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THE USE OF MILITARY FORCE IN THE MANAGEMENT AND CONFLICT RESOLUTION

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Abstract

The end of the Cold War changed the paradigm of the role and scope of military force in the management and resolution of conflicts. With increasing intervention by the international community, the new generation of peacekeeping operations has adopted a multidimensional approach to military force to be used in coordination with other instruments of power, ensuring a proper strategic framework considering the desired end state.

This new approach and the increasing complexity of conflicts, predominantly intrastate in nature, have led on the one hand to understandings of the traditional principles of peace operations being addressed, and on the other to military forces facing diverse challenges. The most complex is related to the effective use of combat capabilities, as it seems that there is a lack of political will, after making the deployment of forces, to ensure their effective use. However, the effective use of force being the most critical element, but simultaneously more differentiating and characterising of the use of the military instrument, the management and resolution of conflicts has elevated the range of capabilities of military forces that goes beyond traditional capabilities combat, showing themselves useful in support, complement or replacement of non-military capabilities.

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Introduction

The international community, including the United Nations, with the support of some regional organisations such as NATO and the European Union, have increasingly intervened in the management and resolution of conflicts. Constituting a "third party", they invest their efforts in the implementation of coercive and non-coercive methods in order to defuse antagonism among opponents and to promote a lasting cessation of violence.

According to Ramos-Horta (2015: ix), the prevention of armed conflict is perhaps the greatest responsibility of the international community. But when this prevention is not possible, the so-called "peacekeepers" are often forced to intervene to help enforce and maintain a safe environment, preventing the resumption of violence and providing a safe space for the advancement of political processes.

The characteristics of the current operational environments, along with the multiple actors involved – of which the population is the most important – have increased the complexity of conflicts. Thus, operations involved in their management and resolution require the execution of an increasingly broad spectrum of tasks by the military. However, conflict resolution is also done based on non-coercive measures, which implies that the use of military should be balanced and integrated with other instruments of power. The traditional use of military forces in the context of conflict resolution seems to be undergoing rapid evolution, where its action is developed in a much more complex environment. Thus, as stated by Smith (2008: 429), "the desired result should be known before deciding whether the military has a role to play in achieving this result".

In this context, they pose a set of questions that are the basis of decision making for the use of military force in this context. What are its functions? What is the context for its use and how does it combine with other instruments of power? What conditions are necessary and what principles should be respected? Can combat capabilities in situations of military force be effectively employed?

To answer these questions, in the first topic we dwell on the framework for the use of armed force in resolving conflicts. A second part deals with the conceptualisation of

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operations based on the military approach to this subject. Finally, the text deals with the use of military means in this context, including the effective use of combat capabilities.

1. Military force in the context of conflict resolution

1.1. The functions of military force

The military has always played an important role in international relations. However, its priorities have been changing, adapting to the evolution of strategic contexts, successively used first as a means of coercion, then as a deterrent and more recently as a tool for the prevention and resolution of conflicts (Espírito-Santo, 2003: 235). This form of use should be regarded not as a succeeding substitution of the context of use, but as a broadening of the spectrum of use.

In this spectrum, generically, military force can accomplish five strategic functions: to destroy, coerce, deter, contain or improve (Smith, 2008: 370). These functions will be performed in isolation or in combination, according to the strategic concept that achieves the desired political result, and can be developed at different levels, individually or in a complementary manner (Garcia, 2010: 70), independent of the activities to execute.

In the context of security and defence in the XXI century, the military runs three main types of activities: (i) traditional combat operations; (ii) a wide range of "non-traditional" activities, ranging from humanitarian assistance to special operations through to the peace operations; and (iii) support activities and interaction with other instruments of power (Alberts, 2002: 39). This spectrum of usage reflects very significant changes associated with a growing appreciation of the actions developed by use of non-military vectors. This trend has become more pronounced and results in more effective diplomatic, economic and psychological strategies, as well as the problems inherent to the use of military force (Barrento, 2010: 306).

The conduct of military operations began to be the "art of the possible," implying that more and more forces adapt to non-military contexts and political, legal, socio-cultural, economic, technological and geographical constraints (Gray, 2006: 31). Thus, in addition to the means, the use of military force started to require another fundamental prerequisite: opportunity (Alberts and Hayes, 2003: 171).

International organisations[2] supported the perspective that the use of armed force to manage international relations and maintain peace is legitimate, appropriate and often necessary (Zartman *et al.*, 2007: 422) and have progressively come to intervene to safeguard peace between States as well as within them (David, 2001: 313). The opportunity for the employment of military forces is created and, thus, they are increasingly called upon to intervene under the so-called "conflict resolution".

But this new perspective of action also brought qualitative changes in the use of military force. Objectives on a strategic and operational level are no longer related to the destruction or imposition of conditions to an enemy and now aim to shape it or change the will of the population (Smith, 2008: 42) and the warring parties.

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[2] Especially the United Nations, supported and complemented by other regional organisations.

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Consequently, strategic functions, while retaining their ends, saw contexts change significantly as they are implemented, especially through the concept of enemy elimination, a non-applicable concept in the context of conflict resolution.

So, instead of carrying out its strategic functions in a traditional war scenario, the deployment of the military in this context can be seen as a step by the international community to resolve differences and confrontations without recourse to war, while contributing to security in collective terms (Segal and Waldman, 1998: 185).

1.2. The context for use - the integrated approach

In general terms, the strategic objectives defined for an operation aimed at resolving a conflict are usually related to security, governance and economic development (AJP-01 (D), 2010: 2-12).

In strictly military terms, the final state can be considered achieved when the rule of law is established, internal security mechanisms regain control and the levels of violence are within normal standards for the society in the region in question. However, achieving military objectives and creating a stable and secure environment is no guarantee of achieving a self-sustaining situation of peace (AJP-1 (C), 2007: 1-8). The implementation of an operation may help curb violence in the short term, but it is unlikely to result in a sustainable and lasting peace if it is not accompanied by programmes designed to prevent the recurrence of conflict (Capstone, 2008: 25). Thus, military success and reaching military targets should be seen as decisive aspects in order to achieve the desired overall end state, where it is essential to establish a dynamic balance with non-military objectives (Alberts, 2002: 48), using the military instrument in coordination with other instruments of power[3].

Fig. 1 - Balance of the instruments of power (adapted from the Smart Power Equaliser)
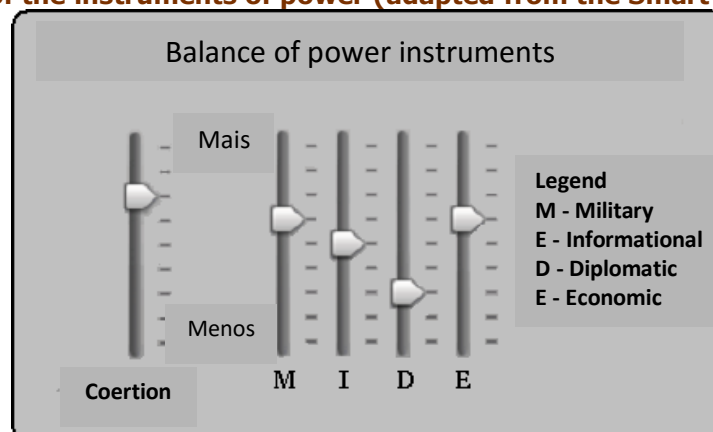
Source:
http://mountainrunner.us/images/SmartPowerEqualizerfindingthemix_FA88/smartpower_20thC2.gif

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[3] According to the relevant fields, there are several ways to effect the systematisation of instruments of power: (I) DIME (diplomatic, informational, military and economic Instruments) in the current doctrine of the Atlantic Alliance (AJP-01 (C), 2007): 2-18); (ii) DIMLIFE (diplomatic, informational, military, economic, law and order, intelligence and financial instruments) in US counter-terrorism strategy, which considers a broader range of instruments; some states do not acknowledge the informational instrument, considering it both as a component and a requirement necessary for other instruments (AJP1- (D), 2010: 1-3).

