



DOI: 10.30727/0235-1188-2020-63-11-128-144

Original research paper

Оригинальная исследовательская статья

Risk Distribution between UN Peacekeepers and Local Civilians: An Ethical Analysis

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Abstract

Since the beginning of UN peace operations, there has been discussion as to exactly how they should be carried out. Thus far, a just theory of UN peacekeeping operations has not yet been formed, in the way a Theory of Just War for waging war or a theory of police ethics for law enforcement in a peace context had been formed. The article discusses what a justified risk distribution between UN peacekeepers and local civilians should be. One of the points of criticism of UN peacekeeping missions is the lack of protection of the local population in the course of an escalating situation. Familiar examples are the traumas of Rwanda (1994) and Srebrenica (1995). Discussing differences between UN peacekeeping missions, warfare, and law enforcement, it appears that peacekeepers have more in common with law enforcers than with combatants during wartime. Through the method of analogy and by applying some typically military ethics principles, the moral status of the UN peacekeepers is analyzed. Finally, a risk distribution analysis between UN peacekeepers and the local population is carried out, by offering a concise overview by philosophers of arguments for and against taking fewer risks by peacekeepers. The analysis reveals important deontological and consequentialist arguments. Taking also into consideration that transferring more risk to the peacekeeping troops alone does not mandatory lead to less exposure to risk of the vulnerable and innocent local civilians, it can be concluded that a more practical, virtuous, responsible risk calculation will be necessary at that point to find the best risk distribution.

Keywords: military ethics, UN peacekeeping operations, Just War Theory, police ethics, law enforcement, individualism, collectivism, moral equality of combatants.

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For citation: Dewyn M (2020) Risk Distribution between UN Peacekeepers and Local Civilians: An Ethical Analysis. *Russian Journal of Philosophical Sciences = Filozofskie nauki*. Vol. 63, no. 11, pp. 128–144. DOI: 10.30727/0235-1188-2020-63-11-128-144

Распределение рисков между миротворцами ООН и гражданским населением: этический анализ

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Аннотация

С самого начала проведения миротворческих операций под эгидой ООН ведутся дискуссии о этических принципах поведения миротворцев. Пока еще не сформулирована «теория справедливых миротворческих операций», подобно тому, как имеется развитая теория справедливой войны, определяющая поведения на войне, или теория полицейской этики, которой руководствуются правоохранители в мирное время. В статье обсуждается, каким должно быть обоснованное распределение рисков между миротворцами ООН и местным мирным населением, т.е. в какой мере миротворцы должны рисковать собой для того, чтобы снизить риски для мирных жителей. Одним из объектов критики миротворческих миссий ООН является незащищенность местного населения в случае обострения ситуации. Известные примеры, когда миротворцы не защитили местных жителей, – трагедии в Руанде (1994) и Сребренице (1995). Обсуждая различия между миротворческими миссиями ООН, войной и правоохранительными органами, выясняется, что у миротворцев больше общего с правоохранительными органами, чем с комбатантами во время войны. По принципу аналогии и на основе базовых принципов военной этики анализируется моральный статус миротворцев ООН. Наконец, проводится анализ приводимых философами аргументов за и против того, чтобы миротворцы ООН в меньшей степени рисковали собой ради защиты местного населения. Анализ выявляет важные деонтологические и консеквенциалистские аргументы. Следует также принимать во внимание также то, что взятие на себе дополнительных рисков миротворческими войсками необязательно приводит к снижению подверженности риску уязвимых и ни в чем не повинных местных гражданских лиц. Делается вывод, что для оптимального решения конфликта интересов миротворцев и мирных жителей необходим более ответственный, реалистичный и практичный анализ самих этих рисков.

Ключевые слова: военная этика, миротворческие операции ООН, теория справедливой войны, полицейская этика, правоохранительная деятельность, индивидуализм, коллективизм, моральное равенство воюющих сторон.

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Для цитирования: Девейн М. Распределение рисков между миротворцами ООН и гражданским населением: этический анализ // Философские науки. 2020. Т. 63. № 11. С. 128–144.

