

II. New peace operations

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In 2014, four areas of conflict hosted seven new multilateral peace operations. In the Central African Republic (CAR), the European Union (EU) launched its Military Operation in the CAR (EUFOR RCA) and the United Nations Multidimensional Integrated Stabilization Mission in the CAR (MINUSCA) replaced the African-led International Support Mission in the CAR (MISCA). The African Union (AU) Mission for Mali and the Sahel (MISAHEL) fulfilled the criteria of a peace operation following the adoption of the AU Strategy for the Sahel Region, which it was tasked with implementing. In South Sudan, the Intergovernmental Authority on Development (IGAD) Monitoring and Verification Mechanism (MVM) opened. Lastly, the Ukraine conflict led to the establishment of three new missions: the Organization for Security and Co-operation in Europe (OSCE) Special Monitoring Mission (SMM) to Ukraine, the OSCE Observer Mission (OM) at the Russian Checkpoints Gukovo and Donetsk, and the EU Advisory Mission for Civilian Security Sector Reform Ukraine (EUAM Ukraine).

The Central African Republic

By December 2013 the CAR already hosted a complex constellation of peace operations: the UN Integrated Peacebuilding Office in the CAR (BINUCA), MISCA and France's Operation Sangaris. Despite the presence of these operations, in the period between early December and early February more than 1000 civilians were killed and hundreds of thousands of persons became internally displaced.¹ The EU had already signalled its willingness to deploy a mission to the CAR in the framework of its Common Security and Defence Policy (CSDP). In January 2014 the EU adopted the concept of a bridging operation, EUFOR RCA, which in February was authorized by the UN Security Council to use all necessary means to contribute to the provision of a safe and secure environment.² The mission was to deploy as soon as possible in order to stabilize the situation and hand over to MISCA within four to six months of reaching its full operational capability.³ EUFOR RCA was to take responsibility for Bangui M'Poko International Airport, where some 100 000 people had taken

¹ UN Security Council Resolution 2134, 28 Jan. 2014.

² Council Decision 2014/73/CFSP of 10 Feb. 2014 on a European Union Military Operation in the Central African Republic (EUFOR RCA), *Official Journal of the European Union*, L40/59, 11 Feb. 2014.

³ Council Decision 2014/73/CFSP (note 2).

refuge, as well as for a number of districts in Bangui.⁴ However, EU member state contributions were slow and insufficient, delaying the launch of the operation until the beginning of April.⁵ EUFOR RCA only achieved full operational capability on 15 June.

On 28 January 2014 the UN Security Council updated, expanded and extended BINUCA's mandate until the end of January 2015. BINUCA's original mandate covered (a) support for the implementation of the transition process; (b) conflict prevention and humanitarian assistance; (c) the stabilization of the security situation; (d) the protection of human rights; and (e) the coordination of international actors. Following the update on 28 January, it also came to include the extension of state authority and support for the implementation of an arms embargo and other sanctions. The mission was reinforced for this purpose.⁶

In the meantime, there were mixed reports on the extent to which the presence of MISCA and Operation Sangaris had stabilized the CAR.⁷ In the media, there were claims that the international community had taken too long to address the 'potential genocide'.⁸ In April, the humanitarian situation in the CAR remained dire, with 760 000 internally displaced persons and 300 000 refugees in neighbouring countries.⁹ MISCA was a troubled operation: Chadian MISCA forces were frequently accused of supporting former Séléka elements, while Congolese AU troops were implicated in human rights violations, including the enforced disappearance of at least 11 people in March 2014.¹⁰ Also in March, an incident involving Chadian troops operating in the CAR outside MISCA led to 30 civilian deaths and another 300 injuries. A UN investigation blamed the incident on the

⁴ Council of the European Union, Press Release ST 14947/14 PRESSE 566, 7 Nov. 2014; and 'UN Chief warns CAR could break up', Aljazeera, 12 Feb. 2014, <<http://www.aljazeera.com/news/africa/2014/02/un-chief-warns-car-could-break-up-201421243833672163.html>>.

⁵ Croft, A., 'New help puts EU Central African Republic mission back on track', Reuters, 29 Mar. 2014, <<http://www.reuters.com/article/2014/03/29/us-centralafrica-eu-idUSBREA2SOMR20140329>>.

⁶ UN Security Council Resolution 2134 (note 1).

