CHAPTER II

CONCEPT OF COLLECTIVE SECURITY

I. HISTORICAL BACKGROUND

The Holy Alliance\(^1\) and the Quadruple Alliance,\(^2\) concluded at the beginning of the nineteenth century, embodied the concept of collective security in a limited sense. But the concept of "balance of power"\(^3\) was fully applied during the whole century. With the disappearance of the Quadruple Alliance, its related alliances and arrangements, a new system of "multiple balance of power" came into existence in Europe in the last phase of the nineteenth century. This European balance of power was extended at the global level due to the unification of Germany, rise of the United States and Japan as great powers, and the increasing competition of markets in the underdeveloped areas of the world.

In the twentieth century, the complex system of the balance of power became simple. Europe became divided into armed groups—the Triple Alliance and the Triple Entente. When the delicate balance of power that still existed in the Balkans became disturbed, the world faced the First World War. This led to a search for an alternative to the system of balance of power—what came to be known as the collective security system. Woodrow Wilson, who had become the president of the United States after a sheltered time in the academic circle, projected himself as a prominent critic of the

---

1 Concluded on 26 September 1815 on the initiative of the Czar of Russia.
2 Concluded on 20 November, 1815; also named the Concert of Europe.
3 Although it may have other meanings, the term "balance of power" must often refer to an equilibrium of distribution of power or force. For details, see H.K. Jacobson, Networks of Interdependence: International Organization and the Global Political System (New York, 1979), pp. 155-56.
system of balance of power and an articulate advocate of the collective
security system. Wilson was successful as such, largely because, by 1918,
 he commanded the biggest battalions. At the peace Conference of 1919, it
was argued that if all States could act collectively against aggression, the
world would be more secured. It was also accepted that the collective
security system requires the creation of legal and structural apparatus which
could give institutional expression to its basic principles. The League of
Nations was the first attempt towards the collective security system. But the
failure of the collective security system of the League and the breakdown of
the system of balance of power, which was still followed during 1919-1939,
led to the Second World War. Then, the search for an effective collective
security system was made through the United Nations. The advocates of the
system emphasized that it was different from and superior to the system of
balance of power.

II. MEANING OF COLLECTIVE SECURITY

The term “collective security” has often been used in both the
scholarly and popular literature on international relations. Frequent use has
made the term familiar. Although the term *prima facie* seems quite simple
and almost self explanatory, the truth is otherwise. Three closely related
terms are commonly confused here--peaceful change, pacific settlement of
disputes, and measures for dealing with “threat to the peace, breach of the
peace, or act of aggression”. All the three terms share certain attributes
which do differentiate a collective security arrangement from other
international systems, such as the system of balance of power, the unit-veto
system, or world government, and an agreed procedures whereby the
Organization applies the norms to conflict cases as and when the situations arise. But, in spite of all these similarities, these terms must be distinguished.\(^4\)

The term “collective security” itself has created much confusion. It has been used in different ways – as an objective, a condition and a method.\(^5\) The main objective of collective security is to create a situation under which acts of aggression and other breaches of the peace will not occur, that is to say, to achieve a stable international order. If this objective is achieved, the world would then be in a condition of collective security. The method\(^6\) is cooperative action based on the principle of common concern.

The classical meaning of the term “collective security” may be inferred from the following statement of Woodrow Wilson, which was made during the First World War: “there must now be, not a balance of power, not one powerful group of nations set off against another, but a single overwhelming group of nations who shall be the trustee of the peace of the world.”\(^7\) A Le Roy Bennet explains that the term has been “so distorted from its classical meaning as to jeopardize its precision as a theory of international relations.”\(^8\) He further explains it in the following way:

On occasion it is loosely applied to any arrangement for collective defense against potential enemies outside as well as inside

---

\(^6\) At least there are six methods for the settlement of disputes to achieve stable international order: (1)No action; (2) Action by one party in dispute; (3) Action by both the parties in dispute; (4) Intervention of an international agency for the action by both the parties; (5) Collective action by an international agency; the above noted method refers to this method; (6) Intervention of other States for their own interests. See A. Le Roy Bennett, *International Organizations : Principles and Issues* (Englewood Cliff, New Jersey, 1988), p.134.
\(^8\) See Bennett, n.6, p.136.
themembership of the collectivity. Such a perversion of meaning disregards some of the essential conditions of collective security theory and fails to distinguish collective security from the alliance system, which it was designed to replace.9

