CHAPTER III

PEACE-KEEPING AS A TECHNIQUE AND COMPONENT OF CONFLICT MANAGEMENT: UN AND REGIONAL ORGANIZATIONS

There are four principal modes of conflict management. They are (i) the use of the force of arms, (ii) direct negotiations between the parties to the conflict, (iii) transforming the conflict into a lesser controversy, (iv) and third party mediation. The use of force, historically, has been the most established and common mode of settling a conflict. Psychologically it suits best the ego of a sovereign state. But the tremendous increase in the intensity as well as in the dimensions of conflicts in this century has made the use of force a less attractive mode or instrument of conflict management. The first international consensus in this regard was expressed through the establishment of the League of Nations at the conclusion of World War I. What motivated the major powers to do this was the cataclysmic and traumatic experience of the war which had been preceded by an intense arms race.

1. The League of Nations was created by the Treaty of Versailles and the other Peace Treaties that brought the World War I to an end. Its purpose was the preservation of International peace and its Covenant provided for the settlement of all international disputes either by arbitration or by conciliation.
Unfortunately, the League of Nations failed in its purpose repeatedly and this failure climaxed in the outbreak of World War II, a more lengthier and violent conflict. When it ended, a new international organization, the United Nations, came into being.2 The aim of the UN was again primarily the preservation of international peace and it was provided with sharper and multiple teeth for achieving this end and thus it emerged as the principal agency for conflict management. The details will be taken up later in this chapter.

The second mode of conflict management is direct negotiations between the parties involved. Direct negotiations, too, are a conventional instrument. This has often preceded the outbreak of hostilities and invariably follows the cessation of hostilities. Like the use of force it remains in use, and is often used in conjunction with other modes. Conflict transformation seeks to remove or bypass those obstacles which hinder the settlement of dispute or aggravate it. This involves redefining the substantive aspects of the issue in conflict by adopting a

2. It was decided at the Yalta Conference held in February 1945 that the Allies would hold another conference at San Francisco. It was held from 25 April to 26 June 1945 and it framed and adopted the Constitution of UNO. As a matter of fact the nomenclature 'United Nations' dates back to 1939 and included all the major and minor allies.
deliberate, long term structural strategy for this purpose, which transforms the perception and understanding of issues.\textsuperscript{3} A very recent example of conflict transformation is the understanding reached between India and China with regard to their border dispute. It is a product of a long term strategy which continues to be in operation. Similarly, the Palestine-Israel understanding could be seen as a process of conflict transformation.

Finally, third party mediation has emerged as a conspicuous and widely used mode of conflict management. Third party mediation can assume a number of forms ranging from good offices to intervention. Third Party agencies range from the UN to regional organizations and even a single third party like a neighbour or a friendly country. Colombo peace proposals during 1962 Sino-Indian war is an example of a single third party mediatory initiative for conflict management. Peacekeeping operation is an important form of third party mediatory effort, which has been growing in importance and is in frequent use since 1948\textsuperscript{4} (Palestine and Kashmir). Since peacekeeping is the principal concern here, a detailed and comprehensive treatment will be under

\begin{itemize}
  \item \textsuperscript{3} Raimo Vayrynen, "Third Parties in Resolution of Conflicts", \textit{Bulletin of Peace Proposals}, vol.18, no.3, 1987, p.293.
\end{itemize}
taken later in the chapter.

Besides the four modes outlined above, a number of subsidiary modes and tools of conflict management are available, such as "consent to enquiry, conciliation, arbitration or judicial settlement". Also, there exists a number of international regimes which aim to control and lessen the intensity and severity of conflicts. A number of conflicts have been solved by the judicial process under the auspices of the International Court of Justice.

**PEACEKEEPING**

Since Peacekeeping is an undefined term it has come to acquire its identity through its empirical reality. The UN Charter does not contain or specify Peacekeeping as a tool of conflict management, even though it has made extensive use of Peacekeeping operations in order to check the worsening of conflict situation in different parts of the world. In fact, this mode of conflict management has also been employed by regional organizations from time to time but with a lesser degree of success. An understanding of the technique of peacekeeping is imperative and this can be achieved in two ways. The first is negative i.e., to contra-distinguish it from peace making and peace enforcing. As a matter of fact the very literal meaning of the three

5. Vayrynen, n.3.
terms make it abundantly clear that peacekeeping is neither enforcing of peace nor peace making. It is essentially a retrieval of peace in a situation of active hostility. Therefore it is attended by all the tensions of the situation, and is generally crisis-laden and often fragile and tenuous in itself.