⁷ 'Troops halt attack in Central Africa', *New York Times*, 9 Feb. 2014; Nikolaeva, M. and Labbe, C., 'France likely to extend mission in Central African Republic: minister', Reuters, 6 Feb. 2014, <<http://uk.reuters.com/article/2014/02/06/uk-centralafrican-france-idUKBREA151BM20140206>>; and 'Central African Republic briefing by the Secretary General and AU Commissioner', What's in Blue, 19 Feb. 2014, <<http://www.whatsinblue.org/2014/02/central-african-republic-briefing-by-the-secretary-general-and-au-commissioner.php>>.

⁸ Braun, E., and Miles, T., "'Seeds of genocide" in Central African Republic, U.N. warns', Reuters, 16 Jan. 2014, <<http://www.reuters.com/article/2014/01/16/us-centralafrican-idUSBREA0FOPR20140116>>; and Terlouw, S., 'Central African Republic needs support whether it is making headlines or not', *The Guardian*, 20 Jan. 2014.

⁹ UN Security Council Resolution 2149, 10 Apr. 2014.

¹⁰ Human Rights Watch, 'Central African Republic: Peacekeepers tied to abuse', 2 June 2014, <<http://www.hrw.org/news/2014/06/02/central-african-republic-peacekeepers-tied-abuse>>.

Chadian troops and Chad subsequently withdrew its contingent from MISCA.¹¹

The CAR's Minister of Foreign Affairs, Toussaint Kongo-Doudou, had requested a UN operation as early as 27 January 2014 and the chair of the AU Commission supported this request on 17 February.¹² Twenty years after the genocide in Rwanda, the UN Secretary-General, Ban Ki-moon, argued that the international community was 'at risk' of repeating the same mistakes, therefore, the UN needed to act.¹³ He also stressed that over 3000 additional international forces were needed and that all international forces should be placed under one coordinated command.¹⁴ The UN Security Council responded favourably to these ideas and transformed MISCA into a UN operation, thus establishing MINUSCA.¹⁵

MINUSCA was mandated to (a) protect civilians; (b) support the implementation of the transition process, including the extension of the CAR Government's authority throughout its territory; (c) facilitate the safe and unhindered delivery of humanitarian assistance; (d) promote and protect human rights; (e) support national and international justice and rule of law, including supporting the bringing to justice of those wanted by the International Criminal Court; and (f) help the disarmament, demobilization, reintegration and repatriation of ex-combatants. Where conditions permitted, MINUSCA was also to support security-sector reform, coordinate humanitarian assistance and aid in the implementation and monitoring of an arms embargo and other sanctions. Lastly, at the request of the transitional authorities in areas where national security forces were not present, MINUSCA was to maintain basic law and order, and fight impunity for a limited time period and with a limited scope. This more 'robust' approach to use force was not to set a precedent for other UN operations and its implementation was to follow the principles of peacekeeping, including impartiality. MINUSCA also incorporated BINUCA, including its guard unit, and it was authorized to consist of 11 000 military personnel and 1800 police personnel. The French forces of Operation Sangaris were mandated to provide operational support to MINUSCA. The transfer of authority from MISCA to MINUSCA and the actual re-hatting of the military and police personnel deployed in MISCA were scheduled to take place on

¹¹ Miles, T. and Nebehay, S., 'U.N. says Chadian soldiers killed 30 in Central African Republic attack', Reuters, 4 Apr. 2014, <<http://www.reuters.com/article/2014/04/04/us-centralafrica-chad-un-idUSBREA330T320140404>>.

¹² UN Security Council Resolution 2149 (note 9).

¹³ Djamany, H-M., 'UN chief says C. African Republic peacekeepers "overwhelmed"', Reuters, 5 Apr. 2014, <<http://www.reuters.com/article/2014/04/05/us-centralafrica-idUSBREA340NU20140405>>.

¹⁴ Nichols, M., 'UN chief wants 3,000 more troops for Central African Republic', Reuters, 20 Feb. 2014, <<http://www.reuters.com/article/2014/02/21/us-centralafrican-un-idUSBREAJ21R20140221>>.

¹⁵ UN Security Council Resolution 2149 (note 9).

