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How can the UN deal with counter-terrorism operations? : the case of Mali

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Introduction

Peacekeeping operations has faced the enormous challenges in meeting demand for the changing climate of international peace and security. One of the challenges in peacekeeping operations is that during the current post-9.11 periods, the UN peacekeepers, or the so-called “Blue Helmets” have been required to be deployed in the operational areas which have a significant number of potential terrorists. The areas include the African continent which has hosted the vast majority of UN peacekeeping operations.

The African continent has been potential to become the hub of international terrorists after the outbreak of the Syrian War including the Islamic States (IS) and the following counter-terrorist campaigns by the Western states. According to “Counter Terrorist Trend and Analyses”, S. Rajaratnam School of International Studies at Nanyang Technological University, in 2018 the IS will deepen its presence in African countries. Reportedly, quite a few IS fighters have relocated to West Africa and East Africa. IS West Africa has managed to build a presence in Niger, Chad, Mali, Cameroon, Burkina Faso and Mauritania.¹

As a result, UN peacekeeping operations in Africa would urgently have to prepare for terrorists or asymmetric attacks in order to protect civilians and international staff. In this context, the United Nations Multidimensional Stabilization Mission in Mali (MINUAMA), has been the first case of becoming the UN peacekeeping operation which has the mandate of protection of civilians including against asymmetric threats.² This paper, after describing the basic historical background of establishing MINUSMA, will argue if there is the legitimacy of UN counter-terrorism operation in Mali. Then, this paper will provide several suggestions of the effective UN counter-terrorism operation in Mali.

Since international terrorism has been the globalized phenomenon in the current post 9.11 period, it

¹ S. Rajaratnam School of International Studies, “Counter Terrorists Trends and Analyses: Annual Threat Assessment”, *A Journal of the International Centre for Political Violence and Terrorism Research*, Vol. 10, Issue 1, January 2018, p. 3

² UN Security Council Resolution 2364(2017), 29 June 2017

would not be difficult to expect that most of the UN peacekeeping operations, like MINUSMA, would include the mandate of preventing asymmetric threats. Therefore, MINUSMA would be a touchstone of UN-led counter-terrorism operations. Finally, this paper will conclude that the successful response of UN operations to asymmetric attack by international terrorists would be a key to the solution of the dilemma of a vicious circle of intractable peace operations in Africa.

The Historical Background of the UN (counter-terrorism) operation in Mali

Mali is a state in the western part of Africa surrounded by seven states, Niger, Algeria, Burkina Faso, Mauritania, Senegal, Guinea and Cote d'Ivoire. In March 2012, Tuareg rebellion by the National Movement for Liberation of Azawad (MNLA) and its Muslim alliance deposed Mali's democratically elected president, Amadou Toumani Toure and controlled the northern part of the state. In April 2012, a framework agreement signed between the military junta and ECOWAS was followed by the establishment of a transitional Government. The Government requested the UN to establish the political mission assisting the state in the area of political negotiation, elections, governance, security sector reform. Thus the UN Office in Mali (UNOM) was established after Security Council Resolution 2085 (2012) of 20 December 2012. Nevertheless, the situation was deteriorating, and MNLA was advancing the central part of the state. In February 2013, the French force intervened, which is called *Operation Serval*, and succeeded in expelling the rebel from the main cities, such as Gao, Timbuktu and then Kidal. The *Operation Serval* was assisted by the regional forces, the African-led International Support Mission to Mali (AFISMA) which had been deployed in January 2013. UNOM and AFISMA were replaced by MINUSMA in accordance with Security Council Resolution 2100 (2013) of 25 April 2013. MINUSMA, acting under Chapter VII of UN Charter, and comprising up to 11,200 military and 1,440 police personnel, was mandated with the comprehensive pillars including the maintenance of security, the protection of civilians, humanitarian assistance, assisting democratic elections. Robust mandates in MINUSMA was getting the common stream since they were created only a few weeks after the creation of the DRC Intervention Brigade. However, in creating the initial mandate of MINUSMA, both the UN and France expressed their view to avoid counter-terrorism operations.³ Meanwhile, there have been many different violent extremist and terrorist group in the northern part of Mali, including "Al-Qaida in the Islamic Maghreb (AQIM), Al Mourabitoune, Ansar Eddine, and their affiliates such as the Front de Liberation du Macina (FLM). Then, in June 2017, the Security Council Resolution 2364 (2017) extended the MINUSMA mandate until June 2018. As mentioned above, the SCR 2364

³ Karine Bannelier and Theodore Christakis "Under the UN Security Council's Watchful Eyes: Military Intervention by Invitation in Malian Conflict", *Leiden Journal of International Law*, Vol. 26, 2013, p. 873

finally legalized MINUSMA, as UN counter-terrorism operations to take robust and active steps to counter asymmetric attacks against civilians or UN personnel.⁴

Meanwhile, there are several other UN peacekeeping operations which might be called UN counter-terrorism operations, including UNIFIL in Lebanon and UNDOF in the Golan Heights, where terrorists have been present. However, unlike MINUSMA, both operations have been deployed with ceasefires maintained, while MINUSMA has been deployed in Mali with the mandates of supporting state authorities to areas controlled by violent extremists and terrorists.⁵ Thus, MINUSMA is considered a unique operation as a counter-terrorism operation and is faced with a greater challenge and difficulty in implementing the mandate.