Historically, the UN Truce supervision organization was the first peacekeeping operation, which came into being during the Arab-Israeli war of 1948, although the term peacekeeping was neither used nor was it in existence. The term made an appearance in use in international parlance for the first time in 1956 during the Suez crisis and since then it has been widely used for similar operations, and has come to be relied upon as an immediate tool of conflict management when and wherever conflict has assumed unacceptable proportions either for the international community or for the region concerned. Peacekeeping, therefore, emerged as an indispensable tool for tackling a proliferation of conflicts all the world over besides some of the existing ones which continue to pester international peace. There has been a spurt in the UN Peacekeeping

---


operations in the years 1988 and 1989. Javier Perez de Cuellar, the ex UN Secretary General pointed out in July 1990 that during 1988 and 1989 five new peacekeeping operations were set up by the Security Council, whereas in the previous forty years there had been only thirteen such operations. The salutary role of peacekeeping operations received a moral boost and wider recognition when the Noble Peace Prize for 1988 was awarded to the peacekeeping forces of the United Nations. There has been a watershed change in the world order since the disappearance of the USSR in 1991 which augurs well for a greater consensus among veto-wielding members of the Security Council in respect of peacekeeping operations. This consensus, today is highly warranted for the task of preserving international peace because new epicenters of conflict have opened up with a significantly new and critical dimension, i.e., human rights focussing world attention on human suffering generated by the conflicts. Besides the long drawn Afghan Civil War, the two new and vital operations have been going on in Bosnia and Somalia. As a matter of fact, Europe which till recently had been free from such conflicts, today represents one of the epicentres of an intense conflict in the region of the old Warsaw bloc with an interesting consequence of

8. The Blue Helmets, n.4, p.xv.
NATO undertaking to supplement the UN peacekeeping operations in Bosnia by military action and other threats. What is remarkable is that not only has NATO conducted an operation of this kind for the first time since its inception but it also marks a significant development in the character of peacekeeping.

There are four essential characteristics of peacekeeping which determine its shape and character. Each of these four characteristics have specific sub-components. They are: (i) context (ii) composition (iii) values and (iv) functions.

**Context**

The context of peacekeeping is constituted by four elements - mandate and its source, resources, attitude of the host state/states and political cooperation of the immediate parties to the dispute giving rise to the operation. Mandate is the legal and moral starting-point of the peacekeeping operations which requires to be authorized by a competent authority such as a universal international body like the UN or a regional organization or even a bilateral treaty which provides a basis for undertaking an operation of this nature by a single country. A very conspicuous example of this is the Indo-Sri Lanka agreement which authorized Indian peacekeeping operation in the latter country. The viability of peacekeeping operation depends on
its adequate resourcing which primarily includes personnel and financing. In all peacekeeping operations, financing has been an acute problem. Even the operations undertaken by the UN have been bedevilled by paucity of funds and further aggravated by the rising number of peacekeeping operations taking place simultaneously. A contributory factor has been the reluctance of member states to cough out their assessed shares of the costs of peacekeeping. The third element is the attitude of the host state/states since peacekeeping does not involve the task of peace enforcing. Therefore, unless the host state/states or parties are willing to co-operate with the operation, even the chances of partial success would be dim. This sort of co-operation accounts for US-Sinai field mission under the Sinai support mission during 1975-80 and 1980-82. A contrary example is provided by the experiences of UN peacekeeping force in Bosnia, where Serbs are not at all cooperating with the

9. ‘Perez de Cuellar, calculated that the cost could reach $1.5 billion a year. In a news conference in December 1988 he expressed his fear that noble prize might turn out to be a "Posthumous award" for the UN peace-keeping forces unless governments show greater willingness to pay for them in future.’ See, Donald Altschiller, ed., "The United Nations Role in World Affairs", The Reference Shelf, vol.65, no.2, 1993, p.23.


11. ibid, pp.112-21.
peacekeeping operations with the result that cease fires have been repeatedly broken. This is essentially true of Muslims as well. The fourth element, the political co-operation of all the immediate parties to the dispute, comes very close to the third one discussed earlier. It is only a thin line which divides it from the former but it is an essential condition for a successful peacekeeping operation. Such parties to a dispute do not necessarily have to be the host\textsuperscript{12} and may be distant (geographically) or neighbours. The political cooperation of Russians has been essential for the continuation of peacekeeping operations in Bosnia.

**Composition**

The composition of the peacekeeping force is a delicate task and is of crucial importance for the success of the operation. The personnel has to be drawn from national armies of other countries unless the peacekeeping operation is undertaken by a single country of which there are American instances and the IPKF in Sri Lanka. The choice of countries from which the personnel are to be drawn has been a delicate task beset by dual difficulties. First, the willingness of countries called upon to provide personnel and equipment. Second is the even more difficult task of acceptance of such elements by the host state or states who

\textsuperscript{12} ibid, p.6.
have been very sensitive in this matter. Till recently in most peacekeeping operations personnel from veto-wielding powers have been generally unacceptable. This task is further compounded by the antipathies that exist among the countries of the world, which cast a shadow on the primary requirement of impartiality of the personnel. In the UN peacekeeping forces the principle of equitable geographic representation has been accepted and is observed. However the non-use of troops from permanent members of the Security Council has not been absolute. Thus there were British troops in the Cyprus force, French in United Nations Interim Force in Lebanon (UNIFIL), and troops from US and the USSR in United Nations Truce Supervision Organization (UNTSO) which were unarmed.