15 September. During the transition period, MINUSCA was to implement its mandate through its civilian component, formerly BINUCA.¹⁶

In order to ensure a smooth transition from EUFOR RCA to the newly established MINUSCA, the UN Security Council extended its authorization of EUFOR RCA until 15 March 2015.¹⁷ This allowed the EU to extend the period of deployment after full operational capability from 4–6 months to 9 months.¹⁸

Towards the end of 2014 the humanitarian situation in the CAR had improved somewhat: nearly one-fifth of the population was still displaced, but this was a decrease of about half a million.¹⁹ However, the security situation remained dire after violence flared in mid-October. In addition to the Christian–Muslim intercommunal violence, peace operations active in the country were also targeted. Armed protestors targeted MINUSCA’s main compound in Bangui on several occasions. The UN responded to these incidents by taking additional security measures, including the temporary withdrawal of non-essential personnel.²⁰ Despite these challenges, France—in reaction to the increase in MINUSCA’s capacity—stated its intention to draw down Operation Sangaris to a small force based in Bangui.²¹

Mali

As was the case in the CAR, Mali also already hosted a number of different peace operations at the beginning of 2014: the EU Training Mission Mali (EUTM Mali), the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) and France’s Operation Serval.

In April 2014 the EU established an additional CSDP mission to complement its efforts to support institutional reform and to build military and civilian capacity in Mali and the wider Sahel region: the EU CSDP Mission

¹⁶ UN Security Council Resolution 2149 (note 9).

¹⁷ UN Security Council Resolution 2181, 21 Oct. 2014.

¹⁸ Council Decision 2014/775/CFSP of 7 Nov. 2014 extending Decision 2014/73/CFSP on a European Union military operation in the Central African Republic (EUFOR RCA), *Official Journal of the European Union*, L325/17, 8 Nov. 2014.

¹⁹ UN High Commissioner for Refugees (UNHCR), *Central African Republic Situation: External Regional Update no. 45 2–26 December 2014*, 26 Dec. 2014, <<http://www.refworld.org/docid/54a6644d4.html>>.

²⁰ United Nations, Security Council, Report of the Secretary-General on the situation in the Central African Republic, S/2014/857, 28 Nov. 2014.

²¹ Irish, J., ‘France begins withdrawing Central Africa troops as U.N. deploys’, Reuters, 4 Dec. 2014, <<http://www.reuters.com/article/2014/12/04/us-centralafrica-france-idUSKCN0JIIOR20141204>>.

in Mali (EUCAP Sahel Mali).²² However, the mission only started carrying out its mandate after it was officially launched on 15 January 2015.²³

In May 2014 MINUSMA expanded its presence in northern Mali. It did not engage armed groups and terrorist organizations, despite requests from the Malian Government, but deployed in rural areas where civilians were at risk.²⁴ As the government had largely withdrawn from northern Mali and Operation Serval had also withdrawn and reconfigured, MINUSMA became the prime target for improvised explosive devices (IEDs), mines, suicide bombers, and rocket and mortar attacks.²⁵ Largely as a consequence of this, MINUSMA suffered 39 fatalities in 2014—a comparatively very high number. The UN Under-Secretary-General for Peacekeeping Operations, Hervé Ladsous, said that MINUSMA had become ‘a target for all those spoilers—extremists, jihadists and traffickers—who would like to have the ground exclusively to themselves’ and that the mission was no longer operating in a ‘peacekeeping environment’, but faced ‘asymmetric threats’.²⁶ Major General Jean Bosco Kazura, MINUSMA’s Force Commander, stated that ‘MINUSMA is in a terrorist-fighting situation without an anti-terrorist mandate or adequate training, equipment, logistics or intelligence to deal with such a situation’.²⁷ The mission also faced decreasing support from the local population, which felt that UN forces were not doing enough to support the Malian armed forces and to prevent armed groups from targeting civilians. Protests were organized against MINUSMA and Operation Serval across the country—questioning their impartiality and calling for their withdrawal.²⁸

MISAHÉL was established in August 2013, following the transformation of the African-led International Support Mission to Mali (AFISMA) into MINUSMA. Its mandate was described in an internal memo by the chair of the AU Commission and comprised four pillars: (a) supporting the political process in Mali, including the so-called transitional road map and the Ouagadougou Agreement (i.e. the ceasefire agreement from 18 June 2013

²² Council Decision 2014/219/CFSP of 15 Apr. 2014 on a European Union CSDP mission in Mali (EUCAP Sahel Mali), *Official Journal of the European Union*, L113/21, 16 Apr. 2014.

²³ Council Decision 2015/76/CFSP of 19 Jan. 2015 launching the European Union CSDP mission in Mali (EUCAP Sahel Mali) and amending Decision 2014/219/CFSP, *Official Journal of the European Union*, L13/5, 20 Jan. 2015.