Due to all these complexities, Inis L. Claude, Jr. has suggested:

We scrap the notion of “collective security” altogether and substitute therefore terminology such as “peace promotion” to denote the full range of collective security-cum-peaceful change approaches. The more specific procedures of “peace promotion” would comprise “peacemaking” (including what we now call pacific settlement of disputes and the collective legitimation of innovation through UN resolutions), “peace-enforcement”, or the marshalling of the measures associated with Chapter VII of the Charter and the Uniting for Peace Resolution, “Peace-keeping”, or the panoply of partial enforcement measures developed ad hoc by the UN since 1955 but falling short of formal sanctions.10

Martti Koskenniemi has rightly observed:

The collective security system of the Charter is based on two elements. First, there is the prohibition against inter-state threat or use of force under Article 2(4). The second element is the Council’s “primary responsibility for the maintenance of international peace and security, ....”11

Perhaps the best way to obtain a proper understanding of the concept of collective security is to look into some definitions given by leading commentators and then to draw a brief account on the essentials coming from such definitions.

III. DEFINITIONS

W.N. Hogan defines the term “collective security” as “general cooperative action for the maintenance and enforcement of international peace.”12

---

9 Ibid.
10 Cf. Falk, n. 4, p. 257, n. 30 thereof.
12 Hogan, n. 5, p. 179.
According to Inis L. Claude, Jr collective security is "a design for providing the certainty of collective action to frustrate aggression for giving to the potential victim the reassuring knowledge, and conveying to the potential law-breaker the deterring conviction, that the resources of the community will be mobilized against any abuse of national power."  

Ernst Haas observes that collective security is the technique used by intergovernmental organizations to restrain the use of force among the members. According to him, collective security provides the norms and procedures for dealing with acts of aggression. It includes the norms and procedures for inducing the members to delay hostilities. These norms and procedures are summed up under the label "pacific settlement of disputes". Finally, collective security also comprises the Organization's own ability to use force against a member if pacific settlement fails. In terms of the norms of the UN, collective security is defined by the provisions of Chapters VI and VII of the Charter.  

Georgi Zadorozhny holds the view that "the conception of collective security implies that a breach of peace at any point of the globe is a breach of world peace, while an act of aggression against one country is an aggression against all countries and entitles them to compare the assistance of the victim state with the object of suppressing the aggression."  

---

14 Falk, n. 4, p. 255  
Tom J. Farer says that "strictly speaking, collective security is exclusively a means of deterring aggression and for reversing its consequences when deterrence fails."\(^{16}\)

The following essentials of the concept of collective security may be drawn from the above-mentioned definitions:

1. **Principle of Concern**\(^{17}\)

   This principle presupposes that every State has an interest in the occurrence of international conflicts, in their peaceful resolution and, in case peace efforts fail, in resorting to use of force to establish international peace. Hence, this principle asserts that war is within the realm of law. It rejects the principle of self-help as a basis of international organizations. Hogan defines the principle as "a recognition that conflict among the members of a group effects the entire group and that a unilateral resort to violence against any member constitutes an offence against all members."\(^{18}\)

2. **Collective Action**

   By collective action we mean general cooperative action,\(^{19}\) whereby the overwhelming majority of States must unite against an aggressor. Thus, not all collective action can be described as collective security.\(^{20}\) For example, when the members of an alliance in a "balance of power" take action against a rival alliance it would not be a collective action within the meaning of collective security.

---


\(^{17}\) For details, see Hogan, n.5.

\(^{18}\) Ibid., p.1.

\(^{19}\) Ibid., p. 150.

\(^{20}\) Ibid.
The word “action” includes any act not inconsistent with the instrument creating the collective security system and necessary for the maintenance or restoration of peace. It must, however, be supported by an overwhelming majority of States and must be against a lonely entity which threatens or disturbs the maintenance of peace. Hence, “action” includes the various techniques of pacific settlement and does not refer solely to forcible techniques. But, it does imply a resort to forcible techniques if other means, available to prevent the threat or disturbance as such, are proved inadequate or failed. Collective action may be expressed through efforts to prevent war, but it potentially involves the military action to restore peace if aggression occurs.21