The peacekeeping operation is an outcome of political decision and therefore, it is placed under overall civilian control, but an essential requirement is that it should 'be able to function as an integrated and efficient military unit'. Therefore the peacekeeping force is largely composed of military personnel, though quasi-military task


14. UN document S/11052/Rev.1, para 4c.

15. UN document S/11052/Rev.1, para 3.
are performed by civilians. In the field there is an overall commander of the force. The national units are commanded by their own commanders under the supervision and control of the force. It is obvious that the choice of the commander is important for the effective functioning of the force. This has often created complications because he has to be acceptable to various units under his command. Recently there arose a controversy regarding the acceptability of Indian commander of the UN peacekeeping force in Yugoslavia by the British peacekeeping contingent. It is believed that he was replaced probably for the reason of his unacceptability to some of the units.\textsuperscript{16}

Values

A fundamental principle of peacekeeping had been that it is undertaken with the consent and agreement of the host country. Although the UN Charter provides for the use of coercive measures for the preservation of peace, the UN has over the years respected the principle of sovereignty in this regard. An example of this is the withdrawal of First United Nations Emergency Force (UNEF-I) in 1967 when Egypt

\textsuperscript{16} Lt.Gen. Satish Nambiar was the overall commander of the UN Peacekeeping force in Yugoslavia and was replaced on 07 March 1993.
withdrew its consent to the deployment,\textsuperscript{17} and the withdrawal of IPKF when demanded by Sri Lanka. Exceptions however exist like the UN sanction to NATO for the use of aerial bombardment in Bosnia and the unilateral peacekeeping operations undertaken by US in the Dominican Republic. The two essential components/elements which constitute the core of values are its non-threatening character and its impartiality. It cannot serve the purpose for which it is undertaken without fulfilling these two requirements. The peacekeeping force essentially operates in a bilateral or multilateral context, and therefore, it must have the good faith and trust of the parties to the dispute, and it cannot afford to be partisan. It was failure in this regard in the later phase of its operations that caused the dismal-record of bloc centred peacekeeping undertaken by US in Lebanon. Instead of acting as a buffer and a preserver of peace, it stimulated and aggravated the conflict.\textsuperscript{18}

The two requirements of impartiality and non-threat have a further consequence, namely, that a peacekeeping force be lightly armed, which has always been the case. The personnel are not allowed to use force and resort to their


arms except in self-defence. Therefore they have to exercise great self-restraint, and have the highest degree of discipline as a compact body in the given circumstances and situation. It has been observed by a knowledgeable commentator that the personnel of such a force be preferably recruited from the armies of countries whose training-dynamic inculcates these values and the corresponding attitudes. 19

Functions

Broadly speaking a peacekeeping force engages or may engage in three types of functions; they are diffusion, stabilization and assistance 20 in resolving disputes. These broad functions are not mutually exclusive. Instead they are interconnected and complimentary and often an operation moves from one type of function to another, depending upon the course of conflict management. The function of diffusion may either precede or follow a cease-fire. Once the parties agree to receive a peacekeeping force, the force may be asked to undertake the implementation and execution of cease-fire and its provisions. Alternatively in some situations once received it may bring about the cease-fire

20. James, n.10, pp.4, 366.
after securing the agreement of the parties to its modalities. A corollary of this function is supervision of cease-fire and ensuring that it is observed. In the discharge of this function, the peacekeeping force, on the one hand, has to elicit the cooperation of disputants, and on the other, it has to keep itself in close and active communication with its own mandating authority so that it continues to receive the necessary political and material support as the scenario unfolds and evolves. But diffusion of a crisis in the form of cease-fire/cessation of hostilities is a fragile thing. And even after it has been put in place there exists more often than not a need for watching over it for a longer period of time in order that the cease-fire firms up and is stabilized. This is the second broad function of peacekeeping. A peacekeeping force assists in this task by reducing anxiety through making greater transparency between the disputants. This reduces tension and alleviates suspicion which has been found to be the worst enemy of peace. Hence, there is a need for confidence-building measures which a competent peacekeeping force is eminently placed to promote.

The third function is that of providing assistance in resolving disputes by creating conditions that make this possible. Resolution in itself is not a function of peacekeeping because it is a matter stretching over a large
political field. In the first place, peacekeeping may work as a cooling mechanism while negotiations are being held for a settlement of the dispute. If a partial or full settlement is reached, that settlement is not necessarily self-executing and may need the services of a neutral third party for its execution. The peacekeeping force is an ideal third party for this purpose, especially when a settlement envisages long-term settlements requiring limitation of forces or demilitarization of a marked region or laying of line of actual control/boundary. However there are commentators who hold that peacekeeping operation is inclusive of such activities as investigation and observation.\(^{21}\) While a reference has already been made to UNSCOB\(^{22}\) the other instances are UNTSO\(^{23}\) and UNMOGIP.\(^{24}\) A further trend in the conceptualization of functions of peacekeeping has arisen in the area of taking note and consideration of the empirical reality of a peacekeeping force being authorised by the UN to take such measures which

