

**UNIVERSITY OF NAIROBI**

**INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES**

**THE ROLE AND CHALLENGES OF THE UNITED NATIONS SECURITY COUNCIL  
IN PROMOTING GLOBAL PEACE //**

**BY**

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**A PROJECT SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS  
OF THE DEGREE OF MASTER OF ARTS IN DIPLOMACY**



**2013**

## DECLARATION

This project is my original work and has not been presented for the award of a degree in this University or any other Institution of higher learning for examination.

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## **DEDICATION**

This project is dedicated to my family; my lovely daughter Brigid, loving sons Chris and Felix who occasionally provided distractions in the study room and my dear beloved wife Hyline for their support and encouragement throughout the entire project duration.

## **ACKNOWLEDGEMENT**

I acknowledge the power of God, the maker, and the provider of knowledge for enabling me to complete my Masters programme in the right spirit. Most importantly, I sincerely wish to acknowledge the support from my supervisor Prof. Maria Nzomo, without whom I could not have gone this far with my project work. I am also highly indebted to the University of Nairobi for offering me the opportunity to do this study and all my lecturers who contributed in one way or another in quenching my thirst for knowledge. I owe a great deal of gratitude to my family members for their unfailing moral support throughout my period of study and for understanding and appreciating the demands of the course. I cannot forget the positive influence of my classmates as a source of inspiration throughout my study and for assisting me in sourcing for information and materials for this project. To you all, God bless.

## ABSTRACT

As it is well known, the UN was formed after the Second World War primarily, among other reasons to maintain international peace and security. The founders of the UN had not foreseen the possibility of engaging in Peace Keeping Operations (PKOs) thus, PKO was not mentioned in the original UN Charter. The purpose of the study was to investigate the role and challenges of the United Nations Security Council and its peace keeping operation system in dealing with the challenges to international peace and security, and in conflict management among global states. The study employed a non-empirical analysis of data that has been previously collected and used in order to address the question of the role and challenges of the United Nations in promoting global peace. From the findings, it is evident that although the UN after World War II was expected to perform its role as indicated in the Charter, it faced numerous challenges. Efforts of the Secretary Generals, SC and the GA resolutions, even comprehensive reports such as An Agenda for Peace, which aimed to adopt the UN's mechanism to the changing circumstances, did little to remove the obstacles. The study further revealed that the conflicts in Haiti and Cambodia illustrate features of new peacekeeping operations, which are peace building and election monitoring and that the UN confronts enormous challenges in adjusting to newly perceived relations, power and influence. However, the UN is responding as effectively as possible to current conflicts and humanitarian crises. The study concludes that the UN peacekeeping operations in war-torn countries contributed to the stabilization of peace. The study also concludes that the way forward in overcoming the challenges is to adequately train their troops earmarked for UN PKOs. Conflict Management Commissions could also be set up in all regions of the world with experts who understand the problems of the region as members, to investigate any local dispute and sensitivities of the parties in their respective regions and make recommendations to the UNSC on ways and means of resolving such conflicts. Furthermore, it is hoped that its findings could stimulate further research in the field of UNSC mandate and operations globally. The study would also contribute to existing body of knowledge in the field of peacekeeping.

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## **ABBREVIATIONS /ACRONYMS**

**UN:** United Nations

**UK:** United Kingdom

**USA:** United States of America

**UNSC** United Nations Security Council

**PKOs:** Peacekeeping Operations

**UNHCR:** United Nations High Commissioner for Refugees

**UNOSOM:** United Nations Operation in Somalia

**RPF:** Rwandan Patriotic Front

**DFS:** Department of Field Support

**DPKO:** Department of Peacekeeping Operations

**UNDAW:** United Nations Division for the Advancement of Women

**NGO:** Non Governmental Organization

**UNSCR:** United Nations Security Council resolution

**NATO:** North Atlantic Treaty Organization

**COW:** Correlates of War

**UNTAG:** United Nations Transition Assistance Group

**GA:** General Assembly

**SC:** Security Council

**SADC:** Southern African Development Community

**AU:** Africa Union

**ECOWAS:** Economic Community Of West African States

# CHAPTER ONE

## INTRODUCTION TO THE STUDY

### 1.0 Background

As it is well known, the UN was formed after the Second World War primarily, among other reasons to maintain international peace and security. The founders of the UN had not foreseen the possibility of engaging in Peace Keeping Operations (PKOs) thus, PKO was not mentioned in the original UN Charter<sup>1</sup>. However, a former UNSG, Dag Hammarskjöld referred to it as “Chapter VI and half”<sup>2</sup>. This is because it falls between provisions of Chapter VI of the Charter which provides for Pacific settlement of disputes and Chapter VII which enables enforcement actions by the UNSC. Implementation of these Chapters relies largely on the consensus of the SC’s permanent members namely China, France, USSR now Russia Federation, the UK and the USA<sup>3</sup>.

Until the end of the Cold War, the increasing disagreement between the then two super powers made this collective security system unworkable, this led to the conception of PKOs. Under the collective security system, when dispute arises between two governments, the parties concerned are obligated to seek a solution by peaceful means. This is under Chapter VI

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<sup>1</sup> Abaagye Festus and Alhaji Bah MS (2005) *A Tortuous Road to Peace: The Dynamics of Regional, UN and International Humanitarian Interventions in Liberia*, Pretoria: ISS Press,

<sup>2</sup> In the midst of the Congo Crisis in 1960, Secretary-General Dag Hammarskjöld famously coined the term "Chapter VI 1/2" to describe peacekeeping operations that have functions that reside somewhere between those covered in Chapters VI and VII of the UN Charter.

<sup>3</sup> Berman EG and Sams KE, (2000) *Peacekeeping in Africa: Capabilities and Culpabilities*, Pretoria/Geneva: ISS and UNIDIR Press.

of the UN Charter mainly by, negotiation, reconciliation, mediation, arbitration, peaceful settlement or resort to regional agencies. If the peaceful means fail and the dispute escalates into an armed conflict, then Chapter VII of the UN Charter comes into play. This constitutes the core of the UN Collective Security System<sup>4</sup>. It provides that in the case of a threat to the peace, breach of the peace or an act of aggression the SC may take enforcement measures to restore international peace in such situations. These measures are essentially, arms embargoes, complete or partial economic sanctions, severance of diplomatic relations, and in the last resort the use of force<sup>5</sup>.

UNEF, the first actual UN peacekeeping operations was formed in 1956 during the Suez Canal Crisis. It provided the model for classical peacekeeping which requires the consent of the protagonists, impartiality on the part of UN forces and resort to use of arms only in self defence. The immediate objective of this classical form of peacekeeping was to facilitate conditions for a more comprehensive peace agreement. Besides UN peacekeeping in Africa, AU, ECOWAS and SADC have also contributed significantly to peacekeeping efforts in the continent<sup>6</sup>.

In conformity with the Charter of the UN, the leadership of the UN in peace and security matters rests on the five permanent members (P5) of the Security Council (China, France, the

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<sup>4</sup> Garba CA Maj Gen (1998), *Capacity Building for Crisis Management in Africa*. Lagos: Gabumo Publishing Limited.

<sup>5</sup> Ibid

<sup>6</sup> Avruch K and Black P (1991) *The Culture Question and Conflict Resolution* London: Greenwood

Russian Federation [formerly USSR], U.K. and U.S.A.). However, emergence of the Cold War and its outcome in terms of bloc politics prevented the UN to perform its primary goal of the maintenance of peace and security. In the hostile environment of the Cold War, the UN could not play its role to implement the Charter provisions in many cases related to international diplomacy<sup>7</sup>. Though the Cold War prevented the UN to function satisfactorily in the diplomacy matters, it nevertheless successfully pursued its Charter goals in many other areas such as decolonization, protection of human rights, respect for international law, and promotion of social progress and better living standards for the people. In addition, to remedy the superpower rivalry, the UN made some adjustments to cope with the threats to international peace and security<sup>8</sup>.

Since the establishment of the UN, dramatic changes occurred in the world structure. The membership of the UN has increased sharply from 42 states to 194 states<sup>9</sup>. The Third World members of the UN, using their majority in the General Assembly (GA) tried to shift the UN agenda from political and security matters to economical ones<sup>10</sup>. Besides, the weight of the individual states on the world arena has changed, and new countries emerged with new roles in world affairs. In addition, the Organization, faced with different circumstances and

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<sup>7</sup> Boulding K. *Three faces of Power* Newbury Park CA: Sage 2000

<sup>8</sup> Owonobi Col, Dy (2005) *Director Directorate of Peacekeeping Operations* AHQ Abuja, 29

<sup>9</sup> Gharib, Ali (2013). "U.N. Adds New Name: "State of Palestine"". *The Daily Beast*.

<sup>10</sup> Sow M Lt Col (2000) '*Conflict Management and Resolution, in Africa: A Critical Appraisal*' (A Research Project Submitted to War College Abuja,

challenges in different periods, tried to make adjustments and sought ways to overcome them. For example, to get rid of the paralyzing effect of the veto, regularly used by the superpowers against each other during the Cold War, the peacekeeping operations were invented. Likewise, the GA shared the responsibility of the Security Council (SC) against threats to international peace and security under the "Uniting for Peace" procedure<sup>11</sup>. The aim of this innovation was to make the Organization to function even in the Cold War environment<sup>12</sup>.

After the end of the Cold War, and the disintegration of the Soviet Union, there was a brief moment of hope and great expectations for the UN. It was believed that, at last the Organization could now start performing its original role as it was designed in the Charter. Later on, collective response to the Iraq's aggression against Kuwait strengthened the hopes for the future role of the UN in maintaining international diplomacy<sup>13</sup>. But, the Gulf War became the last case of the traditional kind of interstate conflicts in the post-Cold War era. On the contrary, many intra-state disputes, kept frozen during the Cold War, exploded. Moreover, with the end of the Gulf War, the UN's new kind of operations in the name of humanitarian intervention started. Consequently, there was a dramatic demand for the UN peacekeeping

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<sup>11</sup> This procedure was adopted by the Security Council so that the UN can act even if the Security Council is stalemated by vetoes. Resolution 377 provides that, if there is a "threat to peace, breach of the peace, or act of aggression" and the permanent members of the Security Council do not agree on action, the General Assembly can meet immediately and recommend collective measures to U.N. members to "maintain or restore international peace and security."

<sup>12</sup> Ibid

<sup>13</sup> Adesina BO (2002), '*The African Union and the Prospects for Conflict Resolution in Africa*', A research submitted to War College Abuja.

operations to respond to all kinds of conflicts taking place in different parts of the world. In response, the UN had to undergo a remarkable renaissance in its efforts to deal with the world's problems since the end of the Cold War<sup>14</sup>.

## **1.2 Statement of the problem**

The end of the Cold War was expected to usher in an era of peace, but the 1990's were marked instead with a rise in the number of active civil conflicts around the globe. In the 1990's, no fewer than 31 new civil conflicts began. In 1999, twenty-five civil wars were ongoing<sup>15</sup>. This period is rivaled only by the 1960s and 1970s, which saw the start of 19 and 25 civil wars, respectively. Many people believed that this was the result of the new international order that arose with the fall of the Soviet Union. However, Fearon and Laitin argue instead that the increase in civil conflict is evidence of a continuing trend across the latter half of the twentieth century<sup>16</sup>. Efforts have been made not only to understand their causes and various internal variables of each conflict episode, but also to look at ways to understand and encourage the end of these conflicts and to promote peaceful outcomes<sup>17</sup>.

The Security Council recognizes the importance of the humanitarian dimension to the maintenance of international peace and security and to its consideration of humanitarian

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<sup>14</sup> The Blue Helmets (1996), *A Review of United Nations Peacekeeping* Third Edition (New York: United Nations Department of Public Information,).

<sup>15</sup> Fearon, James D., and David D. Laitin. "Ethnicity, Insurgency, and Civil War." *The American Political Science Review* 97.1 (2003): 75-90.

<sup>16</sup> Fearon, James D., and David D. Laitin. "Ethnicity, Insurgency, and Civil War." *The American Political Science Review* 97.1 (2003): 75-90.

<sup>17</sup> Ibid



issues relating to the protection of all civilians and other non-combatants in situations of armed conflict (UNSC 2000). The UN Security Council enjoys considerable institutional privilege within the United Nations system. This is partly due to the historic foundations of the United Nations that the Security Council has primary responsibility under the Charter for the maintenance of international peace and security. It is so organized as to be able to function continuously whereby a representative of each of its five members must be present at all times at United Nations headquarters.

The UNSC plays a vital role in mediating peace agreements and assisting in their implementation, helping to reduce the level of conflict in several regions especially in Africa. However, some of those accords failed to take hold then, such as in Angola in 1993 and Rwanda in 1994. Additionally, the current situations in Cote D' Ivoire, Darfur- Sudan, DRC and Somalia unfortunately have not changed too positively. This has resulted in severe IDPs and refugee problems further compounding the security situation in and around such conflict areas. The 1990's saw a host of both successes and failures by the UN in attempts to stop violent conflict. The widely publicized failures of peacekeeping missions in the former Yugoslavia, Rwanda, and Somalia called into question the legitimacy and limitations of UN military interventions. The United Nations Security Council intervention takes several forms, primarily through a loophole system known as peacekeeping<sup>18</sup>. Peacekeepers have a wide range of mandates, from preventing conflicts, containing violence to protecting and building

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<sup>18</sup> A system, which allows peacekeepers to attain mandates for preventing conflicts, containing violence to protecting and building peace after a conflict.

peace after a conflict. UNSC peacekeeping aims to adapt to each conflict in order to meet the challenges of each situation<sup>19</sup>.

The main challenge lies in the UNSC complexity and the time required in activating the implementation of the principles concerned. The bureaucracy at the UNSC often delays the possibility of responding appropriately and on time. In addition, political realities constantly limit the work that peacekeeping interventions can attempt. The UNSC constantly faces criticism for failing to respond to situations appropriately, either for being too weak to cope with violence or for interfering with national sovereignty<sup>20</sup>.

The basic problem this study seeks to investigate is the role and challenges of the United Nations Security Council and its peace keeping operation system in implementing its mandate of international peace and security, and in conflict management especially in the post-Cold War era. Within this scope, the UN collective security, peacekeeping and peace enforcement operations will be examined. Reform proposals to adapt the UN into the changing circumstances of the post-Cold War environment will be also analyzed. This study has identified a key institutional gap: there is no place in the United Nations Security Council system explicitly designed to avoid State collapse and the slide to war or to assist countries in their transition from war to peace. That this was not included in the Charter of the United Nations is no surprise since the work of the United Nations Security Council in internal conflicts is fairly recent. But today, in an era when dozens of States are under stress or recovering from conflict, there is a clear international obligation to assist States in developing their capacity to perform their sovereign functions effectively and responsibly. The United Nations' unique role in this area arises from its international legitimacy; the impartiality of its

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<sup>19</sup> Ibid

<sup>20</sup> Sarkees, Meredith Reid (2005). "The Correlates of War Data on War: An Update to 1997," *Conflict Management and Peace Science*, 18/1: 123-144.

personnel; its ability to draw on personnel with broad cultural understanding and experience of a wide range of administrative systems, including in the developing world; and its recent experience in organizing transitional administration and transitional authority operations. Strengthening the United Nations Security Council capacity for peace building in the widest sense must be a priority for the organization. The UNSC needs to be able to act in a coherent and effective way throughout a whole continuum that runs from early warning through preventive action to post-conflict peace building.

### **1.3 Objectives of the study**

The main objective was to examine whether the United Nations Security Council and its peace keeping operation system in particular has been successful in dealing with the challenges of promoting international peace and security.

#### **1.3.1 Specific Objectives**

Based on the main objective, the following were the specific objectives of this study;

1. To examine the challenges facing United Nations Security Council in peace keeping
2. To examine and analyze the United Nations Security Council Role in Conflict Management
3. To suggest strategies for addressing the challenges faced by the United Nations Security Council in promoting global peace.

### **1.4 Justification of the study**

It has been suggested that “the overarching challenge facing the growing number of international peace-building interventions is to achieve sustainable peace”. This is certainly an issue the UNSC has had to face up to in recent years where mediating peace agreements and assisting in their implementation, in reducing levels of conflict have failed. Reflecting a

change in international relations dynamics, peacekeeping operations undertaken by the UN experienced a quiet period during the 1990s. However, with the changes in the international political landscape that occurred in the years following the Cold War, and indeed the post-September 11 system of international relations, new and different types of conflicts flared up. Searching for new ideas and ways in which specific areas of the UN could be adapted to meet with the realities of the international environment; Secretary-General Kofi Annan called for a High-Level Panel to be convened. The report issued by this group put forward a new vision of collective security, one that addresses all of the major threats to international peace and security felt around the world. This research revealed that ours is an age of unparalleled interconnection among threats to international peace and security, and mutual vulnerability between weak and strong. We found that the United Nations has been much more effective in addressing the major threats to peace and security than it is given credit for, but that nonetheless major changes are needed if the United Nations Security Council is to be effective, efficient and equitable in providing collective security for all in the twenty-first century. This study therefore, is expected to benefit researchers, analysts, and policy makers in formulating a framework to overcome the challenges of UNSC for successful future peacekeeping. Furthermore, it is hoped that its findings could stimulate further research in the field of UNSC. The study would also contribute to existing body of knowledge in the field of peacekeeping. The report has illustrated several significant findings and contains a number of proposals for improving the capacity of the UNSC<sup>21</sup>.