3. Maintenance of International Peace and Security

Collective action based on the principle of common concern must be for the purpose of maintaining international peace and security. Maintenance of peace and security means to keep peace and security that already exists. And, if peace and security do not exist, it means to restore peace and security. In between these two extreme situations, there may be a third situation in which peace and security are endangered by some causes of threats to peace and security. For such situations Karl W. Deutsch and Decter Senghaas use the terms “secure peace”, “war”22 and “war danger” or “peacelessness”23 and theorize that a country would be in a relatively secure state of peace or at least as acting as if its peace were thus secure:

21 Ibid.
23 Ibid., p. 24.
If its annual defense expenditures amount to no more than 1 percent of its gross national product per year, and if its total military personnel amounts to no more than 0.33 percent of its population of working age (15-64), roughly about 0.2 percent of its population. Furthermore, for any country at relatively secure peace, the probability of becoming involved in war should be no more than 0.3 percent per year, or 10 percent per biological generation of 30 years, so that the expectable half-life of "non war" for a larger group of such countries could be predicted at over 200.

The above theorization and common sense make clear the concept of "peace" to some extent. But the term "security" refers to somewhat an ambiguous state. According to a common dictionary meaning, it means being free of danger, free from fear and anxiety. Most people would not disagree that security involves an absence of violence and of menace to one's person and rights. But, for some scholars, it is simply a negative conception of security. They emphasise the need for positive security which also includes social and economic security, without which the physical security is worthless. Racial or sexual discrimination is as abhorrent or dangerous as physical violence; hunger is more harmful than any other condition of insecurity, because the very object of security may be diminished.

In the context of international relations, even the narrow concept of security is not simple. And even when viewed from the perspective of a single State, this concept of security does not provide a clear guide to action. H.K. Jacobson rightly explains this situation:

To begin with, the issue of what should be made secure usually leaves at least some room for debate. Most States have a core territory that almost all inhabitants in this nationalistic era would feel should be governed by an indigenous system, and most citizens

---

24 Ibid.
25 Ibid., p. 25.
27 Ibid.
would agree to defend their State's core territory and its right to autonomy at practically any cost, but beyond this the consensus soon dissolves. Even with respect to core territories, particularly if their defense could involve a holocaust, a state's citizenry might be unanimous ... And in the global political system, non-core areas are much more frequently in jeopardy than core areas.28

The issue of insuring the "global security"29 is even more complicated. According to Jacobson, "in every historical period the leaders of some states have had objectives that involved changing the existing distribution of values, and more often than not the leaders of other States have seen these objectives as threatening their security."30 This tendency has divided the State system into two categories: States interested in self-preservation and those interested in self-expansion. And this situation explains the dynamics of the system in terms of the clash between these two categories.31

Jacobson rightly points out, that "of course, not all instances of clashing objectives have led to violence. The probability of violence has depended on a variety of factors, including the relative strength and determination of the parties to the dispute, their knowledge of each other, and the nature of the values at stake."32

Jacobson further observes:

The broad point, however, is that a global security system can't assume that all states are interested merely in guaranteeing the autonomy and integrity of their own core territories; such a scheme must also take account of the real possibility of extensive and powerful pressures for change in the existing distribution of values. It would be possible to design a security system that had as its primary purpose repressing such pressures, but in the long run such a system would surely fail to contain either change or violence.33

28 Ibid., p. 149.
29 Ibid., pp. 150-51.
30 Ibid., p. 150.
31 Ibid.
32 Ibid
33 Ibid., pp. 151-52.
In respect of the concept of security, Quincy Wright rightly observes:

The maintenance of the security, honor, prestige, and power of the nation have become dominant values in the minds of most modern populations. Conflicts over these dominant values among the nations will naturally lead to international disputes, which unless promptly solved by peaceful methods, may develop into serious situations endangering peace and security. The maintenance of law and order and the prevention of their violation are paramount elements of international peace.  

IV. EMERGING TRENDS

Boutros Boutros-Ghali, the former UN Secretary-General, has summarized the emerging trends of international peace and security. He makes at least five observations, which are worth mentioning here:

First, the sources of conflict and war are pervasive and deep. To reach them will require our utmost effort to enhance respect for human rights and fundamental freedoms, to promote sustainable economic and social development for wider prosperity, to alleviate distress and to curtail the existence and use of massively destructive weapons.

Second, in the course of the past few years the immense ideological barrier that for decades gave rise to distrust and hostility - and the terrible tools of destruction that were their inseparable companion - has collapsed. Even as the issues between States north and south grow more acute, and call for attention at the highest levels of government, the improvement in relations between States east and west affords new possibilities, some already realized, to meet successfully threats to common security.

