

Tuesday, August 19, 2008

PEACEKEEPING AND THE INTERNATIONAL CRIMINAL COURT(ICC)

Crimes against humanity continue. World opinion is less willing to tolerate these atrocities. Peacekeeping and the ICC are a first line of defense in the struggle against conflicts and impunity. This is evidenced by the rise in the use of UN peacekeepers and the development of limited time war tribunals and the more vigorous activities of the ICC, thankfully now a permanent institution determined to pursue and prosecute criminals.

This intensifying consciousness promotes the mission of the UN to further international peace and security. Because of the cold war, in the first 40 years in the UN's history, only 13 peacekeeping operations were organized. In the 20 years since then 47 missions were developed. Over the past few years the demand for peacekeeping operations has greatly increased in part because of a greater willingness to use them.

Today there are more than 110,000 men and women --there is an increasing use of women--deployed in conflict zones.They come from nearly 120 countries, representing a sevenfold increase in UN peacekeeping since 1999.

The UN does not have its own military force and depends on contributions from member states. The UN's Security Council creates and defines the details and clear rules of engagement of the peacekeeping missions. Peacekeeping troops, popularly known as blue helmets, participate under terms carefully negotiated by their governments and remain under overall authority of these governments, while serving under UN operational command. The authority to deploy peacekeepers remains with the governments that volunteered them, as does the responsibility for pay, discipline and personnel matters.

In May 2008, a wreath-laying ceremony at UN headquarters in New York honored the more than 2400 peacekeepers who have given their lives in the cause of peace over the past 60 years. The number of peacekeepers recently killed in the Sudan testifies to the deadliness of the task. Studies show that generally as peacekeeping operations increase, casualties drop. The Rand Corporation has examined eight

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completed peacekeeping missions and concluded that two-thirds of them were successful.

Recently, there have been allegations of abuse and sexual scandals among peacekeepers in the Congo and elsewhere. The UN is very concerned but is caught in a legal and administrative bind. It can and does investigate but has no jurisdiction over the alleged culprits. Only their home states have the authority to try and punish them. Some countries prefer to ignore these events. The UN can dismiss those involved and recommend their return. An entire Moroccan troop was suspended for discipline reasons. A police contingent in the Congo was sent home for conduct violations.

The UN has strengthened its procedures. A recently adopted Model Memorandum of Understanding (MMU) requires governments to explicitly agree to strengthen legal proceedings, and training of troops before sending them into the field. This new arrangement was applied to alleged abuses by Sri Lankan peacekeepers in Haiti. Over 100 soldiers now face courts martial.

The world's response to atrocities is changing. A further sign of this burgeoning mood is the recent confidence, independence and renewed vigor of the ICC and other tribunals to pursue accountability and impunity of criminal genocidal behavior. Witness the possible indictment of Sudanese president Bashir. This unprecedented move raises the moral dilemma of PEACE versus JUSTICE. Will it make peace efforts more difficult and jeopardize humanitarian efforts or will it bring pressure for accommodation? It remains to be seen.

A most wanted war criminal, Karadzic, former Bosnian Serb president was recently arrested after a 13 year hunt for war crimes in Srebrenica. The cause-- Serbia's wish to join the European Union, who demanded his arrest.

The time is coming when a country's leaders can no longer commit atrocities against their population and then peacefully retire in Switzerland.

With the aid of improved communications world opinion knows more about these abuses and are less willing to accept them. The rise in consciousness, in spite of the

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many political conflicts among nations, is a very exciting and welcome development. From an ethical standpoint, whatever we can do to contribute to this consciousness, is a keystone of our effort.

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