POLITICAL AND LEGAL ANALYSIS
OF EVOLVING MANDATES AND THEIR IMPACT

T. Simonyan

Russian-Armenian (Slavonic) University
simonyantigran126@gmail.com
ORCID 0009-0005-9205-7892

ABSTRACT

This article explores the evolving role and effectiveness of United Nations (UN) peacekeeping missions, focusing on the case study of the Central African Republic (CAR). It begins by contextualizing the historical background of the CAR conflict and the establishment of the UN Multidimensional Integrated Stabilization Mission in CAR (MINUSCA) in 2014. Using a multidisciplinary approach drawing from international relations, peace and conflict studies, and political science, the article employs theoretical frameworks such as Liberal Peace Theory, Realism, Neorealism, Constructivism, and Conflict Transformation Theory to analyze MINUSCA's mandate evolution and activities. The examination highlights MINUSCA's shift from traditional peacekeeping tasks to broader responsibilities, including fostering national dialogue, supporting electoral processes, and aiding in institution-building. It examines how MINUSCA's mandate expansion reflects changing international norms and identifies motivations behind external actors' involvement in CAR, such as France and the UN. Additionally, the article evaluates MINUSCA's effectiveness in contributing to peace and stability in CAR, considering factors like resource constraints and geopolitical dynamics. By synthesizing theoretical insights, historical analysis, and evaluative frameworks, the article also provides a nuanced understanding of UN peacekeeping missions' evolution, challenges, and implications for

international peace and security. It contributes to ongoing discussions on the role of international organizations in conflict resolution and peacebuilding efforts, offering insights into the complexities of modern peacekeeping operations and their impact on conflict-affected regions like the Central African Republic.

Keywords: United Nations, Peacekeeping missions, Central African Republic (CAR), MINUSCA, mandate evolution, Resolution 2149 (2014), Resolution 2196 (2015), Resolution 2217 (2015), disarmament, demobilization, and reintegration (DDR) program.

Introduction

At the end of the Second World War, the United Nations started to play a pivotal role in maintaining international peace and stability, and one of its primary tools to achieve this aim was the deployment of peacekeeping missions in different parts of the world where conflicts erupted. The first large-scale peacekeeping operation was the UN Operation in the Congo (ONUC) launched in 1960, where 20,000 military personnel was deployed in the country to bring stability in the region. Continuing the topic of Africa, UN peacekeeping mission is still evolving in the Central African Republic. Taking into consideration the evolving nature of the civil war that erupted in 2012, the mandate of the UN peacekeepers, which was initially aimed to guarantee the protection of civilians, changed over time and encompassed more broad and essential tasks such as helping to foster national dialogue between confronting parties to achieve final peace. Therefore, this article aims to explain how have the evolving mandates of UN peacekeeping missions, exemplified by MINUSCA's activities in the Central African Republic, impacted the effectiveness of international peacekeeping efforts in achieving long-term peace and stability in conflict-affected regions?

Novelty of the Research

The article introduces several novel aspects in comparison with the existing literature on UN peacekeeping missions, especially in CAR and

MINUSCA contexts. The article particularly examines how the mandates of the peacekeeping mission impacted the effectiveness of international peacekeeping efforts in achieving long-term peace and stability. Much of the existing literature focuses on operational aspects of peacekeeping missions, while this work delves into the "dynamic nature of mandates" and how they adapt to the changing dynamics of the conflict. The work primarily analyzes the shifts from traditional peacekeeping mandates to more comprehensive stabilization and state-building mandates. Meanwhile, the article also gives insights about how "mandate evolution" impacts the effectiveness of the mission.

Alongside the analysis of the mandates, the article provides a historical analysis of the conflict in CAR and links key events, resolutions, and developments to the changing role of the mission. By placing MINUSCA's mandate within the broader historical context of the civil war and involvement of the United Nations, the work tries to highlight how external and internal factors such as escalating violence, humanitarian crises, and geopolitical interests impacted and shaped the evolution of the mission. Historical perspective is sometimes absent in existing studies and research, which tend to focus on particular aspects of peacekeeping operations without considering the broader context.