However, at the time of writing, MINUSMA as a mission of protecting civilians from asymmetric attacks is not so effective. According to the report of the UN Secretary-General in June 2018, the protective environment in the centre of Mali continued to deteriorate. During the reporting period, at least 43 civilians were killed and 24 injured in targeted attacks. Since the beginning of 2018, the number of improvised explosive device incidents almost doubled, compared with the same period in 2017, with 93 incidents as at 18 May, compared with 55 incidents in 2017.⁶

Do UN Counter-Terrorism Operations Have Legitimacy in Mali? : “NO”

1. Ineffective robust turn to UN peacekeeping

First of all, counter-terrorism operations in peace operations can be categorized as the robust type of operations in which soldiers are often expected to engage in combating activities. Historically, UN operations have not been very successful with such types of combating operations based on Chapter VII of UN Charter including ones in Somalia and Former Yugoslavia, or the current one in DRC and CAR. For example, in DRC, *Force Intervention Brigade* (FIB) of MONUSCO is considered to be the similar operation to the counter-terrorism operation in Mali. In FIB, however, soldiers were fighting against the anti-government armed group with FARDC, and therefore totally became a party to the armed conflict. In reality, the regular MONUSCO forces, which operated with impartiality and were less heavily armed, were more physically vulnerable to unexpected attacks from anti-government military factions. Similarly, FIB negatively affected other UN agencies in the DRC such as UNDP and UNHCR conducting in the common mission areas. It means that the

⁴ UN Document S/RES/2364, 29 June 2017

⁵ John Karlsrud, “Towards UN counter-terrorism operations”, *Third World Quarterly*, Vol. 38, No. 6, 2017, p. 1216

⁶ UN Document S/2018/541 *Situation in Mali; Report of the Secretary-General*, 6 June 2018, paras. 29-30

anti-government armed group felt hostile not only to FIB but also to all UN agencies in the DRC.⁷ The exactly same situation has happened in MINUSMA in Mali, where the staff of OCHA and the humanitarian NGOs have become the target from terrorists.⁸ Thus, the above “unintended consequences” of the robust turn to UN peace operations negatively applied not only to other peacekeepers, UN agencies, and NGOs on the ground, but also vulnerable civilians and political process led by the Department of Political Affairs.⁹

John Karlsrud, Senior Research Fellow in Norwegian Institute of International Affairs (NUPI) critically analyzed MINUSMA as UN counter-terrorism operations. He claims that robust turn to UN peacekeeping will make the UN a party to the conflict, weakening or rendering it impossible for the UN to be a central partner in the mediation of the conflicts. The legally protected status of UN peacekeeping mission staff-military, police and civilian, may be undermined. Furthermore, he argued that taking sides, it is likely that local people who are marginalized by the government will perceive the UN as an enemy. He concluded UN peacekeeping can be an effective tool when deployed in support of a peace agreement and in tandem with political support toward the development of an inclusive and legitimate government.¹⁰ Timo Smit also expressed the critical view towards MINUSMA, stating “While the UN continues to insist that its peacekeeping operations cannot conduct military counter-terrorism operations, MINUSMA may already have crossed the line.”

2. Lack of support and legitimacy from local citizens

Second, related to the first one MINUSMA might not have sufficient support and legitimacy from the local people. It is partly due to the mandate of MINUSMA which marginalized local citizens. For example, Local NGOs are critical of MINUSMA for losing local perspectives. They claim that MINUSMA has not succeeded in breaking down its mandate in simple terms for the people of Mali. They suggest that MINUSMA more clearly incorporate human security principles and develop a communication and outreach strategy that will clearly what it intends to deliver.¹¹

Sophia Sabrow conducted the extensive research on local perceptions of the legitimacy of the peace

⁷ Katsumi Ishizuka “The History of Robust Peacekeeping and Peace Enforcement in the DRC: The Limitations of the Pursuit of Negative Peace”, a presentation paper for the annual meeting of the Academic Council on the United Nations System (ACUNS), 16-18 June 2016, Fordham University, New York. See also *The Washington Post*, “In volatile Congo, a new U.N. force with teeth”, 2 November 2013

⁸ Lotte Vermeij “MINUSMA: Challenges on the Ground”, Policy Brief No. 19, Norwegian Institute of International Affairs, 2015, p. 3

⁹ Charles T. Hunt, “All necessary means to what ends? The unintended consequences of the ‘robust turn’ in UN peace operations”, *International Peacekeeping*, Vol. 24, No. 1, 2017, pp. 108-131

¹⁰ John Karlsrud “UN peacekeeping and Counterterrorism: Uncomfortable Bedfellows?”, *VEREINTE NATIONEN-German Review on the United Nations*, Vol. 65, No. 4., 2017, pp. 153-158