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<sup>21</sup> Regan, Patrick M (2000). *Civil Wars and Foreign Powers: Outside Intervention in Intrastate Conflict*. Ann Arbor: University of Michigan.

Indeed, the peace operations undertaken by the UNSC had been mixed up until this point, with “relative successes like Namibia, Mozambique, and El Salvador through partial successes like Cambodia, Bosnia and East Timor to abysmal failures like Angola and Rwanda.” Equally disturbing were the rates of conflict recurrence, with Collier and Hoeffler explaining that “around half of all civil wars are due to a breakdown of peace during the first post-conflict decade.” In *Larger Freedom*, Annan suggested that “although over the last decade the international community has come to a much deeper appreciation of what it takes to win the peace, it still lacks a strategic focus for its work.” The fluid peace situation is often very fragile and the needs of the people are far greater than the capacity to meet them, thus calling the need to review the diplomatic role of the UN in post- cold war era<sup>22</sup>.

### **1.5 Theoretical framework**

The theoretical framework in examination of whether the United Nations Security Council and its peace keeping operation system has been successful in dealing with the challenges to international peace and security, and in conflict management in the post-Cold War era, adopts the theory of preventive diplomacy. Resolution of conflict addresses the deep-rooted sources of conflict, changing behaviour, attitudes and structures. This will ensure that behaviours are no longer violent, attitudes are not hostile and structures are not exploitative. The process of conflict resolution includes becoming aware of a conflict, diagnosing its nature and applying appropriate methods. This is in order to discuss the negative emotional energy involved and enable the conflicting parties to understand and resolve their differences. Furthermore, it is to

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<sup>22</sup> Ibid

resolve the differences to achieve solutions that are not imposed but agreed to by all the key parties, and also address the root causes of the conflict<sup>23</sup>.

Certain procedures have been established for resolving conflicts including: By agreement of the parties involved, by friendly intervention of a third state or of an international organisation in order to help the disputants reach an agreement, by binding and final decision of an international agency, either the UN or an international tribunal, by means of self help or self defense and finally by unlimited armed intervention or war<sup>24</sup>. The means of achieving this includes conflict settlement, conflict prevention/preventive diplomacy, conflict management, conflict transformation and conflict resolution.

### **1.5.1 Theory of Peacekeeping**

Peacekeeping involves the coordinated presence of military, police and civilian personnel responsible for a wider range of tasks such as humanitarian assistance, policing, human rights and electoral monitoring, social and economic rehabilitation and reconstruction. There is the traditional and multidimensional Peacekeeping operation. The traditional UN peacekeeping was developed during the Cold War era as a means to resolve conflicts between states. This is by deploying unarmed or lightly armed military personnel from a number of countries, under UN command, between the armed forces of the former warring parties. Peacekeepers could be

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<sup>23</sup> Gockerham WC (1995), *The Global Society*, New York: Growl Hill Inc.

<sup>24</sup> Harleman C. (1997) *United Nations Military Observers: Methods and Techniques for Serving on a UN Observer Mission*, New York: UNITARPOCI.

called in when the major international powers tasked the UN with bringing closure to conflicts threatening regional stability and international peace and security<sup>25</sup>.

Peacekeepers were deployed when a ceasefire was in place and the parties to the conflict had given their consent. UN troops observed from the ground and acted impartially on adherence to the ceasefire, troop withdrawal or other elements of the peace agreement. This gave time and breathing space for diplomatic efforts to address the underlying causes of a conflict. An example of this was the UNEF operation in response to invasion of Egypt by Israel, France and UK in 1956<sup>26</sup>.

The end of the Cold War precipitated a dramatic shift in the UN and brought about multidimensional peacekeeping. In a new spirit of cooperation, the SC established larger and more complex UN Peacekeeping Operations, often to help implement comprehensive peace agreements between protagonists in intra-state conflicts. The UN department of Peacekeeping Operations was created in 1992 to support this increased demand for complex peacekeeping. An example of this was UNTAG which was the first of such missions and it was a resounding success. The success was due to the full cooperation of the warring parties, the contributory support of the UNSC and the timely provision of the necessary financial resources<sup>27</sup>.

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<sup>25</sup> The Blue Helmets op cit. p. 229

<sup>26</sup> United Nations Peacekeeping an Indispensable Weapon in International Community's Arsenal Secretary-General Says in Anniversary Message of First Mission' pasted as [www.un.org](http://www.un.org) accessed 14 Aug 07.

<sup>27</sup> The Blue Helmets (1996) *A Review of United Nations Peacekeeping*. New York: United Nations Department of Public Information.

### 1.5.2 Theory of Preventive Diplomacy

The theory Preventative diplomacy explains action taken in vulnerable places and times to avoid the threat or use of armed force and related forms of coercion by states or groups to settle the political disputes that can arise from the destabilizing effects of economic, social, political and international change<sup>28</sup>. It is “actions to prevent disputes from arising...prevent existing disputes from escalating...to limit the spread of the latter when they occur”<sup>29</sup>. It should address the root causes and be designated at the right stage of the conflict cycle. Preventive diplomacy and peacekeeping go hand-in-hand to support peace operations. Peace operations is the general expression that encompasses preventive diplomacy and peacekeeping, as well as peace-building, peace-making, and peace-enforcement efforts conducted in support of United Nations' objectives to establish and maintain peace. In fact, the UN was not created to perform peacekeeping operations. The term peacekeeping is not even mentioned in the UN Charter. The UN was formed to prevent wars and, in essence, conduct preventive diplomacy.

The rising number of peacekeeping operations in recent years had justifiably increased the importance of post-conflict peace building. In Agenda for Peace (1992), Boutros-Ghali defined post-conflict peace building as "action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict." With In Larger

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<sup>28</sup> Michael S. Lund (1996). *Preventing Violent Conflicts: A Strategy for Preventative Diplomacy* Washington D.C.: United States Peace Institute.

<sup>29</sup> Boutros Ghali (2000). “Reflection on the Role of the UN and Its Secretary General,” in Kevin M. Cahill (ed.). *Preventative Diplomacy: Stopping Wars Before they start*. New York/London: Routledge.



Freedom (2005), Annan also supported the importance of integrated peace building with his proposal for the Peace building Commission<sup>30</sup>.

The application of this theory in this study is significant as it entails the various forms of preventative diplomacy measures adopted by UNSC. These include: peacemaking, peacekeeping, peacetime diplomacy, crisis diplomacy, post-conflict peace building, preventative development, preventative deployment, mediation, track I and track II diplomacy. Mediation is a process of assisted negotiations by third parties in order to transform conflict from hostility to cooperation. Track I diplomacy involves efforts by official representatives and the elites focusing on positive and negative incentives in the process of mediation using economic and political support. Track II uses unofficial representatives, non-governmental organizations regional and local leaders and grassroots groups as actors and uses the methodology of back-channel discussions, educational programs, workshops and grassroots reconciliation, among others.

Hammar skjöld regarded the UN as a mechanism that empowered nation states and governments to implement anticipatory action, or preventive diplomacy, before crises could escalate into full-blown conflicts<sup>31</sup>. The first UN peacekeeping force was deployed during Hammar skjöld's term and from this, preventive diplomacy theory was used to define the actions taken to prevent regional conflicts from becoming wars. Hammar skjöld's new

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<sup>30</sup> *ibid*

<sup>31</sup> Settel, T. S. (1966). *The light and the rock. The vision of Dag Hammar skjöld*. New York: E. P. Dutton & Co.

preventive diplomacy became one of the central tools used by the United Nations in international conflict resolution. The concept of preventive diplomacy began to take shape after his death, but was buried by the Cold War until Boutros-Ghali and Annan brought it out into the open forty years later<sup>32</sup>.

At the end of the Cold War, Boutros-Ghali, the sixth United Nations Secretary- General (1992-1996) and the first candidate elected from Africa, further developed Hammarskjöld's concept of preventive diplomacy. During his term in office, Boutros- Ghali submitted several influential reports to the UN that served as guidelines for peacekeeping operations. In his 1992 Agenda for Peace, Boutros-Ghali gave particular attention to preventive diplomacy as a peaceful means of conflict prevention by foresight. The most exhaustive definition of preventive diplomacy used today comes from Boutros-Ghali: Preventive diplomacy is action to prevent disputes from arising between parties, to preventing existing disputes from escalating into conflicts and to limit the spread of the latter when they occur. Boutros-Ghali's Agenda for Peace (1992) affirmed Hammarskjöld's theory that the best application of diplomacy was to prevent tension before it escalated into conflict. In An Agenda for Peace Boutros-Ghali stated that persons and agencies other than the Secretary-General of the United Nations may perform preventive diplomacy and that confidence-building measures were vital to managing conflict. An Agenda for Peace contains a section specifically on preventive diplomacy as action to prevent disputes from arising between parties, to prevent existing

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<sup>32</sup> Urquhart, Brian. (1972). *Hammarskjöld*. New York: Knopf.

disputes from escalating into conflicts and to limit the spread of the latter when they occur (Chapter III, para.20).

Kofi Annan, the seventh United Nations Secretary-General who served from 1997-2006 and the second candidate elected from Africa, built upon his predecessor's definition of preventive diplomacy. In his 1999 Annual Report on the Work of the Organization, Annan emphasized the rising global challenges of preventing conflicts and natural disasters. Annan stressed that the importance of shifting from a culture of reaction to a culture of prevention was essential for reducing the burden of wars and disasters. He stated that preventive diplomacy was a central component of preventive action<sup>33</sup>. The particularly devastating conflicts in Rwanda, Kosovo, and Darfur challenged the use of preventive diplomacy and prompted the phrase 'preventive action' to be added to future peace discourse, which illustrated the multiple components involved in peacekeeping, i.e., preventive disarmament, preventive deployment, humanitarian assistance, preventive development, etc<sup>34</sup>.

Following in the footsteps of Boutros-Ghali, Annan repeatedly emphasized the importance of conflict prevention, including the elimination of the root causes of conflict and the need for a global integrated approach. In *Preventing War and Disaster: A Growing Global Challenge* (1999), Annan stated that "the United Nations has long argued that prevention is better than cure; that we must address the root causes, not merely their symptoms" and that "our

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<sup>33</sup> Sato, Hideo. (2003). *Containing conflict. Cases in preventive diplomacy*. New York: Brookings Institution Press.

<sup>34</sup> Anann, Kofi. (2005). *In larger freedom: Toward security, development, and human rights for all*.

aspiration has yet to be matched by effective action"<sup>35</sup>. Annan's 2000 Millenium Report similarly relayed strong sentiments about long-term conflict prevention as had Boutros-Ghali's earlier Agenda for Peace (1992), reflecting the ongoing effort to shape the future of the United Nations.

## **1.6 Literature**

Because civil wars have been so prominent in international politics over the last several decades, and because United Nations peacekeeping has expanded in scope and use over the same period, the literature examining both of these phenomena is relatively developed. This paper will examine the existing work of several authors and draw upon the paradigms established therein, as well as the questions raised. The major themes found in the literature include the definition and causes of a civil war, the choice to intervene and the likelihood of intervention success, and the emerging normative structures around the newly conceived 'Responsibility to Protect'.

### **1.6.1 Civil Wars**

Two of the biggest problems in any study of civil wars, particularly in one such as this, are a) defining civil war and b) understanding correlating variables that make war more likely so that they can be controlled. It is nearly impossible to compose a list of civil wars, measure their effects, and account for their factors without an operational definition that fits the theoretical level of the research.

The precedent set for this was put in place by Small and Singer in their seminal work on civil war, *Resort to Arms: International Civil Wars, 1816-1980*, published in 1982. The book

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<sup>35</sup> Ibid

defined civil war as —any armed conflict that involves (a) military action internal to the metropole, (b) the active participation of the national government, and (c) effective resistance by both sides (Singer and Small, 1982: 210). While this definition seems somewhat comprehensive, it leaves out many important considerations. First, terms like —internal can be difficult to define in cases where borders are somewhat ambiguous, disputed, or changing.

This is also a problem in the case of anti-colonial wars and wars of independence, where the territory can be considered either an internal part of the mother state or a state in its own right, such as in Algeria. Many studies will exclude these wars for this reason, but in some innate sense they are indeed an internal struggle for power over territorial control. Second, what counts as a national government is often contentious during a civil war. Some failed states are without government, and several parties make a claim to the title. Finally, one of the biggest problems with this definition is that it gives no guidelines on scale. Both a single riot and a drawn out conflict are coded as a civil war, regardless of how long the conflict persists or how many people are involved.

As Small and Singer's Correlates of War (COW) project has expanded, their definition has been refined to deal with most of these issues. As it has become respected as a central data source for studies in the sub-field, most papers have used a definition of civil war that borrows from this. Fearon and Laitin's<sup>36</sup> paper is a good example of this. Their working definition for civil wars is as follows:

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<sup>36</sup> Ibid

(1) They involved fighting between agents of (or claimants to) a state and organized, non-state groups who sought either to take control of a government, to take power in a region, or to use violence to change government policies. (2) The conflict killed at least 1,000 over its course, with a yearly average of at least 100. (3) At least 100 were killed on both sides (including civilians attacked by rebels). The last condition is intended to rule out massacres where there is no organized or effective opposition (Fearon and Laitin, 2003: 76). They see no reason in principle for excluding anti-colonial wars, but run all of their analysis both with and without these wars to ensure that these assumptions are not critical to any results.

Sambanis<sup>37</sup>, in contrast, is very critical of the Small and Singer definition and those that build off of it with little consideration. He believes that many studies rely heavily on COW data without questioning their coding rules. He very strongly critiques coding by number of deaths, as Fearon and Laitin<sup>38</sup> do, either yearly or cumulatively, and its issues for onset and termination. For example, with the Fearon and Laitin definition above, a 9 year war resulting in 900 deaths would not be coded as a civil war, but a 10 year war resulting in 1000 deaths would<sup>39</sup>. He also examines the question of extra systemic wars, which are similar in nature to intrastate wars but raise questions of internality.

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<sup>37</sup> Sambanis, Nicholas (2004). "What Is Civil War? Conceptual and Empirical Complexities of an Operational Definition." *The Journal of Conflict Resolution* 48.6: 814-58.

<sup>38</sup> Ibid

<sup>39</sup> Ibid

To counter this, he proposes his own working definition for civil war that attempts to sidestep glaring issues, pulling heavily from previous authors and works. He accounts for many of the stated problems, but in many ways he over-complicates things. He often gives several alternative criteria for meeting a condition that make it difficult to rule specific cases out or in, such as defining the onset year as —the first year that the conflict causes at least 500 to 1,000 deaths. If the conflict has not caused 500 deaths or more in the first year, the war is coded as having started in that year only if cumulative deaths in the next 3 years reach 1,000<sup>40</sup>. He also overcomplicates issues when trying to avoid one-sided violence and massacres, by deciding that —Throughout the war, the weaker party must be able to mount effective resistance. Effective resistance is measured by at least 100 deaths inflicted on the stronger party. A substantial number of these deaths must occur in the first year of the war. But if the violence becomes effectively one-sided, even if the aggregate effective-resistance threshold of 100 deaths has already been met, the civil war must be coded as having ended, and a politicide or other form of one-sided violence must be coded as having started<sup>41</sup>.

Ultimately, in trying to question the coding methods of civil war studies and present a critically determined alternative, he proves his own point. There is no easy or simple definition for civil war, and when trying to come up with an operational understanding of what civil war is, we tend to either under-define or over-complicate criteria.

The Uppsala conflict database relaxes the definition by defining an armed conflict as —a contested incompatibility that concerns government and/or territory where the use of armed

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<sup>40</sup> Ibid

<sup>41</sup> Ibid

force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths in one calendar year, and offering additional definitions for incompatibility, use of armed force, government, state, battle related deaths, and what makes it classified as intra-state. Ultimately, this is the definition and coding used for this project, as it allows the greatest flexibility in altering the definition in various models.

### 1.6.2 Selection Factors

Fearon and Laitin's article —Ethnicity, Insurgency, and Civil War, deals with civil war selection in terms of what characteristics of a country make it more likely to have a civil war. While they note that one in six countries were at war in 1999, they argue that this was due a steady accumulation of conflict since the end of the Second World War, rather than the Soviet collapse<sup>42</sup>. In other words, wars start at a higher rate than they end.