\begin{flushleft}
22. (UNSCOB), United Nations Special Committee on the Balkans.
\end{flushleft}
resemble a police action.\textsuperscript{25} UNOC\textsuperscript{26} was assigned a task which involved the use of offensive force through successive mandates. Such an unusual and uncharacteristic enlargement of the scope of peacekeeping functions is a direct consequence of empirical realities on the ground, and perhaps becomes inescapable in some situations but the feasibility of such a measure is dependent on the character of the disputants. It has not been possible for the UN to initiate any peacekeeping operation in their 'direct or declared strategic spheres of influence'.\textsuperscript{27} The examples are exclusion of UN from Czechoslovakia in 1968, Hungary in 1956 and in Vietnam after 1973. The three broad functions necessitate a number of diverse subsidiary activities which lie beyond the scope of this study, though some of them will figure in the subsequent chapters. But it is important to point out that in the changed world scenario at the opening of this decade, a number of projections have been made about the need for an increase in the scope and variety of functions for a peacekeeping operation. This aspect will be treated briefly later in the succeeding pages.

\textbf{-------------------}


27. Vayrynen, n.3, p.347.
Peacekeeping Agencies

The two main agencies of peacekeeping have been the United Nations and regional organizations. Indian peacekeeping operations in Sri Lanka were sponsored by neither of the two. Since the Indian operation is a substantive issue of this study, it is desirable that the distinctive characteristics of operations initiated, undertaken or sponsored by these two agencies are presented here as a foil for the study of the Indian operations. Other Peacekeeping operations by other agencies will be briefly touched upon as the immediate prelude to Indian peacekeeping operations.

UN and Peacekeeping Operations

Legal Parameters: There are a number of provisions in the UN Charter for the maintenance of internal peace and security, which of course is the core responsibility of the UN as it was conceived in the Charter. These provisions are detailed in chapters VI and VII of the UN Charter. The Charter visualizes the possibility of peaceful settlement of the disputes, and to this end, a number of measures obligate the disputants to make their choice of peaceful means, some of
which are specified in Article 33 (1). In the event of failure of such a settlement Art.37(1) obliges the parties to refer the dispute to the Security Council. The Council has two options. The first is to further continue on the path of peaceful settlement. The second is to, 'recommend appropriate procedures and methods of adjustments' in terms of Art.36(1). Once all such options are exhausted the Security Council is required to act by the principle of collective security laid down in Chapter VII. According to Articles 39-46, which have two tiers, the Security Council may apply economic and other sanctions to ensure compliance, but if functional sanctions fail, the Council may 'take such action by air, sea and land forces as may be necessary to

-----------

28. Art.33(1). 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, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means of their own choice.

29. Art.37(1). Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to Security Council.

30. Art.36(1). The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

119
maintain or restore international peace and security'.

This provision invests the Security Council with the authority to embark upon a coercive course of action against a deviant state or party for security compliance. It should be noted that the article enables the Security Council to take preemptive action. To this end, Article 43 authorizes the Security Council to call upon members of the UN to make available armed forces facilities and assistance in accordance with a special agreement.

It is evident from the perusal of the UN Charter that it makes no provision for what has come to be known as peacekeeping. It does not even conceptualize the idea of peacekeeping. The absence of a specific provision in this regard does not mean a negation or rejection of the idea. In view of what has been provided for, in Chapter VII of the UN Charter, there

31. Art. 42. Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate it may take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade and other operations, blockade and other operations by air, sea or land forces of members of the United Nations.

32. Art. 43. All members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special arrangement or arrangements, armed forces, assistance and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.
is no prohibition even against deployment of troops for peacekeeping without the consent of the parties, even though it has always been done with their consent.\textsuperscript{33} It has been held that peacekeeping exists somewhat like a proverbial twilight zone, somewhere between Chapter VI and Chapter VII.\textsuperscript{34} The inter-relation of these two chapters that emerges in the discussion makes the validity of this view abundantly obvious.

**Historical and Political Parameters:** The consensus among the major powers at the end of World War II which made the formation of the UN possible, dissipated in a short period of time. In fact this consensus transformed into an ideological and strategic hostility between the two blocs of countries. This development weakened the ability of the Security Council, the new guardian of international peace and security, to act decisively and firmly in the face of crises that appeared one after another. If the UN was to avoid the same fate which had befallen the League of Nations, it had to find a way of overcoming this crippling of its political will. A lot was expected from the UN by the rest of the world. It was under these historical circumstances that the Security Council found in the kind of

\textsuperscript{33} Perez de Cuellar, n.9, p.27.

\textsuperscript{34} Vayrynen, n.3, p.343.
activity that later came to be designated as peacekeeping, a salvation and justification for itself. But it has to be remembered that the first major operation mounted by the UN in Korea in 1950 was not a peacekeeping operation. The temporary absence of USSR had made it possible for the Security Council to adopt a resolution for condemning North Korean aggression without having to face the prospect of Soviet Veto. But no reference was made to those articles in Chapter VII of the UN Charter, which justified this sort of action as legal and valid. 35 Four decades later the Security Council resolution, which enabled USA to gather a multinational force for expelling Iraq from Kuwait, invoked the principle of collective security enshrined in Chapter VII. 36