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The relationship between these instruments, as regarded by Gray (2006: 15), is always contextual, conditioning their application. In the context of prevention, management and resolutions of conflict, the degree of use of each instrument is influenced by intended coercion level of the actors in the confrontation and uses the military elements that directly influence this level of coercion[4] (Oliveira 2011: 65).

This holistic and synergistic use is commonly called the "comprehensive approach" and is based on coordinated action between various actors - political, diplomatic, economic, military, non-governmental, civil society and business (MCDC, 2014: 115). Being linked to the strategic, operational and tactical levels, it is supported by the planning and direction of the execution (AJP-1 (D), 2010): 2-11), in which the use of different systems converge methodologically with a combination of multinational and multidisciplinary solutions (Oliveira, 2011: 65).

1.3. The specific framework for the employment of the military instrument

 The use of military force in the management and resolution of conflicts is conditioned by the appropriate conceptual framework that correctly interprets the operational environment through the force and its commanders (AJP-1 (D), 2010: 1-10). The confusion of conceptual and doctrinal division of operations is usually preannouncing of failure, because the degree of commitment of the military, the elements to engage with and the terms in which the mandate allows them to act (Jones, 2009: 7) are preconditions for success.

 The use of the military components in this environment requires a deep understanding of three vectors that are interrelated: (I) the actors involved – supporters, opponents and neutrals in the presence of force; (ii) the operational environment, the different perspectives, and (iii) the tasks to be performed (AJP-01 (D), 2010: 2-14).

 Addressing the relationship between the various vectors, Binnendijk and Johnson (2004) published some findings of a study [5] that examined a number of interventions in conflict situations, suggesting that success depended essentially on three controllable factors: (i) the resources allocated to resolve the conflict; (ii) the volume of military force used; and (iii) the time allocated for the process of conflict resolution. Interventions are also dependent on two uncontrollable factors: (i) internal characteristics and (ii) geopolitical interests of third parties.

 These studies were designed with the military instrument as the main variable [6] of the cases studied, and one of the lessons learned is that there is a strong correlation between the amount of resources used and the degree of success[7] . With the increasing complexity and multidisciplinarity of operations, this correlation has not been clear and it became one of the dilemmas of its materialisation. If, on the one hand, a large

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[4]   The result of the balanced use of different instruments of power can be compared to the sound achieved through an equaliser, being altered by intervention in the intensity of each of them and the basic sound selection - the desired level of coercion (Oliveira 2011: 65).
[5]   Original study by Larry K. Wentz.
[6]   For a specific analysis of this variable, success in a military perspective is easily measured as it is related to achieving military objectives, which embody the so-called military end state (AJP-01 (C), 2007: 1-4).
[7]   This conclusion was being called into question by other studies.

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volume of forces promotes safety, on the other hand it introduces the risk of stimulating local resistance to an intrusive foreign presence in the local community. In another approach, a reduced number of forces minimises the encouragement of nationalist impulses against the presence, and can be very effective in maintaining a stable and secure environment in the territory (Paris and Sisk, 2009: 81). For this dilemma [8] Some UN force commanders argue that volume is not critical, being less important to the effectiveness of the force of the command unit and the removal of caveats introduced in various military contingents (Mood, 2015: 2).

The timing of an operation creates another dilemma: maintaining a presence to prevent the resumption of hostilities and/or opportunism due to the weakness of local institutions or withdrawal of forces in order to avoid the danger of local population resistance to prolonged presence (Paris and Sisk, 2009: 85). According to Binnendijk and Johnson (2004: 4:05), in this dilemma it is affirmed that the maintenance of means for a long period cannot guarantee success, though their rapid withdrawal can precipitate failure. Being variable in each case, the historical cases point to a time period of five years as the minimum time required to cultivate an enduring transition to peace.

 "Peace operations are about people and perceptions" and these operations "will be developed more and more in this domain instead of on the ground" [9] (Mood, 2015: 1). Thus, the approach to this dilemma means we must take into account the perception that the local population has of the presence of international forces. Usually the "coexistence" between the local population and military force is divided into three periods: (i) a first, following the violent phase of the conflict, in which the population considers their presence essential, especially for the creation of security. At this stage unconditional support is guaranteed and their actions encouraged; (ii) a second period, when the situation reaches some degree of stability, where the population begins to question the need for international presence and begins to tolerate it rather than to unconditionally support and (iii) the third stage, when the perception of security and non-return of conflict starts to be installed and the population begins to see the force as an intrusive element to their interests (Paris and Sisk, 2009: 85).

Internal and intrinsic characteristics of the territory where the conflict unfolds, consequences of culture, the agendas of the various actors and the geopolitical and geostrategic interests of external actors, usually States, are uncontrollable factors for those executing an operation.

Studies conducted by Segal and Waldman (1998: 198) concluded that interventions by the international community were more successful in controlling the conflict when the actors in dispute had something to gain from the success of their own peacekeeping. On the other hand, the practice seems to show that the contributing countries' troops should be involved based on their interests in order to ensure the effectiveness of the mission (Mood, 2015: 3). It seems to apply a "win-win" relationship between local actors and multinational forces that represent their states of origin.

 Given the intangibility of certain factors, evaluating the success of an intervention never reached a base that satisfies diverse actors. According to Diehl (1993: 36), the

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[8]   For this dilemma also see (Newman, Paris, Richmond, 2009: 32).
[9]   Force Commanders' Advice to the High-Level Independent Panel on UN Peace Operations. Washington: UN. 2015. Robert Mood.

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two general criteria have to do with (i) the ability to deter or prevent the use of violence in the area of operations and (ii) how this intervention facilitates the resolution of the conflict. They are essentially intangible criteria. However, the degree of success being measured can go through the verification of tangible metrics related to the effects to be achieved at specific points in space and time. Disarmament levels, demobilisation of former combatants and their reintegration into society, as well as how local authorities guarantee security, are examples of aspects that are possible to measure along the course of the operation [10] (Newman, Paris, Richmond, 2009: 29).

2. The military approach to the management and resolution of conflicts

2.1. The classical approach to peace operations

Originally, peace operations involved almost exclusively the use of military forces. These were interposed between the parties to monitor ceasefires, facilitate the withdrawal of troops and act as a buffer between countries in very volatile situations (Newman, Paris, Richmond, 2009: 5). Thus, traditional peacekeeping operations were established when some agreement was concluded and guaranteed the necessary physical and political support to enable compliance by the parties (Zartman et al., 2007: 433).

