



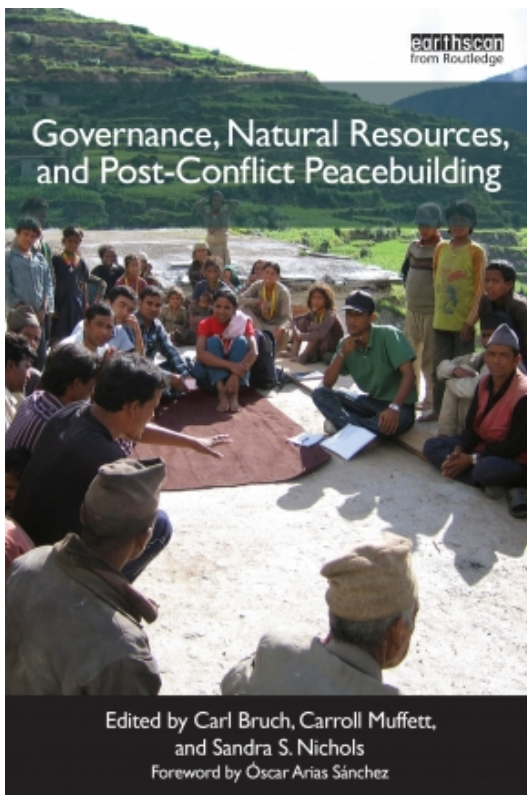
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**Crime, Credibility, and Effective Peacekeeping: Lessons from the Field**

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# Crime, credibility, and effective peacekeeping: Lessons from the field

*Annica Waleij*

Although United Nations peacekeeping operations have evolved significantly since the end of the Cold War,<sup>1</sup> they continue to be guided by three principles (DPKO 2008):

- Consent of the parties involved.
- Impartiality in dealing with the parties to the conflict.
- The avoidance of force, except in self defense and in defense of the mandate authorized by the United Nations Security Council (UNSC).

Experience has shown, however, that in addition to adhering to these principles, successful peace operations must be legitimate and credible, particularly in the eyes of the local populations they are deployed to support. Once lost, credibility is difficult to regain: thus, peace operations must strive to avoid negative impacts that may be associated with their presence.<sup>2</sup>

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<sup>1</sup>Whereas the principal task of UN peacekeepers used to be monitoring ceasefires, today's multidimensional peacekeeping operations are called upon to undertake much more varied tasks, including restoring the rule of law; protecting civilians; promoting human rights; assisting in the disarmament, demobilization, and reintegration of combatants; promoting national dialogue and reconciliation; and deterring illegal trade in natural resources. UN peacekeepers have also been mandated to consider the environmental footprint of activities and to operate mindfully in the vicinity of cultural and historical sites. For further consideration of these changes, see Paris and Sisk (2009), St-Pierre (2008), and Jones, Gowan, and Sherman (2009). For a discussion on environmental management in the UN peacekeeping community, see Sophie Ravier, Anne-Cécile Vialle, Russ Doran, and John Stokes, "Environmental Experiences and Developments in United Nations Peacekeeping Operations," in this book.

<sup>2</sup>Examples of negative impacts include social impacts, from sexual misconduct or other inappropriate behavior; economic impacts, such as pushing up prices on food and housing; and environmental impacts, such as those caused by lax management of solid and liquid waste or excessive water use (DPKO 2008; Hull et al. 2009; Liljedahl, Waleij, and Simonsson 2012). For further discussion of the environmental responsibilities of peace operations,

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Whether peace operations can avoid such impacts depends, in large part, on whether staff are held accountable for their actions (Caplan 2005; HRW 2007, 2008; Berman and Labonte 2006). This chapter addresses insufficient accountability in one area in particular: natural resources. Although criminal behavior such as poaching and illegal fishing has been less widely reported than, for example, sexual misconduct, actions or omissions that threaten or harm natural resources undermine the credibility of peace operations and erode the high standards to which service members are expected to adhere.

This chapter has four major parts: (1) a discussion of natural resource–related crimes allegedly committed by UN peacekeepers in Sierra Leone; (2) a discussion of similar crimes allegedly committed by UN troops deployed in the Democratic Republic of the Congo (DRC); (3) a discussion of other natural resource–related crimes committed by international staff; and (4) observations and recommendations regarding accountability in UN peacekeeping.