But such peace-enforcing operations have been launched by the Security Council only on three occasions - in Korea, in Congo where the peacekeeping operation was transformed into a peace-enforcing one, and in Kuwait. Otherwise all other operations aimed at preservation of peace and security have been one of peacekeeping. Today, the peacekeeping operation is most widely used and often a more effective measure than any other measure including economic and

35. Russett and Sutterlin, n.7, p.75.
military sanctions. In today's political context, it needs to be noted that what made resolutions possible in respect of Kuwait was the willing co-operation of Soviet Union of the Perestroika vintage. The following table gives a perspective on the use of Veto in respect of issues pertaining to maintenance of peace and security.37

<table>
<thead>
<tr>
<th>Year</th>
<th>USSR</th>
<th>USA</th>
<th>UK</th>
<th>France</th>
<th>China</th>
</tr>
</thead>
<tbody>
<tr>
<td>1945-47</td>
<td>12(4.0)</td>
<td>0(0.0)</td>
<td>1(0.3)</td>
<td>2(0.6)</td>
<td>0(0.0)</td>
</tr>
<tr>
<td>1948-63</td>
<td>30(1.9)</td>
<td>0(0.0)</td>
<td>1(0.1)</td>
<td>0(0.0)</td>
<td>0(0.0)</td>
</tr>
<tr>
<td>1964-75</td>
<td>8(0.7)</td>
<td>7(0.6)</td>
<td>7(0.6)</td>
<td>1(0.1)</td>
<td>1(0.1)</td>
</tr>
<tr>
<td>1976-82</td>
<td>3(0.4)</td>
<td>19(2.7)</td>
<td>7(1.0)</td>
<td>8(1.0)</td>
<td>0(0.0)</td>
</tr>
<tr>
<td>Total</td>
<td>56(1.5)</td>
<td>26(0.7)</td>
<td>16(0.4)</td>
<td>11(0.3)</td>
<td>1(0.0)</td>
</tr>
</tbody>
</table>

**TYPES AND EXTENT OF UN PEACEKEEPING**

The peacekeeping operations undertaken by the UN are not monochromatic. In its spectrum several bands can be distinguished, four of which are very distinct. They are operations involving forces, use of investigation, observation/observer and supervision groups. These different types of operations are conditioned by concerned

conflict scenarios, their severity and the phase at which the UN decision is made to intervene. A further determinant is the feasibility of what the UN itself can undertake to do, of which a very important dimension has been the attitude of respective permanent members of Security Council. The UN in a review of its operations has enlisted eighteen peacekeeping operations between 1948 and 1990. 38 This review makes distinctions between Observer mission, Truce Supervision Organization, Mission of the Representative of the Secretary-General, Verification mission, and employment of peacekeeping forces. This classification 39 has left out investigative missions which were undertaken as early as 1947 40 (UN Special Committee on the Balkans). In the UN review eight operations are distinguished as those involving the use of peacekeeping forces. 41 In a study various UN peacekeeping operations have been divided into different periods which have been


39. ibid, pp.8-9.

40. Alan James, *Peacekeeping in International Politics* (London, 1990), pp.87-90; and also see Vayrynen, n.3, p.349.

41. UNEF-I, ONUC, UNSF, UNEF-II, UNTAG, UNFICYP, UNDOF, and UNIFIL.
labelled indicatively. These periods are, Nascent (1946-56), Assertive (1956-67), Dormant (1967-73), and Resurgent (73-). The breakdown of operations period-wise is 4, 8, nil, and 7. During 1988-89 as many as five peacekeeping operations were launched, which is a record. This momentum has not slackened in the 90s. Between 1991 and 1993 five new operations have been undertaken. They are UNTAC (Cambodia), UNPROFOR (Yugoslavia), ONUSAL (El-Salvador), MINURSO (Western-Sahara) and finally UNOSOM (Somalia). This sustained expansion of UN peacekeeping operations has the look of an incoming tide. This has been made possible by a new readiness among the members of the Security Council to co-operate as a consequence of demolition of Soviet regime and end of the cold war. The striking feature about the present peacekeeping operations taking place in the world is their geographical reach. They extend from Asia to

42. Henry Wiseman, ed., Peacekeeping: Appraisals and Proposals (New York, 1985), pp.19-63; Alan James has elaborated a different scheme of classification with a much larger ambit. His classification is based on the multiple consideration of reasons, nature of conflict and the types of agencies involved in peacekeeping operations. His five-fold classification has back yard problems, club house troubles, neighbourhood quarrels, high street embarrassments and dangerous crossroads. In all he has dealt with 75 operations stretching from 1920-1990.

43. The Blue Helmets, n.4, pp.134-136.
ASSESSMENT AND PROSPECTS

Nearly all commentators seem to agree that peacekeeping operations, though a derivative and secondary mode of conflict management, would continue to be a useful device for ensuring diffusion, stabilization and settlement. At the same time it has also been held that its frequency would remain variable in spite of the recent burst of peacekeeping operations (especially during 1988-89 and during 1991-93). The present and future viability of peacekeeping operations has a positive reckoning in spite of "adhocracy" as a formula of "art of the possible". The raison de-etre for this prognosis is the structures and practice of peacekeeping are a sound basis for the management of conflict in the immediate future and for the eventual transformation of the system itself, while readily acknowledging that it can be only one component of the multifaceted global management of conflict.