Third, we have entered a time of global transition marked by uniquely contradictory trends. Regional and continental associations of States are evolving ways to deepen cooperation and ease some of the contentious characteristics of sovereign and nationalistic rivalries. National boundaries are blurred by advanced communication and global commerce, and by the decisions of States to yield some sovereign prerogatives to larger, common political associations. At the same time, however, fierce new assertions of nationalism and sovereignty spring up, and the cohesion of States is threatened by brutal ethnic, religious, social, cultural or linguistic strife. Social peace is challenged on the one hand by new assertions of discrimination and exclusion and, on the other, by acts of terrorism seeking to undermine evolution and change through democratic means.

34 Cf. Lepawsky, n. 22, pp. 98, 119.
36 Ibid.
Fourth, the concept of peace is easy to grasp; that of international security is more complex, for a pattern of contradictions has arisen here as well. As major nuclear powers have begun to negotiate arms reduction agreements, the proliferation of weapons of mass destruction threatens to increase and conventional arms continue to be amassed in many parts of the world. As racism becomes recognized for the destructive force it is and apartheid is being dismantled, new racial tenacious are rising and finding expression in violence. Technological advances are altering the nature and the expectation of life over the globe. The revolution in communications has united the world in awareness, in aspiration and in greater solidarity against injustice. But progress also brings new risks for stability: ecological damage, disruption of family and community life, greater intrusion into the lives and rights of individuals.

Fifth, this new dimension of insecurity must not be allowed to obscure the continuing and devastating problems of unchecked population growth, crushing debt burdens, barriers to trade, drugs and the growing disparity between rich and poor. Poverty, disease, famine, oppression and despair abound, joining to produce 17 million refugees, 20 million displaced persons and massive migrations of peoples within and beyond national borders. These are both sources and consequences of conflict that requires the ceaseless attention and the highest priority. A porous ozone shield could pose a greater threat to an exposed population than a hostile army. Drought and disease can decimate no less mercilessly than the weapons of war. So at this moment of renewed opportunity the efforts of the Organization to build peace, stability and security must encompass matters beyond military threats in order to break the fetters of strife and warfare that have characterized the past. But armed conflicts today, as they have throughout history, continue to bring fear and horror to humanity, requiring our urgent involvement to try to prevent, contain and bring them to an end.

V. INCORPORATION OF THE CONCEPT OF COLLECTIVE SECURITY INTO THE UN CHARTER

The UN Charter has incorporated the concept of collective security. 37 Although there is no express provision for that in the Charter, some jurists such as Rahmatullah Khan have considered it an exercise of implied powers. Universalism coordinated by regionalism is the structural framework of this concept under the Charter. 38 By virtue of the authority given to the

37 For details, see Bruno Simma, The Charter of the United Nations (New York, Oxford University Press, 1994), pp. 505-678
Security Council under Article 2 (7) and Chapters VI and VII of the Charter, universalism occupies the supreme position. But, under Chapter VIII, regional arrangements or agencies also have a role to play. Chapter VII may be referred to as the doctrinal basis of the collective security system. Some other provisions of the Charter, including Preamble, Articles 1, 2 and 24-27, Chapters VI, and VIII, and Articles 99 and 106, are also relevant for the collective security system. 39

One of the principal means of ensuring the collective security system within the framework of the United Nations is the peaceful settlement of disputes provided under Chapter VI of the UN Charter. In the UN collective security system, "enforcement measures" 40 are a last resort when all possibilities of pacific elimination of the threat to peace have been exhausted. Under Chapter VII, the Security Council is authorized to determine the existence of a "threat to the peace, breach of the peace, or act of aggression." It is also authorized to make recommendations and to take appropriate action which may include the breakage of communications, economic or diplomatic sanctions. If these "soft" actions prove inadequate the Security Council may take "such action by air, sea or land forces as may be necessary to maintain or restore international peace and security." All members of the UN have an obligation to cooperate in enforcement action. The Military Staff Committee shall act as a military attaché to the Security Council.

See also Bennett, n. 6, pp. 349-84; Benjamin Rivlin, "Regional Arrangements and the UN System for the Collective Security and Conflict Resolution: A New Road Ahead, International Relations (London, 1992), pp. 95-110.