The wars that they see as the main factor in this trend are guerilla insurgency movements, and it is the conditions that favor insurgency – state weakness marked by poverty, a large population, and instability [that] are better predictors of which countries are at risk for civil war than are indicators of ethnic and religious diversity or measures of grievances such as economic inequality, lack of democracy or civil liberties, or state discrimination against minority religions or languages<sup>43</sup>. Sambanis, by contrast, argues that ethnic heterogeneity does in fact have an effect on civil war onset. He finds that wars that he classifies as —ethnic have different causes than non-ethnic ones. Fearon and Laitin argue that findings like his are

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<sup>42</sup> Ibid

<sup>43</sup> Ibid



reversed when controlling for economic factors, while Sambanis argues that economic indicators are negligent. Fearon and Laitin's selection effects have a huge impact on their suggestions related to intervention, which are as follows:

Regarding prevention, analysts suggest that while economic growth may correlate with fewer civil wars, the causal mechanism is more likely a well-financed and administratively competent government. In specific terms, international and non-governmental organizations should develop programs that improve legal accountability within developing world militaries and police, and make aid to governments fighting civil wars conditional on the state observing counterinsurgency practices that do not help rebels recruit militias. Governments that follow horrible, war-perpetuating counterinsurgency practices or are as corrupt as to be hopeless should be left on their own or, when there are major implications for regional stability or international terrorism, be viewed as candidates for "neo-trusteeship" under the United Nations or regional military and political organizations such as NATO and the European Union. The latter system, which we already see operating, in effect, in Bosnia, Kosovo, and East Timor, should be rationalized so as to improve internal coordination among the many players involved in such operations<sup>44</sup>.

This implies that polity scores of the government in question will be strongly correlated to the probability that an intervention is successful. Also, the fact that these authors see economic development as one of the key indicators of war gives serious underpinning to the concept of

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<sup>44</sup> Heston, Alan, Robert Summers and Bettina Aten, Penn (2009) *International Comparisons of Production, Income and Prices* at the University of Pennsylvania, 2009.

promoting development and post-war economic growth as a way to prevent future conflict and promote lasting peace.

### 1.6.3 Intervention

Some of the most important literature relating to this study has to do with foreign intervention in civil conflict. Patrick Regan's book *Civil Wars and Foreign Powers* is one of the most prominent works on intervention, but focuses largely on unilateral interventions and looks only briefly at UN intervention, which he treats as an entirely separate category<sup>45</sup>. This analysis is much less developed than the rest of his book; the analysis is based on comparative case studies rather than quantitative data and is less convincing and less empirically supported than the primary part of the book. He points out that multilateral interventions have different functions than unilateral interventions in that they focus less on ending violence and more on reducing the chance of recurring violence after the parties have reached a settlement. He argues that for a multilateral intervention to be successful, it must be neutral with the consent of all parties and have a clearly defined operational strategy. One of the problems with his study, and almost all other existing studies on intervention, is that it is dependent on a definition of —success that can be difficult to measure and quantify in scalable way. This is why this paper will view success in related discreet terms, as opposed to binary subjective definitions for —success<sup>46</sup>.

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<sup>45</sup> Regan, Patrick M., and Ayseguł Aydin (2006). "Diplomacy and Other Forms of Intervention in Civil Wars". *The Journal of Conflict Resolution* 50.5: 736-56.

<sup>46</sup> Ibid

Regan entirely ignores diplomatic interventions in this book, because of —conceptual differences such as lower costs, lower risk, and a more simple decision making process. However, he focuses extensively on them with Aydin in —Diplomacy and Other Forms of Intervention in Civil Wars. Here, the authors argue that the effect of interventions on civil conflicts looks different when you account for the role of mediation in conflict and the fact that interventions tend to decline in effectiveness over time. They argue that —diplomatic interventions are effective conflict management strategies that dramatically change the course of events in a civil war, and also that timing and the combination of multiple strategies have a serious effect<sup>47</sup>. All of these seem true intuitively, and presented with empirical evidence for them the strength of this relationship seems expanded. As such, this study will attempt to account for intervention timing and will treat the use of diplomatic and military intervention as separate phenomena that can occur either independently or simultaneously.

Sambanis and Doyle focus specifically on the role of United Nations intervention in terms of both peacekeeping and peace building. They argue that peacekeeping is generally successful in terms of democracy building and ending violence. They find that democratic peace building is more successful after non-identity wars, after long and not very costly wars, in countries with relatively high development levels, and when UN peace operations occur. Violence ending intervention is more dependent on muscular third-party intervention and on low hostility levels. Ultimately, they believe that enforcement operations can end violence but

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<sup>47</sup> Ibid

cannot promote lasting peace<sup>48</sup>. They also argue that —truly intractable conflicts require a combination of intervention strategies; much along the lines of Regan and Aydin's argument that combined methods of intervention can be most successful in difficult situations.

However, they say nothing of other types of peacekeeping goals, such as rebuilding the economy and governments institutions, or of social and health indicators such as infant mortality, access to medication, and life expectancy. This is a common theme in all of the intervention literature discussed. Focusing on a binary variable of success in terms of whether or not fighting is stopped, or if democracy is established, is a limited view of the goals of multilateral UN intervention. This study will attempt to overcome this obstacle by defining success not based on the intervention itself but by the ultimate goals of development and stability that are the underlying work of the UN in all situations, including peacekeeping missions and other interventions.

#### **1.6.4 United Nations Peacekeeping and diplomacy**

Since the increased use of peacekeeping in the 1990's and the birth of the Responsibility to Protect, a debate about humanitarian intervention has surfaced in political science literature.

The vast majority of this debate circles around whether or not the R2P will become an international legalized norm, which is not relevant to inquiries here. However, in the course of

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<sup>48</sup> Doyle, Michael W., and Nicholas Sambanis (2000). "International Peace building: A Theoretical and Quantitative Analysis." *The American Political Science Review* 94.4: 779-801

this literature several interesting and important observations and claims about peacekeeping and the R2P have been made<sup>49</sup>.

Many authors address some of the key problems with peacekeeping, which are inevitable when dealing with an ad hoc solution to an institutional problem. The UN structure allows very little room for effective military intervention. One reason for this may be that it doesn't support quick and decisive action. Varying institutional structures can get in the way. Veto powers can undermine intervention; seeing diplomacy through before military intervention is slow; and intervention is always politically costly, meaning actors have an incentive to avoid it<sup>50</sup>. Interventions also vary considerably from one to the next not only in terms of mandate, scope, and effectiveness, but also in terms of controversy and public opinion. Some interventions (Liberia, Iraq, Haiti, Sierra Leone, East Timor) are less controversial, while others (Somalia, Rwanda, Bosnia) are criticized as —too little too late, misconceived, poorly resourced, poorly executed, or all of the above<sup>51</sup>.

The Responsibility to Protect is based on the concept of humanitarian intervention, which has a long history. This leads to assumed selection bias in terms of cases that have a high number of deaths or that are ethnic or religious. This can also be emphasized in the increased push for

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<sup>49</sup> Ibid

<sup>50</sup> Bannon, Alicia L (2006). "The Responsibility to Protect: The U.N. World Summit and the Question of Unilateralism." *The Yale Law Journal* 115.5: 1157-1165.

<sup>51</sup> Evans, Gareth, and Mohamed Sahnoun (2002). "The Responsibility to Protect." *Foreign Affairs* 81.6 99-110.

thinking about the responsibility to protect as separate from the right to intervene<sup>52</sup>. This is something that goes beyond the ability of states to intervene and implies that they actually must. Further, the Summit agreement suggests that Chapter VII action is also appropriate for purely internal matters when peaceful means are inadequate and national authorities are failing to protect their populations. This brings the idea of humanitarian intervention solidly into civil conflicts and overrides the sanctity of national sovereignty in United Nations doctrine. All of these considerations are important to the selection effects of when and where the UN will intervene in civil conflicts<sup>53</sup>.

### **1.6.5 United Nations Security Council**

Since the end of the Cold War, “the role of the Security Council not only in conferring legitimacy on certain forms of international intervention, but also in providing a mechanism for burden-sharing of expenses and risk, in an era averse to both, has once again proved indispensable” (Malone 2000). The veto power of the five permanent members (P5) of the Security Council (China, France, the Russian Federation [formerly USSR], U.K., U.S.A.) apparently deadlocked voting during the Cold War, effectively rendering the Security Council powerless in the face of threats to the international peace and security that it was charged with

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<sup>52</sup> Ibid

<sup>53</sup> Ibid

protecting. However, there was a “noticeable improvement” in relations among the P5 as the 1980s drew to a close and a new decade began<sup>54</sup>.

The 1990s saw a series of changes in the performance of the UNSC, not only in the number of Resolutions tabled and passed but also in the issue-areas with which the UNSC concerned itself<sup>55</sup>. The issue of human rights was given textual priority in the UN Charter in 1945: the second sentence of the Preamble reaffirms “faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small” (United Nations 1945, Preamble). However, the 1990s was the decade in which the issue of human rights became central to the activities and decision-making of the UNSC<sup>56</sup>. At the 1992 summit meeting, the first to be held at the level of heads of state and government, the Security Council recognized that “non-military sources of instability in the economic, social, humanitarian and ecological fields have become threats to peace and security”<sup>57</sup>, indicating a significant shift in the Council’s agenda.

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<sup>54</sup> Malone, David M. (2000). “The Security Council in the 1990s: Inconsistent, Improvisational, Indispensable?” In *New Millennium, New Perspectives: The United Nations, Security and Governance*, ed. Ramesh Thakur and Edward Newman. New York: UN University Press.

<sup>55</sup> Golberg, Elissa, and Don Hubert. (2001). “*The Security Council and the Protection of Civilians.*” In *Human Security and the New Diplomacy: Protecting People, Promoting Peace*, ed. Robert McRae and Don Hubert. London: McGill-Queen’s University Press.

<sup>56</sup> Ibid

<sup>57</sup> United Nations Security Council (UNSC). (1992). “Statement by the President of the Security Council Pursuant to their 1992 Summit Meeting.”

United Nations Security Council Resolution 1325 (UNSCR 1325) was adopted as a result of unanimous vote in October 2000. The Resolution was hailed at the time as a vital and innovative political framework that enables the consideration of gender issues during periods of armed conflict as well as in the processes of peace building and post-conflict reconstruction. The Resolution has since been translated into 80 languages and is used all over the world as a policy tool for implementing gender-sensitive formal and informal political arrangements after the cessation of conflict and as an advocacy tool for securing gender equity in demobilization, disarmament and reintegration programs and peacekeeping operations.

As a Security Council Resolution, UNSCR 1325 is legally binding upon states that are signatories of the UN Charter, and must therefore be taken seriously as a political document worthy of analysis, not least because it is argued that, despite the Resolution's many successes, significant obstacles remain in the translation of the Resolution from policy document to effective advocacy tool and action plan<sup>58</sup>.

By 1999, the discursive terrain of the Security Council as an institution was such that it was able to address "new" security issues in the cases before it and focus on "how best to incorporate human security into the council's program of work"<sup>59</sup>. In addition, it was during the 1990s that NGO involvement with the Security Council became commonplace. "Council

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<sup>58</sup> Cohn, Carol, Helen Kinsella, and Sherri Gibbings (2004). "Women, Peace and Security: Resolution *International Feminist Journal of Politics* 6(1): 130–140.

<sup>59</sup> Ibid



members increasingly met with NGOs on their own and in groups, not only to brief them on recent developments but also to seek their input” (Malone 2000, 33). Furthermore, the Security Council reaffirmed its commitment to a broadly conceived notion of “humanitarian issues,” stating that: The Security Council recognizes the importance of the humanitarian dimension to the maintenance of international peace and security and to its consideration of humanitarian issues relating to the protection of all civilians and other non-combatants in situations of armed conflict (UNSC 2000c). The UN Security Council enjoys considerable institutional privilege within the United Nations system. In part due to the historic foundations of the United Nations, “the Security Council has primary responsibility under the Charter for the maintenance of international peace and security. It is so organized as to be able to function continuously, and a representative of each of its members must be present at all times at United Nations headquarters”<sup>60</sup>.

The powers of the Security Council are wide ranging. The implications for the “international community” of signing and ratifying a Charter that provides for the Security Council to “adopt its own rules of procedure” (United Nations 1945, Article 30) and for member states to be consulted “whenever the UNSC considers that the interests of that member are specially affected” (United Nations 1945, Article 31). The extreme centralization of such a variety of powers is in part what has led to the continued vocalization of calls for Security Council

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<sup>60</sup> United Nations Division for the Advancement of Women (UNDAW) (2007). “Convention on the Elimination of All Forms of Discrimination Against Women

reform<sup>61</sup>. The phraseology of the UN Charter, particularly the Articles that dictate the conduct of the Security Council, demonstrates just how remarkable an achievement it was to successfully frame gendered violence as an issue of international security. According to the Charter, there are “parties to any dispute” (United Nations 1945, Article 33) and “any Member of the United Nations or any state” may be “party to a dispute” (United Nations 1945, Article 32, emphasis added). This demonstrates a state-centric conceptualization not only of conflict but also of security, and puts the problem-solving power firmly in the hands of the UN Security Council: The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security<sup>62</sup>.

### 1.7 Hypotheses

- There is positive correlation between UNSC and global peace
- There is a negative correlation between the role of UNSC and global peace.
- There is no impact in correlation between UNSC and global peace.
- There is a positive correlation between political, social and organizational challenges and the non-effectiveness of UNSC in promoting global peace.

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<sup>61</sup> Sutterlin, James. (2003). *The United Nations and the Maintenance of International Security: A Challenge to Be Met*, 2nd edition. London: Praeger.

<sup>62</sup> United Nations. (1945). “Charter of the United Nations. ‘Available at <http://www.un.org/aboutun/Charter>. (Accessed June 26, 2013).

## **1.8 Research Methodology**

The study was qualitative since it involved the explanation of terms and concepts, attained via a literature review. It was also deductive in approach, commencing with a critical, conceptual analysis of diplomacy. It progresses from a general description to specific and focused analyses of UN's role, in an attempt to analyze its role in conflict management and of structural reform.

### **1.8.2 Research Design**

This study consists of qualitative research and analysis although quantitative data was used to support the analysis. The research design was a case study and was based on studies of existing literature on the role of the UN in peace keeping and on using existing statistics during the presentation and analysis of data<sup>63</sup>. The type of study conducted was a non-empirical analysis of data that has been previously collected has been used in order to address the question of the role and challenges of the United Nations in promoting global peace.

### **1.8.3 Scope of the Study**

The units of analysis in this study were Yugoslavia, Somalia, Burundi and Rwanda Haiti and Cambodia. The study sought to make an evaluation of the UN peace keeping roles in these countries. Units of analysis are typically the units of observation<sup>64</sup>. The role of the UN in these countries was evaluated in order to see whether it has the capacity to successfully lead

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<sup>63</sup> Neuman, L.W (2006). *Social Research Methods, Qualitative and Quantitative Approaches*. University of Wisconsin,, Pearson Education, Inc.

<sup>64</sup> Babbie, E. & Mouton J. (2008). *The practice of social research*. South African Edition. Oxford: Oxford University Press

diplomatic role in conflict management with impartiality. Nathan's<sup>65</sup> assertion of the importance of domestic stability as a prerequisite for the establishment of a security community was crucial in this examination.

#### **1.8.4 Period Dimension**

This study has taken multiple observations of the same cases over periods of before 1990s to 2000. In particular the rise of conflict, challenges in peacekeeping efforts and UN interventions. This period was chosen purely on the basis that it allows the study to capture the most critical moment of conflict developments and the eventual diplomatic peace keeping efforts of the UN.

#### **1.8.5 Data Collection**

This study's aim is to improve the human understanding of conflict and diplomatic intervention through examination of the role and challenges of the United Nations Security Council in promoting global peace. The study collected both primary and secondary data. Instruments for primary data collection included use of interviews including key informant interviews for the UN officials in Nairobi with the intention of eliciting information and opinions. Analysis of recorded information/documents was also done in order to obtain information that informants gave thought to while compiling, and also information in their own words. The study also involved an evaluation of secondary data sources; this served to strengthen the overall study.

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<sup>65</sup> Ibid

### **1.8.6 Sampling**

As the study is an analytical insight into the role of the UNSC, no particular sampling technique was used. The study undertook focus on the UNSC's role and uses literature to review the objectives of diplomatic intervention.

### **1.8.7 Validity and reliability of the study**

The study aimed at achieving content validity and measurement reliability and this was done in order to ensure that the research remained objective and replicable. Perfect validity and reliability are impossible to achieve but the aim of this study was to ensure that their criterion is fulfilled as much as possible in order for future researches to replicate this study.

Measurement reliability means that the results produced by a study do not vary because of characteristics of the measurement process<sup>66</sup>. Content validity requires that a study represent all aspects of the conceptual definition of a construct so as to address the objectives of the study.