 Between 1988 and 1993, a triple transformation started involving qualitative, quantitative and regulatory changes regarding the role and scope of peace operations (Bellamy, Williams, Griffin, 2004: 92). Their field of action has widened and began to involve the combination of a wide range of tasks (Newman, Paris, Richmond, 2009: 7). In this context, the UN [11] and NATO[12], which together represent the overwhelming majority of military personnel deployed in "peace operations" (Jones, 2009: 3), developed a specific doctrinal basis for these operations, which allow an operationalisation of concepts and a more efficient and flexible approach to them. They did so by adopting a "classical approach".

 This conceptual approach and rules to peace operations are associated with the life cycle of a conflict: phase of escalation, usually non-violent, its violent phase and the subsequent return of peace which is also non-violent. The response structure is based on a sequential design and so, while not competing activities, the use of individualised mechanisms provided either by the UN [13] or NATO [14] is well typified, allowing the conceptual framing of the use of military force, based on a generic process that has been followed as a model[15]. This assumes, according to the situation, that a type of operation and the means and measures are to be used along with the framework. At the same time, to move from one type of operation to another, changes to this framework can be altered and the mandate and terms of reference of the mission can even be changed.

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[10]   Other less tangible effects can also be analysed, such as reconciliation between the parties and the evolution of conflict resolution (Newman, Paris, Richmond, 2009: 29).
[11]   Through the Agenda for Peace (A / 47/277 - S / 24111 of 17 June 1992).
[12]   Through the Doctrine of Peace Support Operations.
[13]   The reference is still the Agenda for Peace (A / 47/277 - S / 24111 of 17 June 1992) and later the Agenda Supplement for Peace (A / 50/60 - S / 1995/1 from 3 January 1995).
[14]   The doctrine in place for the Peace Support Operations is found in AJP - 4.3.1 July 2001 and the AJP - 4.3, March 2005, although as noted above, they are both under review.
[15]   For a more comprehensive conceptual approach refer to the UN and NATO references above.

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Generically, the organisation is based on the following operation types: conflict prevention, peace enforcement, reestablishment of peace, peacekeeping and peacebuilding.

Figure 2 - The Process of Conflict Resolution
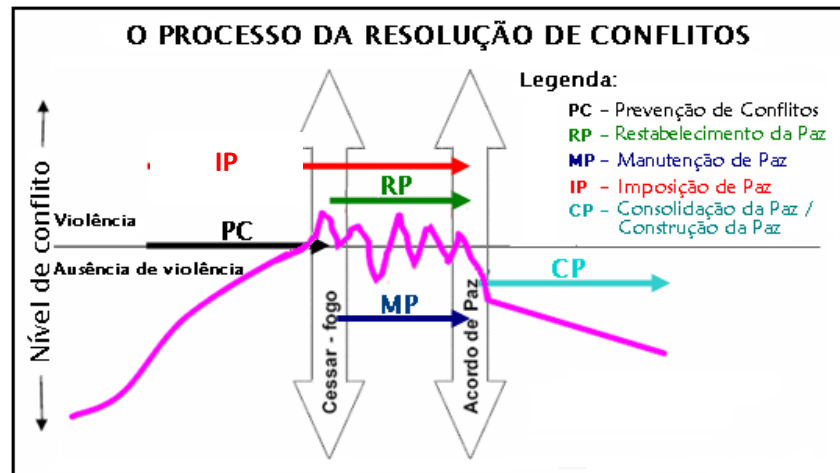
Source: Adapted from BRANCO, Carlos et al. [16]

 Conflict prevention means the elimination of the causes of predictable conflict before it occurs in an open form (Zartman et al. , 2007: 13). It involves the application of external measures of a diplomatic, economic and military pressure, and even possible military intervention to support an effort to prevent a violent outbreak of conflict or stop escalation (MCDC, 2014: 70) or reigniting[17]. Military means normally focus on supporting political and development efforts in order to mitigate the causes of conflict. It should be based on gathering information and ensure an early warning system to watch the development of the crisis in real time and evaluate the possible answers in order to apply the fastest and most appropriate measures to each situation [18] (Castells, 2003: 31).

 If preventive measures are successful, the crisis reduces in intensity, returning to a certain degree of stability. If they fail and the line of the outbreak of violence is broken, there is violent conflict (MCDC, 2014: 70). When this happens, the conflict has to be managed through the elimination of violence and its related means (Zartman et al., 2007: 13).

If the context establishes the objective to compel, coerce and persuade one or more factions to comply with a particular mode of action, this is a "peace enforcement" operation. This situation occurs when there is no strategic consent of the main actors (Dobbie 1994: 122). In this case, the operation involves the application of a range of coercive measures, including the use of military force (Capstone, 2008: 18) at an

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[16]   Adapted from BRANCO, Carlos, GARCIA, Proença, PEREIRA, Santos (Org) *op. cit.*: 139.
[17]   These measures are usually applied according to Cap. VI of the UN Charter. However, in the case of armed intervention, military forces may be employed to deter and coerce the parties, which requires a more robust mandate based on Cap. VII.
[18]   Although military activities are aimed at achieving the policies and development requirements, they usually fall short in the following categories: (i) notice; (ii) monitoring; (iii) training and reform of the security sector; (iv) preventive deployment and (v) the imposition of sanctions and embargoes "(AJP-3.4.1 2007: 1-9).

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operational level. Thus, supporting a mandate, military means will be employed if necessary by taking the place of one of the belligerents and remaining on the ground even against the will of the parties (Baptista, 2003: 742).

However, despite the use of force, it is essential to reiterate that the objective is not to defeat or destroy the belligerents (Pugh, 1997: 13), achieving a military victory, but to force, coerce and persuade the parties to meet certain conditions, according to a political objective (AJP-3.4.1 2007: 1-11). The purpose of these operations is a key issue, because it establishes the separation between war and peace enforcement (Branco, Garcia and Pereira, 2010: 142).

These actions are authorised in order to restore peace in situations where the UNSC considers a threat to peace, a rupture of peace or an act of aggression exist (Capstone, 2008, p.18). In the case of operations led by the UN, given that it does not have its own capabilities, other entities are authorised to use force on its behalf (Bellamy, Williams, Griffin, 2004: 148), including NATO, the EU or coalitions of goodwill organised specifically for this purpose. Given the complexity of this type of operations, forces must be organised, equipped and trained, having a coercive combat capability for the enforcement of the aspects for which it was mandated for and closely connect political and military objectives (AJP-3.4.1 2007: 1-11).

"Peacekeeping" is designed to preserve a fragile peace following the end of the violent phase of a conflict, in order to assist the implementation of agreements reached between the parties [19] (Capstone, 2008: 18). "Ceasefires normally follow, which by nature are volatile and precarious" (Branco, Garcia and Pereira, 2010: 139) and is, as a rule, with the strategic consent of the parties (Dobbie 1994: 122).

Over the years, peacekeeping has evolved from a primarily military model after inter-State wars to incorporate a complex model of many elements – military, police and civilian – that work together in order to lay the foundation for sustainable peace (Capstone, 2008: 18). The new circumstances force the establishment of more robust operations, resorting to Chapter VII of the UN Charter and ensuring "all necessary means" to address the situation (Zartman et al., 2007: 433). However, this use of force is restricted to the tactical level of operations to resolve incidents, or before specific situations of tactical non-compliance with the terms of the agreements fundamentally aimed at facilitating diplomatic action, conflict mediation and ensure basic safety conditions for a political solution (Branco, Garcia and Pereira, 2010: 141). Peacekeeping is thus supported on the assumption that the absence of fighting between the parties will allow the easing of tensions and allow negotiations to be conducted (Diehl 1994: 37).