The eventual transformation of the international state

44. UNTAC operating in Cambodia has concluded its mission successfully. This has been the most ambitious UN operation because its task was not merely to supervise, monitor and assist in holding of election in a country torn by one of the bitterest strifes in recent history but was also to function as transitional authority until a new government was installed.

45. Alan James, n.10, pp.362-70.

system can at best be rated as a reasonable and positive speculation and as a distant dream, because the dynamic of the state system with its sovereignty complex, coupled with intrinsic strength of major powers either in global or regional contexts, is such that it cannot be ignored in any reckoning of the future. On the contrary, it is reasonable to expect, in the light of historical experience and the present pattern of international relationships/interrelations that the traditional pattern of conflict of interrelations based on conflicts of interests in the post-communist world-order is able to extricate itself from the present fluid state. This consideration is further strengthened when one takes into account economic incompatibility as one of the major sources of both inter-state and intra-state conflicts. The desperate state of grinding poverty in developing countries has been seen to be linked with an exponential growth of population. In spite of all this, one can see the merit of peacekeeping as a basis for the eventual transformation of the international system. This hope is typically characteristic of an age which has lived through unprecedentedly violent and widespread conflicts. In the given situation, the tendency of states to have greater reliance on alliances, ideological and strategic cohesions are likely to have a stronger influence, because they promote stronger bonds of
commitment. In this context it has been observed that 'Third World countries regard' the interposition of international forces 'as essential to contain and insulate conflicts from being exacerbated by super power intervention'. 47 This observation has been supported by another one that the "Third World countries have (despite much US opinion to the contrary) always had a better record in supporting the UN prohibitions against the use of force than have either Moscow or Washington." 48 This augurs well for the prospects of peacekeeping operations, but at the same time generates a sad and ironic reflection that the five permanent members of the Security Council, who had assumed responsibility for international peace and security could be the hidden precipitators of global conflicts in general.

A quantitative and statistical assessment of the UN peacekeeping operations is not the appropriate method because by its nature peacekeeping operations are such that even a modicum of success deserves to be acknowledged and more often than not the operations in themselves have not been truly responsible for their failures. A number of times peacekeeping operations were put in place in

47. Wiseman, n.42, p.367.
intractable situations like in Angola where there had been a relapse after the initial success. The Palestine-Israel accord achieved under non-UN auspices in spite of severe handicaps and difficulties in the way of its implementation, opens up new vistas and offer a treatise in the management of conflict. Other examples of its success are supervision of the departure of PLO troops and UNIFIL's role in the resettlement of the population dislocated in 1978 and later after the withdrawal of Multinational Force (MFO) from Lebanon by April 1984. Even though quantitative and statistical criteria are not considered of any important relevance in an assessment of peacekeeping operations, here in this study the following data as given in Appendices I and II in respect of the UN peacekeeping operations are provided for what they may be worth, namely, for the purpose of record.

The recent increase in the frequency of peacekeeping operations and some of their successes together with dissolution of the USSR and the ideological divide has generated a degree of enthusiasm about peacekeeping operations and the possibility of the New World Order. At

times the inability of the Secretary General to obtain quick approval of the Council for dispatching a UN peacekeeping force, which may discourage states from relying on UN peacekeeping in a crisis, as well as such other problems as financing and raising of troops after the accord of approval by the Council for this purpose, has prompted the need for creating a permanent UN force, individually recruited by the UN and thus owing loyalty to UN authorities. 50 This view has received support from others as well. A whole new set of recommendations have been made in a 1991 study suggesting a more assertive peacekeeping initiative by the UN in the changed situation of today. These recommendations include a whole range of new functional roles for the peacekeeping operations which include peacekeeping troops to act as 'a trip wire against surprise attack from either disputant' (Election Supervision) already being done, humanitarian assistance, arms control verification, naval peacekeeping and drug interdiction. It has been argued that the new roles will have a greater acceptability and therefore, popularity, as they would offer 'win-win solutions'. 51 But any optimism in this regard needs to be qualified for the


reasons mentioned earlier. A proper and comprehensive understanding of peacekeeping must break free from the apron strings of the perspective that it is a post-colonial phenomenon, because the occasions for conflicts may arise from such things as border and territorial disputes, interventionist action or minority problems and civil disorder.\(^{52}\) It should be a sobering thought today that minority problems and civil disorder are active phenomenon in a country like United Kingdom even if within manageable limits. This also applies to other countries of Europe like France and Germany.\(^{53}\)

**REGIONAL PEACEKEEPING**

Regional peacekeeping operations initiated and executed by regional organizations are not an offshoot of the UN peacekeeping operations even if they came to be modelled upon the UN and its operations. They are expressions of regional interests. This does not mean that they run counter to the UN activities. As a matter of fact, the UN Charter visualizes their existence and their role in the maintenance of peace and security in their respective regions. Reference has been made to the provisions in this

\(^{52}\) James, n.10, p.364.