DOI: 10.30727/0235-1188-2020-63-11-128-144

Introduction

If a person sees another person who needs help, for example somebody who is drowning in a lake, they must help that person. It is not an unconditional principle; the bystander must do what they can, without putting themselves in danger. The risks they have to take are limited. This article deals with taking limited risks¹, as applied to UN peacekeeping missions. In 2015, the United Nations (UN) published a critical report about their UN peacekeeping missions: the *High-level Independent Panel on UN Peace Operations (HIPPO) Report* [United Nations 2015]. It was the first significant review of UN peace operations since the 2000 Brahimi Report². One of the points of criticism in this report is the lack of protection of the local population in the course of an escalating situation during peacekeeping missions. Familiar examples are the traumas of Rwanda (1994) and Srebrenica (1995). Escalations in violence ended in genocides after the withdrawal of the UN troops. Even in the 21st century, the same protection issues continue to exist. For example, more than 180 people were killed near a MONUC³ camp in Kisangani in 2002 because UN forces failed to protect them [Nsia-Pepira 2017]. The same problem occurred in Darfur, in South-Sudan, in 2016, where hundreds of civilians were killed, even though UN troops were present [Amnesty International 2016].

Since the beginning of UN peace operations, there has been discussion as to exactly how they should be carried out: from a few

¹ Risk here means physical risk: the risk to get wounded or to die.

² Lakhdar Brahimi is an Algerian politician that published in 2000 the “Report of the Panel on United Nations Peace Operations” about the failure of these missions.

³ United Nations Organization Mission in Democratic Republic of the Congo (Mission de l’Organisation des Nations Unies en République Démocratique du Congo). This was a peacekeeping mission of the UN in Congo between 1999 and 2010.

passive missions during the Cold War because of vetos in the UN Security Council, to more frequent missions with proactive use of force after the Cold War, often waged in complex circumstances, and in the vicinity of civilians [Blocq 2005, 203]. Although UN peace missions have existed since the creation of the United Nations in 1945, a just theory of UN peacekeeping operations has not yet been formed, in the way a theory of Just War for waging war, or a theory of police ethics for law enforcement in a peace context have been formed. However, the need for a UN peacekeeping philosophy is expressed in the specialized literature. For instance, Daniel S. Blocq states: “The article explains the fog of UN peacekeeping by showing how traditional guidelines fail to provide ethical direction in current peacekeeping operations” [Blocq 2005, 201]. Blocq calls this an ethical vacuum. Tony Pfaff states: “Just War Theorists, as well as those who rely on the Just War Tradition to form policy and law, must work to extend it to peacekeeping operations. It is not enough simply to declare the mission as peacekeeping and then conclude the police ethic applies” [Pfaff 2000, 21]. He pleads for more consideration of the ethical aspects of UN peacekeeping missions.

In the 2015 report, the UN responded by stating: “Wherever United Nations peace operations are deployed with a protection of civilians’ mandate, they must do everything in their power to protect civilians under threat” [United Nations 2015, 36]. What does “do everything in their power” mean in concrete terms? This article is a normative-ethical research that helps to fill the ethical vacuum by answering the following research question: what would be a just distribution of risk between the UN peacekeepers and the local population during an escalating situation?⁴

The main scientific methodology used in this article is analogy. Firstly, some differences between UN peacekeeping missions, warfare, and law enforcement are discussed based on certain characteristics. Next, through the method of analogy and by applying some typically military ethics principles, the moral status of the UN peacekeepers is analyzed⁵. This chapter shows that there is a closer link between law enforcement and peacekeeping, than between peacekeeping and

⁴ The concept of Responsibility to Protect (R2P), developed in 2005, is not discussed in this article.

⁵ For more information about the judicial status of the UN peacekeeper, which is not discussed in this article, see for example: [Fleck 2013].

warfare. With the insights of the first part, a risk distribution analysis between UN peacekeepers and local population is carried out, by offering a concise overview by philosophers of arguments for and against taking of these risks.