### DIAMONDS FOR CASH: THE CASE OF SIERRA LEONE

Between 1961, when Sierra Leone gained its independence from the United Kingdom, and 1991, when civil war broke out, the greatest challenges the new nation faced were largely internal, such as political corruption and military coups and countercoups (Berman and Labonte 2006). In 1991, the Revolutionary United Front (RUF), a group supported by Liberia’s president, Charles Taylor, initiated a rebellion in Sierra Leone. Control of Sierra Leone’s rich alluvial diamond deposits was one of the RUF’s primary objectives, and illegal diamond mining soon became the RUF’s main source of income.<sup>3</sup> This connection went largely unrecognized, however, until 2000 (Gberie 2005), when Partnership Africa Canada, Global Witness, and other organizations drew international attention to the role of diamonds in fueling and sustaining the conflict (Smillie, Gberie, and Hazelton 2000).

Between 1997 and 2005, three different peace operations were launched in Sierra Leone: the Economic Community of West African States Cease-Fire Monitoring Group (ECOMOG) between 1997 and 2000; the United Nations Observer Mission in Sierra Leone (UNOMSIL) between 1998 and 1999; and the United Nations Mission in Sierra Leone (UNAMSIL) between 1999 and 2005.<sup>4</sup> Although all three peace operations were interrelated, this section focuses on UNAMSIL because it was during that operation that the illegal diamond trade was brought to the attention of the international community.<sup>5</sup>

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see Annica Waleij, Timothy Bosetti, Russ Doran, and Birgitta Liljedahl, “Environmental Stewardship in Peace Operations: The Role of the Military,” in this book.

<sup>3</sup> Alluvial diamond deposits are those found in the clay, silt, or gravel of existing or ancient riverbeds.

<sup>4</sup> In 2000, the United Kingdom carried out a rescue operation, Operation Palliser, to retrieve British soldiers who had been taken hostage by a rebel group known as the West Side Boys; this was not technically a peace operation.

<sup>5</sup> For a detailed description of the civil war and subsequent peace operations in Sierra Leone, see Berman and Labonte (2006).



The Lomé Peace Agreement, signed in July 1999, was one in a series of accords intended to end Sierra Leone’s civil war.<sup>6</sup> UNAMSIL, a peacekeeping force acting under chapter VII of the Charter of the United Nations, was deployed to ensure the security of the disarmament, demobilization, and reintegration (DDR) process and to preserve the tenuous peace.<sup>7</sup> Although India contributed

<sup>6</sup>The Lomé agreement was controversial because it gave the RUF important government positions (including four in the cabinet); granted the RUF amnesty for human rights violations; and made Foday Sankoh, the RUF leader, the head of the Commission for the Management of Strategic Resources, National Reconstruction and Development (Alao and Ero 2001). Sankoh was also appointed cabinet minister, which gave him the status of vice president. For further discussion of the Lomé agreement, see Simon J. A. Mason, Damiano A. Sguaitamatti, and María del Pilar Ramírez Gröbli, “Stepping Stones to Peace? Natural Resource Provisions in Peace Agreements,” in this book.

<sup>7</sup>In article 39, chapter VII of the UN Charter allows the UNSC to “determine the existence of any threat to the peace, breach of the peace, or act of aggression and . . . decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.” For text of chapter VII of the UN Charter, see [www.un.org/en/documents/charter/chapter7.shtml](http://www.un.org/en/documents/charter/chapter7.shtml).

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the largest number of troops,<sup>8</sup> two-thirds of the UNAMSIL troops were “rehabbed” ECOMOG forces: one battalion each from Nigeria,<sup>9</sup> Guinea, and Ghana (Berman and Labonte 2006).<sup>10</sup>

Initially, UNAMSIL operated in conjunction with ECOMOG, but there were a number of tensions between the two organizations. First, Maj. Gen. Vijay Kumar Jetley, an Indian, was appointed force commander for UNAMSIL. Because ECOMOG was led and largely staffed by Nigerians, ECOMOG forces may have resented the appointment of a non-Nigerian to lead UNAMSIL. Second, ECOMOG forces had hoped to make up the entirety of the UNAMSIL force, and Maj. Gen. Gabriel Kpamber, the Nigerian force commander, had hoped to be appointed force commander of UNAMSIL.<sup>11</sup>

Tensions were further compounded by four circumstances: (1) many units under Jetley’s command had not been properly briefed in their home countries about the application of chapter VII of the UN Charter; (2) many of the forces lacked mission-critical equipment, including weapons, vehicles, and communications gear; (3) supplies of basic materials (such as fuel and water), which were the responsibility of the UN, were inadequate; and (4) most contingents were unwilling to use force, and were therefore unprepared to fight the rebels when the situation demanded it—a circumstance that was heavily exploited by the RUF (Jetley 2000; Berman and Labonte 2006).