¹¹ Emmanuel Bombande and Peter van Tuijl “Can MINUSMA’s Mandate Include the People of Mali?”, IPI Global Observatory, International Peace Institute, 24 June 2014

operations, by the UN (MINUSMA), the regional organization (AFISMA), and the individual state (the French-led *Operation Serval*). This paper started with the argument that peace operation would be sustainable only if the process is driven and supported by local actors. Then, this paper divided the concept of legitimacy into two types: ideological legitimacy, which is based on the rightful status of the actor to carry out an action and their motives for that action, and pragmatic legitimacy which refers to perceived outcomes. The research indicated the unexpected result for pro-UN supporters. While the French-led *Operation Serval* was almost unanimously perceived to be valued in terms of pragmatic legitimacy, it received very little ideological legitimacy. AFISMA, as a regional mission, enjoyed the high level of ideological legitimacy, although its pragmatic legitimacy was eroded due to the realization that AFISMA's troops have little capabilities and are inefficient. Disappointingly, the local perception of MINUSMA on such legitimacies was worse than those of the French forces and AFISMA. Since MINUSMA was always perceived as a "outside force", it scored low in ideological legitimacy. The UN in Mali was seen as an instrument of powerful states in order to exert its will over the periphery. Furthermore, the research indicated ambiguity in the perception of the MINUSMA's pragmatic legitimacy. MINUSMA collected high reputation for their military achievements in pushing back the rebels, it has been harshly criticized for failing to reinstate security in the North as well as for its inefficiency and lack of capabilities. ¹²

3. Great powers' reluctance to go back to UN peacekeeping

Third, one can see the unwillingness of core member states of the UN to be involved in UN operations in Africa including Mali. In the special issue of *International Peacekeeping*, titled, "A European return to United Nations peacekeeping?" in 2016, most of the European states showed unwillingness or reluctance to dispatch their troops to UN peacekeeping operations. For example, Peter Viggo Jakobsen, Dutch expert of international law, said that Danish contributions to peace operations have always been in part by the interest in supporting Denmark's great power NATO allies that are crucial for protecting the Danish homeland. Therefore, a major Danish comeback to UN-led operation is only likely if it is requested by European great powers. This seems unlikely in the near future since NATO is currently asking Denmark to make a greater army commitment to deter Russia in Eastern Europe after the Russian annexation of the Crimea in 2014.¹³ Thierry Tardy, a French scholar on conflict resolutions including peacekeeping, argued that twenty years after the Bosnian episode, a broad consensus remains that the UN was not the best option for French engagement in crisis management. He also said that when it comes to providing peacekeepers, France still regarded regional organizations, coalitions of states, or national operations, as preferable

¹² Sophia Sabrow, "Local perceptions of the legitimacy of peace operations by the UN, regional organizations and individual states – a case study of the Mali conflict", *International Peacekeeping*, Vol. 24, No. 1, 2017, pp. 159-186

¹³ Peter Viggo Jakobsen, "Denmark and UN peacekeeping: glorious past, dim future", *International Peacekeeping*, Vol. 23, No. 5, 2016, p. 753

tools. He concluded that the French current position, strengthened by recent operations in Mali and CAR, made a return to UN peacekeeping unlikely.¹⁴ Meanwhile, German foreign affairs officials also view it in German's best interest not to overinvest in one organization, but rather to see the UN as one of many options in a tool box of various organizations. Therefore, the German political and military elites examines in each case of UN peacekeeping operations carefully whether core conditions for deployment are met and are in Germany's own interests.¹⁵ Also, for Sweden, reduced budgets for UN and non-UN peacekeeping will limit the scope of Sweden's contributions in the coming years. While the UN has historically been a cornerstone of Swedish foreign and security policy, Sweden has shown that it is ready to pragmatically seek out most fitting organizational context.¹⁶ Italy's policy towards UN peacekeeping operations is more on its national interests. Giulia Tercovich argued that apart from UNIFIL in Lebanon, most current UN-led operations are located in areas that are not of national strategic relevance for Italy, as demonstrated by the entire withdrawal of contributions from the MINURSO, UNFICYP, UNMOGIP and UNTSO missions. He concluded that a bigger engagement should be expected if Italy will receive the seat in the UN Security Council.¹⁷ Thus, combined with fatigue after their engagement in Afghanistan (ISAF) and Iraq (War on Terror) and the following financial restraints, it would be difficult to expect that the European states would be strongly re-committed to UN peace operations, including counter-terrorism operations.

Do UN Counter-Terrorism Operations Have Legitimacy in Mali? :”YES”

1. Official recognition of UN counter-terrorism operations

In the post 9.11 period, the increasing rise of the global terrorism urged the UN to establish the Counter-Terrorism Implementation Task Force (CTITF) by the Secretary-General in 2005 and endorse it by the General-Assembly through the UN Global Counter-Terrorism Strategy which was adopted by consensus in 2006. The Strategy consisted of four pillars: 1) Addressing the Conditions Conducive to the Spread of Terrorism; 2) Preventing and Combatting Terrorism; 3) Building States' Capacity and Strengthening the Role of the United Nations; and 4) Ensuring Human Rights and the Rule of Law.¹⁸ Among the above wide-ranging tasks, UN peacekeeping can potentially be qualified

¹⁴ Thierry Tardy, "France: the unlikely return to UN peacekeeping", *International Peacekeeping*, Vol. 23, No. 5, 2016, p. 627

¹⁵ Joachim A. Koops, "Germany and United Nations peacekeeping: the cautiously evolving contributors", *International Peacekeeping*, Vol. 23, No. 5, 2016, p. 674

¹⁶ Claes Nilsson and Kristina Zetterlund, "Sweden and the UN: a rekindled partnership for peacekeeping?", *International Peacekeeping*, Vol. 23, No. 5, 2016, p. 780

¹⁷ Giulia Tercovich, "Italy and UN peacekeeping: constant transformation", *International Peacekeeping*, Vol. 23, No. 5, 2016, p. 697

¹⁸ United Nations Office of Counter-Terrorism, Counter-Terrorism Implementation Task Force,

to conduct 2) Preventing and Combating Terrorism.