The "restoration of peace" includes measures to address the conflict and usually involves diplomatic action to bring antagonistic parties to negotiate an agreement (Capstone, 2008: 17) and, by definition, does not include the use of military forces. However, the use of force or its threatened use has been a practice in reinforcing these efforts [20] (Zartman et al., 2007: 435).

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[19]   Experts in conflict resolution argue that the presence of military forces after the signing of an agreement is essential. If their presence does not materialise effectively within six to twelve weeks after the signing, the agreement may lose effectiveness (Durch, 2006: 589).

[20]   The concept proposed by NATO is very similar to the UN, although it is more robust (Branco, Garcia and Pereira, 2010: 135), because it does not exclude military support for diplomatic action through the direct

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When the management of the conflict is successfully executed, the enforcement level of external force lessens as the situation stabilises, allowing the withdrawal of military force and the beginning of the peace-building process (MCDC, 2014: 71). The "consolidation of peace" [21], when the conflict has overcome the violent phase, involves a range of targeted measures to reduce the risk of reignition, strengthening national capacities at all levels. In this scenario, the military performs its tasks after obtaining a political solution and includes collaboration with local authorities, guaranteeing security conditions for the work of civilian components and providing the necessary support to civilian agencies to resolve the deep structural causes of the conflict (Zartman et al., 2007: 436).

Military activities should have high visibility and impact, demonstrating the immediate benefits of their action. Comprehensive use must, however, be considered to ensure that short-term gains are not counter-productive for long-term development strategies and face the danger of coming to create dependency on this support. As we saw earlier, a stronger or weaker presence with local authorities is a dilemma to take into consideration in conducting this operation type (Newman, Paris, Richmond, 2009: 32).

2.2. The new millennium and the increasing complexity of interventions

Following the end of the Cold War and after a general decline in the incidence of armed conflict, intra-Sate conflicts constitute the vast majority of today's wars (Capstone, 2008: 21). These conflicts can take many forms, of which inter-ethnic conflicts, secessionist and autonomic conflict and war for power are highlighted, which usually take the form of civil war (Wallensteen 2004: 74).

This resulted in a profound change in the approach to process management and the resolution of conflicts, with the UN Security Council beginning to work more actively to promote restraint and the peaceful resolution of regional conflicts. Since the beginning of the new millennium, the number of military, police and civilian personnel involved in United Nations peace operations reached unprecedented levels and, in addition to growth in size, they have become increasingly complex (Capstone, 2008: 6). They face significant challenges as they are often implemented in insecure environments, often not having the resources to implement mandates (Ramos-Horta, 2015: 1). This reality began to be identified in the Brahimi Report [22] (2000, § 12), which stated that peace operations have changed rapidly from the traditional "military operations of observation of ceasefires and separation of factions after an inter-state conflict [23] to incorporate a complex model with many military and civilian elements working together to build peace in the dangerous aftermath of civil wars."

The transformation of the international environment thus gave rise to a new generation of "multidimensional" operations, employing a mix of military, police and civilian capabilities (Capstone, 2008: 22). These began to interact and work in the

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or indirect use of military means (AJP-3.4, 2005: 3-4), support planning and general staff. Examples of this use include Afghanistan, Cambodia, Cyprus and Mozambique.

[21] The expression "construction of peace" is also used.

[22] Report of the Panel on United Nations Peace Operations, UN Doc. A / 55/305-s / 2000/809, 21 August 2000.

[23] The first mission of peacekeeping operation was authorised in 1948 and implemented by UNTSO to supervise the cease-fire agreements between Israel and Arab neighbours (Zartman et al., 2007: 436).

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same theatre, often overlapping each other. Thus, the range of actors involved has become broad, with different objectives, understandings, skills and motivations. These actors can divide, connect, ally or change their patterns and objectives with great frequency (Durch, 2006: 576). Each of them, according to their own agenda, may support, be neutral or oppose the peace operation itself, and these positions may vary with time or within organisations in a given context (AJP-01 (C), 2007: 1-4).

The complexity increases even more when we started to see an increasing number of operations where there is no political agreement or where efforts to establish or re-establish peace have wavered. The forces often operate in remote and austere environments, facing permanent hostilities by actors who are not willing to negotiate, and who might be interested in harming the international forces, adding restrictions to their ability to operate effectively (Ramos-Horta, 2015: 5). This fact was presented as a challenge and is referred to in the Capstone Report (2008: 20): "in the application of conflict prevention, imposing, restoring and maintaining peace rarely occurs in a linear or sequential way. Indeed, experience shows that these must be noticed in order to complement and reinforce each other. The fragmented or isolated use of each prevents the integrated approach required to address the causes of conflict that thereby reduce the risk of the conflict rekindling."

This situation started to have a strong influence on the approach to the management and resolution of conflicts because, unlike in the past in which Chapter VI [24] served as the basis for most operations (Capstone, 2008: 13), with the new millennium, the vast majority of military and police operations began to act under Chapter VII of the UN Charter [25] (Durch and England, 2009: 12). According to Howard (2008: 325), the implementation supported in Chapter VII reflects the UNSC's readiness to ensure that agreements are implemented, if necessary, by force. Thus, and as shown in the doctrinal evolution of NATO and some states [26], it seems that the old walls that previously segregated the operations of peace from combat operations have begun to crumble, and this has changed the paradigm of traditional "peace operations" (Durch and England, 2009: 15). The actions of peacekeeping forces began to point to the concurrent execution of a set of conflict prevention activities and conflict intervention, as well as regeneration and support after the conflict in order to reach the final military state desired (JP-3.4.1 (A), 2007: 1-5). This concurrence of actions depends on the situation, especially the ebb and flow of the process, and may be represented with the graph that is presented below.

Prevention requires actions to monitor and identify the causes of conflict and action to prevent the occurrence, escalation and resumption of hostilities, where military instruments should be used for deterrence, establishing a powerful presence to deter spoilers of peace (AJP-3.4.1 (A), 2007: 1-5). Following the sequence of "format, intimidate, coerce and intervene", military force becomes more explicit as the situation worsens (MCDC, 2014: 71)[27].