In short, the UNAMSIL troops were poorly trained, poorly equipped, and not motivated to do their jobs. As a result, the DDR process progressed slowly. Meanwhile, the rebels continued to harass the UN troops—a fact that did not go unnoticed by the local population, and undermined the credibility of the UN mission. The RUF, rather than the UN, seemed to be in control of the country.

In May 2000, the RUF took five hundred UNAMSIL soldiers prisoner. According to Lansana Gberie, in the aftermath of the lengthy negotiations that led to the hostages being freed, UNAMSIL lost further credibility with the local population, which referred to the organization as “U-Nasty” (Gberie 2005).<sup>12</sup>

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<sup>8</sup>India initially contributed one infantry battalion, one engineering company, one guard, one administration company, one artillery battery, one quick-reaction company, one flight of helicopters, a number of military observers, and a level II hospital (which provides primary health care, basic surgery, advanced life support, intensive care, limited patient holding capacity, and casualty evacuation to the next medical level). This contribution was later reinforced with one more infantry battalion, one more artillery battery, one flight of attack helicopters, and one special forces team.

<sup>9</sup>Nigeria’s initial contribution was one infantry battalion and a group of military observers; one more infantry battalion was subsequently added.

<sup>10</sup>Lt. Gen. (ret.) Vijay Kumar Jetley, personal communication with the author, Nairobi, November 2010. Instead of returning to their home country and being redeployed, rehabbed troops remain in the country and simply change their headgear to the UN blue helmet.

<sup>11</sup>Jetley, personal communication.

<sup>12</sup>It should be noted that Jetley, in the course of personal communication with the author in November 2010, said that he had never heard the term “U-Nasty” used.

Nevertheless, two major operations carried out in the summer of 2000, under Jetley's command, broke the back of the RUF, making it clear to the rebels that the UN was committed to carrying out its mandate.

Tensions within the mission came to a head in September 2000, when a private memorandum written by Jetley was leaked to the UNAMSIL local area network and later to the *Guardian* newspaper (MacAskill 2000; McGreal 2000). The memorandum (1) alleged that ECOMOG and the RUF had, over time, formed a relationship that extended to the highest ranks of UNAMSIL; (2) accused two Nigerians—Brig. Gen. Mohammed Garba, the UNAMSIL deputy force commander, and Oluyemi Adeniji, the UN Special Representative for the Secretary-General—of sabotaging the peace effort; and (3) expressed Jetley's suspicion that members of the Nigerian army were profiting from illegal diamond mining (Jetley 2000).<sup>13</sup>

The memorandum described the politically delicate nature of UN peacekeeping operations and noted how fragile peace often is—especially in Africa, and especially when natural resources are involved. Jetley explained that in Sierra Leone, he and the UN mission had both run afoul of vested interests in the diamond trade:

UN Peace Keeping operations are a combination of diplomacy and tact. Generally in African countries the Peace Accord signed is shaky and fragile. In a mineral rich country like Sierra Leone, politics has a very major role to play in finding solutions to civil wars. In my case, the Mission Directive given to me and which I tried to follow implicitly, directly conflicted with the interests . . . of not only the warring factions but also of the major players in the diamond racket like Liberia and Nigeria. As an Indian, and having no hidden agenda to promote, I became a victim of the machinations of these countries. By placing their stooges in the right places they have not only tried to scuttle the peace process but also try and denigrate me and the country I represent, to promote their own personal ambitions and personal interests (Jetley 2000).

Jetley's allegations were hotly denied by the Nigerians, who clamored for Jetley's recall (McGreal and MacAskill 2000). Two factors—the crisis set off by the leaked memorandum, and the need to increase the mission's troop strength—eventually led to Jetley's ouster; he was replaced by a higher-ranking commander (McGreal 2000; Berman and Labonte 2006).