A comparison between UN peacekeeping missions, war, and law enforcement, and the consequences for the moral status of UN peacekeepers

A comparison between UN peacekeeping missions, war, and law enforcement

The main objective of UN peacekeeping operations is to contribute significantly to a sustainable peace context. For the UN troops themselves, there is no vital interest at stake. The mission often takes place in a country far away, where the UN will be the impartial party between the host state and various local groups and organizations; they do not take a side. No vital interests are at stake for the UN troops⁶. On the contrary, during traditional warfare, such as a typical offensive or defensive, vital core interests are at stake where the warring parties are partial. The main objective of warfare is to win the battle and weaken the clearly defined enemy, to push them back and sometimes even to defeat them⁷. [Tucker 1998, 3–5] This is one difference between the two. Another one is that in war, consent is less important for the military commander [SEEBRIG Handbook PSO 2000]. In UN peacekeeping operations however, it is essential. The consent of all parties to having the UN troops present is one of the main principles. Another principle of UN peacekeeping operations is the minimum use of force. Diplomacy, dialogue, and negotiations are the main methods used in peacekeeping operations. For example, according to Kofi Nsia-Pepira, in the DRC during MONUSCO⁸, the loss of M23, a rebellion group, happened thanks to the diplomatic pressure of the

⁶ This does not mean that no interests at all are at stake, like for example more power in the region.

⁷ On the other hand, according to Just War Theory, the overall aim of warfare should be international peace. Last couple of years *jus post bellum* has been developed. Here, the theory speculates about the post-war period and principles applicable to it. For more information, see, for example: [Orend 2007].

⁸ Mission de l'Organisation des Nations Unies pour la stabilisation en République démocratique du Congo: this peacekeeping mission was the successor of MONUC in 2010 in the DRC.

United States, and not because of military force. International pressure led to the withdrawal of Ugandan and Rwandan troops and support of the rebellions. Moreover, partnerships between the UN troops and discredited host states guilty of civilian killings and other human rights abusers can lead to more attacks against the troops and the civilians [Nsia-Pepira 2017]. In war, *jus in bello* principles⁹ are applied: the principles of discrimination¹⁰ and proportionality¹¹. Instantaneously, a military commander will calculate how to use a maximum of force within the limits of these principles, instead of a minimum use of force [Pfaff 2000, 1–2]. This is a third difference. Another difference is the environment. Peace operations can only take place in the right environment. Three environments can be distinguished: permissive, insecure, and hostile. In a permissive environment, the national local authorities support the operation and have full control of the territory. In an insecure environment, the national authorities do not completely control the situation, but at least they are not hostile toward the troops. In a hostile environment, the national authorities oppose the UN troops. Because consent is one of the principles of peacekeeping, UN troops can only act in a permissive or an insecure environment. A hostile environment is more compatible with warfare.

Peacekeeping can also be compared to law enforcement. The police try to have people respect the law. Just like peacekeepers, they maintain or “keep” the law and order, but not the peace in the state. Indeed, one difference between the two is the scale. In a peacekeeping mission, the escalated situation can end in a genocide. In a stable state, the scale is much smaller: a person or an organized gang behaving criminally. Peacekeepers are deployed when the complete state system is in danger. When a state’s police force can no longer handle the situation, peacekeepers may be asked to intervene. Another difference is that peacekeepers protect people not of their community – foreigners¹², while law enforcers maintain the law of their own people. However, we see more similarities than differences. The police is impartial as are

⁹ The principles that concern the conduct in war.

¹⁰ Once soldiers put on their uniforms, they can be attacked at any time by the other party. Unlike soldiers, innocent civilians have done nothing wrong to deserve losing their right to not be attacked.

¹¹ This principle weighs the expected military gain of a particular action against the collateral damage and injuries that are expected from the act.

¹² Except of foreigners in the state.

peacekeepers, in the sense that they do not choose a side and they apply universal principles. Just as peacekeepers, the police will try to come to an agreement between the various parties. The principle of minimum use of force is also applicable to law enforcement, and applied even more strictly. For example, collateral damage during law enforcement is not morally accepted, except in exceptional circumstances. Take for example the Bataclan, the concert hall targeted during the Paris Attacks of November 2015, people were killed by the terrorists quickly and at random; the longer the police had waited, the more people would have died. However, if collateral damage does occur, there will be a thorough investigation. Alternatives to using force are always analyzed first. Even the principle of consent is applicable during law enforcement: actually, people accept the presence of the police in exchange for a secure environment, and even the criminals accepted this; indeed, for a long time, they enjoyed the advantages of the stable state. A last similarity is that neither peacekeeping nor law enforcement are about vital interests for the state¹³. Peacekeeping missions are carried out in countries far away, law enforcement is indeed applicable to the state's own people but there is little use of violence and there are no consequences for the system as a whole.