39 Infra, Appendix.
40 For a detailed discussion see Lepawsky, n. 22, pp. 277-78.
As observed by Y. K. Tyagi, "The doctrinal framework of the collective security system was supplemented by the Uniting for Peace Resolution of 1950."\(^{41}\) Article 51, the last Article of Chapter VII, recognizes the inherent right of States to individual or collective self-defence. But it provides certain limitations on that right. The main limitation is the pre-condition of armed attack. Further, in order that the right recognized in Article 51 may not be opposed to the entire machinery of collective security of the United Nations, it is essential when determining whether or not an armed attack has occurred, to use the generally recognized criteria, which are confirmed in several international instruments.\(^{42}\) Article 51 cannot be interpreted and applied in isolation from the rest of the UN Charter. Although an inherent right of each State, the right of self-defence is part of the general system of Charter provisions, is coordinated with them and does not stand above them.\(^{43}\) Implementation of this right cannot preclude the application of the UN Charter as a whole.\(^{44}\)

The same thing is applicable to collective self-defence agreements invoking Article 51. Regional organizations may be created under Chapter VIII of the UN Charter. In fact several of them such as the Organization of American States (OAS) have been created long back. They may act as a collective security organization and as an agency of the collective security system. But the first role is limited to a particular region and to a particular type of functions, i.e., security functions. Beyond that region, the


\(^{43}\) Ibid., pp. 540-41.

\(^{44}\) Ibid., p. 541.
organization can act as an alliance in a balance of power system or as an agency of the collective security system. Chapter VIII provides for the Member States to “make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies, before referring them to the Security Council” and for the Security Council to “encourage the development of pacific settlement of local disputes through such regional agencies either on the initiative of the States concerned or by reference from the Security Council.” It further provides for the Security Council, in appropriate cases, to “utilise such regional arrangements or agencies for enforcement action under its authority.”

An overview of the relevant provisions of the UN Charter makes it clear that the authority of the Security Council in respect of collective security is neither exclusive nor limited to Chapter VII. Although Article 24 provides for the primary responsibility of the Security Council to maintain international peace and security, it is not the exclusive responsibility of the Council. Other actors like the General Assembly and the Secretariat are also involved in the matter.

The arrangement provided for under the Charter can be viewed as a limited collective security endeavour at the theoretical level. Claude Jr. rightly summarizes the manner in which the concept of collective security was bypassed in the Charter:

In the final analysis, the San Francisco Conference must be described as having repudiated the doctrine of collective security as the foundation for a general, universally applicable system for the management of power in

---

45 Bennett, n. 6, p. 136.
48 See Jacobson, n. 3, p. 158.
international relations. The doctrine was given ideological lip service, and a scheme was contrived for making it effective in cases of relatively minor importance. But the new organization reflected the conviction that the concept of collective security has no realistic relevance to the problems posed by conflict among the major powers.49

VI. Limitations on the Collective Security System

The UN Charter makes available a system of collective security with many shortcomings.50 Even the available system is limited in its scope and functions. The main limitations are worth mentioning:

1. Problem of Determination under Article 3951

One of the major limitations on the collective security system of the UN Charter is the problem of determining the existence of a “threat to the peace, breach of the peace or act of aggression” and identifying the entity who is responsible for such a situation. Another problem is to find out as to whether an action is warranted or not. These problems are to be solved by agreement among the members of the Security Council. The Security Council is frequently immobilized, by disagreement among its members especially the permanent ones, in taking action in responses to “threat to the peace, breach of the peace or act of aggression.”

2. Problem of Decision Making

Due to veto,52 any of the five permanent members of the Security Council can block a resolution or enforcement action designed to meet the crises of “threat to the peace, breach of the peace or act of aggression.”

50 Infra, p. 38.
52 For detailed discussion about veto, see Starke, n. 70, p. 643; Bennett, n. 6 pp. 84-89; B. Fassbender, The UN Security Council Reform and the right of Veto: A Constitutional Perspective (The Hague, 1998)
Although that problem has been attempted to be solved by the Uniting for Peace Resolution, 1950,53 “the General Assembly is severely restricted in its capacity to mount collective action in response to international crises, for it can only make recommendations for peace-keeping initiatives.”54

3. Non-availability of Armed Forces

The UN Charter provides for a collective security system which is still a “paper tiger”. No permanent international military force has been formed so far. The Military Staff Committee has become a body without substance.55 The result is that Articles 42 and 43 have never been truly applied.56 As an expert points out, “the application of Chapter VII provisions to the Second Gulf war can at best be described as a counterfeit collective security; in fact the collective security has become selective security; the Uniting for Peace Resolution has divided the world...”57