²⁴ UN Security Council Resolution 2164, 25 June 2014; and Flynn, D., ‘Mali urges aggressive overhaul of U.N. peacekeeping mission’, Reuters, 25 June 2014, <<http://www.reuters.com/article/2014/06/25/us-mali-un-idUSKBN0F0ICL20140625>>.

²⁵ United Nations, Security Council, Report of the Secretary-General on the situation in Mali, S/2014/692, 22 Sep. 2014.

²⁶ United Nations, Security Council, 7274th meeting, S/PV.7274, 8 Oct 2014.

²⁷ United Nations, Security Council, 7275th meeting, S/PV.7275, 9 Oct 2014.

²⁸ Norwegian Refugee Council (NRC), ‘Civilians in Northern Mali in Need of Protection’, NRC Briefing Paper, 19 June 2014, <http://www.nrc.no/arch/_img/9179335.pdf>; and UN News Centre, ‘Mali: UN Mission to investigate deadly protests against compound’, 28 Jan. 2015, <<http://www.un.org/apps/news/story.asp?NewsID=49935#.V0dVWou4kKW1>>.

between a number of warring parties in Mali, paving the way for presidential elections); (b) promoting and protecting human rights; (c) coordinating AU efforts in the field of regional security; and (d) coordinating and facilitating regional development.²⁹ Moreover, in order to streamline AU efforts in these areas, the AU Commission tasked MISAHEL with drafting a strategic document outlining its priorities in the Sahel. As such, MISAHEL became a political (civilian) mission and was based in Bamako, Mali. However, the AU expressed its intention to establish further presences across the region.³⁰

MISAHEL significantly expanded its activities and visibility in 2014. With the adoption of the AU Strategy for the Sahel Region by the AU Peace and Security Council in August 2014, and as the organization responsible for implementing it, MISAHEL's mandate expanded. The strategy centred on the three pillars of governance, security and development, and emphasized the importance of regional cooperation, given the transnational dimension of the challenges that persist in these areas.³¹

Within this framework, MISAHEL continued to support the implementation of, and monitor compliance with, the Ouagadougou Agreement and co-facilitated the Algerian-led peace negotiations between the Malian authorities and armed groups in northern Mali. It also played an active role in the implementation of the 2013 Nouakchott Agreement, which aims to increase cooperation and exchange of information between the security institutions and intelligence agencies of the Sahel-Saharan countries, in order to enhance their capacities to counter threats posed by transnational terrorism and organized crime. On 18 December 2014, the countries participating in the Nouakchott Process requested that the AU Commission establish a secretariat in Niamey, Niger, to further strengthen MISAHEL's coordinating role.³²

²⁹ MISAHEL official, Interview with author, 23 Feb. 2015; and MISAHEL, 'Bulletin d'information de la mission de l'Union Africaine pour le Mali et le Sahel' [Newsletter of the African Union Mission for Mali and the Sahel], no. 1, 31 May 2014, <<http://www.peaceau.org/uploads/bulletin-d-information-de-la-misahel-mai-2014.pdf>>.

³⁰ MISAHEL official, Communication with author, 24 Feb. 2015.

³¹ African Union, Peace and Security Council, 449th meeting, 'The African Union Strategy for the Sahel Region', PSC/PR/3(CDXLIX), 11 Aug. 2014.

³² African Union, Peace and Security Department, Nouakchott Declaration of the 1st summit of the countries participating in the Nouakchott process on the enhancement of security cooperation and the operationalization of the African Peace and Security Architecture in the Sahelo-Saharan Region, 18 Dec. 2014, <<http://www.peaceau.org/en/article/nouakchott-declaration-of-the-1st-summit-of-the-countries-participating-in-the-nouakchott-process-on-the-enhancement-of-security-cooperation-and-the-operationalization-of-the-african-peace-and-security-architecture-in-the-sahelo-saharan-region>>.

South Sudan

After the alleged coup of 15 December 2013, South Sudan was plunged into a security and humanitarian crisis in which increasingly heavy fighting occurred along Nuer–Dinka lines. The UN Mission in South Sudan (UNMISS) sheltered 85 000 civilians in protection sites on eight of its bases, where humanitarian assistance was also provided.³³ As fighting continued outside these camps for internally displaced persons (IDPs), tensions increased and conflicts erupted on a smaller scale inside them.³⁴ The UN Special Representative of the Secretary-General on Sexual Violence in Conflict, Zainab Hawa Bangura, said that ‘the IDPs seeking refuge there face a combination of chronic insecurity, unimaginable living conditions, acute day-to-day protection concerns and rampant sexual violence’.³⁵

