

SYMPOSIUM ON KRISTINA DAUGIRDAS, “REPUTATION AS A DISCIPLINARIAN OF INTERNATIONAL ORGANIZATIONS”

BALANCING INCENTIVES AMONG ACTORS: A CARROTS AND STICKS APPROACH TO REPUTATION IN UN PEACEKEEPING MISSIONS

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As Kristina Daugirdas points out in her article on the role of reputation in international organizations (IOs), peacekeeping operations include a multitude of actors with varying interests.<sup>1</sup> These actors have competing priorities, which forces IOs to balance the needs of the actors involved in peacekeeping missions. Because IOs often depend on member states as implementing agents, this could cause IOs to suppress their own interests in favor of member states, which could ultimately negatively affect the communities in which the peacekeepers operate. This dynamic is present in UN peacekeeping operations. While Daugirdas seeks to align the incentives of the UN and the states that contribute peacekeepers so as to harness reputation as a force to encourage the good behavior of all involved,<sup>2</sup> I argue that this alignment rarely happens because of IOs’ reliance on member states. Through the dynamics of UN peacekeeping operations, I show that the UN reliance on states to provide police officers and troops suppresses the UN’s own interests in favor of the contributing states’ interests. I also identify a carrots and sticks approach to balancing incentives. As Paul Stephan does in his essay for this symposium, I draw on a rational-choice, actor-based theory to identify the mixed motives of the various actors who staff and operate peacekeeping missions. The framework proposed here, I contend, provides a way to better understand the sources of the tension that exist when evaluating reputation as a disciplinary tool for IOs.

In what follows, I first identify the “multitude of actors” involved in peacekeeping operations and how their divergent interests can overshadow the UN’s own interests, in particular how they lead to “suppressing damaging information” and “applying cosmetic solutions” to misconduct, thereby enabling misconduct by contributing states to continue.<sup>3</sup> I then provide a carrots and sticks approach that could help balance their interests. In doing so, I show how Daugirdas’s insights about reputation can be specifically applied not only to IOs, but also to the actors that are involved in shaping the activities of IOs more broadly.

*A Multiplicity of Actors and the Adverse Consequences of Peacekeeping Misconduct*

Daugirdas suggests that IOs may respond to reputational threats in adverse ways. In particular, they may suppress damaging information or only engage in symbolic or cosmetic responses.<sup>4</sup> This type of behavior on the part

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<sup>1</sup> Kristina Daugirdas, *Reputation as a Disciplinarian of International Organizations*, 113 AJIL 221 (2019).

<sup>2</sup> *Id.* at 234.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

of the IO enables contributing states to continue engaging in behavior that harms the host population, such as sexual exploitation and abuse (SEA) of the local population. To better understand these responses, it is important to draw on another one of Daugirdas's points, the "multiplicity of individuals and entities with reputations."<sup>5</sup> For peacekeeping operations, there are two actors whose reputations are important: the UN and the states that contribute armed forces and police.

The UN depends on voluntary contributions from contributing states to provide troops and police officers to its peacekeeping missions. Contributing states' reputational interests often differ from that of the UN. The UN is concerned with maintaining international peace and security.<sup>6</sup> Peacekeeping missions are vehicles through which they achieve this objective. Thus, the UN's reputation depends on peacekeeping operations' ability to maintain peace and security throughout the world. To achieve this goal, the UN peacekeeping missions must not engage in misconduct, and if misconduct does happen, the UN must be transparent about it and take swift action to prevent it in the future. Their reputation depends on being able to protect host state civilians both from the threats of conflict, but also from peacekeepers themselves.

Contributing states, on the other hand, are less concerned about the reputational image of the UN and more concerned about the positive image that their participation in peacekeeping missions brings to their state. States often send contributions to achieve prestige and international recognition.<sup>7</sup> *The Economist*, for instance, suggested that Bangladesh's participation in UN peacekeeping missions has allowed the state to be known internationally for something other than bad politics and natural disasters.<sup>8</sup> Yet the state's contribution to peacekeeping includes the recruitment of individual soldiers and police officers who ultimately are responsible for what happens on the ground. The individual troops and police officers sometimes engage in misconduct, whether sexually exploiting or abusing locals, using too much force and injuring or killing civilians, driving recklessly, or spreading diseases. When contributing states make these mistakes they want their reputations to be protected. Thus, they prefer to keep information from leaking out.