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[24] However, according to the Capstone Report (2008: 13), the UN Security Council does not need to refer to a specific chapter to adopt a resolution authorising the use of peacekeeping operations and does not even need to invoke Chapter VI.
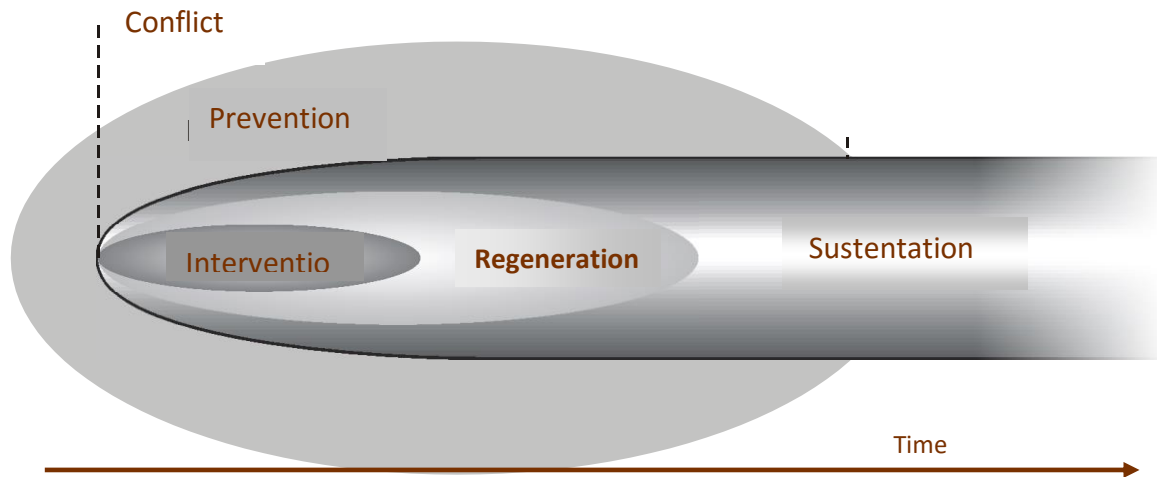
[25] In 2008, deployed forces accounted for about 80%.

[26] Cases, for example US, UK, France or India.

[27] "Format" means to influence the environment in which the actors operate, "deterring" means offering an implicit threat of action if the conflict escalates, "coerce" means making the threat explicit and "Intervening" means taking military action (MCDC, 2014: 71).

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Fig. 3 - Concurrent activities in peace operations

Source: Adapted from JP-3.4.1 (A) (2007), *op. cit.*: 1-7)

Intervention means taking explicit military action and should involve actions coordinated with political, economies and humanitarian activities (AJP-3.4.1 (A), 2007: 1-5). This can be implemented as a preventive action before the crisis line is transgressed, or after in order to prevent the continuation of fighting by parties (MCDC, 2014: 71).

Regeneration should be started as soon as possible, starting with the security sector and the needs that require immediate attention. The primary task of the military is the organisation, training and equipping of the "new" local security forces until they are self-sufficient in implementing the mission (AJP-3.4.1 (A), 2007: 1-5).

Support is the set of activities to support local organisations to maintain or improve the final state defined in the mandate. It occurs when the structures, forces and local institutions begin to assume responsibilities in a sustained and stable manner over the territory and population (AJP-3.4.1 (A), 2007: 1-5).

Lasting peace is not achieved or sustained by military and technical commitments, but through political solutions (Ramos-Horta, 2015: 11). Thus, despite the increased complexity of interventions, military force continues to be used to establish a stable and secure environment to allow the actions of other actors. These are usually better able to exploit the success of tactical actions of military forces, which have a value that must be integrated in a comprehensive plan (Smith, 2008: 428).

3. The use of military force

3.1. The principles of the use of force

The use of military forces in operations for the management and resolution of conflicts is distinguished from other types of operations because it applies a set of principles. We

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highlight three that are interconnected and mutually reinforcing (Capstone, 2008: 31): consent, impartiality and the restrictions on the use of force.

The consent of the main parties in the conflict provides the necessary freedom for strategic, political and physical action, so that the deployed means carry out their functions. However, the consent of the main actors does not mean or necessarily guarantee that there will be an agreement at a local level, particularly if they are internally divided or have fragile command and control systems. As a rule, the level of acceptance of the actors involved in the conflict will be different and will vary in time and space[28]. A general consent situation becomes even less likely in volatile settings, characterised by the presence of armed groups not controlled by a party, or by the presence of other spoilers of peace (Capstone, 2008: 32). When this happens and there is no common line of action between leaders and local groups, this inconsistency of positions could result in the non-compliance of some of these groups, and they may try to restrict the freedom of action of the peacekeeping force or even act against them (Oliveira 2011: 98). In the absence of consent, the main risk lies in the possibility of peacekeepers becoming part of the conflict (Dobbie 1994: 130).

Consent may thus constitute a very complex relationship between peacekeepers and the various actors, which can be at the strategic level or, more fragile still, at the tactical level (Oliveira 2011: 98). This level of consent may establish the framework that separates a peacekeeping operation from a peace enforcement operation (Dobbie 1994: 145). On the other hand, the lack of consent or passive consent may be transformed into active support through the credibility and legitimacy of the action of the forces (AJP-1 (D), 2010: 1-9). According to Durch and England (2009: 15), the best generator of consent is operational performance based on a firm but fair implementation of measures to restore living conditions and a safe environment.

Contemporary conflicts tend to be internal and the legitimacy of international intervention is sometimes questionable (Zartman et al., 2007: 8), influencing consent. Thus, "normally peace operations work best when – in addition to being internationally authorised – the forces are also invited to participate in the operation under the agreements among the parties, offering through it international and local legitimacy" (Durch and England, 2009: 13). In situations where there is no agreement between the parties, the use of effective force may be required as a last resort (Capstone, 2008: 33). Military force will thus have to rely on the terms of the mandate and be structured in adequate strength and form, and may have to adopt a position of temporary combat in order to defeat the opposition of an actor (Durch and England, 2009: 13).

Since consent is never absolute, strength can thus be used to deter or compel; however, this use has to be done with impartiality (Pugh, 1997: 14). This will be guarded by the principles of the UN Charter and the mandate, which should itself be based on the same principles, although allowing some initiative to peacekeepers in the most dangerous environments (Durch and England, 2009: 12). This initiative is the big difference between impartiality and neutrality. Unlike the latter, impartiality requires judgment with respect to a set of principles and mandate terms (AJP-3.4.1 (A), 2007: 3-6). This conduct of peacekeeping forces is very complex, because some acts will be

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[28] In time, from the perspective of permanence or fragility of consent and space "horizontally across all elements of the population and vertically within the hierarchies of the parties in relation to the conflict" (AJP-1 (D), 2010): 1-9).

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viewed differently by different parties, which tend to evaluate them according to their own agenda. This implies that the effective use of threat or use of force against one of the parties shall be undertaken only when they do not meet the agreed terms through action or inaction (Capstone, 2008: 33).

By the very nature of these operations, the restriction on the use of force is always present and the level of coercion used must be proportionate and appropriate in relation to the specific objective pursued. The means, the manner and circumstances should be used as they are usually defined and detailed in the Rules of Engagement (ROE) for the operation (AJP-3.4.1 (A), 2007: 3-8). These are considered essential and are designed to ensure, within the extent possible, the effective use of force by the military component in accordance with the legal framework and set policy.

Given the new strategic and operational framework in the UN commander operations report (Mood, 2015: 2), "the principles of consent, impartiality and non-use of force must remain a guiding basis for peace operations, but the complexity of the context has meant that the traditional understanding of these principles should be worked out". Thus, consent should not be required when the mandate, mission or civilians are threatened. Unlike the implementation of the mandate and the protection of civilians, impartiality is not an end in itself. The principle of the non-use of force is traditionally applied with two exceptions: the use of force in self-defence and the use of force in defence of the mandate. However, these exceptions are becoming increasingly important in contemporary peace operations. The use of force in self-defence is used regardless of the type of operation, and is not controversial; however, the availability and resources for such use have become a major concern. The use of force to defend the implementation of the mandate and civilians involves much more controversy. Howard (2008: 13) argues that even peace enforcement operations, mandated under Chapter VII, in which the UN can use force in conflicts of intrastate nature, may often create incompatibilities with impartiality and consent.