*The implications of the comparison and of other ethical principles
on the moral status of UN peacekeepers*

Pfaff states that the Just War Theory cannot be applied to peacekeeping operations just like that, even though peacekeepers are also militaries in uniform, and are allowed to use force. On the other hand, he states that police ethics or law enforcement ethics cannot simply be applied to UN peacekeeping missions without consideration [Pfaff 2000, 21]. We noticed more similarities between UN peacekeeping and law enforcement, than between UN peacekeeping and warfare. Does that mean that the moral status of peacekeepers might be closer to that of law enforcement? Let us first, before drawing any conclusions, look at some ethical principles. According to the Just War Theory, combatants are linked to the following principles: moral equality of combatants, collectivism, and the principle that during war, non-imminent threats may always be attacked. On the other hand, law enforcers are linked to

¹³ Law enforcement as a whole can be vital, but here a single law enforcement action is meant.

principles such as moral inequality between the police officer and the criminal, individualism, and the principle that non-imminent threats may never be attacked.

Michael Walzer, proponent of the Just War Theory, believes that all the combatants, regardless of whether the war their country started is just or unjust, should be treated morally equal, that they should be given the same rights and responsibilities, once the hostilities have started¹⁴ [Walzer 1977, 37–38]. The purpose of this principle is to convince the unjust party to respect the *jus in bello* principles of discrimination, proportionality, and military necessity¹⁵. Even if the reason for waging war is unjust, the unjust party can limit its negative consequences by adhering to these principles. Even though the research question is about the intentional attacking of innocent people, which is always an unjust method, it is possible that the party was encouraged for a long time to use just methods. However, this does not mean that the attacking group should be given the same rights as the UN peacekeepers. The setting is not about two states fighting a war because of opportunistic or vital interests. The purpose of the mission is to keep the peace. It resembles more the work of a police officer, in that it is also maintaining the law, and neutralizing a criminal who breaches that law. Such a situation is accompanied by a moral inequality. Because of the unjust criminal action, the criminal loses some of his rights. He may not attack the police officer. On the other hand, the criminal retains some of his rights: he cannot be killed just like that and he is presumed to be innocent unless the opposite is proven [Pfaff 2000, 13]. Local groups intentionally attacking local civilians or peacekeepers should be treated as criminals. The local group should not lose all its rights either.

One of the existing explanations for the use of deadly violence during wartime is the collectivist interpretation, which states that a soldier may be killed because of the threat posed by their country [Walzer 1977, 36]. However, according to Jeff McMahan, everybody should be treated individualistically and the various parties should be treated according to the justness, or not, of their cause, so morally unequal [McMahan 2004, 733]. The criterion to individualize must be moral responsibility for a contribution to the unjust war. Since these local groups can be considered more as criminals than as combatants, with the basic right of being

¹⁴ This is also called the symmetry position.

¹⁵ The principle that everything in war that contributes to the military victory, is military necessary.

presumed innocent until proven guilty, individualism seems the most logical choice here: person after person should be investigated. However, as mentioned before, one difference between law enforcement and peacekeeping missions is the scale. It does not concern one criminal or an organized gang, but these escalations can lead to a genocide, committed by significant local groups. In an escalated situation, it is impossible to distinguish people anymore. This epistemological argument comes out on the side of collectivism. This is similar to the police: except that when there are no other options, during a hostage situation for example, it will not be possible to consider cases individually. However, the starting point should be individualism, and the peacekeepers should always do their best to analyze each person separately. Indeed, the delicate peace process demands such a careful approach. Again, this does not mean that these persons can be killed just like that; the principle of minimum use of violence in peacekeeping operations is still applicable; if possible, reasonable alternatives such as detention must be found to neutralize the threatening groups. But again, in an escalating situation, killing will often be the only option.

