Peacekeeping Operations: A Guarantee of International Peace and Security

Operações De Paz: Uma Garantia De Paz E Segurança Internacional

Jiří Víšek[1,*], Jan Bajura[1], Aleš Zpěvák[1], David Dlouhý[2] and Lukáš Habich[2]
[1] Ambis. University Prague, Czech Republic.
[2] Police Academy of the Czech Republic in Prague, Czech Republic.

Corresponding authors: Jiří Víšek (e-mail: visek@polac.cz).

Abstract Peacekeeping operations undertaken by the international community, primarily the United Nations (UN), considerably bolster international peace and security. Though peacekeeping operations are carried out by various multinational organisations, the bulk are handled by the UN. For this reason, this article will devote most of its attention to their missions. It is necessary to realise that ambiguous terminology persists in the case of peacekeeping operations, hence this article's attempt to clarify them. The aim herein is to present a comprehensive summary of critical commentary that would assist in increasing the management of peacekeeping operations in the future. These comments are directed at the involvement of Member States of the European Union, with the primary emphasis on future security direction in the Czech Republic.

Resumo
As operações de manutenção da paz empreendidas pela comunidade internacional, principalmente pela Organização das Nações Unidas (ONU), reforçam consideravelmente a paz e a segurança internacionais. Embora as operações de manutenção da paz sejam realizadas por várias organizações multinacionais, a maior parte é realizada pela ONU. Por esta razão, este artigo dedicará a maior parte de sua atenção às suas missões. É necessário perceber que a terminologia ambígua persiste no caso das operações de manutenção da paz, daí a tentativa deste artigo de esclarecê-las. O objetivo aqui é apresentar um resumo abrangente de comentários críticos que ajudariam a aumentar o gerenciamento de operações de manutenção da paz no futuro. Esses comentários são direcionados ao envolvimento dos Estados Membros da União Européia, com ênfase principal na direção futura da segurança na República Tcheca.

Palavras-chave: segurança, direito internacional humanitário, paz, manutenção da paz, operação, conflito armado, direito, guerra

Index Terms security, international humanitarian law, peace, peacekeeping, operation, armed conflict, law, war

I. Introduction

Despite the international community having more than half a century of experience in carrying out peacekeeping operations under the leadership of the United Nations (UN) and/or various regional organisations, the management, or rather leadership, of these operations have as of yet not followed a strictly set doctrine. Though the principal term in this field is the aforementioned "peacekeeping", experts are unable to agree on its precise definition. This term was coined long after actual peacekeeping operations started to be carried out, and their development always exhibited a degree of improvisation. Academic literature from abroad contains innumerable definitions of this term. According to

the UN's own terminology, it may cover operations that are characterised by conflict prevention, or creation, enforcement or construction of peace [1]. In the Czech context, the situation is further complicated by semantics because there is no equivalent term for "peacekeeping operations" that both means an operation to promote peace and an operation to maintain peace when translated into Czech. The reality of language then influences the writing of an academic text itself. May we add that the disparate and muddled terminology complicates the actual theory and practice of "peacekeeping" operations since, in certain cases, peacekeeping includes all activities from preventing the escalation of conflicts to post-conflict rebuilding after fighting ceases. Self-contradictory use

of terms in a given field intensifies the complication of the already complicated processes managing the international community's peacekeeping operations. In addition, this paper will analyse the operation of various regional organisations such as the North Atlantic Treaty Organization (NATO), European Union (EU) or Organization for Security and Co-operation in Europe. In the case of these organisations, the text will use the general term "peacekeeping operation", always with adequate discussion and support. All the operations herein represent the cooperation of multiple actors pursuing a common goal, namely the peaceful resolution of conflict and subsequent ushering in of stability and security in the given region [2]. The article will, among other things, point out elementary aspects of international humanitarian law (IHL) in the context of addressing the issue. The following sections of this article will theoretically analyse the aforementioned operations. The conclusion of this study will incorporate a critical analysis of the implementation of peacekeeping operations while defining possible negative aspects that can be observed as part of conducting these operations.