The increasing complexity and "toughness" of implementation has led to peace operations being addressed as "military operations" in the broadest sense, assuming that they can be driven and shaped by principles previously reserved for conventional combat operations. With this new paradigm, the tactical approach to all military operations began to be performed based on the application of a set of common principles [29] (AJP-01 (C), 2007: 2-23). The particular situation will dictate the emphasis given to each of them (AJP-1 (D), 2010: 1-6).

3.2. The challenges for the use of military force

Current peace operations are implemented to perform a wide range of activities. They intend to take an active role in conflict management in violent situations (Ramos-Horta, 2015: 29), whilst simultaneously facilitating the political process by promoting national and reconciliation dialogue, protecting civilians, assisting disarmament, demobilisation and reintegration of combatants as well as support the organisation of elections, protect and promote human rights and help restore the rule of law (Capstone, 2008:

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[29]   Another set of principles such as security, credibility, transparency, mutual respect and cultural integration, legitimacy, proactive action and freedom of action should also be present in the use of military forces in peacekeeping operations (AJP- 3.4.1 (A), (2007), *op. cit.* : 3-9).

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6). The framework introduces a set of factors that influence the use of military force, through the imbalance and tensions between the various internal and external actors, which are assumed as a major challenge to the provision, projection and use of military means.

The first factor, external order, follows the launching process of the operation and generation of the forces itself. However, the decision to launch or support peace operations lies in international organisations [30] or coalitions of good will, since they do not have their own military forces, the mission will be fulfilled with the resources offered by Member or participating States (MCDC, 2014: 72). Therefore, it is ultimately these that impose a number of conditions and political constraints on implementation.

Humanitarian issues or international security – unlike wars in which soldiers defend their fellow citizens or their country – are more difficult for leaders to accept and justify the use of military forces if public opinion is low (Walzer, 2004: 34). Thus, the calculations of each State regarding the risk to its troops, the support costs and internal support for participation in the operation, have a major impact on the availability of forces and coherence of the mission (Durch and England, 2009: 16). This is reflected in the decisive organisational process and generation of the force, with the resulting problems for launching [31] and supporting the [32] mission (MCDC, 2014: 85).

Each state has its own interests or safeguards that it wants to protect when it intervenes in the process of resolving a conflict. This environment makes relatively fragile peace operations in terms of units of command and above all unity of action (Durch and England, 2009: 13). This is the second factor of external order that influences the use of military forces. Despite the desired integrated approach, actors rarely accept the establishment of command relationships where they can act freely, opting for a cooperative solution, changing the command relationship for coordinating different actions. It is a solution that presents difficulties because, as defended by Mood (2015: 1),

> *"integrated missions in complex environments require a single chain of command. A Command Unit (...) is essential for the implementation of the mandate. One concept, one mandate, one mission."*

In terms of internal factors, current multidimensional operations deployed following an internal conflict have a wide range of challenges. The ability of local authorities to provide security for its people and maintain public order is often weak and violence

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[30]   UN, EU or NATO.

[31]   In this regard are included: (I) delays in the generation and employment of forces, leading to difficulties in mission implementation; (ii) poor quality troops, because they are inadequately trained and equipped; (iii) conflicts between troops and equipment (MCDC, 2014: 85).

[32]   In the summary are the following problems that occur with the sustention of operations: (i) combat forces are of insufficient strength – simply because there are not enough troops for the mission, according to planning, poor interoperability between different contingents – the troops often come from a number of different countries, and do not even speak the same language and usually operate within different military cultures; there can also be tensions between different contingencies; (iii) poor coordination with civilian actors, for example, non-governmental organisations or government officials; (iv) troops and UN commanders lack specific training; (v) general difficulty of achieving a united effort, within the mission and, more broadly, with other actors locally and internationally (MCDC, 2014: 85).

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may still be present in various parts of the territory. The country may be divided along ethnic, religious and regional lines, and serious human rights violations may have been committed during the conflict (Capstone, 2008: 22). The difficulties increase exponentially when there is little or no peace to keep, in the absence of a viable peace process or because the peace process has effectively broken (Ramos-Horta, 2015: 29).

All these aspects shape the operating environment, which creates the challenge for the military to develop the appropriate capabilities to make a credible contribution. To be effective, the military commanders must be involved in the political process, in order to translate political objectives into military action, which allows the greater understanding of the complementary objectives and collective responsibility of the whole operation. It is understood that in a specific operating environment, the military component should be structured "to the extent" of the specific operation, according to the conditions set out in the mandate, the situation and the ground (Mood, 2015: 5). This application of "extent" itself creates the challenge for the military component, which needs to be prepared to develop and implement a wide range of tasks that complement or are complemented by the action of other actors. According to MCDC[33] (2014: 116), these tasks can be conceptually organised into the following four areas: (I) the focal tasks – those that fall in areas where the military component is already engaged in relevant activities; (ii) the standard tasks – those that fall under the military purview, but can be performed by others if the prevailing circumstances were not considered; (iii) the improvement tasks – tasks in areas where, in this context, it is necessary to develop capacity to contribute effectively to the collective effort; and (iv) new tasks – those that arise from military forces framed in this context.

Despite all of these challenges, the most serious are the implicit lack of willingness and capacity provided to exercise authority for the effective employment of necessary forces (Mood, 2015: 2). As stated by Smith (2008: 288), "the lack of political will to use force rather than simply *deploy* forces" is one of the problems that has characterised recent interventions, especially in high risk situations. This use seems to always consider the exemption of risks and operations, appearing to rely mainly on its deterrent presence and the non-lethal use of weapons (Marten, 2004: 125). One of the ways that countries materialise this lack of political will is through the introduction of caveats [34] . These have long been criticised by commanders on the ground for concern that caveats reduce efficiency and increase risks, being that there should even be zero tolerance for hidden caveats (Mood, 2015: 4).

3.3. The effective use of force

In the prevention, management and resolution of conflicts, the use of military forces may be justified: (i) the risk – where the security situation presents a challenge to those who do not have the ability to protect themselves and the use of military might be necessary to provide protection to persons or property; (ii) promptness – when military means are the only ones able to respond to a need in the required time; (iii) the range – when only the military has the ability to deploy an operation at a distance to support adequate logistics; (Iv) the availability of forces –in situations where forces

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[33]   Multinational Capability Development Campaign.
[34]   Are explicit restrictions on the operational use of force. The expression is already part of the normal lexicon of those that deal with these issues.

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are the only available option to affect an intervention immediately; (V) for "niche" issues – when they have specialists and capabilities that may be required and that are not available in other organisations (MCDC, 2014: 117). A high range of capabilities that exceed the traditional combat capabilities are therefore highly relevant. However, the effective use of force, where combat capabilities are used, requires a more restrictive framework and the effective use of armed force under international law, which is pursuant to Chapter VII of the UN Charter – one of the rare situations where this use is considered legitimate (Zartman et al., 2007: 423).

This context has presented some difficulties in the implementation of missions. As mentioned in Capstone (2008 report: 14), to relate to a peace operation with a specific chapter of the Charter can be misleading for the purposes of operational planning, training and the implementation of a mandate, and the UN Security Council, aware of this, has guaranteed "robust" mandates, authorising peace forces "to use all necessary means". However, although on the ground they can sometimes seem similar, a robust peacekeeping operation must not be confused with the imposition of peace, as seen in the terms of Chapter VII of the Charter. Maintaining robust peace involves the use of force at a tactical level with the authorisation of the UN Security Council as well as the consent of the host nation and/or main parties in the conflict. Peace enforcement may involve the use of military force on an operational level, requiring the consent of the parties (Capstone, 2008: 34).