### **1.9 Limitations of the study**

The study was mainly conducted through secondary data analysis and thus issues of financial constraints and travelling were not relevant to the study. Literature on the specific topic however is still in its infancy and finding material proved challenging at times. Development and research on it is mainly done through what is called 'applied research'. Applied research is designed to offer practical solutions to a concrete problem; it is often used by practitioners

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<sup>66</sup> Ibid

who want to find quick results that can be used in the short term<sup>67</sup>. Research that seeks to build on theory is limited on the subject. This study will contribute in the framing of the UN's diplomatic peace intervention, particularly in the understanding of the potential that exist in UNSC mandate in international relations.

### **1.10 Outline**

**Chapter One:** Examines background of the UNSC's peacekeeping diplomatic role, the problem statement, objectives, justification, theoretical framework, literature review as well as the methodology to be adopted by the study.

**Chapter Two:** Peacekeeping operations: UNSC shared function with other UN organs

**Chapter Three:** Critical Case analysis and the role of the UNSC

**Chapter four:** Challenges facing UNSC in peace keeping

**Chapter five:** Summary conclusion and recommendations

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<sup>67</sup> Ibid

## CHAPTER TWO

### PEACEKEEPING OPERATIONS: UNSC SHARED FUNCTION WITH OTHER UN ORGANS

#### 2.1 Introduction

Established by the United Nations Charter in 1945, the Security Council is responsible for maintaining international peace and security; and the discharge of its duties must be in accordance with the Purposes and Principles of the United Nations. Due to its relevance, the Council is meant to function uninterruptedly, even holding meetings elsewhere other than the UN Headquarter. The fifteen delegates' composition of the UNSC is divided in five permanent members – People's Republic of China, French Republic, Russian Federation, United States of America and United Kingdom of Great Britain and Northern Ireland and ten non-permanent members<sup>68</sup>. The General Assembly elects the latter for a two- year mandate, following an equitable geographic distribution and with commitment to international security criteria. According to the UN Charter, each member undertakes to avail to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rites of passage, necessary for the purpose of maintaining international peace and security.

On procedural matters, decisions are made by the affirmative vote of at least nine members, provided that any member shall abstain from voting. All other matters, however, shall be

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<sup>68</sup> Murithi, Tim. *“Between Paternalism and Hybrid Partnership: The Emerging UN and Africa Relationship in Peace Operations,”* (New York: Friedrich Ebert Stiftung, 2007)

decided by the affirmative vote of nine members without a negative vote by one of the permanent members. All members have the right to one vote. The UNSC Provisional Rules of Procedure determines how the presidency is selected and what its functions are. In rule 18, it poses that the presidency shall be held in turn by the members of the Security Council in the English alphabetical order of their names. With mandates lasting for a month, the President may represent the Council and lead the meetings. The agenda must be brought by the Secretary-General and approved by the President. Yet, any UN Member State shall call upon the UNSC to solve disputes and situations under this scope<sup>69</sup>.

The mandate and functions of the Council are listed throughout Chapters VI, VII, VIII and XII. In view of these appointments, the Council has the primary duty to prevent situations which may endanger the international peace and security. If a dispute arises, it always seeks diplomatic solutions, using any peaceful means of their own choice. Also in the roll of its competences, the UNSC may determine the existence of any threat to peace, breach of peace, or act of aggression<sup>70</sup>. When diplomatic settlements fail or there is an eminent threat to international security, the Chapter VII briefs the measures available to restore or maintain peace as: Apply complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations; or engage demonstrations, blockade, and other operations by air, sea, or land forces.

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<sup>69</sup> Ndayizigiye, Jean Berchmans. "Humiliation and Violent Conflicts in Burundi," *Paper Prepared for Round Table 1 of the Workshop on Humiliation and Violent Conflict* (New York: Columbia University, 2005)

<sup>70</sup> Elliot, J. M., Reginald, R. (1989). *The Arms Control, Disarmament, and Military Security Dictionary*, p. 84. Washington: Clio dictionaries in political science.



Nevertheless, the UNSC is assisted and advised by a myriad of subsidiary organs, in order to guarantee the efficiency of its decisions and their execution. For instance, the Military Staff Committee is responsible for the employment and command of forces placed at its disposal, the regulation of armaments and possible disarmament, besides the strategic direction of any armed forces placed at the disposal of the Security Council. In a nutshell, the UN Security Council (composed by five permanent members and ten non-permanent members) is responsible for analyzing the international security context and disputes and also for restoring and maintaining the international peace. The duty of preserving it, which is cornerstone of the international community, is pursued mainly through means such as reaching diplomatic solutions in first place, then imposing sanctions, embargoes and even establishing military operations<sup>71</sup>.

## **2.2 Peace-operations**

### **2.2.1 Peace-keeping**

Initially, it is important to acknowledge that there are two main understandings regarding the meaning of peacekeeping. The first intends to associate this concept to a broader consideration meaning the conjunct of peace operations conducted under the auspices of the United Nations, as Doyle and Sambanis do the multidimensional management of a complex peace operation, usually in a post-civil war context, designed to provide interim security and

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<sup>71</sup> Epps, K. (2002). *International arms embargoes. Project Ploughshares*, p. 2-5. Retrieved June 29, 2013 from

<http://dspace.cigilibrary.org/jspui/bitstream/123456789/17705/1/International%20Arms%20Embargoes.pdf?1>

assist parties to make those institutional, material, and ideational transformations that are essential to make peace sustainable<sup>72</sup>.

Notwithstanding, the other sense of this concept intends to be more specific framing it as the UN operation, with the consent of the stakeholders involved, in order to provide an environment of confidence between the conflicting parts while the authorities entitled pursue a peace agreement and/or its implementation<sup>73</sup>. According to the UN, the peacekeeping operations have a variety of operations as a shared function within the UN system. Firstly, they were meant to follow the establishment of ceasefires and peace agreements. However, the multidimensional development of those operations had broadened their scope, encompassing efforts such as protection of civilians; facilitation of political process; aiding in disarmament, demobilization and reintegration (DDR) processes; protection and promotion of human rights; reinstatement of rule-of-law mechanisms; and organizations and monitoring of elections. Furthermore, it is indispensable to notice that in all its activities the peacekeepers shall regard three principles: consent from the parties, impartiality and non-use of violence except in self-defense and defense of the mandate<sup>74</sup>.

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<sup>72</sup> Doyle, M. W., Sambanis, N. (2007). The UN Records on Peacekeeping Operations. *International Journal*, Vol. 62, n. 3.

<sup>73</sup> McCandless, Erin, and Vanessa Wyeth. "Seeking the Forest Through the Trees: Institutional Arrangements and Tools for Peacebuilding," *Journal of Peacebuilding and Development* 4, no. 2 (2008): 1-6

<sup>74</sup> Bondi, L. (1998). *Arms Embargoes*, Human Rights Watch, December. Apud Epps, K. (2002).

The UNSC Resolution is responsible for assigning the mandate, the size and detailing the tasks that the operation will perform. Subsequent to that, there are a series of procedures to implement its mandate. First, the resources and budgetary aspects are referred to General Assembly's approval. Secondly, the Secretary-General is imbued to appoint a Head of Mission; a Force Commander, Police Commissioner and senior civilian staff to run the peacekeeping efforts. The others positions within the mission are left do the Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS) to fill. Meanwhile, a working group of important UN programs and agencies gather information and plan the military, political, operational, logistical and administrative aspects of the mission<sup>75</sup>.

The deployment is done gradually; initially, an advanced team is sent to the area where they start to build-up the headquarters of the operation and then the other components of the mission are deployed progressively. The contingent of peacekeepers is composed generally by multi-national military and civil servants that are recruited by the Secretariat to take part in the mission. Lastly, every peacekeeping operation has to provide the Security Council with reports of its action on a regular basis, usually established by the Council itself. Based on the briefings to the Council, as well as the reporting of the Head of the Mission to the Under-Secretary-General for Peacekeeping operations, the UNSC supports its decisions towards the extension and, sometimes, transformation of the missions' mandates.

Actually, peacekeeping operations are quite a common measure resorted by the UNSC to deal with breaches of international peace and security. Since 1948, the UN had conducted 67

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<sup>75</sup> Ibid

operations of this type. Currently, the number of active peacekeeping operations is 14. The most recent peacekeeping operation created by the UN was the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), in order to provide assistance to Malian authorities during its processes of political transition<sup>76</sup>.

### **2.2.2 Peace-making**

Peacemaking operations aim to achieve cease-fire agreements by political, nonviolent and diplomatic means. This type of operation bypasses the use of force, therefore tries to manage and solve the conflict between hostile parties (United Nations Peacemaker, 2012). Thus, the United Nations Security Council advises some means of avoiding, restoring or securing peace. According to the United Nations, the Secretary-General plays an important role in peacemaking. The Secretary-General may bring to the attention of the Security Council any matter that appears to threaten international peace and security, use good offices to carry out mediation or exercise quiet diplomacy behind the scenes — either personally or through special envoys. The Secretary General also undertakes preventive diplomacy aimed at resolving disputes before they escalate<sup>77</sup>.

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<sup>76</sup> Epps, K. (2002). International arms embargoes. Project Ploughshares, p. 2-5. Retrieved June 29, 2013 from <http://dspace.cigilibrary.org/jspui/bitstream/123456789/17705/1/International%20Arms%20Embargoes.pdf?1>

<sup>77</sup> United Nations. *“First Report of the Secretary-General on the United Nations Integrated Office in Burundi,”* (New York: United Nations, 2007)

[www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.2857025/](http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.2857025/)

United Nations peacemaking actions highly increased in the first decade after the end of the Cold War. At that time, several countries that were facing armed conflicts at their territories saw it coming to an end by political agreements with strong involvement of the UN. Currently active, the peacemaking operations are constantly working with regional organizations to try to put an end to ongoing conflicts and prevent new ones from emerging. Nowadays, there are some efforts to enhance the capacity of the UN peacemaking programs, mainly at the possibility of the organization practice, the preventive diplomacy and to upgrade the capacity of mediating early stage potential crisis<sup>78</sup>. According to the United Nations projections, their institutions are working in a broader standard of peacemaking such as “poverty-eradication and development, human rights and the rule of law, elections and the building of democratic institutions, the control of small arms”.

The UN has established a new way to deal with conflicts - it has moved from a culture of “reacting” to “preventing” international conflicts. Thus, by working with Member States and the civil society, it is possible to pursue new strategies to deal with and solve deep-rooted structural causes of war. The UN Charter article 33 provides that the parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice (Charter of the United Nations, 1945, article 33). These peacemaking and mediations can be best understood as means of conflict management

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<sup>78</sup> Crocker, C. (2007). *Peacemaking and Mediation: Dynamics of Changing Field*. Retrieved June 30, 2013, from <http://www.gsdrc.org/go/display&type=Document&id=3628>

operations, which are a broader field of activity and incorporate the spectrum of third party activities<sup>79</sup>.

### **2.2.3 Peace-enforcement**

Peace enforcement operations require the use of several coercive ways, which include military force. It is used to achieve peace and security in situations where the United Nations Security Council decided that peace is endangered. A peace enforcement operation only occurs with the explicit authorizations of the Security Council and often happens with the support of regional organizations for enforcement in accordance with the UN Charter<sup>80</sup>. Peace enforcement patrols uses normal peacekeeping patrolling and techniques during their operations. They must only apply aggressive means to deter acts by belligerents' forces. Acting in accordance with the peaceful intent of enforcers, patrols must operate as openly as the situations allows. They will have to conduct operations for reconnaissance, surveillance and perimeter security, always taking peace as a major consideration. Peace enforcement programs aim to establish peace among belligerent countries, but it cannot create situations for lasting peace, which require political means such as diplomatic agreements. What is possible for peace enforcers is to endure a cease-fire agreement and stop ongoing clashes. Since these conflicts' causes are deeply rooted, the work of UN peace operations has to be

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<sup>79</sup> Ibid

<sup>80</sup> United Nations. "*Mandate of the Peace building Commission*," (New York: United Nations, 2010) <http://www.un.org/peace/peacebuilding/mandate/shtml>

effective and longstanding, even though it can be no more than a break between rounds of fighting<sup>81</sup>.

Currently, peace enforcement operations are facing problems dealing with conflict situations and its political consequences. Jane Boulden (2001) listed three of them as insufficient resources, due to inadequate mandates, struggle to have awareness about the potential difficulties and maintenance of impartial operations. The end of the Bosnia-Herzegovina conflict can be characterized as a consequence of peace enforcement operations. At that time 60,000 militaries went to that place to enforce peace and reconstruct that land. By then, the operations worked with NATO military troops and resources<sup>82</sup>.

#### **2.2.4 Peace building**

Peace building operations are related to the re-establishment of peace in a positive perspective. It consists using several methods of conflict management. The concept of peace building is very vast and varies according to the author. Using the concept developed by Galtung, its objective is to remove structural reasons for the conflict, which means that peace requires more than absence of direct or physical violence. Peace building, as defined by the United Nations Secretary General Policy Committee, involves a range of measures targeted to reduce the risk of lapsing or relapsing into conflict, to strengthen national capacities at all

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<sup>81</sup> Ibid

<sup>82</sup> Boulden, J. (2001). *Peace Enforcement: The United Nations Experience in Congo, Somalia, and Bosnia and Hercegovina*. Retrieved June 30, 2013, from [http://books.google.com.br/books?hl=pt-PT&id=7-\\_TiwKXJkcC&q=](http://books.google.com.br/books?hl=pt-PT&id=7-_TiwKXJkcC&q=)

levels for conflict management, and to lay the foundations for sustainable peace and development. Peace building strategies must be coherent and tailored to the specific needs of the country concerned, based on national ownership, and should comprise a carefully prioritized, sequenced, and therefore relatively narrow set of activities aimed at achieving the above objectives<sup>83</sup>.

The peace building process has been seen as the link of security, humanitarian, governance and development under a strategic framework. The reconciliation issue can be brought together to create new mechanisms of conflict management, which needs the participation of a wide number of international actors in a local framework. This kind of peace operation is characterized as a long term action that seeks the cooperation between opponents through the reconstruction of institutions and infrastructure among the States<sup>84</sup>. Peace building operations use several kinds of tools to achieve its goal, for example, media vehicles, projects and actions against stereotypes, prejudice and discrimination. Often, peace building programs are performed by non-governmental organizations, but the United Nations and some local organizations are also included in the performers list.

The peace building operations were enhanced in 2005, when the Secretary General reported the United Nation Security Council resolution 1645 and General Assembly 60/180, forming the Peace building Commission, Peace building Fund and Peace building Support Office to

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<sup>83</sup> Hauss, Charles. *International Conflict Resolution: International Relations for the 21st Century*. (New York: Continuum, 2001)

<sup>84</sup> Ibid



operate on specific post-war situations. Although they were improved only in 2005, peace building programs were created in 1992 at the *Agenda for Peace*, when it was closely linked to *peacekeeping* and *peacemaking* operations. Nowadays, the Peace building Commission (PBC) is acting in six different countries, playing a unique role in bringing together all the relevant actors to create a peace situation between the countries. Liberia, Burundi, Sierra Leone, Guinea, Guinea-Bissau and Central African Republic are the states currently on the PBC agenda<sup>85</sup>.

### **2.3 Political Mediation**

A political mediation takes place when the two parties of a conflict be it international or national, cannot talk properly and achieve accordance. The third part, chosen to mediate the negotiations, has the intent to put an end to the conflict without having to initiate more coercive measures, such as sanctions or even the use of armed force<sup>86</sup>. Given the fact that the Security Council is the main organ of the United Nations when concerning conflicts, the mediation of conflicts is a crucial role of the Council, being the specificities of these conflicts made clear by the Article 33 of the UN Charter. As clarified by the Article 38 of the UN Charter, mediating conflicts takes place with the primordial intention of resolving conflicts in peaceful manners. This main goal of political mediation by the UNSC was also clarified by

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<sup>85</sup> Department of Peacekeeping Operations (1998). Glossary of UN Peacekeeping Terms, p. 9. Retrieved June 29, 2013 from

[http://www.navy.mi.th/navedu/stg/databasestory/data/laukniyom/workjob/bigcountry-workjob/UN-Publications/2\\_Glossary-of-UN-Peacekeeping-Terms.doc](http://www.navy.mi.th/navedu/stg/databasestory/data/laukniyom/workjob/bigcountry-workjob/UN-Publications/2_Glossary-of-UN-Peacekeeping-Terms.doc)

<sup>86</sup> Ibid

the President of the Council in a statement of 2008, in which he stressed the necessity of peaceful resolution achieved through mediation of the Security Council and Secretary-General<sup>87</sup>.

The moment the two or more parties involved in a conflict are not able to end it themselves, the UNSC gets involved - unless the conflict concerns legal matters, being then a process that shall be discussed under the scope of the International Court of Justice (Charter of the United Nations, 1945). When moderating conflicts, the UNSC always take in consideration all the efforts made before and involves regional organizations in the mediation process, as pointed out by the Article 36 of the UN Charter (Charter of the United Nations, 1945).