Walzer's first principle of the war convention, which includes principles for conducting warfare, states that during wartime, once the hostilities have begun, soldiers and in some exceptional cases civilians may be killed at any time, no matter whether the threat is imminent or non-imminent [Walzer 1977, 138]. They lose their right not to be attacked once the war has started. In peacetime, this is not the case. Killing someone who is a non-imminent threat will never be permitted. Besides, killing will only be the last option. This principle is applied to peacekeeping operations, but the crucial question is "What difference does the scale factor make here?" A person about to attack someone is non-imminent, but what about the case of a large group heading towards hundreds of innocent civilians? A group is generally harder to stop than a few people, especially when your military capacities are limited. The police in a stable country can easily ask for reinforcements, but UN troops cannot be reinforced as simply. Good intelligence can help to solve the problem: if you are sure that this group will attack the innocent civilians and you have clear proof of that, you can try to arrest these people preventively. Generally, there is more chance of obtaining information about a group, which consists of many people communicating with each other, than about a lone wolf interacting with nobody. Proof is necessary not only to counter lies and manipulations

on the part of opponents in the delicate peace process, but also to prevent abuse of the UN troops themselves.

Overview of ethical risk distribution arguments between UN peacekeepers and the protected local civilians

Arguments in favor of fewer risks for the UN peacekeepers

Risk paradox. The previous analysis shows that the moral status of UN peacekeepers is closer to that of law enforcers than to that of combatants, based not only on differences shown after comparison, but also after applying three principles of military ethics. Despite the moral inequality principle, law enforcers and UN peacekeepers have to take many risks during their activities because of the individualism approach and the fact that they have to wait until the threat becomes imminent. This requires a precise evaluation, giving added risks. During an escalation situation, the application of the principles becomes vaguer but the starting point remains, as stated, individualism. Compare this to a hostage situation. The police have to try and arrest the hostage-takers. There might be negotiations, but they will not always end the hostage. The police have to take a certain risk. On the other hand, while combatants have lost their right not to be attacked in a war, law enforcers should not have to feel relief when they come home having survived another day. A policeman is supposed to help other people and to solve problems, not to risk his life. This is a paradox. That is one of the reasons why hostage situations are best avoided: they involve too many risks for the police officers. The same applies to the UN peacekeeper. You could reduce these risks by supplementing the capacities needed in a peacekeeping mission and providing proper training. However, this is not always realistic [Yun 2015]. The risk paradox pleads for fewer risks for UN peacekeepers, since the demands made of them are already very high.

The doctrine of double intention. A doctrine of risk distribution in warfare is the doctrine of double effect (DDE): it is sometimes permissible for a negative effect to occur as a side effect of trying to do something positive (hence there is a “double effect”). Although an intentional attack on innocent people is always forbidden, collateral damage can be caused while neutralizing a target. Such a killing is non-intentional but foreseen; foreseen means that you should not intend

to kill innocent civilians, but there is a probability that it will happen. If, for example, you bomb a factory, then you know that innocent civilians will probably die. In this respect, four conditions need to be met: “(1) The act must be good in itself or at least neutral, which means, for our purposes, that it is a legitimate act of war; (2) Its direct effects must be morally acceptable (e.g., the destruction of military supplies or killing of enemy soldiers); (3) The intention of the actor must be good, meaning that his aim is to achieve the acceptable effect, while not employing any evil effects as means to this end; (4) The good effect must be sufficiently good enough in order to compensate for permitting the evil effect to occur” [Walzer 1977, 153]. Or, in other words, the collateral damage must be proportionate to the military necessity. However, these are not the only conditions that should be met. One important point for the problem in this article is that Walzer also states that it is very important that a double intention is guaranteed: besides the 4 conditions, one must be sure that the losses are kept to a minimum, even when this results in your own troops being at more risk. However, this condition remains rather vague. He sets the limit to no longer being able to execute the mission. This does not necessarily mean that no soldiers will die.

Let us apply this in a peacekeeping context. We may not expect of the policemen or the UN peacekeepers that they have to take too many risks. One consequence of this is that less risks should be taken than in the DDE case. The two limits are: taking no risks at all and taking risks up to the point at which your own mission becomes endangered. Unlimited taking of your own risks is excluded. Is it morally acceptable that risks should be taken until the life of just one UN peacekeeper is in danger, which would be a narrower point of view than Walzer's? Mari Katayanagi states: “It would be meaningful to codify the principle that peacekeepers should do their best to protect human rights without risking their own life” [Katayanagi 2002, 253]. If the analogy between a policeman and a peacekeeper is sufficiently unadulterated, we would agree with this point of view, which is definitely a plea for taking fewer risks.