II. Research Methodology

The presented expert text is based on a content analysis of professional literature and other sources that correspond to the subject matter. The thesis also applies the method of critical analysis, especially in the context of the implementation of peacekeeping operations of the international community. Within the framework of the presented article, the method of comparison of individual approaches in the implementation of different types of peacekeeping operations was also applied.

III. Results and Discussion

A. Categorisation of armed conflicts CA

The term "armed conflict" has replaced the term "war" in the classic sense roughly since the 1950s. "War" is a more restrictive label than "armed conflict" in that it primarily refers to the use of force by states against other states. In this sense, it is distinguished from territorially isolated conflicts, otherwise called "civil wars". Yet the term "armed conflict" is not rigorously defined in any international document. One of the definitions was established during the trial of former Yugoslavia at the International Criminal Court. This definition characterised "armed conflict" as "the recourse to armed conflict by one or more states against one or more states, or prolonged armed violence between government authorities and organised armed forces or among such groups within a single state [3]." This definition is not ideal. Nonetheless, it enables certain latitude while also anchoring the important principle that military conflict exists without a formal declaration of war – and without either side acknowledging it. To be able to characterise a conflict as armed, its use of force must possess the following three characteristics – is long-term, organised and sufficiently intensive. In this case, it is fitting to mention that the evaluation of the aforementioned factors is hugely subjective or may be influenced by political perspectives. It is not precisely defined anywhere for how long the force may

be used. Specification of the degree of organisation in armed conflict is equally not clearcut, and the level of intensity of the force used may also be interpreted from different perspectives. Armed conflicts are primarily classified as international or internal. The intervention of the international community within individual armed conflicts changes them into another type, so-called internationalised armed conflict.

International armed conflict [4] is characterised primarily by the involvement of active combatants. A combatant is a person who is authorised to serve in a combat capacity, meaning they do not serve their own ends but those of the state that deployed them. In the battle itself, the combatants are authorised to use lethal force against the designated enemy, without the risk of being prosecuted for a criminal act. At the same time, said force is a reality of combat, and he/she may be killed. If they are captured by enemy forces, they thus become a prisoner of war (POW), and the rules of IHL apply to him/her. The legal standards of these conflicts are established primarily by the Geneva Conventions and Protocol I from 1977, which amended the 1949 Geneva Conventions and Relating to the Protection of Victims of International Armed Conflicts. Said international agreements contain a broad number of detailed provisions. International armed conflicts can be separated into inter-state conflicts where two or more states enter into hostilities or into a so-called fight for national liberation, among which domestic/civil armed conflicts used to fall [5]. During the 1970s, their conception was transformed primarily because of the right to bear arms to fight for their own independence. When categorising international conflicts, it is important to monitor the status of their participants as well as the aim the conflict is meant to fulfil.

Domestic, or internal conflicts are regulated in a number of ways. Protection of individuals is guaranteed by the joint Article 3, which is contained in all four of the Geneva Conventions. If higher levels of intensity are a conspicuous feature of the conflicts, then the use of Protocol II to the Geneva Convention, lacking an international dimension since 1977, is proposed. Belligerents that participate in such a conflict do not have the status of combatants and are not afforded the status of prisoners of war if captured. They may thus be stood on trial and charged for participation in the armed conflict under the given domestic criminal law.

Internationalised armed conflict stands on the border between international and domestic/internal conflict. It is characterised by the entrance of a foreign power whose presence changes the nature of said conflict. Divergent legal regimes that govern given states involved in the conflict are undoubtedly connected with this.

B. Military aspects of international humanitarian law

Many unfortunately misguided opinions circulate in public discourse, namely that IHL is an unrealistic and unacknowledged discipline of international public law. One of the prerequisites of eliminating this presumption is dissemination activities, which, by the way, represent one of the Czech Republic's obligations under IHL even in the era of peace.

Extraordinarily, it is important to realise and then interpret the elementary meaning of IHL, which is the curbing of unnecessary suffering during armed conflicts. For example, the guidebooks and texts of the Czech Red Cross, which are comparable to the materials of the International Committee of the Red Cross (ICRC) because of their reasonably economical but simultaneously very correct interpretation, are used to implement expertise in the field of IHL.