\(^{53}\) Donald Altschiller, n.9, pp.57-78.
regard to the relevant articles of the UN Charter above (Art.33(i)). The Charter, in fact visualizes a distribution and sharing of responsibilities for the maintenance of international peace and security as can be seen from articles 33 to 38 in Chapter VI. Therefore it will be erroneous to assume that the UN intended to have a monopoly of either peace initiative or peacekeeping operations.54 Chapter VIII reiterates that "Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to international peace and security as appropriate for regional action...", and further extends the assurance that "The Security Council shall encourage the Pacific settlement of local disputes through rational arrangements".55

In spite of this legitimacy, the inception and growth of regional organizations has taken place entirely outside the ambit of the UN and has been a matter of local initiative precipitated by local compulsions. These compulsions have varied from region to region and were a compound of definable and undefinable factors. For example, the formation of OAU was an outcome of the desire of African


55. Art 52(1) and (3), UN Charter, Chapter VIII.
states to assert their identity, as well as of their realization that the world is essentially indifferent to and unconcerned about their major interests. Similarly ASEAN was inspired by the experience of the later phases of Vietnam war which made the countries of South East Asia realize their vulnerability in the matter of security. Though ASEAN emerged out of the general concern for security but has become a powerful economic group. Among the older extra-UN organizations are OAS and Commonwealth. The former is dominated by the USA and is essentially a present day representative of the old Monroe Doctrine. The US has managed to keep the UN at bay by using OAS as barrier. Commonwealth is a remnant of the erstwhile British empire. Its ex-colonies decided to maintain their association with the metropolis of the Empire for a number of considerations and one of them being the example of Indian decision to remain within the Commonwealth. Unlike other regional organizations its extent is global. There are a number of sub-regional organizations, like the Gulf Cooperation Council, a collection of the small Sheikhdoms of Persian Gulf led by Saudi Arabia, Front Line States of Southern Africa brought together for confronting the much stronger apartheid state of South Africa and Contadora group in Central America formed 'to partially offset the overwhelming
power of the United States'.

The peacekeeping endeavours of these organizations have been attended by various degrees of success, and in some cases they are characterized by utter failure. Two factors are mainly responsible for this. They are the respective degrees of cohesion and resourcefulness. OAU's repeated efforts to resolve the CHAD crisis and maintain peace were defeated by the lack of resources, infrastructure, finance and skill, in spite of its genuine motivation. On the other hand the initiative of the Arab League in June 1961 when Kuwait was faced with Iraqi threat, suffered from an impurity of motive and lack of commitment. The League had taken umbrage at the arrival of a British force comprising six thousand troops backed by the Navy and the Air-Force. This hurt their Arab pride and they offered to replace the British force who were only glad to get a chance to leave. The League tardily gathered a force of three thousand troops, which began to disintegrate; soon after it was gathered, the force disappeared by February 1963. A similar thing happened in 1967 when Syria had powerfully intervened in the civil war in Lebanon with 30,000 troops.


57. Alan James, n.10, pp.93-96.
This was not welcomed by the rest of the Arab world which hastily gathered a symbolic force in 'Lebanon-Arab Deterrent Force'. The Syrians are present in Lebanon even today. This shows the futility of the Arab gesture and reveals their mutual suspicion and jealousy. The most singular failure of the League was its helplessness during the whole course of Iran-Iraq war, and later again in being utterly ineffective in Iraq-Kuwait conflict.  

The single success of the Commonwealth has been the deployment of a monitoring force for supervising elections in Zimbabwe in February 1980. The successful completion of the election ended the long persisting Rhodesian imbroglio. Otherwise Commonwealth has not undertaken explicit peacekeeping operations. Its members make their behind-the-scene contributions to conflict management in the form of persuasion, advice and mutual discussion. However, in December 1980 a nine member Commonwealth team was invited by Uganda to act as observers during the crucial elections being held in the country. The Contadora group in Central America was the foundation for later ad-hoc groupings. The region has been beset by inter and intra-state conflicts of a chronic nature. A primary concern of their's has been to ward off the American dominance of the region. This they

58. ibid, pp.335-8.

135
have achieved to a considerable extent by playing a crucial role in bringing about a settlement in Nicaragua independently of the US. American role in the Dominican crisis reflects the overbearing attitude and approach of the US which landed its troops in the Republic before obtaining OAS authorization which came later. The force was given the name of Inter American Peace Force and it indulged in coercive action contrary to norms of a peacekeeping operation.\textsuperscript{59} Later when the UN sent its representative there, it was discovered that the OAS and the UN were informed of US military intervention \textit{post facto}, which was violative of Article 53 of the UN Charter prohibiting any coercive action by regional organization without the authorization of the Council.\textsuperscript{60}

In spite of the fact that the UN charter entertained high hopes of regional organizations in the matter of conflict management and maintenance of regional peace and security the picture that has so far emerged is not very heartening. This is largely because most of the regions where conflicts are endemic, are riven by dissensions and in general suffer from acute economic difficulties. These are further aggravated by either the indifference of major

\textsuperscript{59} Vayrynen, n.3.