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<sup>13</sup> Other sources have also claimed that Nigerian peacekeepers were involved in illicit diamond trading, in both Sierra Leone and Liberia (Alao 2007; Montague 2002). According to one UNAMSIL Swedish military observer deployed in Sierra Leone (interviewed on June 4, 2010), diamonds seem to have been readily available for any willing buyer in Freetown, Sierra Leone's capital, during the spring of 2000. Furthermore, Nigerian Brig. Gen. Maxwell Khobe, a former ECOMOG commander, was commonly known as the "Ten-Million-Dollar Man" because of allegations that during his ECOMOG deployment in Liberia, he had received US\$10 million to refrain from interfering with RUF activities (Gberie 2005).

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When the UN set up a panel of experts to look into the role of diamonds in the conflict, the panel found that the bulk of the RUF diamonds left Sierra Leone through Liberia, confirming and amplifying Partnership Africa Canada's findings of 2000 (UNSC 2000a; Smillie, Gberie, and Hazelton 2000). Soon after the panel's findings were released, the UNSC imposed an embargo on direct and indirect imports of all rough diamonds from Sierra Leone, and required the government of Sierra Leone (with the assistance of the international community) to immediately establish a certificate-of-origin regime (UNSC 2000b). Meanwhile, the United Kingdom provided additional troops, as well as better combat equipment and logistical support, for UNAMSIL.<sup>14</sup> With sufficient troops on the ground, UNAMSIL made genuine progress, and began to successfully address negative perceptions of the mission.

The UN panel also investigated, but could not substantiate, allegations that Nigerian UNAMSIL officials had engaged in illicit diamond dealings. Nevertheless, the UN subsequently launched initiatives to increase accountability. For example, the 2004 Report of the Secretary-General's High-Level Panel on Threats, Challenges and Change called for the establishment of a peacebuilding commission (PBC) to oversee the work of UN territorial administrations (UN 2004).

Although one of the first states on the agenda of the PBC was Sierra Leone, the commission's draft plan for its work in Sierra Leone failed to mention the role of diamonds in fueling the war. This omission led Global Witness, a non-governmental organization that tracks the relationship between conflict, corruption, and natural resources, to call for strengthened natural resource governance in the final version of the Sierra Leone Peacebuilding Cooperation Framework (Global Witness 2007; PBC 2007).<sup>15</sup> While initial progress was slow (Global Witness 2010), the PBC has begun to incorporate provisions for natural resource management into its activities in Sierra Leone and elsewhere.<sup>16</sup>

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<sup>14</sup> On British intervention in support of UNAMSIL, see Berman and Labonte (2006) and Gberie (2005).

<sup>15</sup> The Sierra Leone Peacebuilding Cooperation Framework was adopted by the PBC and the government of Sierra Leone in December 2007, as a means of strengthening dialogue and enhancing cooperation between Sierra Leone and its international partners.

<sup>16</sup> In 2009, the PBC copublished (with the United Nations Environment Programme) a policy brief titled *From Conflict to Peacebuilding: The Role of Natural Resources and the Environment* (UNEP 2009). During 2010 and 2011, the PBC appointed an officer to address natural resource issues, convened some lessons-learned sessions on natural resources, and explored ways to financially support the UN's work on natural resources and peacebuilding. For further discussion of PBC experiences in incorporating natural resources into its work plan in Sierra Leone and elsewhere, see Matti Lehtonen, "Peacebuilding through Natural Resource Management: The UN Peacebuilding Commission's First Five Years," in this book.

## GOLD FOR GUNS: THE CASE OF THE DEMOCRATIC REPUBLIC OF THE CONGO

Gold was first discovered in what is now the DRC in the early 1900s, near Mongbwalu, in Ituri District.<sup>17</sup> Although the fighting in eastern DRC has numerous and complex causes, including long-standing political and ethnic grievances and disputes over land, greed and the desire to control the rich mineral deposits in the region have been significant motivators (Global Witness 2009; HRW 2005). Thus, the illicit exploitation of natural resources has been central to the conflict since the first Congolese war erupted, in 1996 (Global Witness 2005, 2009; UNSC 2001, 2002).<sup>18</sup>



*Note:* The DRC constitution, which was ratified in 2005 and came into effect in 2006, mandated that within three years the eleven provinces be redivided into twenty-six. As of March 2014, the redivision had not yet taken place.