President Salva Kiir Mayardit publically accused the mission of supporting the opposition forces and claimed that the UN mission behaved as a ‘parallel government’.³⁶ Subsequently, demonstrations against UNMISS were organized, the mission was limited in its operational freedom, and there were incidents of harassment and serious violations of the status-of-forces agreement between South Sudan and UNMISS. These protests, and the kidnappings, arrests and detention of UN personnel, continued—particularly after UNMISS was accused of arming rebels following the interception of an unauthorized UN arms convoy destined for a newly arrived Ghanaian contingent.³⁷

The mission was not able to reach its authorized levels of 12 500 troops and 1323 police personnel in 2014.³⁸ In addition, the protection sites were inherently vulnerable. For example, in April, two days after an attack on Bentiu by the Sudan People’s Liberation Movement/Army (SPLM/A) in Opposition, the UNMISS camp in Bor was attacked by an angry mob of primarily Dinka youths. At least 353 civilians were killed in these two attacks.³⁹

³³ United Nations, Security Council, Report of the Secretary-General on South Sudan, S/2014/158, 6 Mar. 2014.

³⁴ Kulish, N., ‘South Sudan’s forces clash with rebels near UN base’, *New York Times*, 18 Feb. 2014.

³⁵ ‘South Sudan briefing by Head of UNMISS mission’, What’s in Blue, 21 Oct. 2014, <<http://www.whatsinblue.org/2014/10/south-sudan-briefing-by-head-of-un-mission.php>>.

³⁶ ‘South Sudan president: UN seeking to take over’, Voice of America, 21 Jan. 2014, <<http://www.voanews.com/content/south-sudan-unmiss-ban-salva-kiir-accuses-takeover/1834728.html>>.

³⁷ ‘South Sudan protest against UN over arms cache’, BBC News, 10 Mar. 2014, <<http://www.bbc.com/news/world-africa-26520091>>.

³⁸ United Nations, Security Council S/2014/158 (note 33); and United Nations, Security Council, Report of the Secretary-General on South Sudan, S/2014/821, 18 Nov. 2014.

³⁹ United Nations Mission in the Republic of South Sudan, *Attacks on Civilians in Bentiu & Bor April 2014*, 9 Jan. 2015.

On 23 January 2014, in Addis Ababa, the South Sudanese Government and the SPLM/A in Opposition signed a cessation of hostilities (COH) agreement, which was to be monitored by IGAD's MVM. On 31 January the IGAD Assembly of Heads of State and Government established an initial MVM presence to facilitate the operationalization of the mission.⁴⁰ The first monitors arrived just a few days later.⁴¹ Nevertheless, the perception of IGAD's impartiality was fragile as one of its member states, Uganda, had deployed forces in South Sudan and actively supported the South Sudanese Government.⁴² In February the parties agreed on the modalities for the implementation of the COH agreement, including the role of the MVM in this regard, and in March the IGAD Assembly authorized the deployment of a Protection and Deterrence Force (PDF) to protect monitors and the South Sudanese infrastructure.⁴³ However, the leader of the SPLM/A in Opposition, Riek Machar, rejected the deployment of the PDF, arguing that it would be contradictory to IGAD's mediatory role, and threatened to boycott any talks under the auspices of IGAD.⁴⁴

On 9 May negotiations in Addis Ababa produced an agreement to resolve the crisis in South Sudan. In addition to promising to uphold the ceasefire and facilitate the full deployment of the MVM, the parties agreed to cooperate with the UN and humanitarian agencies and resolve the conflict in an IGAD-led peace process.⁴⁵ Nevertheless, in June, despite the agreement, the 4 (out of up to 20 that were to be deployed) Monitoring and Verification Teams (MVTs) of the MVM documented continued violations of the ceasefire.⁴⁶ The mission also faced obstacles to the implementation of its tasks such as the arrests and detention of MVTs by the SPLM/A in Opposition.⁴⁷ In addition, the SPLM/A in Opposition never sent liaison officers to any of the MVTs.⁴⁸ Implementation of the agreement to resolve the crisis was troubled and the conflict continued; the Transitional

⁴⁰ IGAD Assembly, Communiqué of the 24th extra-ordinary session of the Assembly of the IGAD Heads of State and Government on the situation in South Sudan, Addis Ababa, 31 Jan. 2014.