Even though, unfortunately, a large proportion of servicepeople believe that IHL is, at least to some extent, an irrational product of "humanists", there paradoxically remains an equally flawed belief on the part of the public that violence, and especially the death of civilians, is an entirely illegal and intolerable part of warfare. At the same time, it should be stated that collateral damage is understandably not and cannot be kept to a minimum. A typology of four generations of modern warfare is very useful to explain the interdependence of military and IHL development, which was later supplemented by 5th generation warfare reflecting the current advent of digital battlefield, cyber warfare or unmanned vehicles. We can also see this aspect at present in the conflict in Ukraine, where there is a massive use of unmanned vehicles, which enjoys great success in the conflict.

Given the ordnance used in current armed conflicts, the core character of third-generation modern warfare, where the approach to protecting civilians has undergone seismic shifts, needs be listed. It involves the tactical use of motorised infantry, artillery and air forces, which undoubtedly saw a huge number of civilians affected. Due to the entrenchment of the so-called Cold War and division of the world into two blocks armed with nuclear weapons and equal military strength, fourth-generation modern armed conflicts arose. The term asymmetric war, characterised by lower-intensity clashes, is used for these conflicts. However, these conflicts are incredibly long-lasting and take place almost exclusively in civil environment. Civilian losses, unlike the original third-generation conflicts, form the overwhelming majority of victims.

In the case of current conflicts, a trend grounded on the development of weapon systems designed to quickly eliminate enemy forces with as few losses as possible is evident. For example, conventional weapons, i.e. those without chemical, toxic or nuclear materials, are among the ones used and may include naval, aerial and terrestrial systems – currently meaning naval vessels, tanks, blinding laser weapons, incendiary weapons, remote devices or autonomous devices. Conventional weapons are governed by the existing norms of IHL. Weapons systems can be divided into three basic categories: manned, remote and autonomous.

Manned or directly operated systems may include both handheld weapons or weapons operated or piloted by a person. The recent "competitive" advantage is the quality materials, high speed and strike accuracy at long range.

Remote devices are primarily represented by pilotless systems, such as pilotless aircraft, which are operated remotely or can be flown independently, following a preset path. Autonomous weapon systems reflect future plans, specifically in the direction of automation, which is meant to regulate risk for conflicting sides so that life and health of the combatants engaged are protected [6].

Generally, the majority of either manned or remote technologies fulfil in and of themselves the requirement of IHL. The new technologies should be construed so that they do not cause excessive casualties and needless suffering. Furthermore, they must fulfil the requirement of distinguishing between military and civilian targets. Of course, when using new technologies, associated collateral damage cannot be entirely ruled out. It has to be evaluated according to the principle of proportionality because, as current events show, warfare itself can be difficult to "ban". However, its consequences can be mitigated. IHL does precisely this, and despite all reservations, it does it correctly within the realms of possibility.

C. International humanitarian law and peacekeeping operations

International humanitarian law does not in essence cover the maintenance of international law and security. Therefore, the issue of peacekeeping operations cannot be unambiguously subsumed under the discipline of international public law. Following the creation of UN peacekeeping operations, the question whether IHL is applicable to these operations, nonetheless, came to the fore. The UN and other actors had to start to consider the issue of whether armed divisions sent on peacekeeping operations had to apply the IHL rules and whether, at the same time, it enjoys their protections. Given the uptick in peacekeeping operations at the dawn of the 21st century, this issue has become topical. The issue of applicability of the IHL to peacekeeping operations has two fundamental aspects. On one hand, it is necessary to identify whether and to what extent the divisions undertaking peacekeeping operations have to apply the IHL norms. On the other hand, the question as to the extent to which these units have a duty to ensure respect for humanitarian law must be raised [7].

When IHL peace operations started to be carried out, a space where these operations in this intention to the stated norms applicable was thus created in relationship to the norms of IHL. With a relatively low intensity, this problem emerged in the case of observation missions in which sides are often not armed at all.