The existing professional literature focuses more on the operational and strategic aspects of the peacekeeping missions, while this article provides legal and political analysis of how UN resolutions have expanded MIUSCA' authority to include proactive military operations and state-building activities. This analysis sheds light on the legal and normative frameworks that underpin UN peacekeeping missions and their evolving roles in addressing difficult conflicts. Traditional peacekeeping missions mainly focus the civilian protections; while the work highlights how the mandate of MINUSCA has expanded in order to include "political and institutional dimensions" of peacebuilding. Integration of these different perspectives, the article offers a holistic view of UN mission by highlighting the interplay between theoretical concepts, historical development and practical outcomes. The synthesis is particularly valuable to understand the complex and multifaceted nature of the peacekeeping operations. Finally,

the article concludes by discussing the wide range of implications of its findings for understanding the evolution, effectiveness and ongoing challenges of the peacekeeping mission of UN. As a suggestion it emphasizes the need for flexible and adaptive mandates which will be able to respond to evolving conflict dynamics and address both immediate security concerns and long-term peacebuilding challenges.

Methodology

The article identifies several theoretical frameworks and concepts from the fields of international relations, peace and conflict studies, and political science that are relevant to the examination. These frameworks include Liberal Peace Theory, Realism (Jervis' concept), Neorealism, Constructivism, Conflict Transformation Theory, and Critical Security Studies. Each selected theoretical framework is applied to specific aspects of the study. For example, Liberal Peace Theory is applied to analyze the Multidimensional Integrated Stabilization Mission in the Central African Republic's (hereinafter referred to as MINUSCA) efforts in supporting electoral processes and fostering national dialogue as pathways to promoting democratic governance and peace. Realism and Neorealism are used to examine the motivations behind external actors' involvement in conflict in CAR, while Constructivism is employed to understand how changing norms and identities influence peacekeeping mandates' evolution. The methodology involves a conceptual analysis of MINUSCA's mandate evolution and activities in CAR within the context of the selected theoretical frameworks. This analysis aims to provide insights into UN peacekeeping missions' motivations, goals, and implications in conflict zones like CAR. The methodology includes a historical contextualization of the conflict in CAR and UN involvement, highlighting key events, resolutions, and developments that shaped MINUSCA's mandate over time. This historical perspective helps to understand the evolution of peacekeeping efforts and the challenges faced in addressing complex conflicts. The methodology evaluates MINUSCA's mandate evolution, role expansion, and effectiveness in contributing to peace and stability in CAR. This evaluation

is interpreted through the lens of the selected theoretical frameworks to provide a nuanced understanding of the peacekeeping mission's impact and outcomes.

The methodology concludes by synthesizing the findings from the theoretical analysis, historical context, and evaluation of MINUSCA's mandate. It highlights the implications of the examination for understanding UN peacekeeping missions' evolution, effectiveness, and ongoing challenges in conflict resolution and peacebuilding efforts. Overall, the methodology employed in the article combines theoretical insights, historical analysis, and evaluative frameworks to comprehensively examine the UN peacekeeping mission in CAR and its broader implications for international peace and security.

Theoretical frameworks

To analyze and deepen the understanding of the evolution and effectiveness of UN peacekeeping missions, particularly in the context of the Central African Republic (CAR) as described in the article, several theoretical frameworks and concepts from the fields of international relations, peace and conflict studies, and political science could be applied. The liberal peace theory of John Oneal suggests that democracies are less likely to go to war, particularly with each other, and that the promotion of democratic governance, the rule of law, human rights, and economic interdependence can lead to more stable and peaceful international relations [1]. In the context of MINUSCA's efforts to support electoral processes and foster national dialogue in CAR, this theory could offer insights into the long-term goals of peacekeeping missions to promote democratic governance as a path to peace. This theory aligns with the mission's goals of promoting democratic governance and long-term peace [2]. Examination of MINUSCA's activities through this lens helps to highlight how the peacekeeping missions may contribute to the construction of democratic institutions and fostering economic interdependence, which are key tenets of LPT.