In execution, as advocated by David (2001: 305), the obstacles apparently became more serious and complicated – especially the tactical level, where the difficulties of limiting the effective use of force have increased exponentially (Capstone, 2008: 19). Thus, according to Ramos-Horta [35] (2015: 9), new operating environments require much greater clarity on when and how the various contingents may use force, under what conditions and with what principles. Clarity and specificity are key aspects of a mandate (Diehl 1994: 72) and the question is thus placed on the need to clarify the effective use of force, especially in the application of the principle of self-defence and in defence of the mandate.

In general, the effective use of force is acceptable within the principle of self-defence, including through preventive and pre-emptive postures, either in self-defence or to protect civilians (Ramos-Horta, 2015: 31). The question of the mandate of defence is more complex. In addition to the situations specified therein, Zartman (2007: 423) argues that the effective use of armed force is recognised and accepted when viewed in three perspectives: (I) it is the last resort to maintain law and order; (Ii) it is a major way to establish clear limits for unacceptable behaviour; and (iii) to destroy or eliminate a pernicious "devil" [36]. The posture and the effective use of military force will depend on each situation and specific threat, and debate is a fact of whether there is a direct relationship between the use of more or less force and the corresponding effect on the objectives of the mission (Mood, 2015: 2). The aim is to create conditions that contribute to the resolution of the conflict, and the effective use of force must be "the last and not the first resort to use" (Durch and England, 2009: 14).

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[35] Referring to missions led by the UN.
[36] Despite this last perspective, the ultimate goal of the effective use of force will never be the pursuit of military defeat of an actor, but to influence and deter actors who act against the process and the terms of the mandate.

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According to Ramos-Horta (2015: 33) the different threats should be addressed with the appropriate use of force, ranging from deterrence to containment, through intimidation and coercion to direct confrontation. Military force should be used accurately, proportionately and appropriately within the principle of minimum force necessary to achieve the desired effect, while at the same sustaining consent for the mission and its mandate. However, the effective use of force in a peacekeeping operation always has political implications and can often lead to unforeseen circumstances (Capstone, 2008: 35); here, as well, the perception of the local population is a key element. Defends Mood (2015: 7) that the actions and actual achievements of the forces should be at the core of creating perceptions among audiences, where actions speak louder than words. The experiences of the past 15 years have shown that, to be successful, an operation should be perceived as legitimate and credible, particularly in the eyes of the local population (Capstone, 2008: 36). Soldiers and capable units, perceived in these terms by all local groups, are a deterrent to violence. However, deterrence must be produced by the action and not just by simple presence, because, according to Mood (2015: 3), no amount of good intentions can substitute the fundamental ability to (when necessary) use the military proactively and thus achieve a credible deterrence and prevention of violence.

When it comes to a very fluid operating environment, the military force needs to move from a reactive approach to the effective use of force to a proactive one, in order to reduce the risks of carrying out a mandate and minimise casualties (Mood, 2015: 4). This implies that the effective response capability to threats must be obtained and maintained throughout the operation, and that the forces hold the initiative needed to adapt and react faster than any threats, taking necessary measures to maintain consistency in performance and ensure greater operational flexibility (Marten, 2004: 152). But to be proactive and stop the initiative, military force must have the necessary means. Well-equipped and trained troops will be an important element to deter potential offenders and reduce the level of violence, as weak and passive military components invite aggression and manipulation, leading to increased risks of unnecessary losses of life. The capabilities to deploy should therefore reflect the requirements for the most difficult tasks and consider the duration of the entire mission, which includes resources to overcome the challenges caused by local actors, the terrain and the weather (Mood, 2015: 4).

Final considerations

The end of the Cold War brought about a profound change in the approach to conflict resolution. A set of qualitative, quantitative and normative transformations changed the paradigm of the role and scope of the application of military instruments. It was an opportunity to see their use in the context of international relations, and are considered legitimate, appropriate, and above all, necessary. This use is materialised by the simultaneous or individualised execution of its five strategic functions that can be applied in an integrated manner for different levels of intervention. Their field of action has widened and their doctrinal basis established, allowing an operationalisation of concepts and a more efficient and flexible approach to implementation.

The increasing complexity of today's conflicts has ceased to allow a linear approach to management and resolution, demanding a more differentiated and specific approach.

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This new generation of peacekeeping operations has adopted a multidimensional approach, going beyond the traditional intervention to ensure military security. Without security the essential tasks of political, social and economic plans cannot be realised. Military force must therefore be used in coordination with other instruments of power, ensuring a proper strategic framework that properly defines its role, given the desired end state.

Despite alternations and challenges created by the current strategic and operational contexts, the guiding basis for peace operations should remain anchored in the application of a set of principles, with particular emphasis on the principles of consent, impartiality and non-use of force. However, the growing complexity of the context has meant that traditional understandings of these principles have been addressed. Faced with the threat to civilians, for the terms of the mandate and normal conduct of the mission, consent should not be required and impartiality should not be an end in itself. The use of force in self-defence does not raise controversy. However, its use for the implementation of the mandate and the protection of civilians is much more controversial; even this use of force in intrastate conflicts can create incompatibilities with impartiality and consent.

The recent operational experience and practical framework of operations have caused a toughening in their approach and execution, and it is assumed that they can be planned and implemented based on principles previously reserved to the conduct of traditional combat operations. Thus, the force should be organised "to the extent" of the specific operation, according to the conditions set out in the mandate, the situation, terrain and the application and intensity of the various principles.

 This new approach to situations where military forces are employed in conflict resolution continues to face several challenges. The most complex is related to the effective use of force with respect to their combat capabilities; especially in high risk situations, it seems to lack the political will to – after making the deployment – ensure their effective use when needed. The introduction of caveats is one way that States materialise this lack of political will and has created several constraints to the normal development of operations.

When the operation is characterised by a very fluid operational environment, to minimise casualties and reduce the risks related to the implementation of the mandate, it is essential that the military component of the operation can adopt a proactive approach to the effective use of force. This component must therefore guarantee external and internal conditions, enabling the effective employment of combat capabilities in order to be qualified as a genuinely useful instrument in this context. Externally, these conditions have been based on Chapter VII of the UN Charter, guaranteeing the formal legitimacy and the will of the State contributors of military forces in deploying the appropriate means, framework and command arrangements that permit its effective operational use. But for the military component to be proactive and stop the initiative, it must also ensure a set of internal conditions, such internal organisational coherence, availability and interoperability of the necessary means and equipment, as well as having appropriate training. These conditions allow – throughout the operation – the ability to adapt and react faster, enabling the force to respond effectively to threats and keep the initiative necessary for consistency in performance as well as to ensure operational flexibility.

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The decision for the effective use of military force depends essentially on the framework of the specific operation; however, when power is used effectively, it should be only in the necessary duration and intensity, employing levels of violence that are as low and as brief as possible, as well as favour the use of non-violent means of persuasion. Thus, the military instrument is important to reduce the level of violence and deter or control potential aggressors.