However, classical peacekeeping has more urgently gained precedence. In this case, the units were only armed with light weapons, but they often enter into conflicts when they had to use them. Actions in the field this often exhibit the basic traits of armed conflict. Since its inception, the ICRC in response to these events held the view that UN peacekeeping operations comply with IHL, and units that participate in the operations are required to uphold these standards. This viewpoint was expressed by the ICRC on many occasions. In 1961, the ICRC issued a memorandum to UN member states that were then signatories to the 1949 Geneva Conventions. It stated that compliance with IHL on the part of UN forces engaged in

peacekeeping operations was established as crucial. Since the UN is not a signatory to the Geneva Conventions, the ICRC affirmed that UN member states are individually responsible for the application of IHL norms in all cases where the UN deploys forces. Each member state thus has an obligation to instruct their armed forces prior to deployment on peacekeeping operations or missions. The UN held the view that neither the provisions of the 1949 Geneva Convention nor other IHL conventions could be applied to peacekeeping missions under their auspices and claimed that the divisions sent under their leadership on peacekeeping operations only have to follow the "principles" of general international conventions applicable to the behaviour of military personnel.

Even in recent operations, the UN has not been swayed in its opinion that peacekeeping operations should only follow the "principles" of general international conventions applicable to the behaviour of military personnel. In 1978, in connection to the UNIFIL operation in Lebanon, the then secretary-general of the United Nations (UNSG) again verified that the forces under UN command had to only follow the "principles" in cases where they use armed force for self-defence. Furthermore, he stressed that states sending contingents had to ensure that their personnel knew these rules and applied them [7].

It may be argued that, currently, a general agreement is undisputed in the international community, namely that IHL is applicable in the whole sphere in coercive actions under Chapter VII of the UN Charter, where armed units with a mandate from the UN Security Council (UNSC) are in conflict with organised armed forces that threaten international peace and security. These armed parties have the legal status of combatants and have to apply the principles and rules of IHL. The same position can be shown in the UN peacekeeping operations with a mandate under Chapter VI of the UN Charter. It needs to be said that the general international law binds the UN to proportionally apply these IHL rules to peacekeeping operations, which, by their nature, allow such an application. UN forces must therefore apply the rules that regulate military measures and methods of commanding combat, including the duty to distinguish between members of armed divisions and military sites and civilians and their buildings.

The respect and positive view on the roles of staff, even from different organisations, is a basic component of an effective cooperative relationship. To promote teamwork, it is very important the team's members accept individual differences, learn to understand and respect others and build personal relations with other members of the team in mutual cooperation. Each member of the team is a unique asset [8].

D. Peacekeeping Operations of allied nations

One of the fundamental aims of the UN is the maintenance and promotion of peace and friendly relations among individual members across the globe. When conflict breaks out anywhere in the world, the UNSC decides what measures will be implemented under Article 41 and 42 of the UN Charter so that international peace and security is maintained or restored article 39 [9]. To achieve this end, the UN uses a wide range of measures that may be diametrically opposite to each other, starting with preventative diplomacy through to observation missions up to sending peacekeeping contingents of soldiers to conflict zones. Conflict resolution is covered by Chapter VI and VII in the UN Charter. These chapters afford the UNSC with almost unlimited means to prevent and thwart hostilities. Chapter VI of the UN Charter covers the possibilities of conflict resolution and stipulates that the parties to the conflict will first seek a resolution by peaceful means. Though this provision has a rather ideological dimension, it remains a serious declaration by all members to peacefully resolve issues, which is the first prerequisite to establish peace in the world.

UNSC may consider any conflict that could threaten international peace and security. Likewise it may be notified of any relevant conflict that could ignite. Member and non-member states may alert the UN to a situation that could threaten their security. The case of the peace mission in the Middle East in 1948 that helped recognise the sovereignty of Palestine is a good example of peacekeeping forces working for the benefit of non-member states or regions. Chapter VII of the UN Charter is devoted to actions that the UN is able carry out to maintain peace. They mostly include diplomatic pressure, suspension of economic relations, communication and travel embargos and others. However, the UN is authorised to require military forces from member states and under the UN flag to take an active role in conflicts to protect civilians or observers. If the UN approves intervention into a conflict, the UN has an almost theoretically unlimited range of tools that it may use to force both sides of the conflict to a ceasefire. However, the options to reach a peaceful solution are in reality quite limited.