In fact, the concept of counter-terrorism operations has been legitimized by the Secretariat of the UN. In the Report of the Secretary-General Ban Ki-moon, *Plan of Action to Prevent Violent Extremism* in December 2015, he provided the example of northern Mali as the terrorist-controlling area where Al-Qaida in the Islamic Maghreb and other terrorist groups continue their activities with spillover effects in neighbouring countries. The report also described that such groups put the presence and activities of MINUSMA at risk. Therefore, the Report recommended that the UN integrate preventing violent extremism into relevant activities of UN peacekeeping operations and special political missions in accordance with their mandates.¹⁹ Likewise, in April 2016, again, the Secretary-General in his report accepted that UN peacekeeping operations had increasingly been deployed in areas beset by terrorism and that it negatively affected the ability of UN missions to deliver on their mandates. Therefore he clearly reiterated a need to integrate prevention of terrorism through its field missions, namely, UN peacekeeping operations. In sum, one can identify the greater awareness and necessity of the integration of counter-terrorism operations in the framework of UN peacekeeping operations in the UN HQ.

2. *Limitations of counter-terrorism operations by regional organizations*

Second, there is a basic recognition that the African states have difficulty to contain terrorists in the Sahara areas on their own. The areas have suffered from the eighty percent of unemployment rate for the youth, who are also the so-called “potential reserves” of terrorists. Therefore, the areas have had pressing need of eradicating the root of terrorists. Meanwhile, the African-led AFISMA could deploy only 3,500 personnel at most in the huge territory of Mali which has the national size of 800,000 km². It means the lack of the recruiting capabilities of peace operations by the AU and ECOWAS. One can identify the limitations of the slogan of “African Solution for African Problems.”²⁰

In fact, in November 2017, G5 member states, Burkina Faso, Mali, Mauritania, Niger, and Chad, launched the regional counter-terrorism operation, namely, The G5 Sahel Joint Force, seeking to improve security along their shared borders. The force was authorized by the African Union Peace and Security Council in April 2017, and was strengthened by the adoption of UN Security Council Resolution 2359 (2017) in June 2017. The Force was a new initiative as a region-led counter-terrorism operation, although it requires substantial support from great powers and the

<https://www.un.org/counterterrorism/ctif/un-global-counter-terrorism-strategy>, accessed on 14 March 2018.

¹⁹ UN Document A/70/674, *Plan of Action to Prevent Violent Extremism, Report of the Secretary-General*, 24 December 2015, para. 14 and para. 58

²⁰ Modibo Goita “French Intervention, EU and UN. African Solution for African Problem?”, Instituto Espanol de Estudios Estrategicos, Opinion Document, 20 May 2014, p. 14

UN. Actually, it has had strong backing of the French Force, the *Operation Barkhane*, having some 4,000 troops deployed to the region to work with regional militaries and engage terrorist fighters. The Force is expected to complement the mandates of MINUSMA and the *Operation Barkhane*. Security Council Resolution 2359 also “urges the G5 Sahel Force, MINUSMA and the French forces to ensure adequate coordination and exchange of information of their operations within their respective mandates.” Funding is also the challenge for the Force, since it is dependent on great powers’ financial support: \$70million from the EU and \$60 million from the US etc.²¹ In short, The G5 Sahel Joint Force cannot alone secure Mali and the Sahel. It needs UN operations as well as great powers’ forces.

In fact, the slogan of “African Solution for African Problems” have several factors of legitimacy including deep history of the anti-colonial struggle and the encouragement by Charter VIII of the UN Charter of regional leadership. However, Paul D. Williams pointed out major challenges by the current difficult environment of conflicts areas in Africa. They are the reality that African wars did not fit neatly within states borders; the problematic natures of peace agreement in Africa which lacks compatibility and comprehensiveness in their content; a large number of conflict parties involved; and the willingness of armed groups to maintain conflict for their livelihood. Furthermore, Williams said that the reality is not that Africa suffers from a lack of peacekeepers in absolute terms but that there are too few peacekeepers relative the above complexity.²² Therefore, there is legitimacy of accepting counter-terrorists operation led not only by regional organizations such as the AU and ECOWAS but by international organization such as the UN. As far as the counter-terrorism operation in Mali is concerned, the cooperation among MINUSMA, The G5 Sahel Joint Force, and the *Operation Barkhane* would be necessary in which the three actors, having their own strengths and weaknesses in their mission capabilities, would complement each other.