\textsuperscript{60} ibid, p.249.
powers or the play of their strategic and other interests. What has happened in Afghanistan is a prime example of this, and American policy in respect of Kashmir is believed to be designed to serve long term US strategic interest in the region, which has made any bilateral endeavour very difficult. Peacekeeping warrants impartiality on the immediate ground as well as from a distance. In a world dominated by a super power, the record of regional organizations, however does not indicate a dim future for their growth. The ECM has grown into EU, and CIS presently now in doldrums, may acquire stability and cohesion after the Russians succeed in setting their house in order.

**NON-UN PEACEKEEPING AGENCIES**

Two types of non-UN peacekeeping agencies are discussed hereunder:

USA together with the French and Italian troops undertook a peacekeeping mission to facilitate the withdrawal of PLO from Lebanon between August and September 1982. Prior to this the US had vetoed a French proposal for sending the UN peacekeeping force to Lebanon because Israel did not favour it. A time limit of 30 days was set for completing the mission. The American-led force was designated as MNF-I which completed the assigned mission within the prescribed time limit between 21 August and 9 September 1982 and departed on the 12 September. Although
it was a non-UN mission it was carried out with the perfection of a classical peacekeeping operation. But the second mission undertaken by the US under the designation of MNF-II lasting from 1982 to 84, ended disastrously for all except Israel. Some of the features of the force were somewhat extraordinary for a peacekeeping mission. It was a much larger force than MNF-I but with identical composition except for a small British unit of hundred men. The other participants were American, French and Italian like on the earlier occasion. The force was equipped with heavy arms, a most astounding feature for a peacekeeping force. Also, there was no time limit set for its completion. Its mandated tasks were to interpose itself between the Israeli forces and Muslim Lebanese militia in Beirut, and to support Lebanese army in maintaining law and order. The peacekeeping role was seen to change in a participatory role (except for the Italian element). This provoked attacks upon the American and French contingents, which led to heavy casualties. The MNF reacted violently with counter attacks on the ground and bombing. MNF is a dark spot in the history of peacekeeping operations.

Unlike what happened in Lebanon with MNF-II, a peacekeeping mission undertaken by the US in Sinai between 1975-82 was eminently successful. This operation followed upon the first Sinai disengagement agreement of January 1974
and continued up to 1982 as a consequence of second
disengagement agreement in September 1975 and Egypt-Israel
disengagement agreement in September 1975 and Egypt-Israel
peace treaty of 1979 (Camp David) which marked the beginning
of Phase II of the operation. Thus it lasted for some eight
years. In the first phase of the operation US participation
had come about as a consequence of Israeli persuasion for
the US to supplement the role of already existing UN
missions. The Americans agreed and established the Sinai
support mission which was an independent American agency.
This mission, Sinai Field Mission (SFM) controlled the
operations in the field. After Egypt-Israel peace treaty of
1979 UNEF-II came to an end in July 1979 as the USSR
threatened to veto its renewal which was highly warranted,
under Arab pressure. All the time the American peacekeeping
operation was running smoothly with the cooperation of both
Arabs and Israel. However the mission did not come to an
end in 1982 because a new Egypt-Israel treaty was signed the
same year (1982). This required a further continuation of
the peacekeeping operation for the sake of supervising the
execution of the treaty. To this end, the US adopted a
multinational observer role which was headed by a civilian
Director General of American nationality. The force
commander was required to be a non-American but was to be
nominated by the US. The composition of the force was such
that it excluded the inclusion of elements from Afro-Asian
countrties out of deference for Israeli susceptibilities. This created the problems for the US which failed to persuade European allies to contribute personnel for the force. In order to protect its advertised multinational character US finally made Fiji and Colombia to subscribe one battalion each. The US also bore a large chunk of expenses and provided logistic support unit. The operation started on 25 April 1982 and has continued since then without any hitch.

A critical look at the entire operation would reveal that all the three parties - the two disputants and the peacekeeping agency - have been bending backwards to accommodate each other. One could say that the two disputants were like clients of the peacekeeping agency and depended upon it for many favours unrelated to the mission. The political advantage for Israel was its success in drawing Egypt away from the solid Arab phalanx which confronted it; for Egypt it meant the evacuation of its occupied territory and massive American aid. The entire conduct of the US shows that it was not merely carrying out a peace-mission, but in essence was pursuing its strategic interests in a vital region during the high days of the cold war.

61. Later some personnel from New Zealand, Canada and Australia joined the force.

62. James, n.10, pp.112-30.
war. A little reflection would also reveal in a comparative view why Indian peacekeeping mission in Sri Lanka failed and the lack and absence of what elements were responsible for this. 63

Indian peacekeeping operation, which forms the subject of next two chapters was a very unique operation without a clear parallel. In the first place like the US operation in Sinai it was undertaken by a single third party outside the UN. It was launched upon a bilateral basis but with the informal consent of the second disputant LTTE. Resemblances end here and the natures and paths of Sinai and Sri Lanka operations diverge. So their forces were very different. Some sort of resemblance, as a matter of fact, can be discerned between it and MNF-II in Beirut (1982-84). The study is set now to take up full analysis of the IPKF role in Sri Lanka.

-------------------

63. Johansen, n.18, pp.53-69.