mission level. Carvalho and Lie explain that the key to understanding POC in missions is to understand the extent to which it's application addresses the needs on the ground. Their study however does not provide any specific examples of how this can be achieved. Nevertheless, it does shine light on the the need for institutionalizing the POC concept in mandates.

2.3 The Generic Challenges of Peacekeeping

In the context of the United Nations Organization Mission in the Democratic Republic of Congo (MONUC), one major obstacle in effective civilian protection has been contradictory mandates. In addition to its POC order, the mission was also tasked with supporting the country's national army – whom themselves have been responsible for committing grave human rights violations against civilians (Schütte, 2011, 4). The UN peacekeepers, often referred to as *blue helmets,* were put in an invidious position because the Security Council had endowed them with a contradictory mandate going against the very force they were meant to be partnering with.

Security Council mandates for some peacekeeping missions have at times also failed to clearly indicate how the POC tasks are to be implemented or prioritized (Durch and Giffen, 2010, 6). With the notable exception of resolutions 1865, 1906 and 1894 for MONUC, that stressed "mandated protection activities must be given priority in decisions about the use of available capacity and resources," this had otherwise been dismissed in other missions in light of overarching responsibilities (Ibid.). Certain caveats in resolutions are also said to be used as "loopholes or excuses for inaction." While intended to limit expectations and set realistic goals for the missions' responsibilities, these caveats just contributed to the confusion of the operational aspects on ground (Ibid., 7). Another challenge which has commonly been identified in peacekeeping missions is the nature of un-robust mandates which incapacitates missions' ability to protect civilians. Broad and ambitious mandates create unrealistic goals and set expectations that missions are unable to meet (Carvalho and Lie, 2009, 1).

In another paper published by Lei and author Marie Breidlid has addressed the challenges of protecting civilians in Sudan. The reports focus was on UNMIS – UNMISS's preceding mission. This paper is useful in underlining some challenges which may still persist in UNMISS, although under temporally different circumstances. The host state consent for the deployment of a peacekeeping operation is one of the traditional 'guiding principles' of the UN (UNDPKO, 2015). However, another challenge consistently mentioned in previous studies is the issue of dealing with fragile host state consent. As expressed by Wibke Hansen, "How to

manage fragile host nation consent, particularly when it also finds its expression in the obstruction of operations, is a question which has come to the forefront in various operations over the past decade" (Hansen, 2014, 11). UNMIS, and especially the hybrid United Nations-African Union Mission in Darfur (UNAMID), are two examples of missions who have frequently experienced this. Although consent was not completely drawn from either of the missions, variations in its quality severely limited both mandates implementation. The Sudanese governments objections pointed to resentment of the fact that the UN was taking over an African Union mandated mission – the African Union Mission in Sudan 'AMIS' which had been unsuccessful in containing the violence within the region – likening the UN force to "western colonization" (Mickler, 2015, 500). Following intense negotiations and international pressure, the government of Sudan finally accepted the peacekeeping operations deployment in Darfur on the basis that it would be "African in character" and predominantly made up of African forces (Kerps, 2015, 71). UNAMIDS mandate is thus arguably said to have been formed on a compromise, which to this day has created problems in implementing their mandate (Kenny, 2015).

The challenges most frequently mentioned in previous studies is that missions suffer from unclear and impractical mandates. This together with a blurry conception as to what POC entails, how it should be implemented, and how it is prioritized is stressed as problematic. The second most mentioned challenge is that bad or tense relations with the host governments hurts the mission's abilities and authority to carry out their duties. Nonetheless, whilst these studies have highlighted some similar challenges to which this study may also identify, they do not take into consideration the UNs new developments to counteract those problems. This is an important aspect as challenges are likely to change over time. Furthermore, UN peacekeeping operations each face their own unique set of challenges, related to the stakeholders, geography and political climates of the missions. Hence, an investigation into UNMISS's challenges will yield context-sensitive results.

3   Methodology

3.1   Research Design

This research will be conducted through a single case study using a qualitative approach, in order to to intensively examine the challenges of UNMISS, taking into account the missions complexities and subtleties. The single case study is most appropriate seeing as it allows for UNMISS's challenges to be analyzed in-depth so as to gain a deeper understanding of the challenges in a specific context (Scheyvens et al, 2003, 42). It will provide a rich description of the peacekeeping missions limitations, as well as engage in a theoretical analysis of the mission's constraints in protecting civilians.

3.2   Data Collection and Analysis

This enquiry has taken the form of a pure desk study. The research was ultimately based on the reading of previous research. The data was retrieved from official reports, where a substantial amount of material exists on the topic. Accordingly, as Scheyvens points out, published data is useful for "understanding the more narrowly defined research topic (Scheyvens et al, 2003, 42). In addition to this, a semi-structured interview was carried out on May 5th 2017 through Skype with Mr. Sam Muhumure, the Senior Coordination Officer for the Relief, Reintegrate and Protection (RRP) section of UNMISS in Juba. As an ethical consideration, informed consent was obtained orally in order to use the interview for this thesis. Furthermore, this research recognizes the bias of the researcher as well as the interviewee. Muhumre is speaking from the perspective of the UN – which is appropriate given that the research question seeks this viewpoint when identifying the challenges.