The diverging interests between the UN and contributing states become a problem when a soldier or a police officer from a contributing state engages in misconduct. This is because of a dilemma that this behavior causes for IOs. Because the UN relies on the voluntary contributions of contributing states to implement peacekeeping, the UN has an incentive to appease contributing states. If a contributing state's soldier engages in excessive force or SEA, and the contributing state is publicly identified, the contributing state may withdraw its troops or police officers in order to avoid future embarrassment. For example, Daugirdas notes that the Chadian government was furious when the UN publicly addressed allegations of indiscriminate killing by Chadian soldiers.<sup>9</sup> As a consequence, the Chadian government withdrew its troops from the mission in the Central African Republic.

The UN fears that contributing states' withdrawal of troops and police may result in the shortfall of personnel for every mission.<sup>10</sup> Moreover, research shows that larger missions help prevent civilian deaths,<sup>11</sup> so there is

<sup>5</sup> *Id.*

<sup>6</sup> *What We Do*, UNITED NATIONS.

<sup>7</sup> William C. Wohlforth et al., *Moral Authority and Status in International Relations: Good States and the Social Dimension of Status Seeking*, 44 REV. INT'L STUD. 526 (2018).

<sup>8</sup> *Supply-Side Peacekeeping*, ECONOMIST (Feb. 21, 2007).

<sup>9</sup> Daugirdas, *supra* note 1, at 246.

<sup>10</sup> Timothy J.A. Passmore et al., *Rallying the Troops: Collective Action and Self-Interest in UN Peacekeeping Contributions*, 55 J. PEACE RES. 366 (2017).

<sup>11</sup> Lisa Hultman et al., *United Nations Peacekeeping and Civilian Protection in Civil War*, 57 AM. J. POL. SCI. 875 (2013).

pressure to ensure that missions are adequately staffed. The extent of this fear is demonstrated by the fact that the UN deployed troops to the Democratic Republic of the Congo, knowing that those troops had a tainted reputation.<sup>12</sup>

To prevent contributing states from withdrawing troops and police, the UN accommodates the reputational concerns of contributing states. The UN may thus resort to suppressing information about misconduct. For example, the UN feared that the French might withdraw its troops after allegations of SEA by those forces emerged in the Central African Republic. As a result, UN officials were restrained in their public comments about SEA.<sup>13</sup> Moreover, the UN did not even release the list of states for which there were allegations of SEA until 2015.<sup>14</sup> This means that until 2015, the public did not know which states' troops had been accused of SEA. All states on the list supplied troops and police officers prior to the public disclosure of the list.

The UN also prioritizes the interests of the contributing states when it comes to penalizing individual misconduct. The UN itself cannot try and convict soldiers and police officers for their wrongdoing; it is up to the contributing state to sanction its soldiers and police officers. Such sanctions rarely happen.<sup>15</sup> The UN could take direct punitive action against those who have engaged in misconduct, by, for example, banning those individual soldiers and police officers from ever deploying for the UN, attempting to force soldiers and police officers (or their governments) to pay reparations to victims, or creating a UN tribunal specifically to try cases of misconduct. The problem with such sanctions, of course, is that contributing states might be much less willing to send troops and police if they knew that the UN could discipline their own personnel.

The multiplicity of actors involved in peacekeeping and the diverging interests between the UN and contributing states help us to understand how reputational threats may sometimes enable continued bad behavior on the part of contributing state's soldiers and police officers. Because the UN prioritizes the reputational interests of contributing states, it gives contributing states no incentive to sanction their soldiers and police officers. As a result, some soldiers and police officers continue to engage in misconduct without fearing consequences. In short, the UN relies on contributing states to implement peacekeeping, and, concerned about the withdrawal of troops and police, it accommodates the contributing states' reputational concerns. Contributing states thus have little incentive to change their behavior.

### *The Carrots Approach: Selecting Quality Peacekeeping Contributions*

Importantly, not all troops and police officers engage in misconduct. Thus, one way to minimize misconduct is by supplying peacekeeping operations with high quality troops and police forces. How can contributing states select high quality troops and police officers for such missions? And how can the UN identify contributing states that are better performers?