The effective use of force being the most critical element, but simultaneously more differentiating and characterising of the use of the military instrument, experience shows that military force has surpassed its traditional role of controlling levels of violence. A wide range of capabilities that goes beyond traditional combat capabilities are shown to be of great benefit to the entire spectrum of conflict resolution, particularly in the support, the complement or replacement of non-military capabilities.

Thus, in the context of conflict resolution, the use of military forces is useful and justified in situations directly related to the creation and maintenance of a secure environment, performing tasks in this area and allowing an integrated approach to prevention, management and effective resolution. But, increasingly, executing other tasks in situations where readiness, scope, availability of forces, experts or capabilities are not available, other organisations are required and show themselves to be more appropriate and effective.

References

Monographs

ALBERTS, David S. (2002). Informational Age Transformation, getting to a 21st Century Military. DoD Command and Control Research Program, Washington – USA.

ALBERTS, David S., HAYES, Richard E. (2003). Power to the Edge: Command and Control in the Informational Age. Washington: DoD Command and Control Research Program.

BAPTISTA, Eduardo Correia (2003). O Poder Público Bélico em Direito Internacional: O uso da força pelas Nações Unidas. Lisboa: Almedina.

BARRENTO, António (2010). Da Estratégia. Lisboa: Tribuna da História.

BELLAMY, Alex, WILLIAMS, Paul, GRIFFIN, Stuart (2004). Understanding Peacekeeping. Cambridge, Polity Press.

BINNENDIJK, Hans, JOHNSON Stuart. (2004). Transforming for Stabilization and Reconstruction Operations. Washington: Centre for Technology and National Security Policy. National Defence University Press.

BRANCO, Carlos, GARCIA, Proença, PEREIRA, Santos (Org) (2010). Portugal e as Operações de Paz: Uma Visão Multidimensional. Lisboa: Prefácio e Fundação Mário Soares.

DAVID, Charles Philippe (2001). A Guerra e a Paz: Abordagens Contemporâneas da Segurança e da Estratégia. Lisboa: Instituto Piaget.

DIEHL, Paul (1993). International Peacekeeping. Baltimore and London: The Johns Hopkins University Press.

JANUS.NET, e-journal of International Relations
e-ISSN: 1647-7251
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The use of military force in the management and resolution of conflicts
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GARCIA, Francisco (2011). Da Guerra e da Estratégia. A nova Polemologia. Lisboa: Prefácio.

HOWARD, Lise M. (2008). UN Peacekeeping in Civil Wars. Cambridge: Cambridge University Press.

MARTEN, Kimberly Z. (2004). Enforcing the Peace: Learning from the Imperial Past. New York: Columbia University Press.

NEWMAN, Edward, PARIS, Roland, RICHMOND, Oliver (2009). New perspectives on Liberal Peacebuilding. New York: United Nations University.

OLIVEIRA, António J. (2011). Resolução de Conflitos. O papel do Instrumento Militar no actual contexto estratégico: o exemplo do Kosovo. Esfera do Caos: Lisboa.

PARIS, Roland, SISK, Timothy (2009). The Dilemmas of Statebuilding: Confronting the contradictions of postwar peace operations. Security and Governance Series- 2009. New York: Routledge.

PUGH, Michael, *at al,* (1997). The UN, Peace and Force. London and Portland: Frank Cass.

SMITH, Rupert (2008). A Utilidade da Força, A Arte da Guerra no Mundo Moderno. Lisboa: Edições 70.

ZARTMAN, William, *at al,* (2007). Peacemaking in International Conflicts: Methods & Techniques. 2nd Edition. Washington: United States Institute of Peace Press.

WALLENSTEEN, Peter (2004) – Understanding Conflict Resolution, War, Peace and the Global System. New Delhi: SAGE Publication Ltd.

WALZER, Michael (2004). A Guerra em Debate. Lisboa: Edições Cotovia.

Monographs and articles of publications in series:

CASTELLS, Manuel (2003). El mundo después del 11 de Septiembre. In Guerra y Paz en el siglo XXI: Una perspectiva europea. 1ª ed. Barcelona: Kriterios Tusquets Editores. p. 13-20.

DOBBIE, Charles (1994). Concept for Post-Cold War Peacekeeping. In Survival, vol 36. Nº3, Autumn 1994, p. 121-148.

DURCH, William J. (2006). Are we Learning Yet? In Twenty-First-Century Peace Operations. Washington: United States Institute of Peace and The Henry l. Stimson Center. p. 573-608.

DURCH, William J., ENGLAND Madeline, (2009). The Purposes of Peace Operations. In Annual Review of Global Peace Operations - 2009. London: Lynne Rienner Publishers, p. 9-20.

GRAY, Colin S. (2006). Recognizing and Understanding Revolutionary change in Warfare: the sovereignty of context. Strategic Studies Institute, US Army College. Fevereiro 2006.

JONES, Bruce (2009). Strategic Summary. In Annual Review of Global Peace Operations - 2009. London: Lynne Rienner Publishers, p. 1-8.

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The use of military force in the management and resolution of conflicts
António Oliveira

SEGAL, David, WALDMAN, Robert (1998). Multinational Peacekeeping Operations: Background and Effectiveness. *In* The Adaptive Military: Armed Forces in a Turbulent World. New Brunswick and London: Transaction Publishers p. 183-200.

Reports and official documents:

AJP-01(C) (2007). Allied Joint Doctrine. OTAN –Bruxelas. Março de 2007.

AJP-01(D) (2010). Allied Joint Doctrine. OTAN –Bruxelas. Dezembro de 2010.

AJP-3.4.1 (A) (2007). Allied Joint Doctrine for Peace Support Operations.1 Study Draft OTAN –Bruxelas. Março de 2007.

BRAHIMI (2000). Report of the Panel on United Nations Peace Operations, UN Doc. A/55/305-s/2000/809, de 21 de Agosto de 2000.

CAPSTONE (2008). United Nations Peacekeeping Operations: Principles and Guidelines – Capstone Doctrine. New York: UN Department of Peacekeeping Operations. Doc. de 18 de janeiro de 2008.

MCDC (2014). Understand to Prevent: The military contribution to the prevention of violent conflict. A Multinational Capability Development Campaign project. Project Team: GBR, AUT, CAN, FIN, NLD, NOR, USA. November 2014.

MOOD, Robert (2015). Force Commanders' Advice to the High-Level Independent Panel on UN Peace Operations. Washington: ONU.

ONU (1992). An Agenda for Peace Preventive diplomacy, peacemaking and Peace-keeping. A/47/277 - S/24111. Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992. Nova Iorque. 17 Junho 1992. Disponível em:

http://www.un.org/Docs/SG/agsupp.html.

ONU (1995). Supplement To An Agenda For Peace: Position Paper Of The Secretary-General On The Occasion Of The Fiftieth Anniversary Of The United Nations. A/50/60 - S/1995/1. 3 Janeiro 1995. Disponível em:

http://www.un.org/Docs/SG/agsupp.html

RAMOS-HORTA (2015). Uniting our strengths for peace – Politics, Partnership and People. Report of the High-Level Independent panel on United Nations Peace Operations. 15 de junho de 2015.

Internet sites:

NYE, Joseph S. Jr. (2007b). *Smart Power*. [Em linha] [Consultado em 15 de Março 2009]. Disponível em: http://www.huffingtonpost.com/joseph-nye/smart-power_b_74725.html