The primary sources which have been considered for this research in addition to the interview includes United Nations Security Resolutions (UNSCR), UN meeting coverages and press statements as well as other strategic reviews and published documents by the UN. Challenges have been identified from these documents and provide an important tool in understanding how the POC mandate has been received and is being implemented by member states. Given that the UN documents are context-specific; they will be evaluated against other sources of information as well. These secondary sources will be used to support the identification of these challenges. Reputable articles and scholarly journals have also been used in order to gather information from UN affiliates i.e. Human Rights Watch, American journal of Politics, The Foreign Policy etc. The journal articles provide further insights into the institutional structures of the UN and point to some of its limitations.

The data will be analyzed and interpreted through a content analysis. This unobtrusive research method involves document analysis in order to uncover meaning, develop understanding and discover insights relevant to the research question (Bowen, 2009, 29). A content analysis, Bowen says, "entails a first-pass document review, in which meaningful and relevant passage of text or other data are identified" (Ibid.). Thereafter, the data will be organized into three categories, based on what challenges this study finds to be most critical in obstructing the mission to carry out its POC mandate. These documents are also useful in tracking how reports have fared over time, giving a clearer picture of the organizations substantive developments (Ibid., 30). Furthermore, certain portions of the interview, which was recorded, will be transcribed and interpreted through a content analysis (Bryman, 2008, 486). The inductive strategy of linking data with theory which is typically associated with the qualitative approach will be used (Ibid., 27).

3.3   Delimitations

The limitations to this research is in assessing the authenticity and credibility of the documents. A content analysis, according to Bryman, "can only be as good as the documents of which the practioner works" (Bryman, 2008, 306). One would hope

that UN documents are objective but even they are prone to suffer from subjectivity. UN documents also do not usually disclose too much self-criticism. Therefore, as argued by Atkinson and Coffey (2011), these documents should "be viewed as a distinct level of 'reality' in their own right" (Bryman, 2008, 554). Atkinson and Coffey make the point that texts need to be recognized for what they are – namely texts written with distinctive purposes in mind. The authors further hold that "if a researcher wishes to employ documents as a means of understanding aspects of an organization and its operations – it is likely he or she will need to buttress an analysis of documents with other sources of data as well (Bryman, 2008, 55). The nature of the primary and secondary documents informing this study will therefore have to be closely reviewed.

The second limitation to this study is that case studies are often criticized as lacking external validity – whereby a profound case is said to provide no basis for generalizing beyond that case. However, as De Vaus points out, case study designs are fundamentally theoretical, designed to "help develop, refine and test theories" to give us more confidence in our findings (De Vaus, 2001, 237-240). This research will therefore help refine the existing literature on the challenges of protecting civilians. Peacekeeping missions are beset by their own unique set of challenges relevant to their local setting and phases of the mandate they are in, thus it is appropriate to look at missions separately. Conversely, I do believe that some of the POC limitations this research finds could prove to be similar in a lot of other peacekeeping cases.

The third limitation is that the recent failures have taken place in a relatively recent mission and things are changing by the day. The Security Council and UN headquarters are actively working to try and address these challenges. Circumstances that are also reflected by global shifts in geostrategic interests – not least amongst the superpowers, will also have to be taken into consideration.

4   Theoretical Framework

This chapter introduces the two theories that form the basis for this thesis – *Cosmopolitanism* and *Realism* – which will be used as frameworks for analyzing the case of UNMISS's challenges. These two contrasting perspectives provide good analytical frameworks for discussing collective security measures to be taken in peacekeeping. Both theories offer state-centric and non-state centric views of the world – central to the debate of humanitarian interventionism and sovereignty.

4.1   Realism

The realist worldview is one that sees international politics through the lens of the self-interested, self-contained and above all sovereign state-as-actor (Hay, 2013, 289). Realism, based on a state-centric ontology, maintains that international organizations have little 'real' influence over world politics (Lebow, 2013, 61). Realists believe in the primacy of self-interest over moral principle, going so far as to assert that "considerations of justice are inappropriate and a dangerous foundation on which to base foreign policies" (Ibid, 65). The realist perspective therefore highlights some key contestations as to the UNs humanitarian intervention actions i.e. how the concept of R2P must not intervene with domestic jurisdictions (Gareis, 2012, 193). This delicate balance between intervention and non-intervention tactics presents a serious paradox for the UN, where national sovereignty cannot be overlooked. It clearly raises the conflict between between ethics and politics, and the very *raison d'être* of the UN – which is dependent upon state sovereignty.