3. Actual deployment of most UN peacekeeping operations in terrorist-threatening areas

Third, there are 14 UN peacekeeping operations deployed in the world and 11 out of 14 operations are located in the Middle East and Africa, which are the areas highly vulnerable to terrorists attack. In other words, many UN peacekeeping operations currently deployed in the world, including ones in South Sudan, DRC, CAR, Syria and South Lebanon, might suffer from serious terrorists attack. The Institute for Economics and Peace annually publishes Global Terrorism Index 2017, which measure the impact of terrorism, with the top state’s index being 10. In accordance with Table 1, almost of the states accepting UN peacekeeping operations are ranked within top 30, regarded as the

²¹ The Center for Strategic and International Studies (CSIS), Commentary “Understanding the G5 Sahel Joint Force: Fighting Terror, Building Regional Security?”, <http://www.csis.org/analysis>. Accessed on July 6, 2008

²² Paul D. Williams *War & Conflict in Africa* (Cambridge: Polity Press, 2012), pp. 190-203

highly vulnerable states to international terrorists.

Table 1. Top 30 States of Global Terrorism Index 2017, Institute For Economics & Peace

Rank	Country (UNPKO)	Score	Rank	Country (UNPKO)	Score
1	Iraq	10	16	Thailand	6.609
2	Afghanistan	9.441	17	Ukraine	6.557
3	Nigeria	9.009	18	Sudan (UNAMID, UNISFA)	6.453
4	Syria (UNDOF)	8.621	19	CAR (MONUSCA)	6.394
5	Pakistan (UNMOGIP)	8.4	20	Niger	6.316
6	Yemen	7.877	21	Bangladesh	6.181
7	Somalia	7.654	22	Kenya	6.169
8	India (UNMOGIP)	7.534	23	France	5.964
9	Turkey	7.519	24	Ethiopia	5.937
10	Libya	7.256	25	Mali (MINUSMA)	5.86
11	Egypt (UNTSO)	7.17	26	Saudi Arabia	5.808
12	Philippines	7.126	27	Lebanon (UNIFIL)	5.637
13	DRC (MONUDSCO)	6.967	28	Burundi	5.637
14	South Sudan (UNMISS)	6.821	29	Colombia	5.595
15	Cameroon	6.787	30	Palestine (UNTSO)	5.551

The result of Global Terrorism Index 2017 indicates that most of the states having UN peacekeeping operations might suffer from international terrorism and then such UN peacekeeping operations would inevitably be transferred to UN counter-terrorism operations like MINUSMA. In other words, MINUSMA will become a pioneer of UN counter-terrorism operations. In the similar context, it is well-known that most of the UN peacekeeping operations currently have the mandate of the protection of civilians (POC). The mandate of the POC has become the main stream of peacekeeping missions after the advent of the conceptions of *humanitarian intervention*, *human security* and *the responsibility to protect (R2P)*. The concept of POC should be universal under the moral authority in the United Nations. Needless to say, the main target of terrorists are civilians. Therefore, we can raise a simple question, “Can the mandate of the protection of civilians in UN peacekeeping operations be allowed to be partial?”, or “Can the mandate of the POC be limited to the places where there is no potential terrorist?” The answer should be “No”. Compared with regional organizations and individual great powers, which might have more sufficient technologies and skills for

counter-terrorism operations but are privileged to be more selective to addressing it, the UN is uniquely required to impartially respond to international terrorism within its framework of peace operations.

The Suggestions of the Effective UN Counter-Terrorism Operation in Mali

1. Changing mindset

First, it should be emphasized that the UN and its peacekeeping operations have been in the process of evolution. When the UN was founded and its Charter was written, the international community could not expect the ineffectiveness of great powers-led international collective security mechanism and the following advent of middle powers-led UN peacekeeping operations. Likewise, when traditional UN peacekeeping operations were enthusiastically welcomed and gained absolute popularity in the Sinai, South Lebanon, Cyprus, India-Pakistan etc. during the Cold War period, very few expected the necessity of more coercive and enforcement-type of UN operations to respond the internal and brutal conflicts, for example, Somalia, Haiti, and the former Yugoslavia. Needless to say, very few anticipated the 911 terrorist attack in 2001, and the following urgent necessity of the international community to create a new security mechanism in tackling the emerging new issue of international terrorism. International terrorism has become a controversial topic and has been moving towards one of the central agendas at the UN.

Meanwhile, international peacekeeping has also invented the new type of operations to meet the changing climate of international security arena in each generation. They include the first generation peacekeeping (the traditional consent-type), the second generation peacekeeping (the multi-functional type), the third generation peacekeeping (the peace-enforcement type)²³, and the arguably fourth generation peacekeeping (the subcontract and regionally-led type). Therefore, it is essential for the international community to invent the next type of peace-operations mechanism in the current generation within the UN. The traditional mindset would have to be reconsidered.

In December 2017, Lieutenant General Carlos Alberto dos Santos Cruz wrote the critical report, namely, “Improving Security of United Nations Peacekeepers: We need to change the way we are doing business”, directed by UN Secretary General. This report, the so called “Cruz report” focused on the increasing number of UN peacekeepers’ fatalities, and recommended the change of the way which the UN does the business in high-security risk peacekeeping operations to reduce fatalities. This report was the sensational paper in requiring the UN and its member states to overcome

²³ Katsumi Ishizuka “Current Issues in Peacekeeping Operations”, *Defence Forces Review 2003*, Defence Forces Ireland, p. 1