⁴¹ Wroughton, L., 'U.S. urges South Sudan to honor ceasefire, free political prisoners', Reuters, 3 Feb. 2014, <<http://in.reuters.com/article/2014/02/04/southsudan-unrest-usa-idINL2NOL902420140204>>.

⁴² 'Consultations on South Sudan, Sudan-South Sudan and Sudan sanctions', What's in Blue, 10 Feb. 2014, <<http://www.whatsinblue.org/2014/02/consultations-on-south-sudan-sudan-south-sudan-and-sudan-sanctions.php>>.

⁴³ IGAD Assembly, Communiqué of the 25th extra-ordinary session of the Assembly of the IGAD Heads of State and Government on the situation in South Sudan, Addis Ababa, 13 Mar. 2014.

⁴⁴ 'South Sudan rebel leader rejects deployment of IGAD regional forces', *Sudan Tribune*, 14 Mar. 2014.

⁴⁵ IGAD Assembly, Communiqué of the 26th extra-ordinary session of the Assembly of the IGAD Heads of State and Government on the situation in South Sudan, Addis Ababa, 10 June 2014.

⁴⁶ IGAD Assembly (note 45).

⁴⁷ IGAD Assembly, Communiqué of the 27th extra-ordinary session of the Assembly of the IGAD Heads of State and Government on the situation in South Sudan, Addis Ababa, 25 Aug. 2014.

⁴⁸ United Nations, Security Council, S/2014/821 (note 38).

Government of National Unity was never established and talks on further implementation of the agreement made little progress.⁴⁹

In the meantime, the plan to deploy the PDF as part of the MVM was adjusted as the former was instead integrated into UNMISS.⁵⁰ At the end of May the UN Security Council mandated three UNMISS battalions, within the authorized troop levels, to provide security for the MVM. In addition, the original UNMISS mandate was adjusted: its state-building goals were dropped and its priorities were refocused on the protection of civilians (POC), as well as on other tasks such as monitoring human rights and creating secure conditions for the delivery of humanitarian assistance.⁵¹

Part of the agreement to refocus on POC was reportedly in order to include the protection of oil workers, and meant that one of the battalions would be Chinese. Both the government and the SPLM/A in Opposition had fought over control of the South Sudanese oil installations. Therefore, by ensuring that the oil flow continued and provided the South Sudanese Government with income, UNMISS arguably put its neutrality at risk.⁵² The *Wall Street Journal* called the deal a 'sharp escalation in Beijing's efforts to protect interests in Africa'.⁵³ The UN, however, was quick to respond that the Chinese troops would be under UN command, deployed to implement the UNMISS mandate and not to protect Chinese interests.⁵⁴ In the end, the Chinese troops were not deployed near the oil installations.⁵⁵

Ukraine

From the end of February 2014, demonstrations by pro-Russian groups and anti-government groups were taking place across eastern Ukraine.⁵⁶ In response to the deepening crisis on the Crimea Peninsula, on 3 March 2014 the Ukrainian Government invited the OSCE to monitor the situation on its territory, including within Crimea.⁵⁷ The Ukrainian Parliament also

⁴⁹ United Nations, Security Council, Statement by the President of the Security Council, S/PRST/2014/26, 15 Dec. 2014.

⁵⁰ 'South Sudan briefing', What's in Blue, 7 May 2014, <<http://www.whatsinblue.org/2014/05/south-sudan-briefing.php>>.

⁵¹ UN Security Council Resolution 2155, 27 May 2014.

⁵² Lynch, C., 'UN peacekeepers to protect China's oil interests in South Sudan', *Foreign Policy*, 16 June 2014.

⁵³ Bariyo, N., 'China deploys troops in South Sudan to defend oil fields, workers', *Wall Street Journal*, 9 Sep. 2014.

⁵⁴ 'U.N. says China not yet deploying peacekeepers in South Sudan', Reuters, 10 Sep. 2014, <<http://uk.reuters.com/article/2014/09/10/uk-china-sudan-idUKKBN0H502U20140910>>.

⁵⁵ 'Chinese peacekeepers in South Sudan to focus on protecting civilians, UN says', *Voice of America*, 15 Jan. 2015, <<http://www.voanews.com/content/south-sudan-china-peacekeepers-unmiss/2599640.html>>.

⁵⁶ For a detailed discussion of the Ukraine conflict, see chapter 3 in this volume.