Priority list. However, does the profession of law enforcer or UN peacekeeper not presuppose that they should die in the place of an innocent civilian, if a choice really has to be made? Asa Kasher and Amos Yadlin, who write philosophical articles about the Israeli Defense Force and their fight against terrorist groups, work with a so-called

priority list: the state has the duty to first protect its own civilians, including the combatants, and in the second place, foreign civilians. According to them, civilians have special obligations to fellow civilians that they do not have to others [Kasher & Yadlin 2005, 17]. Applied to peacekeeping, this means that less risks should be taken by the UN troops toward the innocent foreign civilians. Ray Murphy, too, states that: "If a force cannot intervene directly without exposing troops to significant danger, then the duty of a commander must first be to the safety of his or her personnel" [Murphy 2003]. However, this does not mean that no risks at all should be taken.

Jeff McMahan's arguments. According to McMahan, if individualism applies rather than collectivism, this implies that civilians also are affected if they contribute to an unjust war, by being more exposed to risks for example [McMahan 2004, 725–726]. This point of view differs from Walzer's, who defends a strict separation between combatants and non-combatants (the traditional discrimination principle). However, during the escalated situation in a peacekeeping operation, the protected innocent civilians are not responsible for a contribution to an unjust war. Thus, this argument does not plead for civilians to be exposed to more risks. However, McMahan presents another argument which does transfer more risks to the protected civilians: "combatant beneficiaries." Because the innocent civilians benefit from the protection of the combatants, they should be exposed to some of the risks too, as long as the protection produces more positive than negative consequences, compared to no protection [McMahan 2010, 359–360]. Imagine helping an arbitrary person in the street. In such situation, you will not be taking any significant risks either. The person should in fact be happy that they are receiving help. If someone is drowning, you should not drown trying to save them; only a calculated risk is morally obligated. The difference with this research case is that the UN have chosen to be there, you just happen to be walking alone in the streets. There is a kind of contract between the UN and the local population. Another problem with this argument is that it is rather vague: risks should be taken, but the question is "How many?"

Reluctance to contribute to UN missions. Another argument that pleads for taking fewer risks is that countries are reluctant to send troops if too many risks have to be taken [Yun 2015]. States fear casualties and public opinion will put pressure on ceasing participation.

Besides, there is already some reluctance since these missions are not about vital interests; they are fights against non-existential threats [Nsia-Peptra 2017]. In these “zero casualty warfare” times, this is less obvious. However, we do not believe this is a valuable argument; only by sending enough capacity, you can limit the risks and still do meaningful things like protect local civilians.

Arguments against fewer risks for UN peacekeepers

No difference between their own and the protected foreign population.

UN peacekeepers protect foreign civilians. In war, it depends on whether the war is waged on its territory or not. In law enforcement, it concerns the domestic people. According to David Luban, in the context of collateral damage, it does not matter whether it concerns the domestic civilians or not, because it is about a “universal, not a special, obligation” [Luban 2011, 13]. Luban’s point of view is that military and civil lives all have equal value. He speaks of “risk egalitarianism.” Even when in certain cases it might be morally permitted to transfer risk to others, it is not morally permitted to transfer significant risks to others which for you are lesser risks, because then you are considering yourself to be more valuable than others. Luban assumes that the risks troops take in the battle space are always smaller than those of civilians, because soldiers are better equipped to safeguard themselves, with either of the chosen tactics [Luban 2011, 19]. Luban believes in a “minimally acceptable care soldiers owe to their own civilians,” and since everybody has equal value, this also counts for civilians other than yours. You are permitted to take more risks for your own civilians, but the minimum counts for both. Luban also presents a potential argument for shifting risk from combatants to non-combatants, namely: when this is necessary in a military sense. However, this is not a good argument, “because this way of thinking involves illegitimate double counting of the soldier’s value, coupled with a refusal to double count the value of anyone else” [Luban 2011, 13]. Applied to the case in which there is no reason to think that an equal risk distribution should not be applicable, this means that the protection duty counts as much for the local population as for your own population, and that risks cannot be transferred from the peacekeepers to the civilians [Luban 2011, 42]. Besides, during peacekeeping missions, the objective is the protection of the civilians, and if you do not fulfill that, it cannot go together with this purpose. If you allow this genocide to happen, then you lose all

credibility for the rest of the mission. In this kind of missions, there is no other advantage possible than protecting the civilians.