“Chapter VI Syndrome” and change one’s mindset, take risks and show a willingness to face new challenges. According to the Cruz Report, the UN is most often attacked as a result of inaction, not as a result of poor equipment. Therefore, to stay secure, the UN must be robust not only through its military, police, and civilian personnel in the field, but in its political behavior. Overall, the Cruz report clearly asserted that one needs to adapt a new reality that the Blue Helmets and the UN flag no longer offer “neutral” protection.²⁴

According to the Cruz report, there were three periods of significant increase in the fatalities by UN peacekeeping operations. The first periods lasted three years, 1960-1962, occurring during the deployment of UNEFI in the Sinai and ONUC in Congo. The second periods lasted four years, 1992-1996, occurring during the deployment of UNAMIR in Rwanda, UNOSOMII in Somalia, UNTAC in Cambodia, and UNPROFOR in the Balkans. These increases are temporary followed by sharp decreases in fatalities when missions were withdrawn. Meanwhile, the third increase started in 2011, occurring after the deployment of UNAMID in Darfur, UNMISS in South Lebanon, MINUSMA in Mali, and MINUSCA in CAR. This increase is not a spike but rather a rise to a continuing plateau.²⁵ This tendency means that unless we change mindset, the number of fatalities will not reduce. If the high rate of fatalities continues, the majority of troop contributors started withdrawing from UN peace operations, and there would a huge security vacuum in the areas deployed by UN peacekeepers, since such areas tend to provide little national interest for great powers to intervene. Therefore, if UN peacekeeping operations continue being spoiled by its policy of status quo, they will be gradually abandoned by their contributing states and eventually cannot survive. It is clear that this scenario would not be beneficial for any member states of the UN.

In retrospect, in many UN peacekeeping operations, peacekeepers were required to take charge of huge territories per person, especially, in Africa. In this region, many armed elements, warlords, and militias had committed unhumanitarian and brutal crimes, marginalizing the value of human rights and the rule of law. Many innocent people sacrificed their lives by such brutality. In this situation, what had been happening at peacekeeping fields, was the bypassing of such brutal behaviors by the UN staff. For example, in the DRC in May 2003, the 700 blue helmets of MONUC were bystanders to the massacres of 400 civilians.²⁶ Claudia Morsut argued:

While stressing the challenges and difficulties that the UN had to face in the DRC, all scholars agree

²⁴ Lieutenant General Carlos Alberto dos Santos Cruz, “Improving Security of United Nations Peacekeepers: We need to change the way we are doing business; Executive Summary”, 19 December 2017

²⁵ Ibid. pp. 4-5

²⁶ Tull D. M. “Peacekeeping in the Democratic Republic of Congo”, *International Peacekeeping*, Vol. 16, No. 2, April 2009, p. 216

that MONUC was coping with serious problem of overstretch, since not enough soldiers were deployed in the Ituri region ... ²⁷

Likewise, the report of the Secretary-General on UNMIS in Sudan, in June 2006, stated that hundreds of UNMIS soldiers had been deployed to provide protection mainly to UN installations and personnel and military observers and logistics, not to civilians.²⁸ The above cases in MONUC and UNMIS should not be acceptable in the consideration that the both UN operations have the mandates of the protection of civilians.

These irresponsible conducts had been somewhat legitimized by the inevitable lack of equipment, less proactive mandates, and the shortage of staff for huge mission areas. The sharp increase of the fatalities and civilians and UN staff in peacekeeping operations has been result of slow or inactive response to these issues. Such inactive response by the UN and the deteriorating records in peacekeeping compels the international community to launch the radical reform. Such radical reform should require the change of mindset. “Morality” of the UN as a moral authority should include the morality to save those who are marginalized and suffering from something irrational, illegitimate and illegal etc. If so, the UN as a moral authority should be strengthened in peacekeeping operations in order to protect civilians and UN staff in stricken areas by terrorists such as Mali. Therefore, the Cruz report has legitimacy in encouraging changing mindsets.

2. *Quantity of basic technologies in peacekeeping operations*

When one considers of effective counter-terrorism operations in UN missions, one tends to suggest that the UN should enhance its high-level technology including intelligence capabilities. Needless to mention, intelligence capabilities would be highly necessary for modern UN peacekeeping operations including MNUSMA in tackling intractable armed groups in operational areas. In fact, MINUSMA has an intelligence unit, namely, the All Source Information Fusion Unit (ASIFU), which has been expected to be a significant section to assist the missions of MINUSMA which has encountered terrorists-led asymmetric threats. ASIFU has been staffed with only the officers from European states. ASIFU would be functional in MINUSMA when high technologies such as special forces, helicopter units, unmanned aerial vehicles etc. provide intelligence sources to ASIFU. However, it would be difficult to conclude that ASIFU has played an effective role in MINUSMA. It is partly due to a lack of clarity, roles, and responsibilities in the ASIFU-MINUSMA relationship, the inadequate collaboration and lack of trust between European and African forces, and a lack of

²⁷ Claudia Morsut “Effective Multilateralism? EU-UN Cooperation in the DRC, 2003-2006”, *International Peacekeeping*, Vol. 16, No. 2, April 2009, p. 263

²⁸ UN Document S/2006/478, *Report of the Secretary-General Pursuant to Resolution 1653 (2006) and 1663 (2006)*, 29 June 2006

communication and coordination skills for the use of intelligence sources at the tactical level.²⁹

Meanwhile, the above-mentioned Cruz Report expressed the totally different view:

*Missions do not lack high-tech resources to collect intelligence. They lack the basics, especially human intelligence, networks of informants, situational awareness, and capacity to communicate with the population.*³⁰

The Report argued that high-level sophisticated technology will not give personnel the capabilities and information they need on the ground. Knowing who is who, where and when will make it possible to prevent attacks and identify attackers. Therefore, basic technology will enable personnel to take action against attackers.³¹ In this context, basic technology includes appropriate vehicles, special rifle for snipers, ammunition, night vision capability to operate during the nights, and laser aim.³² These technologies would be able to be supplied by many developing countries. In other words, in UN peacekeeping operations in Africa, including MINUSMA, many troop contributing states do not have to be from developed countries such as European countries.