4. Framework Beyond the Collective Security System

Regional arrangements and agencies have been used, in the words of Claude, Jr. “as jurisdictional refuges, providing pretexts for keeping disputes out of UN hands.”58 But, now this position may improve, for the Cold War is over. According to Revlin, “The Cold War presented the development of a close relationship between the Security Council and

54 Kegley, n. 51, p. 440.
55 Bennett, n. 6, p. 144.
56 Ibid., pp. 143-44.
existing regional arrangements.”

The major antagonists of the Cold War, the United States and the Soviet Union, were unwilling to permit Security Council involvement in regional conflicts in which they were respectively implicated. “In such instances, they much preferred the friendly jurisdiction of a regional organization to that of the Cold War dominated Security Council.”

5. **Problem of Funding**

Since the total annual costs of all United Nations-related activities amount to a fraction of 1 percent of the Members’ military budgets, one might reasonably assume that budgeting questions should not represent a major difficulty for the Organization. But “[t]his situation is made all the more serious because of the increasing number and complexity of the new tasks being undertaken of the organization in accordance with decisions of the Member States themselves.”

The failure of many States to pay their assessments in full and well in time continues to plague the Organization. The budget relating to collective security measures is also adversely affected by the lack of proper arrangements and also because of the failure of payment as such. In the words of Bennett, “the principal problem has resulted from attempts to assess peace-keeping costs on the same basis as regular budget

---

61 *Ibid*.
62 Bennett, n. 6, p. 93.
63 *See Notes for Speakers* (New York, 1992), p. 11.
64 *Ibid*.
assessments, although separate accounts were set up for each major peace-keeping operation.\(^{65}\)

**VII. OTHER MAJOR SHORTCOMINGS**

Besides the above-mentioned limitations, the collective security system of the United Nations suffers from the following shortcomings:

1. There is no provision for the compulsory settlement of disputes;\(^{66}\)

2. The system considers threat to the peace, breach of the peace or act of aggression as the most serious matters whereas it does not do so in cases of grave injustice;\(^{67}\)

3. The system does not pay adequate attention to the problems like political, social, humanitarian, economic, moral, emotional, psychological insecurities, and racial-discrimination and environmental pollution;\(^{68}\)

4. Procedures are cumbersome;\(^{69}\)

5. On the operative plane, the system has inability to meet with the problems of selfishness of State(s),\(^{70}\) national assertion, ideological differences, lack of political will to the solution of differences, lack of confidence in the third party who is to resolve differences, mutual suspicions and power rivalry.\(^{71}\)

---

\(^{65}\) Bennett, n. 6, p. 93.

\(^{66}\) Tyagi, n. 41, p. 271.

\(^{67}\) Ibid

\(^{68}\) Ibid., pp. 271, 288; *An Agenda for Peace*, n. 35.

\(^{69}\) See Tyagi, n.41, p.271.

\(^{70}\) See Bennett, n. 6, p.137.

\(^{71}\) Tyagi, n. 41, p. 281, See also *An Agenda for Peace*, n.35.
VIII. INNOVATIVE MEASURES

Sir Brian Urquhart, former UN Under-Secretary-General, has described the Cold-War United Nations as "a promising child born of divorce parents."\(^{72}\) The UN Charter outlawed war and committed States to seek peaceful settlement of international disputes. But States often ignored Charter provisions. Even the Security Council, which was assigned the primary responsibility of the maintenance of international peace and security, failed to bear its responsibility due to the ideological rifts among its permanent members, which often prevented collective action. As a result, the United Nations was forced to develop "innovative ways"\(^{73}\) for controlling conflicts and preventing them from spreading. The following ways are worth mentioning:

1. Preventive Diplomacy

According to Boutros Boutros-Ghali, "preventive diplomacy is action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur."\(^{74}\) Also, "The most desirable and efficient employment of diplomacy is to ease tensions before they result in conflict - or, if conflict breaks out, to act swiftly to contain it and resolve its underlying causes."\(^{75}\) Preventive diplomacy involves measures to build confidence, fact finding, early warning, preventive deployment and, in some cases, demilitarized zones.\(^{76}\) The

\(^{72}\) Cf. Notes for Speakers, n. 63, p.2.
\(^{73}\) Ibid. See also An Agenda for peace, n. 35.
\(^{74}\) An Agenda for Peace, n. 35, para 20.
\(^{75}\) Ibid., para 23.
\(^{76}\) Ibid.
Secretariat, the Security Council and the General Assembly are the pillars of the UN preventive diplomacy under different provisions of the Charter.\textsuperscript{77}