## **2.4 Economic Sanctions**

Economic sanctions are restrictions imposed to a target country by the United Nations Security Council, being imposed most of the times for political reasons. An economic sanction can present itself in many forms, from creating difficulties to the country's trade to, in more severe cases, an economic embargo. The capability of the UNSC to apply economic sanctions (among other types of sanctions) is prescript by the UN Charter, under chapter VII, Article 41: The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other

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<sup>87</sup> Ibid

means of communication, and the severance of diplomatic relations (Charter of the United Nations, 1945, Article 41).

The main goal of the imposition of economic sanctions is to end or modify some specific behavior that the United Nations Security Council considers prejudicial to the collective security without having to appeal to the use of armed forces<sup>88</sup>. In this sense, sanctions aim to modify the behavior of a certain state, not to punish any target state or any group inside that target state. Many states and international organizations, however, brought into the UNSC's attention the fact that the sanctions were jeopardizing the whole economy of the target states, many times having the greatest impact on the least favoured economic groups. Being aware of the consequences of the economic sanctions, the UNSC has adopted some modifications on its politics of implementing economic sanctions, in order to obtain a more just process and limit the humanitarian damage.

With the changes on the vision of how economic sanctions impact the target country, the UNSC has severely modified its procedures of implementation. Instead of imposing sanctions to the country, the new posture of the UNSC is to impose sanctions to a target group, transferring the principle of receiving sanctions from the state to non-state organizations and individuals. This target sanctions, also known as smart sanctions, usually present themselves

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<sup>88</sup> López-Jacoiste Díaz, M. E. (2010). *Seguridad, defensa y desarrollo en el contexto internacional actual*. Navarro: Gunsa.

as freezing financial assets, suspension of credit as well visas and educational opportunities, among other measures<sup>89</sup>.

## 2.5 Military embargoes

The United Nations defines, in the Chapter VII of its Charter, measures to prevent “any threat to the peace, breach of the peace, or act of aggression”. Although the Charter’s text does not use the explicit term of *arms embargo*, it determines that the United Nations Security Council may take measures “not involving the use of armed force” by implementing “complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations”<sup>90</sup>. The UNSC, during the process of embargoing, typically installs a Sanctions Committee “to act on behalf of the Security Council to oversee implementation of the embargo” (Epps, 2002, p. 4). Its role includes, among others functions, (i) periodic reporting on violations and violators to the Security Council; and (ii) considering request for humanitarian exceptions (BICC, 2001b,p 5).

According to *The Arms Control, Disarmament, and Military Security Dictionary*, arms embargoes are defined as the interdiction of weapons shipments and sales to a particular nation or group. Arms embargoes are usually imposed as a response to some supposed threat by the offending country, or as part of a total trade embargo designed to weaken the

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<sup>89</sup> Doyle, M. W., Sambanis, N. (2007). The UN Records on Peacekeeping Operations. *International Journal*, Vol. 62, n. 3.

<sup>90</sup> Brown, J. S. (2006). *Bosnia-Herzegovina: The U. S. Army's Role in Peace Enforcement Operations 1995-2004*. Retrieved June 30, 2013, from <http://www.history.army.mil/brochures/Bosnia-Herzegovina/Bosnia-Herzegovina.htm>

economic, political, or military structures of a perceived enemy<sup>91</sup>. In that sense, the UNSC Resolution 1390 (2002) prescribed an *arms embargo* against Al-Qaeda in terms of preventing the direct or indirect supply, sale or transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities.

The settlement of an arm embargo is based on the adoption of a UN Security Council's Resolution. Subsequently, as Ken Epps<sup>92</sup> emphasizes, "the effectiveness of UN embargoes is dependent on the ability of member states to monitor, implement, and enforce the Security Council embargo resolutions". In recent years, the UN Security Council has implemented around fourteen mandatory military embargoes "in response to external aggression of a sovereign state, civil war, persistent breaches of peace accords, humanitarian crises, egregious violations of human rights, coups, support of terrorism, and inter-state war"<sup>93</sup>.

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<sup>91</sup> Ibid

<sup>92</sup> Epps, K. (2002). *International arms embargoes*. Project Ploughshares, p. 2-5. Retrieved June 29, 2013 from <http://dspace.cigilibrary.org/jspui/bitstream/123456789/17705/1/International%20Arms%20Embargoes.pdf?1>

<sup>93</sup> Bondi, L. (1998). *Arms Embargoes*, *Human Rights Watch*, December. Apud Epps, K. (2002).

## 2.6 Buffer Zones

A buffer zone consists on an area between two or more others with the purpose of creating a segregated or conjoined region. According to the United Nations, it is also known as area of separation; neutral space created by withdrawal of both hostile parties; a demilitarized zone where the parties have agreed not to deploy military forces; the cease-fire lines, marked and often fenced or wired on either side of the buffer zone. Moreover, the buffer zone “indicates the agreed forward limits of the contending forces where the cease-fire lines are observed, patrolled and perhaps occupied by a peace-keeping force”. Therefore, the settlement of a demilitarized zone, within the UN conjuncture, is based on the jurisdiction and supervision of a United Nations Peacekeeping Operation<sup>94</sup>.

One of the most incisive buffer zones in the UN history is the demilitarized zone in the isle of Cyprus, which is under the United Nations Peacekeeping Force in Cyprus’ patrol. The discussions on the settlement of such a neutral area took place amid the Geneva Declaration (1974), being stabilized as it follows: a security zone of a size to be determined by representatives of Greece, Turkey and the United Kingdom, in consultation with UNFICYP, was to be established at the limit of the areas occupied by the Turkish armed forces. This zone was to be entered by no forces other than those of UNFICYP, which was to supervise the prohibition of entry. Pending the determination of the size and character of the security zone,

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<sup>94</sup> Al-Jazeera (2012). *Will a buffer zone calm or stoke tensions?* Retrieved June 29, 2013 from <http://www.aljazeera.com/programmes/insidesyria/2012/09/20129281930110448.html>

the existing area between the two forces was not to be entered by any forces<sup>95</sup>. Recently, amid the Syrian civil and internal conflicts, Turkey suggested a buffer zone with the Syrian borders “that stretches about 20km into Syrian territory”, according to Al-Jazeera (2012)<sup>96</sup>. However, even with the Syrian consideration of settling a buffer zone, the impasse within the United Nations Security Council hasn’t allowed the project to endure.

## 2.7 Travel ban

Travel Ban is one the United Nations Security Council types of sanctions and consists in preventing the entry or transit of some individuals through the territories of the states that agreed with this sanction. At the description of Travel Ban actions, there is an exception, where these terms would not be applicable: cases where the Committee determines that such travel is justified by humanitarian needs<sup>97</sup>. Member States are encouraged to add the names of the travel banned individuals to their documents, as visas, to enhance the implementation of this measure. They can also implement new measures in accordance with their obligations, such as canceling visas or refusing to issue any permit regarding the listed individuals. The obligation of preventing the entrance or the transit into the territory applies in all circumstances and concerns to the Member States. Thus, they can treat the irregularities cases in accordance with their domestic laws and practices. Also, the Committee encouraged

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<sup>95</sup> Elliot, J. M., Reginald, R. (1989). *The Arms Control, Disarmament, and Military Security Dictionary*, p. 84. Washington: Clio dictionaries in political science.

<sup>96</sup> Al-Jazeera (2012). *Will a buffer zone calm or stoke tensions*. Retrieved June 29, 2013 from <http://www.aljazeera.com/programmes/insidesyria/2012/09/20129281930110448.html>

<sup>97</sup> Ibid

Member States, according to the resolution 1989 (2011), paragraph 48, to share with the private sector their database about fraudulent and stolen documents (UNSC, 2008).

Travel Ban was imposed to some individuals, on 16 March 2004, regarding the Liberia case. At that time, travel restrictions to a group of individuals were approved, imposed by paragraph 4 (a) of resolution 1579 (2004). The United Nations Security Council decided that all States shall take the necessary measures to prevent the entry into or transit through their territories of all such individuals, as designated by the Committee, who constitute a threat to the peace process in Liberia, or who are engaged in activities aimed at undermining peace and stability in Liberia and the sub region<sup>98</sup>.

The Travel Ban list concerning that case includes twenty five names, identifications numbers (as passport number and birth dates) and designation/justification for the measure that was taken. Another example of Travel Bans, as a sanction taken by the UNSC, is the Al-Qaeda Case of December 2011. This case was established by paragraph 2 of resolution 1390 (2002) and reinforced in paragraph 1 of resolution 1989 (2011). The objective of the travel ban was limiting the mobility of the listed individuals as “preventive in nature and not reliant upon criminal standards established under national law”<sup>99</sup>.

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<sup>98</sup> Herrhausen, Anna. *Organizing Peace building: An Investigation of Inter-organisational Coordination in International Post-Conflict Efforts*, (Frankfurt: Peter Lang, 2009)

<sup>99</sup> Deller, Nicole. “The Role of the UN Peace-Building Commission in International Peace and Security,” *Conflict Trends*, 3 (2006): 8-12,



## 2.8 Assets Freezing

The definition of assets freezing, within UN system, was best expressed by the resolution 1989 (2011), being this measure the prohibition of transactions involving: the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons' benefit, or by their nationals or by persons within their territory<sup>100</sup>. Nevertheless, it must be observed that a myriad of exceptions are also predicted, in order to assure that funds related to basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges are not compromised (UNSC, 2002), hence, putting efforts to a broad and universal human rights respect.

One of the most efficient ways to tackle the action of the organized crime and terrorists groups is by cutting their economic resources, as noted in several working groups' outcomes and resolutions by many international organizations, including by the UN Office on Drugs and Crimes. In this sense, the purpose of assets freezing is to deny listed individuals, groups, undertakings and entities to have access to goods and funds that could support and facilitate illicit activities. After the assets freezing decision is approved in a resolution, the list of

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<sup>100</sup> Chesterman, Simon. "Who's Strategy, Whose Peace? The Role of International Institutions in Strategic Peace building," in Daniel Philpott and Gerard F. Powers, *Strategies of Peace: Transforming Conflict in a Violent World*, (Oxford: Oxford University Press, Inc., 2010)

individuals, groups, undertakings and entities is made by the Committee pursuant to a specific situation, and each State becomes obligated to ensure that these freezing's' are being implemented within its territory. These Committees are also competent to review and update this list frequently.

## **2.9 Creation of Subsidiary Organs**

In order to perform its functions, the UN Security Council may establish subsidiary bodies, as expressed in the Article 29 of the UN Charter and in the Provisional Rules of Procedure's article 28. There are basically seven distinct types of subsidiary organs including: Military Staff Committee; Counter-Terrorism and Non-Proliferation Committees; Sanctions Committees; Standing Committees and Ad Hoc Bodies; Peacekeeping Operations; International Tribunals; and Advisory Subsidiary Body<sup>101</sup>.

Generally, whenever the Security Council understands that a situation needs a closer look than its regular meetings, it may create such bodies through a resolution approval (UNSC, 1946). These organs may give support and monitor sanctions implementations, provide technical assistance, discuss general procedure questions or any other measure to ensure that some Council decision is being enforced. In this sense, it may also create International Tribunals, although such activity has lost some perspective after the Rome Statute appearance.

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<sup>101</sup> Bariagaber, Assefaw. "United Nations Peace Operations in Africa: A Cookie-Cutter Approach?" *Journal of Third World Studies* (2006) 11-29

Yet, not all UNSC subsidiary organs were created by it but chosen to be in this position. For instance, the Peace building Commission was first drafted in the 2005 World Summit Outcome, between paragraphs 97 and 105, bearing in mind the role and competence of the UNSC “to mandate coercive action to maintain and restore international peace and security”<sup>102</sup>.

## **2.10 Conclusion**

The UN Security Council is responsible for analyzing the international security context and disputes and also for restoring and maintaining the international peace. The duty of preserving it, which is the cornerstone of the international community, is pursued mainly through means such as reaching diplomatic solutions in first place, then imposing sanctions, embargoes and even establishing military operations as it has been detailed above, in order to guarantee the efficiency of its decisions and their execution peacekeeping operations. This chapter therefore aims to further inform policy makers in formulating a framework to overcome the challenges of UNSC for successful future peacekeeping. In addition it serves to support the hypotheses of there being a positive correlation between UNSC and global peace.

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<sup>102</sup> Ayissi, Anatole, and Robin Edward Poulton (eds) *Bound To Cooperate: Conflict Peace and People in Sierra Leone*. (Geneva: UNIDIR, 2006)

## CHAPTER THREE

### CRITICAL CASE ANALYSIS AND THE ROLE OF THE UNSC

#### 3.1 Introduction

An Agenda for Peace distinguished four broad categories of UN activities on behalf of peace: Preventive Diplomacy, Peacemaking, Peace Building and Peacekeeping. The report attempted to develop a new strategy for maintaining peace and security on these four fronts. Each of these stages was defined with various goals. Specific proposals were made for new UN roles and new UN methods. Boutros Ghali recommended the increased use of confidence building and fact-finding activities as well as the establishment of an early-warning system for assessing possible threats to peace to promote preventive diplomacy.

*Preventive Diplomacy* seeks to resolve disputes before violence breaks out. Main objective of the preventive diplomacy, which was invented to overcome the ambiguity and vagueness of the newly appeared conflicts, is to ease tensions before they end in conflict. It was supported by the member states without reservation. *Peacemaking* requires use of the same diplomatic skills as the preventive diplomacy. The aim is to reduce the intensity of the conflict through negotiation, as a step on the path to a cease-fire. The responsibility here is to bring hostile parties to an agreement by peaceful means. However, those idealistic phrases may not properly work in practice. It was possible to be highly critical of the peacemaking process in the former Yugoslavia, which in a way set a grave precedent by allowing frontiers to be changed by force. It should be noted that while impartiality is important in humanitarian

efforts, it is not always correct in mediation efforts where principles of international law and norms must be maintained.

*Peace Building*, as described in the report, requires strengthening the institutions to consolidate a sense of confidence and well being between people<sup>103</sup>. This category of operation involves the building of all sorts of "structures" (such as social services, a judiciary and responsive government) that strengthen peace and order<sup>104</sup>. Peace building can occur before or after a conflict, but is certain to be badly needed in the aftermath of war.

In the aftermath of international war, post conflict peace building may take the form of concrete co-operative projects which link two or more countries in a mutually beneficial undertaking that can not only contribute to economic and social development, but also enhance the confidence that is so fundamental to peace. *Peacekeeping* transformed rapidly after the end of Cold War. Quantitatively, peacekeeping has attained a new magnitude.

Qualitatively, the peacekeepers confront previously unknown issues of policy and practice. It had to deal with novel aspects of humanitarian affairs and be comprehensive. After the end of the Cold War, the UN was expected to authorize personnel to implement cease-fires; demobilize regular and irregular military forces; inspect arms control constraints; observe troop withdrawals; train and oversee police forces; provide administrative oversight of

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<sup>103</sup> 27Boutros Boutros Ghali, *An Agenda for Peace*, A/47/277-S/24111, [<http://www.un.org/plweb-cgi/idoc.pl>], 17 June 1992, p. 12.

<sup>104</sup> Eric Fawcet and Henna Newcombe, *United Nations Reform*, Toronto: Science for Peace, 1995, p. 125.

government ministries; plan, administer and monitor elections; watch for human rights violations; provide safe havens for displaced persons; and protect personnel attempting to give humanitarian assistance in war-torn areas<sup>105</sup>. Consequently, a mixture of classic peacekeeping operations and new enforcement tasks has emerged. Therefore, the aim of the "Agenda for Peace" in producing the concepts of preventive diplomacy, peacemaking and peace building was to support the peacekeeping operations.

Although the UN after the Cold War expected to perform its role as indicated in the Charter, it could not be successful. Efforts of the Secretary Generals, SC and the GA resolutions, even comprehensive reports such as *An Agenda for Peace*, which aimed to adopt the UN's mechanism to the changing circumstances, could not save it from failing. Most of the proposed solutions to cope with internal wars in the post-Cold War era could not produce the expected outcomes. Even though the UN played a role in many of these wars, it still faced challenges from different angles.

There are five major conflicts that present specific challenges to the UNSC to clarify the UN's successes and failures, changing conceptions, and the new tasks that it has to perform: Yugoslavia, Somalia, Burundi and Rwanda, Haiti and Cambodia. The first three of these conflicts in Yugoslavia, Somalia and Burundi/Rwanda exemplifies changing conditions for enforcement and humanitarian intervention. The other two conflicts in Haiti and Cambodia illustrate other features of these new peacekeeping operations, which are peace building and

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<sup>105</sup> Boutros Boutros Ghali, *Report on the Work of the Organization*, New York: Department of Public Inf., September 1993, p. 101.

election monitoring. The UN's intervention was relatively more successful in establishing a stable government in Haiti and Cambodia than the first three operations.

