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1. Introduction

Peacekeeping and peace-enforcement are concepts that have their origins in the United Nations (UN) Charter.1 Among other things, the UN are based on the principles of sovereignty, non-intervention and the peaceful settlement of international disputes.2 Although peacekeeping was not explicitly provided for in the Charter, it has evolved over the past six decades into a well-developed concept governed by a distinct set of principles. Traditionally, peacekeeping forces were only allowed to use force in self-defence, but this term has been gradually interpreted differently, depending on the operation. The distinction between enforcement and peacekeeping operations is now often blurred by the frequent use of the UN Security Council’s Chapter VII as the basis of some peacekeeping missions.3

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1 The Charter of the United Nations was established as a consequence of the United Nations Conference on the International Organisation held at San Francisco and was brought into force on 24 October 1945. For a reproduction of the Charter, see Brownlie I., Basic Documents in International Law, 4th ed., 1995, pp. 1-35.

2 Id., Articles 2(1), 2(7) and 33 respectively.

3 Since 1948 and spanning 60 peacekeeping missions, the purposes have varied significantly. Originally, international peacekeeping operations were intended to be passive “interposition” forces between warring parties that had brokered a
UN peacekeeping operations are now entrusted with wider mandate: elections and transition to democracy, peace processes, humanitarian crisis management, conflict prevention and administration of territory as a “quasi-government”. Thus the arena of peacekeeping has evolved from the use of force only in self-defence and a goodwill presence authorised by host government to active military action by UN authorised international forces against aggressive governments or entities.

The deployment and operation of peacekeeping missions has been rightly considered one of the most successful initiatives in the history of the UN. This was crowned in 1988 when UN peacekeeping forces were awarded the Nobel Peace Prize for making decisive contributions towards peace. However the 1990s were a turning point for the reputation of peacekeepers with reports of misconduct by UN peacekeepers or civilian personnel surfacing in the late in the 20th Century. The matter was to dog the UN into the 21st Century. In 2002, allegations surfaced of widespread sexual exploitation and abuse of refugee and internally displaced women and children by UN peacekeepers and humanitarian workers in several West African countries. Sustained negative publicity caused the UN and its Member States to urge increased accountability of UN military and civilian personnel implicated in violations of human rights.

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8 The UN responded by sending its independent investigative arm, the Office of Internal Oversight Services (OIOS), to investigate these allegations. The OIOS uncovered sufficient evidence of sexual exploitation and abuse and acknowledged that “the problem of sexual exploitation of refugees is real.” See The Secretary-General, Investigation into Sexual Exploitation of Refugees by Aid