2. Peacemaking

Boutros Boutros-Ghali defines peacemaking as the "action to bring hostile parties to agreement, essentially through such peaceful means as those foreseen in Chapter VI of the UN Charter."\textsuperscript{78} According to him, "between the tasks of seeking to prevent conflict and keeping the peace, lies the responsibility to try to bring hostile parties to agreement by peaceful means. Chapter VI of the Charter sets forth a comprehensive list of such means for the resolution of conflict."\textsuperscript{79} These tasks have been amplified in various declarations adopted by the General Assembly. Peacemaking may involve the International Court of Justice, amelioration through assistance, sanctions under Article 41 of the Charter, use of military force and peace-enforcement units.\textsuperscript{80}

3. Peace-keeping

Peace-keeping is "the deployment of a United Nations presence in the field, hitherto with the consent of all the parties concerned, normally involving United Nations military and/or police personnel and frequently by civilians as well."\textsuperscript{81} Through peace-keeping operations, the possibilities of the prevention of conflict and the making of peace increase.\textsuperscript{82} Peace-keeping is nowhere mentioned in the Charter. Once Dag Hammarskjold, former UN Secretary-

\textsuperscript{77} Ibid. See also Notes for Speakers (New York, 1991), pp. 2-3.
\textsuperscript{78} Ibid, An Agenda for peace.
\textsuperscript{79} Ibid., para 34.
\textsuperscript{80} Ibid., para 38-44.
\textsuperscript{81} An Agenda for Peace, n. 35, para 20.
\textsuperscript{82} Ibid.
General, referred to peace-keeping as belonging to a hypothetical "Chapter six and a half" of the UN Charter: somewhere between the methods for bringing about peaceful settlement of disputes under Chapter VI and the enforcement action under Chapter VIII.  

But the Preamble to the Charter reflects the idea of peace-keeping by stating that the establishment of "conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained." UN peace-keeping operates in the service of peace making.  It is not a substitute or an end in itself.

The technique of peace-keeping originated and evolved in a largely ad hoc way over a period of time.  Although each operation is specific in itself, the following common features may be seen in most of the peace-keeping operations:

(a) they require the consent of the parties;
(b) they cannot be imposed unilaterally or from outside;
(c) they do not involve military enforcement measures or coercive action, except in the very limited context of self-defense;
(d) they involve the deployment in the field of UN staff and personnel made available to the Secretary-General by the governments of Member States;
(e) they are under the operational command of the Secretary-General;

83 See Notes for Speakers, n. 77, p.15. Not defined even in any resolution of the General Assembly.
84 Ibid., Notes for Speakers.
85 Ibid.
86 Ibid., pp.15-16.
87 Ibid.
(f) they are deployed to help control and resolve international conflicts, as well as increasingly internal conflicts having an international dimension;

(g) political and material support of the international community;

(h) they cost money, borne by governments who authorize them to put principles of peace-keeping into operation. 88

Some basic conditions for the success of a peace-keeping operation are:

(a) a clear and practicable mandate;

(b) the cooperation of parties in implementing that mandate;

(c) the continuing support of the Security Council;

(d) the readiness of Member States to contribute the military, police and civilian personnel including specialists required;

(e) effective United Nations command at Headquarters and in the field;

(f) adequate financial and logistic support. 89

IX. New Departures

Traditional peace-keeping operations continue to be needed. But the established principles and practices of peace-keeping have responded flexibly to new demands of recent years. 90 At the same time, the basic conditions for success remain unchanged. 91

A new species of "UN peace-keeping" is emerging. UN mentioned in a UN publication, "From a largely improvised, mostly military exercise aimed at preventing conditions from deteriorating, this new species is the

88 See Notes for Speakers, n. 63, p.16.
89 Ibid., pp. 22-23.
90 See An Agenda for peace, n. 35, para 50.
91 Ibid.
product of detailed plans that aim at specific objectives. Like traditional UN peace-keeping operations, operations of this type defy routine definition.”92

In 1988 and 1989, five new operations were launched with a diverse set of missions. These military observer missions “complement the peacemaking efforts by Governments, the Security Council and the Secretary-General.”93