### 3.2 Former Yugoslavia

The UN involvement in Yugoslavia began with the SC Resolution, which adopted a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia<sup>106</sup>. The issues raised in Yugoslavia go to the heart of the nature of international order and international law in the post-Cold War era, touching questions of self-determination, individual and group rights, and the exercise of limits of sovereignty. Thus, the UN hesitated whether to intervene or not for a while. Then, Security Council accepted the SC proposals for a peacekeeping operation and the UN protection force (UNPROFOR) established in 1992.

Throughout the conflict the impression grew that the UN was largely impotent. Divisions among the SC's members created unproductive means to resolve the conflict. Despite SC authorization, the reluctance of governments and their militaries to use force more extensively demonstrated the limitations of the UN's enforcement role, except in cases where strong national interests are at stake, as in the Gulf War. Therefore, after Yugoslavian tragedy, it was seen that international community was reluctant to intervene into conflicts, which were not threatening global stability. Many people were killed for ethnic reasons. While the UN resolutions were ignored, its peacekeepers were attacked and there was a general lack of support for UN efforts by the US and others. On the other hand, the UN efforts such as

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<sup>106</sup> Geoff Simons, *UN Malaise: Power, Problems and Realpolitik*, New York: St. Martin Press, 1995, p. 82.

economic sanctions and peacekeeping at least prevented the conflict from spreading to its neighbor's, and the humanitarian assistance was useful to some extent that provided the framework for the final peace-negotiations and agreement.

### **3.3 Somalia**

In 1991 and 1992 civil order collapsed in Somalia when warring clans took control over parts of the country<sup>107</sup>. Deaths, scarcity of food and famine accompanied the fighting and forced thousands of people to seek emergency humanitarian assistance. A small mission formed by Pakistani troops was sent to Somalia (UNISOM I) to protect humanitarian relief workers. Then, SC Resolution 794 authorized a large US led military-humanitarian intervention (Unified Task Force on Somalia, or UNITAF, also known as Operation Restore Hope) to secure ports and airfields, protect relief shipments and workers, and assist humanitarian relief efforts. However, the mission's scope was ambivalent. The US did not intend to commit its forces for a long period and the objective was limited to humanitarian issues. When the UNISOM I failed to safeguard the delivery of humanitarian assistance, UNISOM II went in 1993 and realized a large-scale humanitarian work. Nevertheless, the useful job done by the UNSC was countered with the loss of impartiality by it in supporting the elimination of General Aidid.

Departure from neutrality led to the negative image of UN operation and gave impetus to the strife. By the time, the situation deteriorated and the UN's soldiers were faced with force.

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<sup>107</sup> Michael G. Schechter, "The UN in the Aftermath of Somalia", in Edwin M. Smith (ed.), *The UN in a New World Order*, California: Keck Center for International and Strategic Studies, 1994.



Therefore, in October 1994, while the parties in Somalia showed unwillingness to reconcile with each other, it was felt that Somalis lost their chance and then the force withdrawn in January 1995. Soon afterward, General Aidid was killed and fighting among clans again spoiled stability in Somalia.

The Somalia operation was not similar to the proceeding ones. It took place in a state where there was no order, no government authority, and so the concept of sovereignty lost its meaning. During the operation, UN violated one of its principles; states in conflicts should request UN to intervene. It also showed institutional weaknesses and impotence of the leadership of the UN in cases where the maintenance of impartiality is difficult.

### **3.4 Burundi and Rwanda**

Internal and cross-border conflict broke out in Rwanda in October 1990, with sporadic fighting between the armed forces of the Hutu-led government of Rwanda and the Tutsi-led Rwandan Patriotic Front (RPF) operating from Uganda. In 1993, the Rwandan government and the RPF reached a cease-fire agreement. Later, they called on the SC to install UN military observers to their common border for preventing military use and transport of military equipment on the borders. In 1993, SC established the UN Observer Mission Uganda-Rwanda (UNOMUR).

Then, UN representatives tried to help in negotiations for a new government and a cease-fire. The peace was concluded successfully, however, the local massacres did not end. After many people had been killed and millions of Rwandan refugees escaped to neighbouring countries,

the SC decided to set up another international force; the UNAMIR (the UN Assistance Mission for Rwanda), for the implementation of the peace agreement.

UNAMIR concentrated on arranging a cease-fire, but it was not successful and killings continued. Thus, the SC considered the situation in Rwanda as a threat to international peace and security, and imposed an arms embargo against Rwanda. Then, the Council authorized, under Chapter 7 of the UN Charter, a temporary multinational humanitarian operation. The civil war ended after RPF forces took control in Rwanda; they declared a cease-fire and a transitional government established for five years.

As UN Secretary-General Boutros Ghali expressed in his speeches, the UN operation in Rwanda was not only ended with a failure for UN, but also for the international community. It became increasingly clear that even the new UN initiative, the relatively modest proposal that the perpetrators of genocide should be brought to justice, was doomed to failure because of lack of resources, incompetence, and the indifference operation of powerful states. That disaster indicated impotence of UN in case of human suffering, when the strategic interests of hegemonic powers are not salient.

In Bosnia, Somalia, and Rwanda, there was no peace to keep and even no willingness in making peace. The UN found itself facing with post-Cold war challenges of very different kind, with no peace to keep and humanitarian concerns raising demands for intervention with no clear guidelines on how to proceed. In this environment, the principles of consent, impartiality, and non-use of force except self-defense, which were the basic guidelines for traditional peace keeping operations, seemed inappropriate. All three were civil war situations.

The experience of UN forces in each of these theatres highlighted critical issues concerning the contemporary practice of peacekeeping in internal conflicts.

### **3.5 Haiti**

Before 1990, Haiti's history was full of military dictatorships. For a short period in 1990 there was a democratically elected government under President Aristide. Later in that year, military rulers took power and expelled Aristide and the other officials. The SC condemned the new rulers and imposed an embargo except for necessary food and medicine. When conditions in the country worsened many people escaped from the country. Consequently, the SC Resolution 940 condemned Haiti for violating human rights. Then the SC authorized member states to form a UN multinational force with the authority to use all necessary means for ending the military leadership. Thus the Council took a different step in Haiti in treating an internal political crime as a threat to international peace and security. By the help of the US that wanted to avoid the Haitian refugees' influx, a multinational UN force was formed and threatened to invade. Then, the UN coalition composed mostly of the US troop's occupied Haiti. Soon afterward, President Aristide returned to Haiti and the UN decided to leave a peacekeeping group to keep order until the government came back to power. In 1995, elections were held and President Aristide won. Democratically held elections, supervised by the UN, at the end of the conflict in Haiti created a positive impression about the UN role in solving an internal dispute. Furthermore, the UN mandate in Haiti assisted the new government to sustain a secure and stable environment in the country. This case was another example, which shows changes in the UN scope and interest.

### **3.6 Cambodia**

After the end of the Vietnam War, the military government of Cambodia was overthrown and a repressive regime established. The new regime challenged Vietnam in border clashes, and Vietnam responded by invading and establishing a puppet government in Cambodia. The new government was supported by the Soviets while China helped the opposition forces. After a bitter civil conflict followed by a decade of occupation by Soviet backed Vietnam, the occupying forces were withdrawn at the end of the Cold War. In October 1991, agreements for a comprehensive political settlement of the Cambodia were signed in Paris.

Cooperation between the US and the USSR motivated China and Vietnam for supporting a cease-fire in Cambodia. Then, the UN provided a peacekeeping mission for Cambodia (UNTAC) to implement the agreement and ensure a neutral political environment before the general elections. It also brought together different and complex tasks such as supervising cease-fire, disarming the forces, and the resettlement of refugees in cooperation with the UNHCR. In September 1993, the Secretary- General declared that the UNTAC role in Cambodia ended with the installation of a new constitution and government based on the will of the people expressed through the May 1993 elections.

Peacekeepers withdrew and a small group of them stayed for observing and monitoring the peace. The UN peacekeeping operations in Haiti and Cambodia contributed to the stabilization of peace in both countries. In both cases, there were authoritarian regimes and the missions succeeded in running fair elections. The UN provided complex tasks in these conflicts such as promotion and protection of human rights, organization and giving technical

assistance in elections, and repatriation of refugees. As a general evaluation, in Haiti and Cambodia peacekeeping and peacemaking completed more successfully than in Bosnia and Somalia. The UN supervised elections led to drafting of new constitutions and the establishment of democratic governments by ending long lasting strifes. Beyond the serious questions that have been raised about the ability of the UN to exercise effective command and central of operations that move beyond peacekeeping, the UN confronts enormous challenges in adjusting to newly perceived relations, power and influence. Although some may doubt it, the UN is responding as effectively as possible to current conflicts and humanitarian crises. A more important question involves whether those responses will constitute effective resolutions of the underlying causes of conflict.

The UN found itself facing with very different kinds of post-Cold war challenges. It had to cope with the conflicts where there was no peace to keep and where humanitarian emergencies made the UN intervention unavoidable. The principles of sovereignty, non-intervention into domestic affairs, consent, and non-use of force became inappropriate under these circumstances. For example, in the case of Somalia where there was not a legitimate government the concept of sovereignty became meaningless, and the desperate humanitarian situation in Bosnia proved humanitarian intervention inevitable. Under the light of these developments, all the traditional norms of the international relations required reassessment.

### **3.7 Conclusion**

This chapter illustrates the progress made by the UNSC in maintaining global peace as demonstrated by the Haiti and Cambodia peacekeeping and peacemaking missions which

were completed more successfully than in Bosnia and Somalia. This therefore goes to show that the UN is responding as effectively as possible to current conflicts and humanitarian crises. In addition it disconfirms the hypotheses of there being a negative correlation between the role of UNSC and global peace and serves to further show the United Nations Security Council and its peace keeping operation system in particular success in dealing with the challenges of promoting international peace and security especially in the post-Cold War era.

## CHAPTER FOUR

### CHALLENGES FACING UNSC IN PEACE KEEPING

#### 4.1 Eroding National Sovereignty

World politics changes since the end of the Cold War have led to the questioning of the concept of "sovereignty". State sovereignty retains its validity as a defining principle of international society and governing rule in international relations, but the concept has evolved<sup>108</sup>. Real sovereignty means that national governments control outcomes nationally and internationally. However, in internal wars, where there is not any legitimate government to control events, the principle loses its meaning. The problems inside Rwanda, Somalia, Bosnia, Haiti and Cambodia, though internal problems strictly speaking, were redefined as internal concerns, subject to action by the UN.

Therefore, the principle of state sovereignty was defeated by the increasing demand for the effective treatment of internal conflicts by UN. As former Secretary General Boutros Ghali has noted: "The time of absolute and exclusive sovereignty has passed; its theory was never matched by reality. It is the task of leaders of states today to understand this and find a balance between the needs of good international governance and the requirements of an ever more interdependent world<sup>109</sup>. As people and states became more interconnected and interdependent, demands increased for international management at the expense of state sovereignty. While respect for the fundamental sovereignty and integrity of the state remains

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<sup>108</sup> Kofi A. Annan", *The Fletcher Forum of World Affairs*, Vol. 21, No. 2, Summer/Fall

<sup>109</sup> Ibid

central, it is undeniable that the centuries old doctrine of absolute and exclusive sovereignty no longer exists as it was considered in the theory.

According to the key informants the key challenges to the United Nations, more so in the initial stages of conflict, include the fact that attention to pending or emerging problems is usually side-tracked by highly visible emergencies, actual war and violence. It always attracts much greater attention and a bigger share of the available resources. Normally, domestic support for measures addressing pending or emerging problems at home or abroad take a back seat to those that address highly visible emergencies (Adams 1994:48). The principle of state sovereignty limits external involvement in the prevention or resolution of internal problems, especially at the pre-conflict stages. Although it might already be known that the impending outbreak of war in a state is imminent and that certain things can be done to reverse the situation and correct the problems that may eventually lead to violence, states are protected from external interventions by the principle of sovereignty. The relatively limited access to intelligence and fact-finding missions impedes early warning and analysis of risk assessment, hence the delay in timely intervention. There may be lots of early warning, but such warnings are often not matched with proposals for feasible and promising preventive measures.

#### **4.2 Non-Intervention**

Consent of the parties for intervention was inevitable for traditional peacekeepers. But opinions are changing on both political and legal necessity of consent of parties. We have lately seen number of examples of intervention into the domestic affairs of states beyond the consent of government's intervention is increasingly perceived as legitimate to halt the



violence in civil wars that have broken out since the end of the Cold War. The dynamics of ethnic and religious conflicts as we have seen in Bosnia, Somalia, and Rwanda are very different from the interstate conflicts, which the UN had involved in during the Cold War. In previous conflicts, reasons of the conflict and the parties were more clearly defined, and when they agreed to a cease-fire, the UN Blue Helmets knew how to operate. However, in ethnic conflicts, reasons of the conflicts and parties are more complex and difficult to identify. In many of these cases, there has not been any legitimate government to obtain consent, nor any effective ceasefire and clear-cut front lines. In such an unstable and anarchic environment, the reliability of sacrosanct principle of consensus is very much reduced as an operational basis for peacekeeping<sup>110</sup>.

According to the key informants, despite the fact that negotiations are long, difficult and covered a range of issues, a mission can only accomplish its mandate in an atmosphere of cooperation. The lack of cooperation and full political commitment by belligerent warlords to ceasefire agreement is a challenge drawn from many mission's experience. This is because the normal process of initial peacemaking has to be carried out with warlords, who conveniently depart from agreement at will. It is difficult negotiating with the warlords who are always ready to uphold only part of the agreements that favours their cause. When the relationship between the leadership of the UNSC-led intervention force and the warlords become estranged, UNSC troops become objects of attack and are killed. This eventually leads to the

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<sup>110</sup> Charles W. Kegley Jr., Gregory A. Raymond and Margaret G. Hermann, "The Rise and Fail of the Non-intervention Norm: Some Correlates and Political Consequences", *The Fletcher Forum of World Affairs*, Vol. 22., No. 1, Winter/Spring 1998, p. 89

failure of a mission with the withdrawal of peacekeepers amid a country's descent into resurgent conflict and chaos.

In addition to this, governments and leaders engaged in conflict sometimes do not want UN help. Early involvement is often essential to the success of PD, but parties to conflicts often are not willing to admit they have a problem until the conflict has escalated beyond their control. They may contemplate avoiding legitimatizing an adversary or 'internationalizing' their problem by keeping the UN away or wrongly believing that UN involvement will quickly lead to the unwelcome presence of a large peacekeeping force or to Security Council sanctions.

The experience of the UN in Yugoslavia, Cambodia, Rwanda, Somalia and Haiti clearly demonstrated that within the context of intra-state and ethnic conflicts, strict adherence to the normative principles of consent, impartiality and non-use of force except in self defense substantially reduces the operational efficiency of a peacekeeping force. The most important conclusion that we can draw from these examples is that Article 2(7) i.e non- intervention to domestic affairs became almost meaningless in the post Cold War era.

### **4.3 Humanitarian intervention**

The challenge to the non-intervention norm is also motivated by humanitarian concerns about the increasing violence and pain in the chaotic environment of the international conflicts. Humanitarian emergencies, by causing the mass exodus of people- refugees escaping to

neighboring countries- may constitute threats to international peace and security, or aggravate existing threats; conversely, disturbances of peace may give rise to humanitarian crises<sup>111</sup>.

Today, humanitarian assistance has become an integral part of establishing peace and security in various trouble spots in a way that was never the case before. It aims to not only providing access to the suffering people, but also building bridges between parties in conflict. The bases of this assistance must be humanity, neutrality and impartiality. The provision of assistance to the victims of war is a difficult task since one party or the other invariably sees humanitarian assistance as a form of external intervention. At the same time, as internal wars came to dominate the statistics of warfare, and the international community seeks to cope with its responsibilities under humanitarian law in these assistance, national sovereignty, and military involvement become intermingled in a complex way<sup>112</sup>. Combining aid with enforcement on the other hand, raises sensitive issues that call into question the role of humanitarian organizations and the desirability of intervention.

Although the UN broke up all the previous normative principles such as non-intervention and national sovereignty, and intervened to several civil wars in the name of humanitarian assistance, protection of human rights or preventing them to spread neighboring countries and threatening international peace and security, the UN could not be successful entirely. The

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<sup>111</sup> Jan Allison, "Humanitarian Emergencies and the UN", *International Affairs*, Vol. 4, No. 2, 1994, p. 22.

<sup>112</sup> Tom Woodhouse, Robert Bruce and Malcom Dando, *Peacekeeping Peace Making Towards Effective intervention in Post-Cold War Conflicts*, London: MacMillan Press, 1998,

credibility of the UN seriously damaged in former Yugoslavia, Somalia and Rwanda. It failed to rescue people from desperate circumstances.