Classical realism sees the international arena as a "self-help system, 'a brutal arena where states look for opportunities to take advantage of each other" (Lebow, 2013, 61). The international system is therefore viewed as anarchic, where politics is a struggle for power and states each have their own objective interests (Ibid, 64). Intervention in this sense is acknowledged in a rather pessimistic light as one can

never know the true intention of other states. Hence, a structural realist assumption is that states can pursue other goals such as protecting human rights, but those aims must "always take a backseat to survival" to the states autonomy (Meirsheimer, 2013, 79). Sovereignty, in the realist view, is considered sacrosanct. Moreover, realpolitik – a system based on practical rather than moral considerations – is also associated with the realist school of thought (Dunne et al., 2013, 357). Realpolitik can be used to describe polices that also see the pursuit of national interests take hold in international relations. It is also sometimes referred to as pragmatism.

4.2   Cosmopolitanism

Cosmopolitanism provides us with a useful tool in analyzing the relationship between the source of our values and scope of our obligations (Erskine, 2013, 43). Provided by a normative framework, it addresses the ethical dimensions of actors relations in the global realm, questioning individual's moral authority and responsibility in relation to their allegiance to the wider world (Ibid, 38). From this moral perspective, cosmopolitanism is the view in which human plurality is valued. Cosmopolitanism scholarship also views the conflict within the role of nation-states and national sovereignty. In doing so it challenges the existing institutional arrangements for delivering universal values (Dunne, 2013, 142). Enquiries can be made as to how and when R2P should be applied, or when a state should lose it sovereign privileges if the government is attacking its own people etc. The R2P doctrine is markedly premised on a cosmopolitan conception of state sovereignty. Like most other moral theories, it expresses that no matter where one is situated in the political system, moral obligations cross anything arbitrary such as political boundaries or nation-states. As opposed to the main theory of liberalism, which provides a shallow account of locating an individual in an international political setting, "Cosmopolitanism provides a basis to understand the individual both as a political being and as part of a larger political collective" (Wilmot et al., 2016, 113). Contemporary conceptions of cosmopolitan peacekeeping are said to advocate for more active forms of civilian protection (Curran, 2016, 63).

Cosmopolitanism can be traced back to philosopher Immanuel Kant, whose version of the theory in his work *Perpetual Peace* sought to find the essence that

binds us together as human beings (Björkdahl, 2005, 222). Kant expressed an aspiration to establish some kind of world government that goes beyond the sovereign state, but still respects them. He advocated for an international legal order, namely a 'league of nations.' Today however, the term cosmopolitan is used more instrumentally, particularly in order to displace national by transnational solutions.

David Held, a modern day advocate for cosmopolitanism, provides two broad accounts of a cosmopolitan framework. Firstly, individual's allegiance is owed to the moral wider world of humanity as opposed to their contingents i.e. nations or ethnicity. Collective problems will therefore be better dealt with when approached from this point of view as opposed to from the perspective of sectional groupings (Held, 2010, 40). Secondly, is the view which takes it stand from Kant's work, namely concerning the 'cosmopolitan right'. This 'right' signifies individual's rights to enter dialogues across political communities. As Held expresses, it is the "condition of cooperative relations and of just conduct" (Ibid, 43). Held contends that these two codes defend basic ideas which emphasize equal dignity, respect and and the priority of vital needs. He also maintains that these principles don't necessarily overcome the deficiencies of the global political order, but rather provide as a device to test principles of moral worth, democracy and justice (Ibid, 48).

Consequently, Held proclaims that cosmopolitan values can be expressed in eight principles of which are; 1. Equal worth and dignity; 2. Active agency; 3. Personal responsibility and accountability; 4. Consent; 5. Collective decision-making about public matters through voting procedures; 6. Inclusiveness and subsidiarity; 7. Avoidance of serious harm; and 8. Sustainability (Ibid, 69). These principles, Held says, protects person's equal significance in the "moral realm of humanity. Held maintains that "Public powers at all levels can be conceived as legitimate to the degree which principles 4, 5 and 6 are upheld." Principles 7 and 8 create a framework that prioritizes those who are most vulnerable. Public policies are advised to follows these principles (Ibid, 75).

Authors Oliver Ramsbotham and Tom Woodhouse also suggest a concept of cosmopolitan peacekeeping that represents "a post-Westphalian direction for international politics, which transcends the state-centricity of peacekeeping" (Ramsbotham and Woodhouse, 2005, 141). Their framework provides a way of

applying international humanitarian standards, such as the duty to protect civilians, through a "consistent rationalization, legitimation and operationalization of concepts of human security" (Ibid.). Human security in this sense prioritizes the global security for all individuals, as opposed to national or state security (Ibid.). Simply put, cosmopolitan peacekeeping demands policymakers to "focus on protection of civilians and human security agenda instead of the stabilization and protection of the state-centric system" (Blocq, 2009, 294). Accordingly, the authors assert that peacekeeping in a cosmopolitan mode must be located in a conceptualization of international collectivity.