The character and composition of UN field missions are changing to deal with a variety of functions. These functions range from maintaining order in civil war to supervising elections; from monitoring implementation of complex agreements to performing the now-traditional role of peace-keeping operations in a conflict.94

As the Secretary-General pointed out in his Report on the Work of the Organization, 1989:

[W]e seem to be moving into a number of situations where, although there is a connection with international peace and security ... peacekeeping action is mainly concerned with the situation within the boundaries of a State, instead of taking place on the borders between States or between conflicting parties.95

The Security Council has also recognized the transformation that has taken place in recent years. Its Summit statement of 31 January, 1992 states it as follows:

United Nations peace-keeping tasks have increased and broadened considerably in recent years. Election monitoring, human verification and the repatriation of refugees have, in the settlement of some regional conflicts, at the request or with the agreement of the parties concerned, been integral parts of the Security Council’s effort to maintain international peace and security.96

92 Notes for Speakers, n. 63, p. 16.
93 Notes for Speakers, n. 77, p. 13.
95 Ibid.
96 Notes for Speakers, n. 63, p. 16.
One of the most striking and welcome recent developments has been the UN’s role in helping to negotiate and implement complicated agreements aimed at resolving long-standing conflicts.\(^\text{97}\) The United Nations is proud to claim that “Several such agreements have translated into major field operations that draw on specialists - both military and civilian - with a wide range of backgrounds working together under the UN flag.”\(^\text{98}\) It rightly pointed out that “these larger ‘composite operations’ have come to incorporate elements, such as those aimed at maintaining public order and civil administration, seen as separate operations during earlier UN peacekeeping mission in the Congo and West Irian in the 1960s.”\(^\text{99}\)

Post-conflict peace-building\(^\text{100}\) is an important departure from the traditional system. It is defined as “action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict.”\(^\text{101}\) This concept is critically related to the above-mentioned innovative measures. Preventive diplomacy, peacemaking and peacekeeping operations, to be truly successful, must come to include post-conflict peace-building efforts. While preventive diplomacy is to prevent a crisis, post-conflict peace-building is to prevent its recurrence. The concept of peace-building as the construction of a new environment must be viewed as the counterpart of preventive diplomacy which seeks to prevent the breakdown of peaceful conditions. When a conflict breaks out, some mutually reinforcing efforts at peacemaking and peace-keeping need to

\(^{97}\) *Ibid.*
\(^{98}\) *Ibid.*
\(^{99}\) *Ibid*
\(^{100}\) Relatively a new concept which is properly defined and detail explained firstly under *An Agenda for Peace*, n. 35.
\(^{101}\) *Ibid.*
come into play. Once they achieve their objectives, only sustained and cooperative work to deal with underlying social, cultural, economic and humanitarian problems can place an achieved peace on a durable foundation.

Post-conflict peace-building involves two categories of efforts. First, those efforts to identify and support structures which will tend to consolidate peace and advance a sense of confidence and well-being among people. Through agreements ending civil strife, these may include:

(a) disarming the previously warring parties and the restoration of order;
(b) the custody and possible destruction of weapons;
(c) repatriating refugees;
(d) advisory and training support for security personnel;
(e) monitoring elections;
(f) advancing efforts to protect human rights;
(g) reforming or strengthening governmental institutions; and
(h) promoting formal and informal processes of political participation.

Second, efforts which took place in the aftermath of war and take the form of concrete cooperative projects which link two or more countries in a mutually beneficial understanding that can contribute not only to social and economic developments but also enhance the confidence that is so fundamental to peace. These efforts, as Boutros Boutros-Ghali has suggested in *An Agenda for Peace*, may include:

(a) projects that bring States together to develop agriculture, improve transportation or utilize resources such as water or electricity that they need to share,
(b) joint programmes through which barriers between nations are brought down by means of free travel, cultural exchanges and mutually beneficial youth and educational projects.\textsuperscript{102}

Post-conflict peace-building may also include some common elements such as demining, demilitarization and technical assistance which connect it with other innovative measures as mentioned above.\textsuperscript{103} In the final analysis, all the aspects concepts of innovative measures – preventive diplomacy, peacemaking, peace-keeping and post-conflict peace building – can be found to be integrally connected to one another.

\textsuperscript{102} Reducing hostile perceptions through educational exchanges and curriculum reform may be essential to forestall a re-emergence of cultural and national tensions which could spark renewed hostilities. See \textit{ibid}.

\textsuperscript{103} \textit{Ibid.}, para 58 and 59.