⁵⁷ Delegation of Ukraine to the OSCE, Statement at the extraordinary meeting of the OSCE Permanent Council on current situation around Ukraine, PC.DEL/222/14, 3 Mar. 2014.

appealed to the UN to discuss the Russian occupation of Crimea, and a number of Security Council members were supportive of sending a UN peacekeeping operation there.⁵⁸

On 21 March the Permanent Council of the OSCE decided to deploy a SMM to Ukraine with international observers throughout the territory to (a) reduce tensions and foster peace, stability and security; and (b) monitor and support the implementation of OSCE principles and commitments. It was, among other things, tasked with stimulating dialogue and reporting on the security and human rights situation. Russia was the only participating state which assumed that the mission would not be deployed to Crimea as, after having annexed it on 21 March, Russia considered the Republic of Crimea and the city of Sevastopol to be an integral part of its own territory.⁵⁹

In April pro-Russian groups seized government buildings in Donetsk, Kharkiv and Luhansk. The Ukrainian Government regained control in Kharkiv, but pro-Russian groups declared a people's republic in Donetsk and Luhansk, calling for a referendum on secession and a Russian peacekeeping force in eastern Ukraine.⁶⁰ Again, the Ukrainian Government suggested the deployment of a UN peace operation.⁶¹

The SMM had limited access to the opposition-held areas. It also lacked capacity, having only 150 monitors, when, according to the OSCE Secretary-General, Lamberto Zannier, it needed 500 to accomplish its tasks. The mission also faced obstruction from pro-Russian groups in other parts of Ukraine and monitors were, for example, captured and held hostage.⁶² Moreover, the disarmament process of the pro-Russian forces that was to be monitored by the SMM (under the 17 April Geneva Agreement) did not take place.⁶³

In the absence of Russia's agreement on a larger mission within the context of the OSCE or the UN, the EU proposed to deploy a CSDP mission to assist the Ukrainian Government in reforming its civilian security sector, police and rule of law. After Ukraine accepted this offer of support, on 22 July the EU decided to deploy EUAM Ukraine to provide strategic

⁵⁸ Popeski, R., 'Ukrainian parliament appeals to U.N. over Crimea', Reuters, 13 Mar. 2014, <<http://in.reuters.com/article/2014/03/13/ukraine-crisis-appeal-idINDEEA2COAK20140313>>.

⁵⁹ OSCE, Permanent Council, Decision no.1117: Deployment of an OSCE Special Monitoring Mission to Ukraine, P.C.DEC/1117, 21 Mar. 2014.

⁶⁰ 'Ukraine crisis: Bid to retake buildings seized by separatist', BBC News, 8 Apr. 2014, <<http://www.bbc.com/news/world-europe-26934190>>; and Loiko, S., 'Pro-Russian separatists in eastern Ukraine ask Putin to send troops', *Los Angeles Times*, 20 Apr. 2014.

⁶¹ 'Ukraine struggles as East slips out of its control', *New York Times*, 14 Apr. 2014.

⁶² Borger, J., 'Ukraine peacemakers say they need more help', *The Guardian*, 18 Apr. 2014; 'Joint Geneva Statement on Ukraine of April 17, the full text', *Washington Post*, 17 Apr. 2014; and Dettmer, J., 'Pro-Russia militants parade captured OSCE Ukraine monitors', Voice of America, 27 Apr. 2014, <<http://www.voanews.com/content/reuters-mediators-arrive-in-ukraine-to-negotiate-release-of-detained-observers/1902089.html>>.

⁶³ Borger (note 62); and 'Joint Geneva Statement on Ukraine of April 17, the full text' (note 62).

advice on regaining control over, and accountability for, the security sector.⁶⁴

Despite the 2 July ‘Berlin Joint Declaration’—in which the foreign ministers of France, Germany, Russia and Ukraine asked the OSCE to respond to the Russian invitation to deploy monitors at two Russian border checkpoints on the Russian–Ukrainian border—the situation in Donetsk and the neighbouring region of Luhansk continued to deteriorate.⁶⁵ Russia was reportedly supporting the pro-Russian groups in Donetsk and Luhansk, among other things, through arms shipments across the border—which it denied.⁶⁶ On 24 July the Permanent Council of the OSCE decided to deploy the OM at the Russian checkpoints of Donetsk and Gukovo to monitor and report on the situation at the border crossings and on the movements across the border. The Ukrainian delegation noted that the mission would have a limited effect on arms shipments, as it would only monitor two border crossings, and called for a stronger mission along the whole 2300 kilometre-long Russian–Ukrainian border. However, the Russian delegation resisted any such extended scope.⁶⁷