Accordingly, Ramsbotham and Woodhouse refer to the works of David Held when discussing collective humanity security thinking in the UN and the so called emerging cosmopolitan world order. Cosmopolitan values have increasingly been used as a way of legitimizing the role of international institutions (like the UN) – whom often seem to have greater legitimacy than national institutions. This is because they appear more neutral and impartial in helping humanity rather than narrow-minded institutions. The cosmopolitan perspective in this thesis will therefore lead to a better understanding of the aspirations of the UN in peacekeeping, and hopefully contribute to a better understanding of UNMISS. Realism and cosmopolitism are almost diametrically opposite and so they provide a good spectrum in which to weigh the advantages and disadvantages of various interventions.

5 Findings and Analysis

This paper will now identify three of the numerous challenges which are key and have hampered UNMISSs ability to effectively protect civilians. Firstly, is the access restrictions imposed on the mission which has impeded its ability to execute its POC mandate. Secondly, is the indeterminate nature of the cessation of hostilities which has often forced the mission into a *reactive* mode as opposed to being *proactive*. Lastly, is the capacity and resource constraints UNMISS has experienced when protecting civilians. These challenges are interrelated and linked to discussions on sovereignty and humanitarian intervention, which will later be discussed and brought forth using the realist and cosmopolitan theories. The three challenges have been chosen because in my investigation about UNMISS's challenges they emerged as the most prominent in UN reports. They also provide three dimensions of the challenges; offering a macro, local and technical picture of peacekeeping, as will later be discussed. Ultimately there is no single attributable factor to which can explain why the mission sometimes has failed to protect civilians, but rather a combination of political, social and logistical considerations to be taken into account when assessing UNMISS's ability to fulfil its POC mandate. Factors which are mutually self-reinforcing.

5.1 Access Restrictions

Restrictions on access and freedom of movement has been a major challenge for UNMISS in attempts to protect civilians. Sam Muhumre identified this as a serious problem when expressing that "The experience in South Sudan has been that of multiple access challenges. You can only protect civilians if you have the leeway [*sic*] – that the protagonists who are fighting will respect that mandate given by the Security Council. Unhindered access [is vital], so that you can reach civilians wherever they are, and offer the services and protection as required" (Muhumre, interview, 2017). Several Security Council meeting coverages and briefings have

echoed this concern, iterating the fact that the Government of South Sudan continues to impose restrictions on the movement of UNMISS and humanitarian workers. The reports urgently stress the need for unrestricted movement for the mission and its humanitarian partners in order to address the deteriorating conditions in the country (United Nations SC/11930, 2016; United Nations News Center, 2016; United Nations SC/12761, 2017).

These restrictions can be considered from two perspectives, 1. Those based on geography and 2. Those imposed by the government and fighting forces on either side. Firstly, access constraints are dire, particularly in countries that are vast, with a difficult typography, poor infrastructure and climatic conditions (Johnson, 2015, 6). As Mahumre noted, there is a very high deficit of infrastructure in the country i.e. poor road networks. This becomes especially problematic during the rainy season, as bigger parts of the country then get cut off, making those populations hard to reach. In turn, this also complicates and interferes with UNMISS's communication channels. As will later be discussed, this also relates to the mission's resource constraints, where more resources are needed to overcome mobility problems in difficult terrain. Secondly, are the restrictions that have been imposed on the mission by both parties of the conflict, particularly the South Sudanese government. These restrictions are considered a clear violation of the Status of Forces Agreement (SOFA) that was signed by both the government and mission. Mahumre provides the following example:

> To move from Juba to Bentiu, which is north of country, you have to go through over 90 checkpoints. Some of those are government checkpoints, some of those are opposition checkpoints and some of them are by the armed groups…On countless times, the UNMISS forces have been stopped from going to places where reports are coming that civilians are being harassed or targeted. We face this [problem] every single day, where our forces are stopped from proceeding (Mahumre, interview, 2017).

Disconcertingly, reports of extortion are not uncommon at these checkpoints. In some regards, restrictions have been imposed by the central government to advance its own military aims, but also by those local troops acting outside central command, often attempting to demand bribes "out of belligerence toward the mission" (Center for Civilians in Conflict, 2015). These restrictions have also affected those delivering humanitarian assistance. Thus Mahumre holds that "If you

cannot access an area, you cannot engage the local authorities; you cannot participate in reconciliation activities and most importantly you cannot identify, detect, and diffuse conflicts before they erupt" (Mahumre, interview, 2017). Therefore, unhindered access is one huge challenge that has impaired the mission from executing its POC mandate.