Sara Van Goozen also studied the issue of risk distribution in war. She analyzed whether “special kinds of relationships” exist, as claimed by Kasher and Yadlin, which allow us to give them an advantage over others against whom there are no such special obligations. Think of the relationship parent-child, or employer-employee. In particular, she focuses on “associative duties” for compatriots against each other, and combatants against each other. She distinguishes between intrinsic and instrumental relationships. The relationship is intrinsic if it is valuable on its own rather than being just a tool that helps us achieve some other valuable end. She states that at best, for many, the relationship between compatriots will be instrumental: it is impossible to have an intrinsic connection with everyone of that state. Nor can the relationship between combatants be called intrinsic. Their relationship is based solely on surviving and many do not know each other (for example, air support for the infantry). The argument is not without critics. There are opposing opinions about these kinds of relationships; some perceive them as more valuable: combatants can become like brothers after many years of training together [Van Goozen 2018, 6–15].

A consequentialist perspective. From a consequentialist perspective, you could ask whether the point of view of fewer risks is justified when many local civilians are threatened with death. It might not be the responsibility of the UN, but rather the responsibility of the host state. But if the host state does not intervene, will you then in principal defend the fewer risks principle? Suppose that 1,000 people will die, would you not increase the risks for your own troops then? Ray Murphy states that: “But this will not relieve them of responsibility to take some action, as protest on the ground and later through higher channels can have effects. This is the kernel of the dilemma. Will commanders hide behind the cloak of preserving force security to excuse a failure to protect?” [Murphy 2003]. If you are there for keeping the peace for the local population, and that peace and even the lives of the people are threatened, then it is not morally acceptable to look away. This does not mean that every UN peacekeeper should risk his life. Again, his moral status lies close to that of a policeman, who we do not expect to expose themselves to much risk. However, at the least, a balancing act should be made because of the potential horror scenario. Indeed, a lack of intervention could lead to a genocide.

Conclusion

What would be a fair distribution of risk between UN peacekeepers and local population during an escalation? We have discussed arguments in favor of and against UN peacekeepers taking fewer risks. After a comparison and an application of principles, it appeared that peacekeepers have more in common with law enforcers than with combatants during wartime. A number of elements were subsequently reviewed. In the end, the following dilemma or field of tension occurs. We may not expect of either a UN peacekeeper or a law enforcer that they should have to take many risks. UN peacekeepers are not there for themselves; they are impartial, they have a worthy purpose and they are not defending their own people. On the other hand, the principal difference discussed in this paper between UN peacekeeping missions and law enforcement appeared to be the scale; a UN peacekeeping operation could end in an absolute horror scenario: a genocide. At a certain point, when defending the principle of fewer risk for peacekeepers from a 100 % deontological view, many people will die. At a certain point, doing nothing will no longer be an option. A more practical, virtuous, responsible risk calculation will be necessary at that point to resolve the tensions between the consequentialist and deontological approaches. We cannot expect unlimited risks to be taken, but, on the other hand, not intervening because one peacekeeper would die, is not an option either. On the other hand, Walzer's "taking risks until the mission is in danger," is too dangerous; this would imply many dead peacekeepers.

The balancing act of distributing risk is a difficult one to achieve. Just as in the case of hostages during peacetime, this kind of escalating situation should be avoided at all cost; after all, there is no winner in the end. Lastly, we wish to add that transferring more risk to the peacekeeping troops alone will not lead to less exposure to risk of the vulnerable and innocent local civilians. Risk transfers are only one of the dimensions during a peacekeeping operation. Responsible and virtuous behavior should be present on at least two other levels. Firstly, a maximum of effort should be made in the domain of diplomacy and dialogue with the host state, with as many local parties and organizations possible. Secondly, intelligence is very important in ascertaining the true intentions of local groups. Intelligence can also help to anticipate attacks and prevent escalating tensions between groups, which is essential in this fragile political

context. Further research is necessary in this domain, by analyzing in greater detail the various arguments for and against transfer of risks.

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