Some authors have classified missions by their structure and aims into observation missions, interposition missions or traditional peacekeeping missions, multidimensional missions and coercive peacekeeping missions. The first three types of missions are based on Chapter 6, where the parties to the conflict request the UN to send a mission and thus provide consent to the presence of UN forces on the territory of the conflict. If the host nation decides to withdraw their consent to the presence of UN forces during the conflict, the mission is officially terminated, and the forces must withdraw from the country. The observation mission is mainly composed from small contingents of civilians and military personnel. It is often unarmed and aims to only observe the events in the conflict without any mandate to intervene. They later report information back to command or the public via the media. An example of this type of mission is the operation mission in Western Sahara (MINURSO).

The interposition mission is also often designated as a traditional peacekeeping mission (more below). These missions are lightly armed and often come in close contact with conflict and oversee compliance with a ceasefire or other agreements. However, they are not allowed to initiate hostilities toward either side. They only have weapons for self-defence. Multidimensional missions often include both the military and police units together with civilian personnel. They not only function

as information-gathering or observation mission as their duties are wide-ranging. They include, for example, assistance with organising elections and ensuring their impartiality, training police units and other tasks associated with building democratic values. The final types of missions are thus the coercive peacekeeping missions where the consent of the host nation is not required. This mission has the largest proportion of military units compared to UN civilian personnel. The primary aim of this mission is to force the belligerents into a ceasefire, even through the use of force. An example of these missions are the NATO mission in Bosnia and Herzegovina (SFOR) or the peacekeeping mission in Sierra Leone (UNAMISIL). Inclusion of military peacekeeping operations among the UN tools for maintaining peace is often the most significant difference between the UN and the League of Nations, which lacked effective coercive instruments to maintain peace. The creation of the UN's Military Staff Committee and then divisions of peacekeeping operations that require members of organisations to provide their armed forces gives credibility and respect to the organisation. In the first plans, two conceptions of military forces were offered – permanent international forces under the UN flag or ad hoc military forces created as needed from the numbers of the states concerned. In the context of post-war development and especially the burgeoning cold war, the concept of ad hoc armed forces for each conflict was chosen.

E. Peacekeeping vs. peace building

Regarding the support of international peace, different terms and their meanings are very often mixed up. Therefore, it is important to distinguish between the terms peacebuilding and peacekeeping. These terms are often unclearly defined, but their meanings have an important impact on the decision to send units to a conflict or to assess the successfulness of the work of peacekeeping forces. In the conclusion of this section, operations aiming to prevent conflicts (conflict prevention operation), and create (peacemaking operation) and enforce peace (peace enforcement operation) will be further specified. In this context, each category must be carefully distinguished. The term "traditional peacekeeping" has in the main caught on for peacekeeping, with its use emerging during Cold War operations. Boutros-Ghali lists three fundamental principles of peacekeeping forces. They are consent of the conflict's protagonists, impartiality and use of force only in self-defence. In these principles, the former secretary-general sees a difference as to why certain peacekeeping missions were successful and others less so. Peacekeeping forces are often sent to regions where a conflict has broken out so that it may achieve several aims. In the first place, these divisions aim to deescalate violence in the region. They often try to do this by forcing both sides to enter into a ceasefire, which they then monitor for compliance. This puts peacekeeping personnel in a distinctly dangerous position, as they are often in the front line of combat, where compliance with the ceasefire needs to be monitored the most.