The realist might point out that the host government or warring parties' ambivalence to the SOFA shows an unsurprising conflict of interests. The parties involved seek to preserve their territorial integrity and further use access restrictions to their advantage in order to pursue their own agendas (Lebow, 2013, 66). Norms and rules in this sense are "irrelevant as causes of behavior when set against material factors such as economic gain, territory and the national interest" (Bellamy, 2017, 125). The Cosmopolitan on the other hand would uphold that three ground rules are needed to overcome this challenge, namely that of communication; dialogue; and dispute settlement – which are not only desirable, but essential to establishing a democratic culture for mediation to take place (Held, 2010, 77). Hence, dialogue outplays conflict of interests.

5.2   The Cessation of Hostilities

Antonio Guterres, Secretary-General of the United Nations, declared recently that to pull South Sudan back from the abyss, the international community must focus on the immediate objective of putting a halt to the fighting and achieving a cessation of hostiles. The Security Council's meeting coverage, which was held on March 23 2017, emphasized its call for all parties in South Sudan to adhere to the ceasefire as agreed to in the Agreement on the Resolution of the Conflict (United Nations SC/12761, 2017). The dilemma is however, that the conflicting parties have persistently violated the ceasefire agreement that was developed through peace negotiations.

Sam Muhumre identified this challenge too, explaining that "You can only execute POC mandates if there is a peace agreement that is holding and if the cessation of hostiles has been agreed to by all parties." Mahumre went onto say that "The practice here in South Sudan is that the cessation of hostilities agreement has never been respected." Hence the challenge for UNMISS is to get the cessation of

hostilities to hold in order to allow assistance to reach communities in need, as it otherwise puts humanitarian workers and civilians in the way of danger. A disregard to this agreement has led to disorder. The fighting becomes sporadic, where one area that is relatively peaceful one day, may see active violence the next. Conflict has expanded to the equatorial region since mid-last year up till today (Mahumre, interview, 2017). However, in the years of 2014-15, the conflict was more concentrated in the Upper Nile region. In the past few months however, attacks have taken place in both Malakal (in the Upper Nile state) and Equatoria region (Human Rights Watch, 2017). Mahumre likens it to a moving target, where it becomes hard to predict and respond efficiently to the violence that ensues. Humanitarian interventions can be had without a cessation of hostilities, but as stated, this then makes things very difficult and dangerous, often comprising the mission's efforts.

To put it into perspective, South Sudan's territory is the size of France. With a force of roughly only 12, 000 strong men and women, it becomes very difficult to have forces ready, and be deployed in all areas of the country seeing as battlefronts keep shifting (Mahumre, interview, 2017). Therefore, as Mahumre points out, the mission finds itself more in a reactive mode than proactive mode. Consequently, the mission is not able to engage with the local authorities, chiefs and religious leaders, in order to identify and defuse conflict before they become coherent. Mahumre says this challenge will remain "As long as fighting has not stopped, and parties are not interested in *silencing the guns"* as forces end up mostly deploying only in areas where there is greatest need. This complicates all aspects of the POC mandate. Simply put, a mandate cannot be implemented where there is no peace to be kept. This disregard to the ceasefire indicates that the intention of the protagonist is to defeat the 'other side' rather than consolidate peace. Unfortunately, the end result is that the presence of the UN peacekeeping missions sometimes become a deterrent or hindrance to the actuations for defeating the other side. This means that the mission can only operate effectively in a situation where you have the cessation of hostilities agreement respected.

Seen through a cosmopolitan lens, Helds principle of 7. Avoidance of serious harm can be applied. Enforcing the cessation of hostilities gains moral priority and for UNMISS because it is needed to create an environment for conflict resolution. The principle allocates priority to the most urgent cases in need (Held, 2010, 73).

5.3   Capacity and Resource Constraints

Capabilities are central to any peacekeeping operation when protecting civilians. One challenge that has continuously stalled the mission in carrying out its mandate has been its inadequate resources and limited military capabilities. Resource constraints – both financial and human – as well as incapacities in terms of untrained troops has been a problem for many peacekeeping operations. The protection challenges are often said to go "far beyond the capacity of UNMISS." As stated in a UN policy brief by Hilde F. Johnson, who previously served as the head of UNMISS:

> The number of troops in UNMISS were wholly inadequate for the task, and much less than comparable missions. The mission had one soldier per 100 km, almost three times less peacekeepers compared to the territory of the next comparable UN mission. In addition, as no realistic amount of troops would be enough for a large country like South Sudan, force multipliers and particularly attack helicopters, would have been essential (Johnson, 2015,7).