In the following months the Ukrainian Government lost control over a number of other border crossings. On 5 September representatives from Russia and Ukraine signed an agreement in Minsk, Belarus, aimed at halting hostilities in the border area. The 5 September Minsk Protocol gave the OSCE a key role in monitoring the ceasefire in Ukraine and in the permanent monitoring of the whole border between Russia and Ukraine, as well as a security zone in the border areas.⁶⁸ Critics of the agreement claimed that the OSCE would be insufficiently staffed and equipped to monitor the ceasefire, and that it increased the likelihood of a ‘frozen conflict’ scenario, in which the Donbass region would follow the same path as regions such as Trans-Dniester.⁶⁹ In October, in order to be better able to monitor with its limited personnel, the SMM started to operate unarmed unmanned aerial vehicles.⁷⁰

⁶⁴ Council Decision 2014/486/CFSP of 22 July 2014 on the European Union Advisory Mission for Civilian Security Sector Reform Ukraine (EUAM Ukraine), *Official Journal of the European Union*, L217/42, 23 July 2014.

⁶⁵ Russian Ministry of Foreign Affairs, Joint declaration by the Foreign Ministers of Ukraine, Russia, France and Germany, Berlin, 2 July 2014, <http://www.mid.ru/bdomp/brp_4.nsf/e78a48070f128a7b43256999005bcbb3/2fd69f0269f1e51b44257d0900659a61!OpenDocument>.

⁶⁶ Herszenhorn, D. M. and Baker, P., ‘Russia steps up help for rebels in Ukraine war’, *New York Times*, 26 July 2014. See also chapter 3, section III, in this volume.

⁶⁷ OSCE, Permanent Council, Decision no. 1130: Deployment of OSCE observers to two Russian checkpoints on the Russian–Ukrainian border, PC.DEC/1130, 24 July 2014.

⁶⁸ OSCE, ‘Protocol on the results of consultations of the Trilateral Contact Group, signed in Minsk, 5 September 2014’, 5 Sep. 2014, <<http://www.osce.org/home/123257>>.

⁶⁹ Dempsey, J., ‘Sanctions and the OSCE’s mission in Ukraine’, Carnegie Europe, 9 Oct. 2014, <<http://carnegieeurope.eu/strategieurope/?fa=56882>>.

⁷⁰ OSCE, ‘OSCE Special Monitoring Mission to Ukraine successfully completes the first unarmed/unmanned aerial vehicles’, 23 Oct. 2014, <<http://www.osce.org/ukraine-smm/125813>>.

Russia continued to resist any expansion of the OM or combining it with the SMM. It refused the OSCE Chief Observer's request to modestly expand the SMM's limited personnel in order to cope with the workload of monitoring the border checkpoints. In addition, Russia—in contravention of the Berlin Joint Declaration of July 2 by the Foreign Ministers of Ukraine, Russia, France and Germany—prevented Ukrainian border guards from participating in border control at the Donetsk and Gukovo crossings.⁷¹ Only after diplomatic pressure did Russia agree to increase the number of OM personnel, from 16 to 22. In response to continuous criticism from the EU, Ukraine and the United States, among others, the Russian delegation stressed that the Minsk Protocol granting OSCE authority to monitor the Russia–Ukraine border did not make reference to OSCE observers being present on the Russian side of the border and that Russia's allowance of the presence of the OSCE OM at the two checkpoints was a gesture of goodwill. Russia's perception that these facts were not fully appreciated by its critics risked putting into question Russia's future acceptance of the mission.⁷² Grudgingly, both sides have continued to find consensus to renew the mandate for periods of one to three months at most.⁷³

⁷¹ German Foreign Office, 'Joint Declaration by the Foreign Ministers of Ukraine, Russia, France and Germany', Press release, 2 July 2014, <http://www.auswaertiges-amt.de/DE/Infoservice/Presse/Meldungen/2014/140702_Statement.html>; and OSCE, Permanent Council, Decision no. 1133: Extension of the deployment of OSCE observers to two Russian checkpoints on the Russian–Ukrainian border, PC.DEC/1133, 22 Oct. 2014.

⁷² OSCE, Permanent Council, Decision no. 1135: Extension of the deployment of OSCE observers to two Russian checkpoints on the Russian–Ukrainian border, PC.DEC/1135, 20 Nov. 2014.

⁷³ OSCE, Permanent Council, Decision no. 1155: Extension of the deployment of OSCE observers to two Russian checkpoints on the Russian–Ukrainian border, PC.DEC/1155, 18 Dec. 2014.