Jervis' concept of realism, emphasizing the anarchic international system and the pursuit of national interest through power, could provide a

lens to examine the motivations behind the involvement of external actors in CAR, including the UN and France [3]. Neorealism, focusing on the structure of the international system, could further help analyze how the balance of power and the interests of major states influence the scope and effectiveness of peacekeeping missions [4]. Meanwhile, Constructivism could be applied to understand how changing norms and identities influence the evolution of peacekeeping mandates. This theory emphasizes the role of ideas, beliefs, and social constructs in international relations [5]. The evolving mandate of MINUSCA – from solely focusing on ceasefire and protection of civilians to fostering national dialogue and supporting electoral processes – reflects a shift in international norms regarding peacekeeping and state-building. These frameworks are used to expand and examine the motivations of the external actors involved in the conflict including France and UN. With its focus on power and national interest realism provides insights into why states and international organizations intervene in such type of conflicts. At the same time, neorealism emphasizes the structure of the international system and helps to explain how the balance of power and the interests of major states influence the scope and effectiveness of peacekeeping missions.

Last, conflict transformation theory looks beyond resolving immediate issues to address the underlying causes of conflict, aiming for deep-rooted change in relationships, attitudes, and socio-political structures [6]. Analyzing MINUSCA's efforts in fostering national dialogue and supporting electoral processes through this lens could offer insights into the mission's potential for contributing to a transformative peace in CAR [7]. CTT is applied to evaluate MINUSCA's efforts in addressing the root of causes of the conflict. Unlike traditional conflict resolution approaches CTT focuses on long-term challenges in relationships, attitudes and socio-political structures.

Historical Context

In order to understand how the UN mandate has changed over time, it is necessary to refer back to the history of the civil war in CAR. The political

instability, ethnic conflicts, and the humanitarian crisis became primary problems in CAR almost immediately after the ignition of hostilities. However, UN involvement in the conflict took place two years later in 2014, when the risk of the humanitarian crisis reached its apogee [8]. In order to address all the challenges, as per Resolution 2149 (2014), the UN Security Council established the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) until April 30, 2015 [9]. At the same time, a request was sent to the Secretary-General to subsume the Integrated Peacebuilding Office on the Central African Republic (BINUCA), which was further smoothly transferred to MINUSCA [10]. MINUSCA initially had a primary task of securing the rights of the civilian population in areas where hostilities could erupt again.

The UN mandate power of the UN from a legal perspective

The United Nations has significant legal power and authority, although it is important to note that its powers are limited by the provisions of its charter and the willingness of member states to comply with its decisions. It is also necessary to take into consideration how resolutions that allow the UN to conduct certain types of operations would limit their capabilities in the crisis zones. Before turning into a specific example of the political and legal power of UN resolutions, the legal power of the UN should be understood in several key areas.

The UN Security Council has primary responsibility for maintaining international peace and security. It can authorize peacekeeping missions, impose sanctions, and even authorize the use of force in certain circumstances, such as in cases of self-defense or when there is a threat to international peace [11]. From a legal perspective, resolutions issued by the UN give approval to nations to act in problematic places and not violate international law. This issue was present during the US invasion of Iraq, when, without consent, the US launched a military campaign against Iraq to overthrow the regime of Saddam Hussein. The UN plays a crucial role in developing and enforcing international law. Or, for example, during the protests of Arab Spring of 2011 in Libya civil war broke out between

opposition forces and leader of Jamahiriya Muamar Gaddafi. Governmental forces were accused of committing widespread violation of human rights including attacks on civilians. After the long-lasting brutalities international community led by the UN intervened to prevent atrocities. On March 17, 2011, by the Resolution 1973, member states of the UN established a no-fly zone over Libya and to use "all necessary measures" in order to protect civilians. Resolution was based on Chapter VII of the UN Charter, which allowed the Security Council to take action in order to maintain or restore international peace and security. Resolution provided legal justification for NATO-led military operations which led to airstrikes against Gaddafi's forces without violation of international law. From legal perspective the resolution allowed NATO forces to intervene in Libya. This case demonstrated how UN resolutions may provide legal authority for military action in situations where civilian population are at risk, aligning with the principles Responsibility to Protect (R2P).