One can infer from Johnsons statement that assistance has been needed from member states of the UN capable and willing to contribute their available resources to the mission. Consequently, the violent clashes in Juba last year (killing more than 300 people) brought about a strong response from the Security Council. The Security Council in its 2016 Resolution 2304, decided to increase UNMISS force levels to a ceiling of 17,000 troops, including 4,000 new peacekeepers for a regional protection force (RPF). This was reaffirmed in the council's latest resolution 2327, renewing the mission for one year (UN News Center, 2017). Until recently, efforts to reinforce troops to the mission had however been stalled by the South Sudanese government, whom expressed reservations about the buildup of international forces in RPF. The government felt it would also "amount to a UN protectorate," which would undermine its sovereignty (Lynch and O'Grady, 2016). This adheres to the realist interpretations of safeguarding sovereignty. The structural realist assumption

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emphasizes that states seek to maintain their "territorial integrity and the autonomy of their domestic political order" as a means to survive the anarchical world (Mearsheimer, 2013, 79). Realists skeptical understanding of global politics may explain South Sudan's averseness to the force. Nevertheless, the Security Council's previous drafts on the matter had threatened to impose an arms embargo or sanctions if South Sudan blocked the deployment of the force (Lynch and O'Grady, 2016; United Nations SC/12653, 2016). Consent was later given under regional and international pressure.

Lisa Hultman's statistical analysis, as mentioned in the literature review, confirms that the more military troops and police that are added to operations, the more effective they become in saving lives. However, a forces utility depends on what one makes of it, quality over quantity so to speak. Hilde Johnson contends that whilst resources and troop numbers are important, "an equal challenge is the performance of the contingents, and their willingness to engage pro-actively in confronting threats to civilians with force (Johnson, 2015, 7). The ability to act on and interpret mandates rests with the force commanders. Following the clashes in Juba last year, an internal investigation was launched by the UN, which led to a top peacekeeping commander in South Sudan being fired. According to an executive summary of the report, "The special investigation found that the lack of leadership and preparedness on the part of senior mission personnel culminated in a chaotic and ineffective response to the violence" (United Nations, 2016, 2; Lynch, 2016). The force did not operate under one unified command, which resulted in conflicting orders for the troop contingents from China, Ethiopia, Nepal and India. Chinese peacekeepers were reported abandoning their positions in two instances, whilst Nepalese peacekeepers failed to stop looting within the UN compound (United Nations A/70/95-S/2015/446, 2015). The Executive Summary made recommendations to the staff on ground, as well as to the Security Council and Secretariat whom are vitally important to improving the commanding, training, logistics and TCC capabilities of the mission at a strategic level.

Beyond the mission's operational needs are the political obstacles. The UN's system for financing peacekeeping operations relies heavily on member states contributions; both human and financial. Caveats are generally used by member states as political safety nets in order to maintain how their troops are being used and also to ensure that their strategic national interests are met. Troops deployed in

countries where contributors have high interests for instance are believed to take more risks (Novosseloff, 2016). As a realist would point out, the decision in 2014 for China to upgrade its presence in UNMISS (with the deployment of an additional 700 troops) leads one to think that China was doing so out of interest in protecting its own investments in South Sudan (Tiezzi, 2014). China namely accounts for 80% of South Sudan's oil exports (Ibid). The classical realist view holds here that these kinds of decisions and incentives will never be independent of states narrowly defined interests. The cosmopolitan perspective, however, would argue that China did so out of its duty to protect all humans, in its inclusive purview and commitment to the UN. As Erskine points out, "Fundamental to an ethical cosmopolitan stance is a perceived need to bracket, or abstract from, particular ties or loyalties" (Erskine, 2013, 42). China, usually reluctant to intervene, has in recent years increased its troop contributions to the UN, making it the second largest financer of the peacekeeping budget as of July 2016, and in the top ten out of all the TCCs (Fung, 2016). Uniquely so, China only engages in peacekeeping through the UN. Hence, as Courtney Fung highlights in a Peace Brief, "When China dispatches troops, it sends a strong message that the international community is united and committed to act (Ibid).

Nevertheless, caveats imposed by troop-contributing countries (TCC) has been a cause for concern for UNMISS, restricting commanders to effectuate their tasks. This was addressed in the Report of the High-level Implementation Panel on United Nations Peace Operations, stating that "The ability of field commanders to ensure performance is severely hampered by caveat and national controls." The report went on to further stress that any *hidden* national caveats by TCCs should be treated as disobedience of lawful commands, if not disclosed to the Secretariat in advance (United Nations A/70/95-S/2015/446, 2015). Hidden caveats often appear when operations face new uncertain situations and troops need to take more risks than usual. Contingents either do not follow orders or wait for their national authorities to affirm or countermand the orders received from the UN leadership of the mission (Novosseloff, 2016). This problem was recognized during the Juba July attacks, where excuses were later made for the forces inaction.

To mitigate this problem, the Security Council needs to ensure that the missions are equipped with robust, realistic and achievable mandates. Given that full command will always be kept by member states, better transparency and dialogue

needs to also take place to ensure the operations are well-planned with strengthened command and control arrangements (Novosseloff, 2016). The use of force is not imperative for a cosmopolitan approach to conflict resolution. However, as author Daniel Blocq points out, "When physical protections is – implicitly or explicitly – asked for, the demand can be traced back to UN philosophies of cosmopolitanism" (Blocq, 2009, 294). Blocq emphasizes that whether or not TCC's have ulterior and different motives for participation in operations does not change the "UN philosophy that generated the original quest for protection" (Ibid.). Nevertheless, the realist conception here holds that there is a need to strengthen the political will of member states. This problem brings to light the divergent interests and limited consensus that exists among member states as to the peacekeeping mission's priorities.