<sup>17</sup> Under the 2006 Constitution of the Democratic Republic of the Congo, Ituri’s administrative status is to change from a district to a province; as of March 2014, this change had not yet taken place.

<sup>18</sup> Illicit exploitation has been well documented by the UN Expert Panel on Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, the UN Group of Experts on the Democratic Republic of the Congo, and nongovernmental organizations (UNSC 2001, 2002; Global Witness 2005, 2009).



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Since the beginning of the second Congolese war, in 1998, various rebel groups have fought for control of the gold in and around Mongbwalu: between 2002 and 2004, the area changed hands among militias no fewer than five times. The United Nations Organization Mission in the Democratic Republic of the Congo (Mission de l'Organisation des Nations Unies en République Démocratique du Congo, or MONUC)<sup>19</sup> has been deployed to the DRC under chapter VII of the UN Charter since 1999.<sup>20</sup> When Indian and Pakistani troops from MONUC arrived in 2005, the mining areas in Ituri District were controlled by the Nationalist and Integrationist Front (Front des Nationalistes et Intégrationnistes, or FNI) (Ross 2005; HRW 2005; Plaut 2007a).

In 2005, during a visit to Mongbwalu, Human Rights Watch discovered evidence that some Pakistani peacekeepers were involved in illegal trade. In hopes that the matter would be investigated, Human Rights Watch handed over to MONUC various documents that substantiated the allegations. When the investigation appeared to have stalled, Human Rights Watch turned its report over to the British Broadcasting Corporation (BBC) (Plaut 2007c).

The extensive BBC investigations that followed found evidence that, in 2005, MONUC troops from India and Pakistan had been involved in two separate cases of trading small arms for natural resources in eastern DRC.<sup>21</sup> In the first case, Indian troops stationed near Goma, in North Kivu, allegedly purchased gold from the Democratic Forces for the Liberation of Rwanda (Forces Démocratiques de Liberation du Rwanda, or FDLR).<sup>22</sup> In the second case, which had first been brought to public attention by Human Rights Watch, members of the Pakistani battalion in Mongbwalu allegedly provided the FNI with weapons and engaged in the illegal gold trade (Plaut 2007c).

Despite the apparent validity of the evidence and wide media attention,<sup>23</sup> the investigations yielded little in the way of results. The first case was investigated by the UN Office of Internal Oversight Services (OIOS), the UN internal investigation and auditing unit, which found evidence for only one minor charge. Three Indian peacekeepers—a lieutenant colonel, a junior commissioned officer, and a noncommissioned officer—were let off with a warning. The second case was closed for lack of corroborating evidence (UN News Centre 2008).

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<sup>19</sup> On July 1, 2010, MONUC became the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).

<sup>20</sup> MONUC was assigned the following tasks, among others: overseeing the Lusaka Ceasefire Agreement of 1999; monitoring the ceasefire between foreign and Congolese forces; assisting with the transformation to democratic rule; and supporting regional reconciliation (UNSC 1999b, 2000c).

<sup>21</sup> The BBC also claimed that a UN helicopter had flown into Virunga National Park to trade ammunition for ivory and UN food rations for gold (Plaut 2008a, 2008b).

<sup>22</sup> The FDLR was made up of members of the Rwandan army who had fled to the DRC after their involvement in the Rwandan genocide of 1994.

<sup>23</sup> For example, see BBC News 2007a, 2007b; Trevelyan 2008; Plaut 2007b, 2007c, 2008a, 2008b; Pflanz 2007; and Escobales 2008.

According to BBC investigative reporter Martin Plaut, however, the OIOS team deployed to Mongbwalu did initially confirm that members of the Pakistani battalion were trading small arms and ammunition with the FDLR for gold. Moreover, interviews undertaken by Human Rights Watch and the BBC with local businessmen in Mongbwalu, with an interpreter working for the Pakistani contingent, and with the district commissioner of Ituri District, among others, confirmed that the trading had occurred (Plaut 2007c).<sup>24</sup> But according to Plaut, the OIOS team found it difficult to follow up on the evidence, partly because the Pakistani contingent was unwilling to cooperate, and partly because of a perceived lack of support from the higher levels of the OIOS. Plaut concludes that the investigation was blocked for political reasons (Plaut 2007c).