It provides a forum for member states to negotiate treaties and agreements, and it works to promote adherence to these legal instruments [12]. The UN provides a platform for member states to negotiate and draft international treaties and conventions on various subjects such as human rights, environmental protection, disarmament, trade, and more. These treaties are often developed under the auspices of specialized UN agencies, such as the International Labour Organization (ILO), the World Health Organization (WHO), or the United Nations Framework Convention on Climate Change (UNFCCC). As it would be presented below, UN disarmament efforts played a pivotal role in the Central African Republic.

From another perspective, the UN is a central actor in the promotion and protection of human rights globally. Bodies such as the UN Human Rights Council and the Office of the High Commissioner for Human Rights monitor human rights situations, investigate violations, and make recommendations for action. Through agencies like the United Nations Development Programme (UNDP), the UN engages in development efforts worldwide, addressing issues such as poverty, health, education, and sustainable development [13]. The UN supports international criminal justice mechanisms such as the International Criminal Court (ICC), which

investigates and prosecutes individuals accused of genocide, war crimes, crimes against humanity, and aggression. However, it's important to recognize that the effectiveness of the UN's legal power can vary. For example UN played an important role in dismantling apartheid in South Africa. Due to approved resolutions, sanctions and international pressure UN condemned apartheid as a violation of human rights. For instance, in 1973, under the auspices of the UN "The International Convention on the Suppression and Punishment of the Crime of Apartheid" was adopted.

The UN relies heavily on member states to implement its decisions and enforce international law. When there is a lack of consensus among major powers or when states choose not to comply, the UN's ability to enforce its mandates can be. The UN operates in a complex political environment where geopolitical interests, power dynamics, and diplomatic considerations influence decision-making [14]. This can sometimes result in compromises or delays in taking action on specific issues. Resource constraints can also affect its effectiveness, including financial limitations and logistical challenges in deploying peacekeeping missions or humanitarian operations. Overall, while the UN possesses significant legal authority and plays a crucial role in global governance, its ability to address complex international challenges depends on various factors, including political will, cooperation among member states, and the support of the international community.

The Genesis of MINUSCA and Its Initial Legal Framework

The most important evolution of MINUSCA's mandate has been the increasing authorization for the use of force in response to the evolving unstable situation. At first, MINUSCA's use of force was largely limited to self-defense and the protection of civilians. Nevertheless, the increasing speed of growing violence and unstable situation, in compilation with the failure to bring lasting peace expanded mission's authority to include proactive military operations against armed groups that threatened the peace process. Resolutions 2217 (2015) and 2301 (2016) of the United Nations Security Council (hereinafter referred to as UNSC) allowed the mission to

take more robust actions, including disarming military groups and prevention of the continuation of violations of international. Such shift marked the change of the initial peacekeeping posture to a more comprehensive stabilization and enforcement mandate. From a legal perspective such actions are drawn from the "responsibility to protect" (R2P) doctrine, according to which the international community has a legal obligation to intervene when a state is unwilling or does not have the capacity to prevent mass atrocities, including genocide, war crimes, and crimes against humanity.

Evaluation of MINUSCA's Mandate

In 2014, MINUSCA's mandate encompassed responsibilities of maintaining security and civilian protection, but its role has evolved since its inception. Initially, according to Resolution 2149 (2014), MINUSCA was assigned a task for the parties to obey the ceasefire [1]. However, over time, the scope of responsibilities evolved, and after 2014, it started to include the support of the transitional government in achieving political stability, as from 2014 until the elections of 2020, the state was basically partitioned between government and rebels, that is why the Resolution prescribed the deployment of 10,000 peacekeepers watchdogs of security [16]. Similarly, their role could be compared to the first generation of UN peacekeepers mentioned by Ramsbotham, Woodhouse, and Miall, whose sole mission was to ensure that a ceasefire in the conflict zones should not be violated [17].

The evolution of the mandate and role of peacekeepers started to change with resolution 2196 (2015,) which extended the period of MINUSCA's staying in CAR until 2016, and resolution 2217 (2015,) which not only extended the staying period until 2016 but also gave a favor of the UN to cooperate with international actors (such as France) in conflict resolution process [18]. Since 2015, MINUSCA has received additional authority to enlarge its scope of powers by being engaged in the political landscape of post-war CAR. In addition to security operations, which now included safeguarding the infrastructure and strategic objects that were

under the control of peacekeepers, the new responsibilities prescribed fostering national dialogue between confronting parties as well as helping the authorities to build national institutions for the state functioning (this program was implemented alongside African Union and European Union) [19]. At the same time, MINUSCA helped facilitate the electoral processes in CAR by supporting the organization of presidential and legislative elections [20]. This was entrusted to MINUSCA by resolution 2217 (2015) about Integrated Electoral Assistance. With the help of the UN, in December 2015, presidential and legislative elections were organized in the state, which was followed by the second round in February and March of 2016 [21].