Therefore, one of the main problems on force generation to UN peacekeeping operations is not the quality or sophistication of technology, but the quantity of technology and equipment for the traditional and basic tasks. It has been well known that one of the issues of peacekeeping operations is the lack of traditional peacekeepers and the following problem of overstretch deployment. Overstretch deployment of UN peacekeepers would enhance the risk for them being targeted by spoilers and decline operational effectiveness including the protection of civilians from terrorists.

The problem of overstretch deployment can, to some extent, be solved by further force generation. Then, what is the current geographical tendency for force generation of UN peacekeeping? According to the paper “Neighborhood Dynamics in UN Peacekeeping Operations, 1990-2017”, 61 percent of fifty-four UN peacekeeping operations deployed between 1990 and 2017 had some troop contributing countries (TCCs) from the neighborhood, and 39 percent had next-door neighbors as TCCs.³³ The paper indicated that the trend for UN peacekeeping operations to use a growing

²⁹ Peacekeeping and Stability Operations Institute (PKSOI) “Operations Estimate – MINUSMA” updated 10 July 2017, p. 21

³⁰ Lieutenant General Carlos Alberto dos Santos Cruz, “Improving Security of United Nations Peacekeepers: We need to change the way we are doing business; Executive Summary”, 19 December 201

³¹ Ibid.

³² Ibid.

³³ Paul D. William and Thong Nguyen “Neighborhood Dynamics in UN Peacekeeping Operations, 1990-2017”, Providing for Peacekeeping No. 16, International Peace Institute, April 2018, p. 1 In this context, “next-door neighbors are states which share a land border with the host states, and “neighborhood” is the sum of next-door

number of troops from the neighborhood has emerged over the last decade. The paper also pointed out that there are several potential merits by accepting the neighboring troops for UN peacekeeping. They would have better local knowledge and culture of operational areas. Neighboring troops have more advantage for rapid deployment. Furthermore, they would receive so-called “spillover effects”, and therefore they would express interest in reaching a solution to the neighboring crisis, and would be committed to risky and lengthy missions.³⁴ As far as MINUSMA is concerned, in December 2017 more than 60 per cent of the TCCs are from the states of neighborhood. This figure is the second highest next to UNISFA in Sudan’s Abyei.³⁵

There is another factor which suggests neighboring and African peacekeepers in MINUSMA as counter-terrorism operations. There is a tendency that terrorists attack citizens which are different from themselves in races, ethnicity, and culture etc. For example, it is common knowledge that American citizens have been vulnerable to terrorists attack by Muslim fundamentalists. In fact, between 1969 and 2009, there were 38,345 terrorist incidents around the world. Of these attacks, 7.8 percent (2,981) were directed against the US.³⁶ Furthermore, the developed countries are getting more vulnerable to international terrorism. In OECE member countries, deaths from terrorism dramatically increased in 2015, rising by 650 per cent when compared to 2014.³⁷ Therefore, it would be expected that international peacekeepers, especially ones from the US or other developed countries such as OECE countries, are more likely to be targeted in UN peacekeeping operations in Africa and the Middle East. It can be concluded that the troops from neighboring states are more desirable for counter-terrorism operations.

3. Concentration, selectiveness and political strategy

An independent strategic review on MINUSMA was conducted in early 2018 at the request of the UN Secretary General. The review team estimated that chronic mobility shortfalls and the operational environment would likely continue to challenge MINUSMA’s ability to project its presence and implement its mandate, and therefore called for greater prioritization of tasks.³⁸ The issues of overstretch of peacekeepers and mobility shortfalls are interrelated. If peacekeepers are required to cover huge areas, the sphere of their mobility would be inevitably limited or insufficient. Meanwhile, if the number of peacekeepers is fixed in total, and no more troop contributing states

neighbors, and neighbors’ neighbors.

³⁴ Ibid. p. 2

³⁵ Ibid. p. 12

³⁶ David Muhlhausen and Jena Baker McNeill “Terror Trends: 40 Years’ Data on International and Domestic Terrorism” The Heritage Foundation, 20 May 2011

³⁷ Global Terrorism Index 2016, Institute for Economics & Peace, p. 4

³⁸ UN Document S/2018/541 *Situation in Mali; Report of the Secretary-General*, 6 June 2018, para. 60

express their will to provide their troops to peacekeeping, peacekeepers should be concentrated to certain areas which are strategically more important. In other words, peacekeeping should be selective or some mission areas should be prioritized to others in one mission when the issue of lack of staff and equipment is not tackled.