### **GREED, IGNORANCE, AND FURS**

Sierra Leone and the DRC are not the only countries in which peacekeepers have allegedly been involved in natural resource-related crimes; in other parts of the world, both civilian and military members of international peace operations, as well as diplomats and humanitarian aid workers, have been accused of trading illegally in threatened or endangered wildlife. In 2000, for example, an investigation undertaken by Save the Elephants found that diplomats, staff from international organizations (such as the UN), and government and military personnel were some of the major buyers of ivory (Martin and Stiles 2000).<sup>25</sup> In a case that received broad public attention, the head of the UN peacekeeping mission in Rwanda, a lieutenant colonel from Pakistan, was waiting at Nairobi International Airport to board a flight to Dubai when airport police discovered that he was carrying four elephant tusks, a dozen pieces of worked ivory, and a leopard skin in his suitcase (Astill 2001).

International peace interventions, and the accompanying influx of foreigners, appear to have transformed Afghanistan into the hub of a growing and lucrative trade in illegal snow leopard furs. Despite a hunting ban that has been in effect since 2002, the furs regularly end up for sale on international military bases and at tourist bazaars in Kabul, Afghanistan's capital. In 2003, a shopkeeper selling wild animal parts, including snow leopard furs and skins, told a BBC reporter that as much as 60 percent of the increase in sales that had occurred since

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<sup>24</sup> If peacekeepers were in fact trading weapons for gold, they were not only breaking Congolese law, but were also undermining the fragile structure of the Congolese government. Moreover, as noted by Human Rights Watch, gold trading and the provision of arms and ammunition by UN peacekeepers to militia groups directly fueled the violence that peacekeepers are meant to prevent (HRW 2007, 2008).

<sup>25</sup> The purpose of the study was to establish baseline data on the ivory trade in Africa. The investigators also found strong evidence that in some areas, elephants were being killed primarily for their meat. Of course, the tusks are removed for eventual sale, but some hunters are driven largely by the bush meat trade.

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2001 could be explained by the influx of troops from the International Security Assistance Force of the North Atlantic Treaty Organization (NATO) (Jalil 2003; *London Evening Standard* 2008). In an interview with the BBC, Yousef Nouristani, who was then Afghanistan's environment minister, expressed concern that international staff had enough buying power to shape local markets, including the demand for wildlife products (*London Evening Standard* 2008).

Nouristani's concern was justified: in 2007, when Clayton Miller, the environmental advisor to the U.S. embassy in Kabul, arrived in Afghanistan, he discovered that the practice of selling endangered-animal parts to foreigners was widespread. The U.S. embassy, in collaboration with the Wildlife Conservation Society and the U.S. military, responded by conducting raids on U.S. military bases and launching a campaign to educate military and civilian staff—in particular, those in charge of mail services—on how to recognize the furs of threatened or endangered animals (*London Evening Standard* 2008; WCS and U.S. DOD n.d.).

The Standing Committee of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) has expressed concern about the involvement of international peacekeeping forces in the illicit, cross-border movement of endangered wildlife products.<sup>26</sup> In 2004, the CITES secretary-general alerted the head of peacekeeping missions at UN headquarters and the NATO secretary-general of the violations (CITES 2004). Both organizations responded by stating that peacekeeping troops would be reminded that they are not exempt from the provisions of CITES (CITES 2008).

Operation Dove, an initiative of the CITES secretariat and the Investigations Division of the OIOS, is designed to provide a more effective response to cases in which UN officials or members of peacekeeping forces are involved in the cross-border movement of prohibited or restricted goods (such as firearms, cultural items, and specimens of CITES-listed species) (CITES 2006). Under the aegis of Operation Dove, at least one incident involving peacekeeping forces and an attempted illegal export of ivory was detected and investigated (CITES 2008).

The international community and the UN Secretary-General have recently targeted wildlife crime through activities to promote information sharing, scaling up and coordinating enforcement, and reaching out to stakeholders to help suppress demand for illicitly traded goods (CITES 2013; Scanlon 2013; UNSC 2013; Waleij, Liljedahl, and Simonsson 2013). Although these actions do not specifically focus on peacekeepers, increased attention to wildlife crime throughout the supply chain can help raise awareness among peacekeepers of the illegality and seriousness of purchasing and transporting products derived from endangered species.

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<sup>26</sup> CITES, also known as the Washington Convention, is an international agreement designed to ensure that international trade in specimens of wild animals and plants does not threaten their survival (CITES n.d.).