Mediation of the political conflict between rebels and the government was also included in the post-2015 mandate and was actively used by MINUSCA to settle the conflict once and for all. The first attempt was made in May 2015, when the transitional government organized the Bangui Forum with the help of MINUSCA [22]. It had to serve as a platform for national political dialogue with an objective and had to establish a new social contract for the citizens of Central Africa through the examination of sustainable resolutions to the ongoing conflict [23]. Interventions of such (political) type demonstrate an understanding that the attainment of peace and stability in the Central African Republic cannot be solely accomplished through security measures. The evolution of the mandate of MINUSCA allowed UN peacekeepers to address the most complex challenges, one of which was their contribution to stabilizing the security situation. MINUSCA has worked since 2015 to implement the disarmament, demobilization, and reintegration (DDR) program and give an opportunity to the members of armed groups to return to normal life. in case foreign nationalities were spotted at the place of hostilities, DDR helped them to repatriate [24].

Conclusion

Overall, MINUSCA is a good representation of how the peacekeeping mission and mandate prescribed to the UN has evolved over time, from

personnel who were prescribed with an obligation to secure the ceasefire regime to a developed institution with capabilities to help states rebuild and even modernize their institutions and political systems according to international standards. Its expansion beyond traditional security measures in CAR was seen in its efforts to help foster national dialogue, reorganize electoral processes, and mediate between conflicting parties to reach peace. The situation in the Central African Republic is an example of how UN peacekeeping missions continue to develop and play a vital part in attempting to maintain peace and stability. This article offers a comprehensive and nuanced analysis of the mission of MINUSCA in CAR and sheds light on the evolution of its mandate, effectiveness, and the broader implications for UN peacekeeping missions. Examination of the dynamic nature of MINUSCA's mandate in the framework of the historical, legal, and political context of CAR allows the article to provide a holistic understanding of how peacekeeping missions adapt to complex and evolving conflicts. The article delves into the dynamic nature of mandates and how they evolve in response to changing conflict dynamics. Legal examination of the authority of the UN in conflict resolution reinforces furtherly the argument that mandate evolution is not just a strategic decision but also a response to shifting legal interpretations and international responsibilities. Through examples such as R2P doctrine, the expansion of MINUSCA's authority to engage in proactive military operations, and its role in political mediation, this examination illustrates how peacekeeping missions are increasingly required to go beyond traditional roles in order to address complex security issues and challenges.

REFERENCES

1. *Oneal J.R., Oneal F.H., Maoz Z., Russett B.* The Liberal Peace: Interdependence, Democracy, and International Conflict, 1950-85. Journal of Peace Research, 33(1), 1996. PP. 11–28. URL: http://www.jstor.org/stable/425131
2. *Jervis R.* Realism in the Study of World Politics. International Organization, 52(4), 1998. PP. 971–991. URL: http://www.jstor.org/stable/2601364
3. Ibid.
4. *Behravesh M.* Realism and Neorealism: An Investigative Overview. e-International Relations (e-IR), 2010. URL: https://www.e-ir.info/pdf/5997

5. *Checkel J.T.* The Constructivist Turn in International Relations Theory [Review of National Interests in International Society; The Culture of National Security: Norms and Identity in World Politics; Norms in International Relations: The Struggle against Apartheid, by M. Finnemore, P. Katzenstein, & A. Klotz]. *World Politics*, *50*(2), 1998. PP. 324–348. URL: http://www.jstor.org/stable/25054040

6. *Doucet I.* Conflict Transformation. Medicine, Conflict and Survival, 13(3), 1997. PP. 175–194. URL: http://www.jstor.org/stable/45354930