As Paul Diehl and Alexandru Balas write in Peace Operations: "Renewed warfare in which that aggressor can be identified by the peacekeepers and in which the peacekeepers are partly the target of that aggression is also highly likely to produce international condemnation [10]." Peacekeeping forces thus attempt to intervene between belligerents and act as a buffer between attacks from individual antagonistic elements. However, it is important that both sides of the conflict consent to the presence of UN forces on their territory and accept these forces as a defender of peace and protector of civilians. However, this consent may also be withdrawn at any time, and the UN forces must immediately depart from the country in question. This happened in the case of the peacekeeping mission in Sinai prior to the Six-Day War. An additional important factor of a successful peacekeeping mission is the impartiality of the forces. It is not mainly an unambiguously defined aggressor in the conflict and the forces ensure compliance to non-discriminatory activities. Their impartiality to a considerable extent may help the composition of the forces that should be composed from multiple states under international command. The forces in these missions are often made from surrounding countries that have the largest interest in peace reigning long term in the region and often best understand the complex relations among conflict participations. However, it is necessary to carefully monitor whether forces of surrounding states do not only pursue their own interests but attempt impartial decision-making. Other characteristics of peacekeeping forces is their relatively low number of personnel compared to military operations. The average number of UN personnel in current peacekeeping operations is around 7,500, which is very low compared to military operations where the number of soldier fluctuates in the statistics. The equipment and weapons of these peacekeeping forces also reflect their intention and aims. The majority of forces are only lightly armed, where weapons are purely for self-defence. The large section of forces then also include volunteers, doctors and other unarmed civilians.

The term peace building is then most often defined as "action. . . which will tend to strengthen and solidify peace in order to avoid a relapse into conflict (BOUTROUS-GHALI)." The creation of a new environment intended as preventative measure against conflict erupting or as post-conflict resolution in which the UN may help engaged parties with the building of institutions and entrenching rule of law is presumed in this definition. The UNSG's Policy Committee decided in 2007 on applying other definitions for the needs of peace building. This definition asserts that "peace building involves a range of measures targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management [11]." This description of peace building is the most oft cited for peacekeeping missions, and it is mainly distinguished from traditional peacekeeping mainly by its actions directly in the period of the conflicts. While the traditional peacekeeping missions operate directly in the period of the conflict and attempts to maintain a peaceful ceasefire or protect civilians, operations in peace building focus on peace building prior to the conflict or after its end.

However, certain missions accept elements from either of these terms in content and aims, and over the duration of the mission the mandate and composition of forces may change, meaning peacekeeping missions may change into peace building or vice versa.

Operations focused on preventing conflicts include the use of structural and diplomatic measures that prevent tensions and disputes within states or between states from escalating into violent conflict. Ideally, there should be an early warning of relevant negative events. In this context, information should be gathered, and the information should then be carefully evaluated. Activities in preventing conflicts may involve the use of tools made available to the UNSG, such as preventative measures or measures aiming at building trust [11].

F. Peacekeeping operations or peace building operations

Usually include measures to resolve ongoing conflicts and regularly span the widest range of diplomatic tools that lead belligerents to an agreement. At the request of the UNSC or the General Assembly, or on his own initiative to provide "good administration", the UNSG makes every effort to facilitate conflict. "Peacekeepers" may also include envoys, governments, groups of states, regional organisations or the UN itself. The endeavours toward peace may also be developed by NGOs or significant figures in global events [1]. Operation focused on peace enforcement includes a range of coercive measures that the UNSC approves, including the use of military force. These measures are established to restore international peace and security in situations when the UNSC concluded the potential existence of a threat to threat or disrupt peace or aggression. The UNSC may potentially use regional organisations and agents to enforce measures that fall within its power [1].

G. Critical analysis of implementation of peacekeeping operations

In the context of findings made by an analysis of the addressed issue, the fact can be emphasised that the individual cases of participation in the UN peacekeeping operations and other regional organisations (NATO or European Union), their forms, size, time and multifaceted security must be subject to a precisely set, managed and implemented decision-making process that will be applied in the authority of relevant international institution and finally even in the organs of states in question. The subject of analysis in this academic study was only the UN operations. Furthermore, it is also necessary to reflect operations under the command of, for example, NATO, the EU and OSCE. All the aforementioned operations have a common goal, involving the maintenance of peace and stability in a problematic region. In the process of carrying out peacekeeping operations, a range of multidimensional risks that are associated with these activities are evident, and they cannot ever be excluded and eliminated in their entirety. Each threat that can disrupt the successful operation of a peacekeeping operation must be sufficiently analysed, not only so as to maintain and develop the quality position of the

CR in the system of international relations, but primarily to meet legal requirements through which the CR is bound in the given area. Unfortunately, it is evident that the CR will not participate in risk-free actions in the future, but with its forces and resources, it will also operate in operations with a significant degree of risk. For this reason, this risk has to be thoroughly analysed, identified and categorised, and only in this way can excess collateral damage be prevented. One of the possible risks is the expansion of conflict in Ukraine, or the post-war organisation of Ukraine, where the Czech Republic (CR) will participate in cooperation with other EU member states through its activities.