Meanwhile, according to the review report of protection of civilians in UN peacekeeping operations by the International Peace Institute (IPI) in November 2017, there is a recognition that both UN headquarters and mission focus too much on outputs, such as military bases, establishment of alert networks, multiplication of joint protection teams etc. The report argued that there can be a significant disconnect between outputs and outcome and between action and impact. There also remains an important gap in most missions between the act of protecting carried out by peacekeepers, and the state of being protected for local populations. UN peacekeeping operations deeply need to shift from the technical and process-focused approach to a strategic implementation of their mandates.³⁹

The keys to a strategic implementation of the mandate of MINUSMA which was discussed by the specialists on UN peacekeeping and the Malian government was inclusiveness in the peace negotiations, trust between parties to the Malian conflict, political-military balance etc. For example, MINUSMA should be cautious with the use of labels like “terrorists” when they mention individuals, armed groups, and communities. MINUSMA should address the question of representation of armed groups, and should do its best to ensure that all constituencies feel a sense of ownership of the peace process. MINUSMA also should be people-centric, promoting better governance, strengthening state-citizen relations, fostering social inclusion and cohesion, and empowering youth, families, women, and local leaders to address conditions conducive to the spread of terrorism and violent extremism.⁴⁰ And MINUSMA should continue to use its good offices to help trust between the parties to the conflict to ensure progress on the implementation of the peace agreement. Meanwhile, MINUSMA should try to ensure that its security efforts, including disarmament, demobilization, and reintegration (DDR) and the constitution of defense and security forces, are linked to the broader political strategy.⁴¹

The development of the above political strategy is a significant factor for counter-terrorism

³⁹ International Peace Institute (IPI), “Reframing the Protection of Civilians Paradigm for UN Peace Operations”, A Policy Paper, November 2017, pp 4-5

⁴⁰ International Peace Institute (IPI), “Waging Peace: UN Peace Operations Confronting Terrorism and Violent Extremism”, A Policy Paper, October 2016, pp. 1-2

⁴¹ International Peace Institute (IPI), “Applying the HIPPO Recommendations to Mali: Toward Strategic, Prioritized, and Sequenced Mandate”, A Policy Paper, May 2016, pp. 1-2

operations in MINUSMA since terrorist behaviors are traditionally politically-oriented.⁴²

Conclusion:

This paper focused on the issue on how the UN can deal with counter-terrorism operations. It pointed out several factors on argument which does not support UN-led counter-terrorism operations in Mali. First, in general, robust peace operations including counter-terrorism operations led by the UN have historically not given effective records, Second, the extensive research indicated that MINUSMA has not gained public support from local citizens. Third, the core member states of the UN, such as Europeans, expressed unwillingness to provide their personnel to the counter-terrorism operations.

Meanwhile, MINUSMA has the mandate of protection of civilians including against asymmetric threats. If the “asymmetric threats” are categorized as terrorist attack, MINUSMA is officially regarded as a counter-terrorism operation. In this sense, the main argument should be not whether but how the UN should tackle counter-terrorism operations in Mali, namely, MINUSMA. In fact, the UN has established the Counter-Terrorism Implementation Task Force (CTITF) in its headquarters, and the Secretary-General also supported the idea of counter-terrorism operations in UN peacekeeping operations, such as in Mali. Most of regional organizations such as the AU have not gained sufficient capabilities and financial resources to create their counter-terrorism operations by themselves. Above all, most of the regions and states hosting UN peacekeeping operations, such as Africa and the Middle East, have high risks of receiving terrorists attack. It means that most of the UN peacekeeping would be potential to inevitably add the counter-terrorism mandate to their mandates in the future.

This paper also concluded that the recently sharp increase of UN fatalities in peacekeeping operations highly legitimized the new policy raised in the Cruz report encouraging to change mindset. The report has suggested more proactive mandates and operations, and sufficient resources, which would hopefully resolve the chronical issue of overstretch deployment. This paper also pointed out that it was basic human intelligence or basic equipment rather than high-tech resources that would be more urgently required for counter-terrorism peacekeeping operations. In fact, a European-led high-tech intelligence unit, ASIFU, so far, has not played an effective role in

⁴² Martha Crenshaw “The Causes of Terrorism” in Charles W. Kegley, Jr. *International Terrorism: Characteristics, Causes, Controls* (New York: St. Martin’s Press, 1990), p. 113

MINUSMA. Therefore, the problem of overstretch or lack of human resources can be solved not necessarily by the European states but local and neighboring states. The neighboring states have expressed more positive willingness to provide forces in MINUSMA.

In retrospect, MINUSMA must have been trapped in the vicious circle. It could not gain sufficient human resources and equipment. It deteriorated the effectiveness of the operations, which generated an increasing number of UN fatalities and local casualties. Therefore, it discouraged the European states, intending to continue providing high-tech technologies, to enhance their commitment in MINUSMA, and also declined the sense of trust and legitimacy among local people towards MINUSMA. However, as this paper suggested, if MINUSMA succeeds in gaining more neighboring forces, concentrates on certain operational areas in a selective way, and strengthen the political strategy, the records of fatalities and casualties would be improved. It would also recover trust and legitimacy among the local, and European or developed states would also resume considering of sending more troops to MINUSMA. Thus, MINUSMA would hopefully become free from the vicious circle, and would be the case for successful UN counter-terrorism operations.