5.4   Understanding the Challenges

The three challenges which have been discussed have essentially surfaced from the sovereign state-based nature of peacekeeping operations. They point to both internal and external dilemmas within UN peacekeeping. Internally, are the macro challenges within the decision making structures of the UN, concerning governing bodies such as the Security Council and member states. Externally, are the local challenges which arise from the hostile political climate which UNMISS is situated in concerning the nature of consent-based peacekeeping. The technical dimension concerning the missions lack of resources relates back to the internal challenges upon which is reliant on member states contributions. As previously mentioned, these challenges bring to light the "complex situation of state sovereignty versus human security" (Latif and Khan, 2010, 235). The sovereign state is at the heart of realist and cosmopolitan theories; and therefore it is also at the core of the peacekeeping mission's failures. Realists assume a strict interpretation of sovereignty; cosmopolitans look beyond it for a unified conception of world politics. That said, although realism is more pessimistic, it holds relevant for recognizing the central role (and limitations) of power in the structure of politics. As Curran concedes, "regardless of training, guidance, and mandating, consent and sovereignty will always win out in the peacekeeping system" (Curran, 2015, 79).

The issue of consent can directly be linked to the Westphalian concept of state sovereignty (Latif and Khan, 2010, 240). As many scholars argue, the twenty first century is seeing the concept of sovereignty become conditional to universal human values (Latif and Khan, 2010, 240; Ramsbotham and Woodhouse, 2005; ICISS, 2001; Held, 2005, 129). The host state consent for the deployment of peacekeeping operations is nevertheless one of the traditional 'guiding principles' of UN peacekeeping. It is meant to provide missions with the the political and physical mandate to carry out their tasks. The lack of consent has been a problem for many UN missions, i.e. Somalia, Darfur etc. However, lack of consent in this context is not considered in terms of documents – as UNMISS was deployed with the consent of the South Sudanese government – but rather has to do with the practicalities on the ground, where the dynamics are different. Access denials and a disregard to the cessation of hostilities agreement indicates that the parties involved in the conflict have not been willing to cooperate, as they continue to obstruct the mission's efforts. Strategic and operational consent render useless if that consent is not felt on the ground at the tactical level.

Cosmopolitanism supports a notion of global governance that expresses inclusivity and accountability in conflict resolution. The UN can in some regards be considered a cosmopolitan institution whereby the principles and values underpinning the system are universal (Björkdahl, 2005, 219; Pierik and Werner, 2010, 133). However, structurally speaking, the UN is still very much state centered, as it is governed by member states. This is also enshrined in the UN charter. The norm of sovereignty has many times hampered the UNs efforts to prevent conflict – especially where the lack of consent is concerned (Björkdahl, 2005, 220). Moreover, as a cosmopolitan actor, the UN and its forces remains beset by two major tensions in peacekeeping, namely that 1. It is impaired by its dependence on the willingness of TCC's and member states for funding and operational support. 2. Coercion requires consent/legitimacy of intervention (Gilmore, 2015, 128). These tensions can be viewed through a realist lens as will be discussed below. Woodhouse and Ramsbotham have argued that the demands on the duty to protect sometimes overwhelms the capacity of the UN to act, going well beyond the political will of national states. This is evident in recent attacks such as Juba etc.

Realism has great explanatory power as to the *realpolitik* behind the decision-making structures of UN peacekeeping. The capacity and resource constraints suffered by UNMISS can be attributed to limitations arising from the mission's dependency on TCCs. Realists uphold that the political intentions of states can never be truly known. The hidden caveats which are ordered by TCCs are used to control the security of their contingents on the ground. Consequently, these caveats have been used by some TCCs to promote their own interests, undermining the effectiveness of the force to carry out its mandated duties. The irony of the UN is that the very principles that makes them great i.e. a multilateral forum, sovereignty of states, democracy etc. is the very thing that makes them weak.

Similarly, the access restrictions and indeterminate nature of the cessation of hostilities can also be viewed through a realist lens. Questions arise as to what are the true intentions of the host government are if cooperation is not being felt on the ground. Mahumre alludes that "Certainly, you're dealing with a country that is sovereign, and at times the interest of the country or of the leaders may not be consistent with the interest that the UN needs to undertake in executing the POC" (Muhumre, interview, 2017). In a new country like South Sudan, UNMISS upholds sovereignty very highly, but as a mission it also has a responsibility to protect civilians from social violence, as ordered by the Security Council. Hence the protection of civilians is said to guide the mission. Consequently, cooperation and dialogue with the leaders of the country is vital to creating that enabling environment where those challenges can be discussed and then later resolved. The success of any peacekeeping mission will depend on how best the mission engages with authorities, to ensure that they are given the necessary space to execute the POC mandate. Nonetheless, these two internal and external challenges felt by UNMISS reflect realist concerns of state interests and power politics, which is indisputably embedded in UN peacekeeping.