From the key informants it was found out that there is the challenge relating to UN personnel professionalism, for effective preventive diplomacy and mediation is not only about being there and being fast, it is also about being good at what the UN does. Success requires more than simply naming a top envoy and starting up the process. On the contrary, mediation is a complex and increasingly professionalized field. Envoys need more than their own wisdom to guide them. What is lacking in the UN system is a means of developing standard guidance and training for mediators and their staff, distilling the best lessons from others' experience and debriefing UN envoys at the completion of their assignments to find out more about what works and what does not. Moreover as was noted, there is lack of coherence and coordination between and within relevant non-state, state, and interstate actors who could implement preventive measures. Even if limited cooperation takes place, it does so in the context of a poor understanding of the situation, and poor coordination based on the comparative advantage of cooperating actors. Nevertheless, there is also the difficulty in cooperating with and assisting local communities.

At the end, suspicion aroused about the impartiality of the peacekeepers, and the UN's legitimacy has weakened. Beside the loss of confidence in the UN as a security organization, the UN is also experiencing the deepest financial crisis in its history. Many of the SC's decisions on conflict resolution lack either the legal and political strength to make them

respected, or the means to implement them in an effective way<sup>113</sup>. There is no commonly accepted legal definition of intervention in a pre-conflict situation. There is simply no agreement on when, how, why and by whom intervention should be undertaken. The International Commission on Intervention and State Sovereignty (2001) has a comprehensive and impressive study on 'the responsibility to protect'. The problem with intervention is its acceptance. Most states believe that intervention must be the exception to the rule.

After a brief post-Cold War honeymoon, the UN has once again suffered from the inability to enforce its decisions in critical situations, this time without the excuse of the obstacles created by the Cold War. The UN has failed in most of its operations after the Cold War, because of the lack of sufficient equipment, resources, and machinery to deal with new kind of conflicts. Existing procedures make it difficult to mobilize peacekeeping contingents and to move them swiftly to operational areas. It is obvious that UN operations in peacekeeping field have to be re-organized.

#### **4.4 Organizational Reforms**

Recent developments in the international arena have made the UN reforms inevitable. The UN leadership realized that the Organization needs institutional, managerial, and especially organizational reforms to transform itself into a more effective instrument of international community. Strengthening the role, capacity, effectiveness and efficiency of the UN is

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<sup>113</sup> Adam Roberts and Benedict Kingsbury, *UN in the Divided World*, New York: Oxford Univ. Press, 1993, p. 82

necessary to realize the purposes and principles of the Charter, as well as to respond needs of its member states in this era of challenge and expectation.

The Secretaries-General of the UN have undertaken the leadership for renewing the organization and formed a "program for reform". Beside Boutros Ghali's *Agenda for Peace*, Kofi Annan and Ban Ki-moon initiated "two track" reform programme for strengthening the Organization. Track One reforms are about managerial reforms within the Secretary General's authority, which can be taken immediately, such as the budget, staff and administration of the UN.

First track reforms made up of ten provisions. These were mainly about the institutional changes to enable the Organization to better carry out its mandates in an increasingly complex world. In addition to the managerial and institutional reforms, the Secretary General in the First track reduced the 1998-1999 budgets for the First time in absolute terms. He believed the current reform efforts could not achieve optimal results unless the Organization's finances are put in order. The need to put the organization on a sound financial footing is an essential part and a prerequisite to improve the UN's abilities in the future and to accomplish success in proposed reforms. Member states should provide this by paying their full contribution on time without any precondition. One of the most important problems confronting the UN today is coming from here. Although the member countries have a contractual obligation to pay in the Charter, the UN has no effective enforcement tool for compelling them to pay.

From the key informants there are two main areas of concern: the ability to function over the longer term and the immediate requirements to respond to a crisis. The United Nations is

currently facing chronic underfunding and understaffing, especially in the Department of Political Affairs (DPA), which manages UN peacemaking activities globally.

Yet, non-payment of assessments is a serious problem for a viability of the UN. There is continuing damage to the credibility of the SC and of the Organization as a whole when the Council adopts decisions that cannot be carried out because the necessary troops are not forthcoming. The heavy demand for UN peacekeeping after Cold War has deteriorated the financial problems of the UN. In the mid-1980s the UN budget crises came to agenda when the US Congress passed legislation designed to cut US contributions. After the Cold War, beside the financial difficulties, increasing peacekeeping expenditures brought the organization to the bridge of bankruptcy. The purpose of the proposals on UN financing is to provide stability and pragmatic consistency in UN operations that based on a steady and predictable flow of resources for peacekeeping and the range of other activities.

Due to the fluid nature of conflict, it can change quite rapidly from low intensity conflict into unrestrained violence. Slow deployment is one challenge identified by the study that militates against successful mission. The causes of such delays have been identified to be procedural and excessive bureaucracy resulting in inefficiency and waste. During the 1990s the US, currently the largest contributor to the UN, gave inefficiency in the UN System as a reason for withholding her dues. The repayment of the dues was made conditional on a major reforms initiative. Another cause of the delays is the 'CNN Factor' which is lack of adequate coverage of conflicts in some continents by major international media organisations. It is said that a picture speaks a thousand words and that is quite true. The rapid deployment of thousands of

reinforcements from the developed and developing world alike to the expanded and re-energized UNIFIL during the 2006 Israel/Lebanon War was due to the extensive 24 hours live coverage by CNN and BBC World. This compared to their occasional few minutes news clip on Darfur-Sudan and Somalia crises in Africa which has remained unattended to except for Sudan is a case in point.

Closely related to this is the issue of logistics. In the case of peacekeeping, for example, not all governments can provide their battalions with the equipment they need for service in conflict environments. While some equipment is provided by troop-contributing countries during peacekeeping, a great deal has to come from the United Nations, including kits to fill gaps in under-equipped national battalions. The United Nations has no standing stock of such equipment. They must be procured from manufacturers, which create several difficulties.

Other causes of the delay are bureaucracy and lack of funds. The views of Brig Gen SY Bello on reasons for slow deployment by TCCs lay credence to this fact which is still a challenge for contemporary UNSC. The slow reaction time of the UN has had damaging consequences. Many conflict situations that could have been contained effectively if peacekeeping forces were deployed earlier, often escalated into broader conflagration by the time peacekeepers arrived. It is therefore necessary to for the UNSC to work at accelerating the UN's ability to rapidly deploy a mission when necessary.

The non provision of adequate manpower, equipment and other material resources is identified by the respondents to be another challenge leading to failure of global peacekeeping efforts. The inability of UNOSOM II to deploy adequate troop strength gave room to militia



groups to cheat on the mission and frustrate her efforts. USC and other armed groups took advantage of the limitations of UNOSOM II with regard to effective monitoring of their activities. For instance several relief supplies were hijacked by these groups. This coupled with other interruptions in a mission's operation by militia groups to lead to its failure. These facts on a mission was also stated in an earlier report dated 25 November 1992 to the UNSC, where the UNSG stated that the failure of the peace process in a country was due to the incomplete fulfillment of the key provisions of the peace accords. This included the ineffective demobilization and storage of weapons, the delay in creating the new armed forces. Others were delays in setting up a neutral police force and the failures to re-establish central administrations in many parts of a country due to inadequate manpower and logistics. Furthermore the setbacks experienced by a mission show the risk faced by the UN when its mandate and resources are inadequate in relation to the complexities of the tasks. This is especially in circumstances where the parties do not demonstrate the necessary political will or cooperation to achieve peace.

#### **4.5 Security Council Reform Proposals**

Charter of the UN gives the SC primary responsibility for the maintenance of international peace and security (Article 24/1). With the ending of the Cold War, the SC has acquired, to a large extent, the role, which was envisaged for it by the architects of the Charter. It is the most powerful organ of the UN. Therefore, the need to reform the UN to strengthen its role in international peace and security naturally focused on the SC. Discussions have mainly focused on size, composition and the decision-making in the SC, including the right of veto.

Many of the criticisms of the SC have been about the permanent members of the Council and veto power. There were doubts about preserving, half a century later, the special position of the states, which were allies in World War II. The victors of the WWII, as permanent members, have veto power over substantive issues. The 1963 augmentation of membership from eleven to fifteen did not alter the status of the five permanent members. Since mid-1960s, UN membership has increased with the decolonization and power relationship has changed in the organization. France and Great Britain are no longer considered as great powers by many people. However, Japan and Germany have gained power by their amount of contribution to the budget of the UN. Middle powers are not satisfied with their position either.

In reflecting the power of the allies that defeated Germany and Japan in 1945 when the UN was founded, it is true that, the Council does not adequately represent the composition of the UN members. There are numerous proposals for reform of the SC, with most UN member states having their preferred list of new members and gradations of power. Nevertheless, expanding the SC seems like one of the more reasonable ways to improve the representative character and thus the legitimacy of the world organization in the eyes of its 194 members and their people<sup>114</sup>. The democratic defects of the Council can be addressed by slightly expanding the SC to reflect current political and economic realities, by re-orienting considerations in selecting members, and by diminishing the role of the veto power exercised by the permanent members.

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<sup>114</sup> Paul Kennedy and Bruce Russett, "Reforming the UN", *Foreign Affairs*, Vol. 74, No. 5, September/October 2006, p. 60.

Two main sources of pressure for Council reform, from states in both the industrialized and the developing worlds emerged in the early 1990s. Both Japan and Germany, who are now among the top four contributors to the UN budget, would like to find a place among the permanent members of the Council. Japan currently contributes more than 12 percent of the budget, while Germany's annual assessed contribution to the UN is considerably larger than either that of France and Britain<sup>115</sup>. Thus, Japan and Germany have sought permanent seats to reflect their economic powers, supported by the industrialized world especially by the U.S. In June 1993, pursuant to GA Resolution 47/62 of 11 December 1992, the US informed the Secretary General that it "supports permanent membership for Japan and Germany", that it was "also prepared to consider carefully how the Council might be further expanded to include a modest number of additional seats", and that other means of involving non-members of the Council should be explored<sup>116</sup>.

According to the key informants, another major challenge to UNSC global keeping is the acquisition of troops from western developed nations. They stated that, of the nearly 73,000 peacekeepers a mere few thousands are from western industrialized nations with France ranked twenty second being the largest contributor with 588 troops<sup>117</sup>. As the process of peacekeeping in the post Cold War era becomes more dangerous and complex, western

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<sup>115</sup> K. P Saksena, *Reforming the UN. The Challenge of Relevance*, New Delhi: Sage Publications, 1993, p. 182

<sup>116</sup> Adam Robers, Benedict Kingsboury, *Presiding Over a Divided World*, New York: Oxford Univ. Press, 1995, p. 53.

<sup>117</sup> Sunil Ram, *The History of United Nations Peacekeeping Operations from Retrenchment to Resurgence: 1997 to 2006* (UNITARPOCI, 2007) p. 134.

nations are becoming increasingly reluctant to provide troops to the UNSC for PKOs. This is given the fact that UN peacekeepers have too frequently become targets of attack by belligerent forces<sup>118</sup>. For instance, UNOSOM II comprised of forces from Belgium, France, Italy, South Korea, USA, others include Egypt, Nigeria and Pakistan. However, due to loss of her personnel the USA pulled out her forces from UNOSOM II followed by other western nations. This undermined the UNSC objectives global peacekeeping missions. USA and some western nations have shunned troop contribution to UN PKOs especially in volatile areas such as Africa and Asia; this has had a negative impact on UN PKOs.

#### **4.6 The Veto Power**

The permanent members' veto is a powerful symbol. It has been frequently thought that the veto power of the privileged permanent five members is undemocratic. While the veto is surely not democratic, it is the price to keep the big players in the game, where there is no game without them. The veto privileges of five states nevertheless provoke contention, and it is widely perceived as having held the UN back from fulfilling its functions during the Cold War. Yet, the veto has merits as well as faults; it helped to get and keep the major powers within the UN framework when they would otherwise have either not joined in the first place or else deserted it; it may save the UN from damaging conflicts with its major members; it has contributed to a sense of responsibility and a habit of careful consultation among the permanent five; and it reduces the risk of acute discrepancies between power politics and the

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<sup>118</sup> <http://www.monuc.org>, accessed 25 Nov 06

law of the UN Charter<sup>119</sup>. In short, the veto can be viewed as one of several factors, which have made for the superiority of UN's decision-making procedures over those of its predecessor, the League of Nations, and over many other regional organizations.

The issue of veto remains a sticky point in the reform proposals. Some countries believe that the new permanent members should possess equal rights as does the means of determining who should be the new members. At the same time, granting a veto to new permanent members proved unacceptable to many countries, while others argued that withholding the veto for these new members would create a new category of membership still inferior in power and in standing to the original permanent five<sup>120</sup>. Some countries wished to address the issue of the perceived "reverse" veto under which any of the permanent five could prevent the modification of certain open-ended sanctions regime by threatening to veto any proposed changes.

After the end of the Cold War, growing co-operation in the peacekeeping and peace enforcement operations led to the questioning of the necessity of veto. For many people, in a world where co-operation was possible, and national troop contributions to UN military operations is voluntary, the reasons behind the veto became less obvious, and giving this right to new members getting harder to justify. Since increasing the number of permanent members with the veto faces opposition and abolition of veto is unlikely, there are proposals to restrict the veto for existing and new permanent members. These include limiting the range of areas

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<sup>119</sup> Stephen Schlesinger, 'Can the UN Reform', *World Policy Journal*, Fall 1997, p. 49.

<sup>120</sup> David M. Malone, 'The UN Security Council in the Post Cold War World: 1987-97', *Security Dialogue*, Vol. 28, No. 4, 1997, p. 402.

in which the veto can be used, allowing its use only when an item affects a permanent member's "supreme national interests", instituting a system of weighted voting that would allow the Council to override a veto, and increasing the total number of negative votes needed to veto a resolution. One of the proposals, for example, argued that the new permanent members should not have the right to veto, a right that a majority of countries hope would eventually become obsolete. In addition, the proposal urged the original permanent members to limit the use of veto to Chapter VII of the Charter, which deals with the Council's enforcement powers.

The UNSG through the UNSC determines the mandate for a mission. In most instances, political considerations override military operational requirements. The challenge had been the exploitation of the weakness of mandates by war lords often leading to death of UN peacekeepers. An example of this was in UNOSOM II where UN troops were quarantined at Mogadishu Airport by militias without response by the troops due to lack of mandate to act. In 2005, also there was the incident in MONUC where Bangladesh Contingent lost 10 peacekeepers between March and May due to ineffective mandates.

#### **4.7 Conclusion**

This chapter lays emphasis that unless the challenges identified are addressed, most global PKOs are bound to fail. In a conflict area, constitutional order may be restored; however the overall situation might remain volatile marked by tensions among and within rival parties, a precarious socio-economic situation, deteriorating humanitarian conditions and insecurity. For fragile peace to take root, comprehensive measures are needed to address security sector

reform, disarmament, demobilization and reintegration. This is in line with the study's objectives to suggest strategies of addressing the challenges faced by the United Nations Security council in promoting global peace.

## **CHAPTER FIVE**

### **SUMMARY OF FINDINGS, DISCUSSIONS, CONCLUSION AND RECOMMENDATIONS**

#### **5.1 Introduction**

This chapter presents summary, conclusion and recommendations on the role and challenges of the United Nations Security Council in promoting global peace.

#### **5.2 Summary**

##### **5.2.1 Examination of the role of UNSC and its PKOs**

The study established that although the UN was expected to perform its role as indicated in the Charter, it could hardly be successful. Efforts of the Secretary Generals, SC and the GA resolutions, even comprehensive reports such as *An Agenda for Peace*, which aimed to adopt the UN's mechanism to the changing circumstances, could not save it from failing. Most of the proposed solutions to cope with internal wars in the post-Cold War era could not produce the expected outcomes. Even though the UNSC has played a role in many of these wars, it still faced challenges from different angles such as sovereignty of member states and lack of political will.

The study also found out that there are five major conflicts that presented specific challenges to the UN to clarify the UN's successes and failures, changing conceptions, and the new tasks that it has to perform: Yugoslavia, Somalia, Burundi and Rwanda, Haiti and Cambodia. The conflict in Yugoslavia, Somalia and Burundi/Rwanda exemplifies changing conditions for enforcement and humanitarian intervention. The conflicts in Haiti and Cambodia illustrate



other features of these new peacekeeping operations, which are peace building and election monitoring. The UN's intervention was relatively more successful in establishing a stable government in Haiti and Cambodia than the Yugoslavia, Somalia and Burundi/Rwanda operations.

After Yugoslavian tragedy, it was seen that international community was reluctant to intervene into conflicts, which were not threatening global stability. However UNSC efforts such as economic sanctions and peacekeeping at least prevented the conflict from spreading to its neighbors, and the humanitarian assistance was useful to some extent that provided the framework for the final peace-negotiations and agreement.

The Somalia operation was not similar to the proceeding ones. It took place in a state where there was no order, no government authority, and so the concept of sovereignty lost its meaning. During the operation, UN violated one of its principles; states in conflicts should request UN to intervene. It also showed institutional weaknesses and impotence of the leadership of the UN in cases where the maintenance of impartiality is difficult.