The research on the types of personnel that are less likely to engage in misconduct is limited at best. Yet my own research indicates that the quality of the individual troops and police officers matters, as does the overall quality of the individual state's police and military organizations. My research posits that when missions are composed of states that perform better on gender equality indices, there are fewer allegations of misconduct.<sup>16</sup> Other research

<sup>12</sup> [Daugirdas](#), *supra* note 1, at 249.

<sup>13</sup> *Id.* at 250.

<sup>14</sup> U.S. Ambassador Isobel Coleman, [Statement for the Senate Foreign Relations Committee](#) (Apr. 13, 2016).

<sup>15</sup> Ramita Navai & Sam Collyns, [UN Sex Abuse Scandal](#), PBS (Jul. 24, 2018).

<sup>16</sup> Sabrina Karim & Kyle Beardsley, [Explaining Sexual Exploitation and Abuse in Peacekeeping Missions: The Role of Female Peacekeepers and Gender Equality in Contributing Countries](#), 53 J. PEACE RES. 100 (2016); SABRINA KARIM & KYLE BEARDSLEY, [EQUAL OPPORTUNITY PEACEKEEPING: WOMEN, PEACE, AND SECURITY IN POST-CONFLICT STATES](#) (2017) [hereinafter EQUAL OPPORTUNITY].

has found that military forces with poorer disciplinary records have higher allegations of SEA.<sup>17</sup> This suggests that, at the individual level, supplying states can screen for performance on gender equality—does the individual hold implicit biases against women? Does the soldier or police officer have a record of domestic violence? At the state level, it means that the UN should look for indicators such as the disciplinary records of a state’s military and police force, as well as their performance on gender equality. How well are commanders able to control their troops and police officers? Do the state’s police and military have internal sexual harassment policies and effective accountability mechanisms? These are all proxy indicators that may shift the focus of recruitment from the status quo to one that prioritizes quality.

In addition to these “quality indicators,” perhaps the best indicator of future misconduct is a state’s prior record on misconduct. As mentioned above, this indicator was not publicly available until recently. Before the UN began to list the contributing states whose forces face allegations of SEA, the media was the main avenue through which information about low performers was available. Beginning with Kathryn Bolkovac’s decision to blow the whistle on the SEA that occurred in the UN Mission in Bosnia and Herzegovina,<sup>18</sup> there have been numerous reports of misconduct.<sup>19</sup> Yet media reports are not systematic. The UN started collecting systematic data about which states have faced allegations against their troops only in 2005, although originally it did not disclose the states that were implicated.<sup>20</sup> The UN chose not to disclose that information because it needed to accommodate contributing states’ need to preserve their own reputations.

The public disclosure of states whose troops face allegations of SEA started in 2015. The list provides information about states whose troops face allegations, as well as those states whose troops do not.<sup>21</sup> South Africa, for example, has the highest number of allegations against its troops, whereas Zambia is among the states with the fewest.<sup>22</sup> The disclosure of states gives the UN Department of Peacekeeping Operations information about which state’s troops and police officers are likely to engage in misconduct and which ones are not, and allows it to provide carrots to high-performing states in the form of additional funding or resources as a way to incentivize them to send more troops and police. For example, there is already a trust fund that the UN uses to incentivize states to provide more female peacekeepers. A similar process could be generated for high-performing states,<sup>23</sup> or the UN could simply increase the payments it makes to high-performing states.

### *The Sticks Approach: Incentivizing Contributing States to Perform Better*

An ability to identify quality forces only partially solves the problem of peacekeeping missions’ misconduct. There may not be enough states with high quality forces; after all, over half of the contributing states face allegations of SEA against their personnel. If the UN were to eliminate this pool of states from contributing, it would run into a shortage of personnel. Thus, the UN must also incentivize lower performers to improve their behavior.

<sup>17</sup> Stephen Moncrief, *Military Socialization, Disciplinary Culture, and Sexual Violence in UN Peacekeeping Operations*, 54 J. PEACE RES. 715 (2017).

<sup>18</sup> KATHRYN BOLKOVAC & CARI LYNN, *THE WHISTLEBLOWER: SEX TRAFFICKING, MILITARY CONTRACTORS, AND ONE WOMEN’S FIGHT FOR JUSTICE* (2011).