7. Ibid*.*

8. United Nations (2023) About: MINUSCA. URL: https://minusca.unmissions.org/en/about

9. Ibid.

10. Ibid.

11. *Gross L.* The United Nations and the Role of Law. International Organization, 19(3), 1965. PP. 537–561. URL: http://www.jstor.org/stable/2705869

12. *Schachter O.* United Nations Law. The American Journal of International Law, 88(1), 1994. PP. 1–23. URL: https://doi.org/10.2307/2204020

13. Ibid.

14. *Hurd I.* The UN Security Council and the International Rule of Law. The Chinese Journal of International Politics, 7 (3), 2014. PP. 361–379. URL: https://www.jstor.org/stable/48615915

15. Security Council Report (2023) *UN Documents for Central African Republic: Security Council Resolutions.* URL: https://www.securitycouncilreport.org/un_documents_type/securitycouncilresolutions/page/2?ctype=Central+African+Republic&cbtype=central-african-republic#038;cbtype=central-african-republic

16. *Gorur A.* Case Study 4: The Political Strategy of the UN Peacekeeping Mission in the Central African Republic, 2020*.* URL: https://i.unu.edu/media/cpr.unu.edu/attachment/4414/CAR.pdf

17. Ramsbotham, Woodhouse & Miall. Chapter SIX: Containing Violent Conflict: Peacekeeping, 2016. PP. 173-198.

18. United Nations. Electoral Assistance, 2023. URL: https://minusca.unmissions.org/en/electoral-assistance-0

19. Ibid.

20. Ibid.

21. *Gorur A.* Case Study 4: The Political Strategy of the UN Peacekeeping Mission in the Central African Republic, 2020*.* URL: https://i.unu.edu/media/cpr.unu.edu/attachment/4414/CAR.pdf

22. Ibid.

23. Ibid.

24. United Nations. Disarmament demobilization reintegration (2023). URL: https://minusca.unmissions.org/en/DDR_En

ПОЛИТИКО-ПРАВОВОЙ АНАЛИЗ
РАЗВИВАЮЩИХСЯ МАНДАТОВ И ИХ ВЛИЯНИЯ

Т.К. Симонян

Российско-Армянский (Славянский) университет

АННОТАЦИЯ

В данной статье исследуется меняющаяся роль и эффективность миротворческих миссий Организации Объединенных Наций (ООН), уделяется особое внимание примеру Центральноафриканской Республики (ЦАР). Исследование начинается с контекстуализации исторической подоплеки конфликта в ЦАР и создания Многомерной комплексной миссии ООН по стабилизации в ЦАР (МИНУСКА) в 2014 году. Используя междисциплинарный подход, основанный на международных отношениях, исследованиях мира и конфликтов, а также политологии, в статье используются теоретические основы – такие, как либеральная теория мира, реализм, неореализм, конструктивизм и теория трансформации конфликтов, для анализа эволюции мандата и деятельности МИНУСКА. В исследовании подчеркивается переход МИНУСКА от традиционных миротворческих задач к более широким обязанностям, включая содействие национальному диалогу, поддержку избирательных процессов и помощь в институциональном строительстве. Здесь рассматривается, как расширение мандата МИНУСКА отражает изменение международных норм, и определяются мотивы участия внешних игроков в ЦАР – таких, как Франция и ООН. Кроме того, в статье оценивается эффективность МИНУСКА в содействии миру и стабильности в ЦАР, учитывая такие факторы, как ограниченность ресурсов и геополитическая динамика. Объединив теоретические идеи, исторический анализ и оценочные основы, статья дает детальное понимание эволюции, проблем и последствий миротворческих миссий ООН для международного мира и безопасности. Она может поспособствовать постоянным дискуссиям о роли международных организаций в разрешении конфликтов и усилиях по миростроительству, предлагая понимание сложностей современных миротворческих операций и их влияние на пострадавшие от конфликтов регионы – такие, как Центральноафриканская Республика.

Ключевые слова: Организация Объединенных Наций, Миротворческие миссии, Центральноафриканская Республика (ЦАР), МИНУСКА, эволюция мандата, Резолюция 2149 (2014), Резолюция 2196 (2015), Резолюция 2217 (2015), программа разоружения, демобилизации и реинтеграции (РДР).