## **OBSERVATIONS AND RECOMMENDATIONS**

According to the UN Department of Peacekeeping Operations (DPKO), all peacekeepers are expected to uphold the highest standards of personal behavior and professional conduct. If illegal behavior does occur, it must be investigated promptly, through transparent procedures, and must be disciplined appropriately (DPKO 2008). Despite these stated aims, the OIOS investigation of allegations against peacekeepers in the DRC was criticized by Human Rights Watch for failing to go far enough in its conclusions, for slow progress and lack of transparency, and, most importantly, for a continuing lack of accountability (HRW 2007, 2008). Other observers have argued that because of the UN's failure to fully investigate allegations that UN peacekeepers have engaged in criminal activities, such allegations seldom result in the disciplining of troops under UN command.<sup>27</sup>

One factor that complicates the issue of peacekeepers' behavior is that responsibility for conduct and discipline ultimately lies with the member states that contribute troops. The UN (or any other troop-coordinating entity) can investigate troop behavior and, at worst, repatriate any peacekeepers who are found guilty of misconduct—but further prosecution is up to the sending nation. In the cases concerning Pakistani troops, for example, Pakistan insisted that the allegations were false and refused to prosecute (HRW 2008; Plaut 2007c).

The question that arises is, How rigorously can an organization such as the UN follow up on complaints, when it is politically dependent on member states to provide troops for its peace operations? Matthias Basanisi, an investigator who was formerly in charge of the OIOS team, has argued that the OIOS findings regarding the conduct of the Pakistani peacekeepers in the DRC were little short of a whitewash (Basanisi 2008). His theory is that despite the risk of long-term damage to peacebuilding associated with failure to vigorously pursue complaints, the UN would have been unlikely to take actions that would offend one of the member states that contributes the most troops to UN peacekeeping missions.

The same argument was made after the UN Secretary-General decided to replace Jetley as the UNAMSIL force commander, but not to repatriate either Adeniji, the UN Special Representative for the Secretary-General, or Garba, the UNAMSIL deputy force commander, both of whom were Nigerian, or to investigate allegations concerning the conduct of Nigerian peacekeepers (Berman and Labonte 2006). While the Secretary-General's decision was arguably justifiable in the short term because it sustained Nigeria's involvement, and hence supported the UNAMSIL mission, this was a missed opportunity to investigate Jetley's allegations. The UN's failure to follow up on Jetley's charges also gravely offended India—which, like Pakistan, is among the countries that contributes the

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<sup>27</sup> See, for example, Global Witness (2010), Trevelyan (2008), Basanisi (2008), Berman and Labonte (2006), and Plaut (2007c).

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greatest number of troops to UN peacekeeping missions; as a result, the Indian government pulled all its troops out of Sierra Leone at the completion of their one-year commitment, causing immediate damage to the mission. Regrettably, the topic of alleged troop misconduct was essentially avoided in the DPKO Best Practices Unit report on lessons learned from the peacekeeping missions in Sierra Leone (DPKO Peacekeeping Best Practices Unit 2003).

The public perception of a peace operation is crucial to its success. As critics of the OIOS investigation were careful to point out (HRW 2008; Basanisi 2008), most peacekeepers are dedicated to their missions and work hard to fulfill their assigned tasks. Nevertheless, public perceptions can be shattered by the actions of a few.

With respect to the conduct of international peacekeepers, Global Witness has made a number of specific suggestions (Global Witness 2010):

- The UN Secretary-General should sign a memorandum of understanding with troop-contributing countries to clarify their legal obligation to investigate and prosecute any peacekeepers who are proven to be involved in the exploitation and illegal trade of natural resources.
- The United Nations General Assembly should either (1) require the OIOS to establish a professional monitoring body or (2) mandate the creation of an independent, third-party mechanism to investigate cases of peacekeepers' involvement in the exploitation and trade of natural resources.
- Member states should investigate, prosecute, and appropriately discipline troops found guilty of such offenses. Discipline should include immediate suspension and ineligibility for further deployment.

These steps to increase transparency, accountability, and enforcement would help deter illicit behavior by clarifying the consequences. Training and awareness campaigns can also help to stem illegal behavior.

As of this writing, the UN has yet to take stronger action in response to accusations of illegal behavior on the part of peacekeepers. Although doing so would require diplomacy, the risks to future peacekeeping operations are too great to allow such violations to continue.

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