The R2P doctrine which relies on cosmopolitan ethics and has created a shift away from the once sacrosanct principle of sovereignty. The doctrine maintains that the international community has universal moral principles by which they are obligated to fulfill. R2P lives up to many of Held's cosmopolitan principles, albeit looking beyond principle four of consent. With a focus on human rights and international law, R2P has paved a new way for accountability. It is important to note that R2P does not have to involve forceful intervention unless all other options

have been exhausted. Sanctions and other diplomatic measures may for instance also be taken (ICRtoP, 2014). The international community has upheld it's R2P in South Sudan in various ways. The mandate review on May 2014, which led to a shift in the mission's focus from state building tasks to the protection of civilians, can be considered one. The Security Council's decision to increase UNMISS's troops on multiple occasions can be considered another. The mission has also opened its bases to protect civilians seeking refuge on UN grounds in so called "POC sites." Bases of this large-scale are unprecedented in UN peacekeeping history. Nonetheless, in order for interventions to be considered just, the motivations behind them must be legitimate. From the realist perspective, motivations to intervene come from states geostrategic interests. The experience of UNMISS clearly demonstrates the limitations to protecting civilians in an international arena which is largely state-centric.

Lastly, recalling Held's cosmopolitan values (See page 16), has UNMISS lived up to these eight principles? Indeed, if UNMISS has, then perhaps the challenges it faces in implementing its mandate are surmountable. After all, cosmopolitanism does not deny reality or sovereignty, it's exercise is to simply reflect on the moral status of persons, conditions of agency, and collective decision-making (Held, 2010, 76). This paper holds that UNMISS embodies all eight principles. Classified into three clusters, principles 1-3 stress that agents need to be aware and accountable for their actions and moral duties to protect (which is evident in the mandate review and UN reports on the dialogue currently taking place in UNMISS). Most importantly, principles 4-6 allows the mission to be conceived as legitimate – which is crucial if it hopes to cooperate with the government in trying to overcome practical challenges (Ibid, 75). Ultimately, these principles provide a cosmopolitan approach to peacekeeping which justifies the human security agenda.

6   Conclusion

This paper has identified three major challenges of implementing a POC mandate in UNMISS. These challenges are generic to many peacekeeping missions but in UNMISS they have led to a critical failure to implement R2P as roughly tens of thousands of people have been killed in the past two-year conflict (Kristof, 2016). As evidenced in recent assaults in Juba, Malakal and Equatoria region, attacks on civilians remain rampant. The three challenges which have hampered the mission from executing its mandate include; access restrictions; a hostile political climate; and capacity and resource constraints. Firstly, access restrictions pose a serious obstacle to the mission's operations. The local authorities and government have primarily been responsible for this – physically obstructing the mission in carrying out its mandate. Secondly, the mission has been placed in a dilemma in its strained relations with the host government and warring parties, whereby the cessation of hostilities has not been respected. The mission has therefore often stood in a reactive, rather than proactive mode, when protecting civilians. Lastly, the mission has suffered from some serious coordination problems, as well as being constrained by a lack of resources. Caveats and implementation that relies on force commander's interpretations of the mandate has often led to confusion on the ground. Better dialogue is therefore needed amongst the Security Council, TCC's and host government to ensure that the mission is given the necessary steps to execute its protection mandate. Moreover, these challenges can be expressed in three dimensions, pointing to macro, local and logistical limitations within UN peacekeeping.

The challenges for UNMISS in delivering on their POC mandate have been interpreted using realist and cosmopolitan conceptions of peacekeeping. The sovereign state still remains at the core of our global order. The rise of human security as a "core concern" has not necessarily made traditional state security any less important (Garies, 2006, 275). It has however allowed for factors such as sovereignty to be viewed in a less sacrosanct way – something of which reflects a

new sort of cosmopolitan world order. Cosmopolitanism serves as a way to establish mechanisms of accountability in overcoming traditional notions of sovereignty.

Nevertheless, the limitations to protecting civilians must be realized in their broader political setting when judging UNMISS's ability to effectively protect civilians. The cosmopolitan perspective points to the faults in our international order and thus offers an agenda for overcoming these challenges. The realists however insist that national *realpolitik* prevails: stressing that states sovereignty is intrinsic and cannot be challenged by international responsibilities to protect. The protection of civilians remains one of the biggest challenges in peacekeeping today. Crucially, it should be said that UN peacekeeping is not a panacea for conflict resolution. Instead it should be recognized for its catalytic role in protecting civilians and promoting peace. It remains to be seen how UN peacekeeping will uphold its cosmopolitan responsibilities in a state-centered world over the next few decades. The *blue helmets* have their work cut out for them, as they try to overcome the challenges to implementing their POC mandate.

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