<sup>19</sup> Owen Bowcott, *Report Reveals Shame of UN Peacekeepers: Sexual Abuse by Soldiers “Must Be Punished”*, GUARDIAN, (Mar. 25, 2005). Kevin Sieff, *U.N. Reports New Rape Accusations Against Peacekeepers*, WASH. POST (Feb. 5, 2016); Ramesh Thakur, *When the Peacekeepers Become the Problem*, GLOBE & MAIL (May 21, 2007).

<sup>20</sup> *EQUAL OPPORTUNITY*, *supra* note 16.

<sup>21</sup> *Sexual Exploitation and Abuse*, CONDUCT IN UN FIELD MISSIONS.

<sup>22</sup> *Id.*

<sup>23</sup> UN Women, *The Elsie Initiative Fund Launched to Increase Uniformed Women in UN Peacekeeping* (Mar. 29, 2019).

To do so, the UN should shed its fear of troop and police withdrawal. If states withdraw troops and police because they are named and shamed for misconduct, so be it. These states are likely to continue supplying troops and police to other missions regardless of any reputational costs incurred from being publicly outed about their misconduct. This is because it is financially lucrative to do so. The UN remunerates states for sending peacekeepers.<sup>24</sup> For example, in 2012–13, the Bangladesh Armed Forces earned US\$72 million from the participation of their peacekeeping personnel in different operations.<sup>25</sup> States such as Bangladesh that rely on supplemental resources from the UN are unlikely to withdraw troops and police even if there is a public scandal that implicates them. For instance, even though Chad withdrew its troops from the Central African Republic, it still contributed 1,424 troops to the UN operation in Mali.

As a stick, the UN should continue to publicly name and shame states that engage in misconduct because this could, in the long-term, improve the state's behavior. Low-performing contributing states may take measures to improve the behavior of their troops and police in order to avoid being named and shamed. Moreover, by publicly naming and shaming states, the UN enables third parties to help reform contributing states' behavior. For example, the U.S. Human Rights Reports have singled out states for SEA allegations during peacekeeping missions. The 2017 U.S. Human Rights Report for Bangladesh highlighted that Bangladesh faced two allegations of SEA during that year and noted that the investigations were still pending.<sup>26</sup> The United States could conditionally provide security assistance training and foreign aid to states based on their performance or withdraw this aid.<sup>27</sup> The greater number of actors who know which states are performing poorly, the greater number of avenues exist for disciplining them.

### *Conclusion*

This essay addresses a fundamental tension between peacekeeping actors and suggests a carrots and sticks approach to incentivize better behavior among contributing states. Indeed, a careful balancing of carrots and sticks could help balance the interests of both the UN and contributing states. What would this entail? On one hand, this means applying the stick—the public naming and shaming of states whose personnel have engaged in misconduct, regardless of the consequences. This stick turns into multiple sticks as the UN enables third parties to penalize poorly performing states by publicizing their conduct. However, the stick must be coupled with a carrot—an increase in resources to those states that perform well. In this way, the carrot incentivizes poorly performing states to reform their behavior instead of withdrawing their peacekeeping mission contributions.

The logic is not unique to peacekeeping missions, but applies to any activity undertaken by IOs that involves the delegation of duties to other actors. Leveraging reputation as a part of a carrots and sticks balancing act is a novel way for any IO to manage problems associated with misaligned incentives. Thanks to Daugirdas, this approach is now better established.

<sup>24</sup> Khusrav Gaibulloev et al., *Personnel Contributions to UN and Non-UN Peacekeeping Missions: A Public Goods Approach*, 52 J. PEACE RES. 727, 740 (2015). That is, payment to states for contributions is fixed (the base rate is US\$1,028 per month for each peacekeeper), which means that some states profit from sending contributions while other states, usually richer ones, incur losses. See also Katharina P. Coleman, *The Political Economy of UN Peacekeeping: Incentivizing Effective Participation, Providing for Peacekeeping*, INT'L PEACE INSTITUTE (2014).

<sup>25</sup> Air Cdre (Retd) Ishfaq Ilahi Choudhury, *Trends and Imperatives*, DAILY STAR (June 13, 2013).

<sup>26</sup> U.S. Dep't of State, *2017 Country Reports on Human Rights Practices: Bangladesh*.

<sup>27</sup> U.S. Dep't of State, *U.S. Peacekeeping Capacity Building Assistance*.