IV. Conclusion

A positive aspect is that the government of the CR in the Security Strategy from 2023 agreed to increase the budget for defence. Given the conflict in Ukraine and the unpredictable defence environment in the Euro-Atlantic region, it can be expected that all EU countries will have to free up more funds for ensuring the external security of states. In the Czech Republic, expenses are currently at around 2% of the GDP. Nonetheless, the economic situation and persistent inflation goes against this trend. The government of the CR committed itself to defence spending of 2% of the GDP in the law in its joint programme report at year 2024. Furthermore, a clear signal would be for NATO that the Czech Republic has a clearly stated and comprehensible defence policy.

A negative aspect that can be stated is that in the current global security environment emphasis is placed more on the application of force in UN peacekeeping operations. The original presumption and purpose of the operations to promote peace that were established on the new philosophy and consent, impartiality and minimal use of force are often absent or completely overlooked. The current aim of peacekeeping operations is not to defeat the enemy, which in the case of failed states lacks a coherent form since it concerns the structural failure of the state where the public power and guarantees of human rights cease to function. The reality up until now shows that certain member states are often used for involvement in peacekeeping operations, even though they are not noticeably in such a participation in terms of capacity or materially prepared. An example is the equipment of the servicepeople in peacekeeping forces. The Czech Army in its possibilities is considerably limited. This state of affairs arose from the marked restrictions in the 1990s. The current section of the Czech Army in the activities of the international community in promoting peace is achieved in a relatively small measure that corresponds to the capacity possibilities of the CR. Persistent problems are also the disparate terminology that is used to label peacekeeping operations, needlessly creating an information fog and misunderstandings among member states. As a result, the image of the peacekeeping operations, including the feedback for their improvement, is tarnished. Another pitfall concerns the fact that international armed conflicts are characterised by member states of international organisations in various roles, including peacekeeping

missions, often sending their military forces to them. In this context, the problem often emerges as how to deal with illegal acts of members. In general, IHL should be complied with, but the problem may be that some states, for example, did not accede to certain international obligations.

In this case, the members of given units may behave differently and be authorised in a different way [6]. A recommendation to improve peacekeeping operations that can be proposed is an attempt at reducing the use of military force and strengthening legal frameworks, i.e. respecting international law as well as the rights of inhabitants in troubled regions, including the application of methods of diplomatic negotiations and strengthening local authorities to institute public order and limit the escalation of conflict into other regions or across state borders. The international community must clearly define the conception and strategy that will serve as a theoretical-methodological basis for the rigorous definition of each category of operations to promote peace. Innovation in legal norms for the implementation of operations to promote peace must be strictly carried out, obviously based on existing legislation made in the context of Clause VI and VII of the UN Charter. In this perspective, the creation of a new legal framework can even be considered. Operations to promote peace would be carried out according to this framework, which would include international law, criminal law and the law of the destabilised region while the use of weapons should be framed in the spirit of the right to self-defence, including UN peacekeeping forces. The CR should also clarify its strategy on which it would be based and how it intends to participate in operations to promote peace, including deploying members of the armed forces and armed security forces. The UN should place a greater emphasis on the supervision as part of each operation to promote peace, from which an information base creating transparent prerequisites to streamline operations and avoid errors that negatively impacted carrying out operations to promote peace in the past would be gradually formed. As part of operations to promote peace, modern technology should be used, with the aim of limiting risk in light of deploying human resources.

V. List of Abbreviations Used

CR – Czech Republic

EU – European Union

GDP – Gross Domestic Product

ICRC – International Committee of the Red Cross

IHL – International Humanitarian Law

NATO – North Atlantic Treaty Organization

OSCE – Organization of Security and Co-operation in Europe

UN – The United Nations

UNSC – The United Nations Security Council

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