The study further established that as UN Secretary-General Boutros Ghali expressed in his speeches, the UN operation in Rwanda was not only ended with a failure for UNSC, but also for the international community. It became increasingly clear that even the new UN initiative, the relatively modest proposal that the perpetrators of genocide should be brought to justice, was doomed to failure because of lack of resources, incompetence, and the indifference operation of powerful states. That disaster indicated impotence of UNSC in case of human suffering, when the strategic interests of hegemonic powers are not salient.

The study also found out that the end of the conflict in Haiti created a positive impression about the UNSC role in solving an internal dispute. Furthermore, the UN mandate in Haiti assisted to the new government to sustain a secure and stable environment in the country. This case was another example, which shows changes in the UN scope and interest. In addition to this, the study further established that UN peacekeeping operations in Haiti and Cambodia contributed to the stabilization of peace in both countries. In both cases, there were authoritarian regimes and the missions succeeded in running fair elections. The UN provided complex tasks in these conflicts such as promotion and protection of human rights, organization and giving technical assistance in elections, and repatriation of refugees. As a general evaluation, in Haiti and Cambodia peacekeeping and peacemaking completed more successfully than in Bosnia and Somalia.

### **5.2.2 The challenges facing United Nations Security Council in peace keeping**

The study found out that in the initial stages of conflict; attention to pending or emerging problems is usually side-tracked by highly visible emergencies, actual war and violence. It always attracts much greater attention and a bigger share of the available resources. The principle of state sovereignty limits external involvement in the prevention or resolution of internal problems, especially at the pre-conflict stages. The experience of the UN in Yugoslavia, Cambodia, Rwanda, Somalia and Haiti clearly demonstrated that within the context of intra-state and ethnic conflicts, strict adherence to the normative principles of consent, impartiality and non-use of force except in self defense substantially reduces the operational efficiency of a peacekeeping force.

The study also found out that there is the challenge relating to UNSC personnel professionalism. What is lacking in the UN system is a means of developing standard guidance and training for mediators and their staff, distilling the best lessons from others' experience and debriefing UN envoys at the completion of their assignments to find out more about what works and what does not. Moreover the definite lack of coherence and coordination between and within relevant non-state, state, and interstate actors who could implement preventive measures is another challenge.

The study further established that many of the SC's decisions on conflict resolution lack political strength to make them respected, or the means to implement them in an effective way. In 1991 only 2 of the top 10 TCC were developing countries, Ghana and Nepal. As at June 2006 of the top 10 contributors 9 were from developing States. Of the nearly 73,000 peacekeepers a mere few thousands are from western industrialized nations with France ranked twenty-second being the largest contributor with 588 troops<sup>12</sup>. As the process of peacekeeping in the post Cold War era became more dangerous and complex, western nations became increasingly reluctant to provide troops to the UN for PKOs. In addition there is no commonly accepted definition of intervention in a pre-conflict situation.

The study further revealed that the UN is also experiencing the deepest financial crisis in its history; one of the most important problems confronting the UN today is that although the member countries have a contractual obligation to pay in the Charter, the UN has no effective enforcement tool for compelling them to pay. Non-payment of assessments is a serious problem for a viability of the UN.

Slow deployment is a challenge identified by the study that militates against successful mission. The causes of such delays have been identified to be procedural and excessive bureaucracy resulting in inefficiency and waste as well as the 'CNN Factor' which is lack of adequate coverage of conflicts in some continents by major international media organisations.

A great deal of equipment for service in conflict environments has to come from the United Nations, including kits to fill gaps in under-equipped national battalions. The United Nations Security Council has no standing stock of such equipment. They must be procured from manufacturers, which create several difficulties and challenges.

The study also found out that the UNSC does not adequately represent the composition of the UN members. There are numerous proposals for reform of the SC, with most UN member states having their preferred list of new members and gradations of power.

In conclusion the study established that while the veto is surely not democratic, it is the price to keep the big players in the game, where there is no game without them. The veto privileges of five states nevertheless provoke contention, and it is widely perceived as having held the UN back from fulfilling its functions during the Cold War.

### **5.2.3 Examination and analysis of the UNSC Role in diplomatic Conflict Management after the Cold War**

After the end of the Cold War, the UNSC was expected to authorize personnel to implement cease-fires; demobilize regular and irregular military forces; inspect arms control constrains;

observe troop withdrawals; train and oversee police forces; provide administrative oversight of government ministries; plan, administer and monitor elections; watch for human rights violations; provide safe havens for displaced persons; and protect personnel attempting to give humanitarian assistance in war-torn areas.

The study found out that in Yugoslavia the SC Resolution adopted a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia. The UN efforts such as economic sanctions and peacekeeping at least prevented the conflict from spreading to its neighbors', and the humanitarian assistance was useful to some extent that provided the framework for the final peace-negotiations and agreement. In addition the Security Council accepted the SG's proposals for a peacekeeping operation and the UN protection force (UNPROFOR) established in 1992.

The study further established that in Somalia, the SC Resolution 794 authorized a large US led military-humanitarian intervention (Unified Task Force on Somalia, or UNITAF, also known as Operation Restore Hope) to secure ports and airfields, protect relief shipments and workers, and assist humanitarian relief efforts.

The study also found out that in Rwanda SC was called upon to install UN military observers to their common border for preventing military use and transport of military equipment on the borders. Additionally in 1993, SC established the UN Observer Mission Uganda-Rwanda (UNOMUR). Then, UN representatives tried to help in negotiations for a new government and a cease-fire. The SC decided to set up another international force; the UNAMIR (the UN Assistance Mission for Rwanda), for the implementation of the peace agreement. Thus, the

SC considered the situation in Rwanda as a threat to international peace and security, and imposed an arms embargo against Rwanda. Then, the Council authorized, under Chapter 7 of the UN Charter, a temporary multinational humanitarian operation.

In Haiti the study recognized that the SC condemned the new rulers and imposed an embargo except for necessary food and medicine. When conditions in the country worsened many people escaped from the country. Consequently, the SC Resolution 940 condemned Haiti for violating human rights. Then the SC authorized member states to form a UN multinational force with the authority to use all necessary means for ending the military leadership. By the help of the US that wanted to avoid the Haitian refugees' influx, a multinational UN force was formed and threatened to invade. Then, the UN coalition composed mostly of the US troops' occupied Haiti and decided to leave a peacekeeping group to keep order until the government came back to power. The UN as well supervised democratically held elections at the end of the conflict in Haiti. Furthermore, the UN mandate in Haiti assisted the new government to sustain a secure and stable environment in the country.

In conclusion the study established that in Cambodia the UN provided a peacekeeping mission (UNTAC) to implement the agreement and ensure a neutral political environment before the general elections. It also brought together different and complex tasks such as supervising cease-fire, disarming the forces, and the resettlement of refugees in cooperation with the UNHCR.

### 5.3 Conclusion

The study concludes that although the UN after the Cold War was expected to perform its role as indicated in the Charter, it could not be successful. Most of the proposed solutions to cope with internal wars in the post-Cold War era could not produce the expected outcomes. Even though the UNSC played its role in many of these wars, it still faced challenges from different angles.

The study also concludes that the conflicts in Haiti and Cambodia illustrate other features of these new peacekeeping operations, which are peace building and election monitoring and that the UNSC is confronted with enormous challenges in adjusting to newly perceived relations, power and influence. However, the UN is responding as effectively as possible to current conflicts and humanitarian crises.

The study further concludes that in the initial stages of conflict; attention to pending or emerging problems is usually side-tracked by highly visible emergencies, actual war and violence.

In addition the study concludes that there is the challenge relating to UN personnel professionalism as its system lacks a means of developing standard guidance and training for mediators and their staff, distilling the best lessons from others' experience and debriefing UN envoys at the completion of their assignments to find out more about what works and what does not. Likewise, the definite lack of coherence and coordination between and within relevant non-state, state, and interstate actors who could implement preventive measures is another challenge.

Also the study concludes that many of the SC's decisions on conflict resolution lack either the legal and political strength to make them respected, or the means to implement them in an effective way the acquisition of troops from western developed nations for global peace keeping as there is no commonly accepted legal definition of intervention in a pre-conflict situation.

The study concludes that one of the most important problems confronting the UN today is that although the member countries have a contractual obligation to pay in the Charter, the UN has no effective enforcement tool for compelling them to pay, leading them into a financial crisis.

Moreover, the study concludes that slow deployment caused by procedural and excessive bureaucracy results in inefficiency and waste of successful mission. Lack of adequate coverage of conflicts in some continents by major international media organisations also hinders successful UNSC peacekeeping missions globally.

From the study it can be concluded that the United Nations has no standing stock of equipment for service in conflict environments and that UNSC does not adequately represent the composition of the UN members.

Finally, the study concludes the veto privileges of five states nevertheless provoke contention, and it is widely perceived as having held the UN back from fulfilling its functions during the Cold War.

The study concludes that the UN peacekeeping operations in Haiti and Cambodia contributed to the stabilization of peace in both countries. In both cases, there were authoritarian regimes



and the missions succeeded in running fair elections. The UN provided complex tasks in these conflicts such as promotion and protection of human rights, organization and giving technical assistance in elections, and repatriation of refugees. As a general evaluation, in Haiti and Cambodia peacekeeping and peacemaking completed more successfully than in Bosnia and Somalia. The UN supervised elections led to drafting of new constitutions and the establishment of democratic governments by ending long lasting strives

The study concludes that the way forward in overcoming the challenges is to adequately train their troops earmarked for UN PKO, Conflict Management Commissions could be set up in all regions of the world with experts who understand the problems of the region as members, to investigate any local dispute and sensitivities of the parties in their respective regions and make recommendations to the UNSC on ways and means of resolving such conflicts. Additionally, prompt deployment of troops will be crucial in the immediate aftermath of ceasefires, as well as reducing the bureaucracy in UN troop deployment through reforms in the UN. Furthermore, developing TCCs are to be encouraged to develop contingency plans for prompt release of pledged resources and troops. The use of force must not only be implicit, but also be explicitly stated and must be an object of such deployments; this must be carefully balanced with the concept of non use of force except in self defense.

Further the study concludes that the UNSC needs to make deliberate efforts to adequately fund UN PKOs globally, to ensure the availability of troops, equipment and logistics at the required levels, thus such missions could be successful. However, the UNSC can only serve as a catalyst, framework and support mechanism for parties to seek peace and work towards it.

#### **5.4 Recommendations**

The study suggests possible ways of addressing the challenges faced by the UNSC in promoting global peace. For fragile peace to take root, comprehensive measures are needed to address security sector reform, disarmament, demobilization and reintegration. Hence, the way forward in overcoming the challenges as discussed below would therefore be necessary:

TCC need to adequately train their troops earmarked for UN PKO. This could be by giving them a comprehensive study of the root causes of conflicts, ideological, ethno-cultural, religious and traditional leanings of the parties as well as gender issues. This would enhance their performance in such missions to ensure lasting peace and stability. Furthermore, Conflict Management Commissions could be set up in all regions of the world with experts who understand the problems of the region as members. The main function of such commissions would be to investigate any local dispute and sensitivities of the parties in their respective regions and make recommendations to the UNSC on ways and means of resolving such conflicts. UN Mission will subsequently use such recommendations as blue print for their operational plans.

Due to the fluid nature of conflict, prompt deployment of troops will be crucial in the immediate aftermath of ceasefires as it will provide security umbrellas for the safety and security of civilian populations and contribute to success of the mission. For instance in UNEF, the first units landed in Ismailia on the Suez Canal within 10 days of the General Assembly's decision, to start the first peacekeeping operation under the United Nations flag. Dag Hammarskjöld also negotiated with Egypt a SOFA, establishing the legal relationship of

the Force with the host country<sup>121</sup>. In this way, UNEF established a useful model for future operations which unfortunately is not followed in most cases today.

It is very important to work at reducing the bureaucracy in UN troop deployment through reforms in the UNSC. Furthermore, developing TCCs are to be encouraged to develop contingency plans for prompt release of pledged resources and troops. They need to be assisted to overcome their challenges highlighted by Brig Gen SY Bello that could ensure their prompt troop deployment for UN PKOs. In the light of these, consideration could be given to the possibility of complementing the operational combat capacities for PKOs deployments of such armies with external support assets by developed nations. The French President Mr. Nicolas Sarkozy's recent adoption of the Darfur situation as his government's Foreign Policy priority and calling for the swift deployment of UN troops in Darfur<sup>17</sup> is a step in the right direction. It is essential, for the UNSC to consider a prepositioned stock of basic peacekeeping equipment so that at least some vehicles, communications equipment, and generators, would be immediately available at the start of an operation (Cuny 1991).

In view of the incessant attacks on UN peacekeepers, the UNSC needs to negotiate a robust mandate for her missions with the contending parties. The acceptance of such mandates by the warring parties would signify their level of commitment to the peace process.

In line with Brahimi's stand, in addition to being clear and precise, assigned mandates should be achievable. They are to be related to the broad spectrum of issues on the ground and

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<sup>121</sup> Jakkie Cilliers and Greg Mills, *From Peacekeeping to Complex Emergencies Peace Support Mission in Africa*, (Pretoria/Johannesburg:, SAIIA and ISS, July 1999).

matched by operational capacities informed by sufficiency of resources to deliver on the mandate. Also, because the protection of civilians approximates to warlike operations, the use of force must not only be implicit, it must be explicitly stated and must be an object of such deployments. However, this must be carefully balanced with the concept of non- use of force except in self defense.

On the challenge of acquisition of troops from developed nations, the words of President Harry S Truman of USA who once said “We live in a world in which strength on the part of peace-loving nations is still the greatest deterrent to aggression. World stability can be destroyed when nations with great responsibilities neglect to maintain the means of discharging those responsibilities” President Bill Clinton also said, “Our generation, like the one before us, must choose. Without the threat of the Cold War, without the pain of economic ruin, without the fresh memory of the World War II’s slaughter, it is tempting to pursue our private agendas to simply sit back and let history unfold. We must resist the temptation”<sup>122</sup> These cautions by both Presidents Truman and Clinton on the dangers of failure of the USA to act could be applied to use of her armed forces in ensuring global peace. This should not be taken lightly by her present leaders and indeed leaders of other developed world. Peace in Africa is vital to world peace just like peace in other parts of the world such as the Middle-East and the Balkans. However, other parts are given greater attention today in terms of troop commitment and other peace-building programmes. The involvement of developed nation's troops in PKO globally with their sophisticated equipment and expertise

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<sup>122</sup> Liu FT, *The History of United Nations Peacekeeping Operations Following the Cold War: 1988 to 1997* (UNITARPOCI, 1998).

could enhance the effectiveness of UN PKO in the continent. This is because a peacekeeping force today needs to be robust, mobile, well-armed and equipped, so that it can carry out the full mandate that it needs to perform and the absence of troops from developed nations may hamper such standard. Thus, the UNSC permanent members have to be urgently persuaded to contribute troops and essential resources to UN PKOs to ensure their success.

To build peace systematically, UN peacekeepers have undertaken activities that address the needs of entire societies in crises. UN operations have aided transitions to peace in various parts of the world like Cambodia, El-Salvador and other countries, largely due to co-operation of the contending parties. Therefore, warlords need to devote sustained effort to promoting respect for signed peace agreements. Their cooperation is essential for obtaining peace in any conflict situation. The UNSC can only serve as a catalyst, framework and support mechanism for parties to seek peace and work towards it. This is because, viable political structures or institutions cannot be imposed from the outside; ultimately, no instrument can bring about peace without the will and cooperation of the parties to the conflict to achieve peace. Thus much is also expected of nations themselves to ensure success of UN PKOs and allow peace to reign globally.

Inadequate funding and logistics have inhibited the deployment of adequate troop level required for UN missions globally. Therefore the UNSC needs to make deliberate efforts to adequately fund UN PKOs globally. This will ensure the availability of troops, equipment and logistics at the required levels, thus such missions could be successful.

The recommendations can be summarized as follows; adequate training of the troops earmarked for UN PKO. This could be by giving them a comprehensive study of the root causes of conflicts, ideological, ethno cultural, religious and traditional leanings of the parties as well as gender issues. The UN Mission should use Conflict Management Commissions recommendations as blue print for their operational plans. The UNSC should strive to negotiate a robust mandate for her missions with the contending parties. The involvement of developed nation's troops in PKO globally with their sophisticated equipment and expertise could enhance the effectiveness of UN PKO in the continent. The UNSC should also make deliberate efforts to adequately fund UN PKOs globally.

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## Appendix i

### Interview Schedule for UN Officials

#### PART 1: Background

1. Name: .....
  2. Level of education completed.....
  3. Job Title: .....
  4. Number of years in your current position.....
  5. Department: .....
  6. Nature of official duties  
.....
1. How do the following factors affect the challenges facing United Nations Security Council in peace keeping?
    - a. Political environment?
    - b. Social Environment?
    - c. HR Capacity of the UNSC?
    - d. Organizational environment?
  2. Briefly give an overview of the United Nations Security Council Role in diplomatic Conflict Management after the Cold War
  3. In your opinion, which are the possible ways of addressing the challenges faced by the United Nations Security Council in promoting global peace?