UNITED NATIONS AND PEACEKEEPING

Observation, supervision, and enforcement are three possible stages of United Nations' military involvement in a conflict. The first two are peacekeeping functions - observation has already been discussed, but it must be remembered that there is often a thin line between observation and full peacekeeping, as evidenced by the mandate and functions of UN Security Force (UNSF) in West Irian. Similarly, there is a grey area between peacekeeping and enforcement action, highlighted by the actions of ONUC in Congo.

For the purposes of this section, peacekeeping involves not only observation of the cease-fire, but also supervision, which on most occasions of inter-state conflict entails the creation of a buffer zone. Thus, a peacekeeping force acts as a buffer between the two belligerents - a function too large for, and requiring a different mandate than for, observation teams. Peacekeeping evolved from observation so as to give the United Nations a more active role after the cessation of hostilities.

United Nations Emergency Force was the first dramatically innovative venture into peacekeeping proper. It was created in 1956 by the General Assembly after a joint Anglo-French-Israel plan to oppose, inter alia, Egyptian nationalisation of the Suez Canal. Permanent
member involvement prevented the creation of such a force in the Security Council, so the question passed to the General Assembly where First United Nations Emergency Force in Sinai (UNEFI) was created with the substantial aid of the Security Council.2

Peace-keeping forces are composed of contingents of lightly armed troops, made available by member states. These forces assist in preventing the recurrence of fighting, restoring and maintaining peace, and promoting a return to normal conditions. To this end, peace-keeping forces are authorized to undertake negotiations, persuasion, observation and fact finding. They run patrols and interpose physically between the opposing parties. peace-keeping forces are permitted to use their weapons only in self defence.3

After observer missions come United Nations peace-keeping operations. The first was the United Nations Emergency Force (UNEF), which was in operation on the Egypt-Israeli border from November 1956 until May 1967. The United Nations Force in the Congo (ONUC) was deployed in the Republic of the Congo from July 1960 until June 1964. The United Nations Security Force in West Irian was in operation from September 1962 until April 1963, then comes United Nations Peacekeeping Force in Cyprus. (UNFICYP) from March 1964, Second United Nations Emergency Force in Sinai (UNEFII) functioned from October 1973 until

These are the peace-keeping Operations which were conducted by United Nations, But I want to mention only important peace-keeping operations one by one.


Repeated violations of the UN-arranged truce between Israel and its Arab neighbours occurred almost from the day it was signed in 1948, in spite of the presence of the UN Truce Supervision Organization in Palestine, UNTSO set up in 1948. In 1995 and 1956, Arab Commandos (called fedayeen) repeatedly raided Israeli territory from bases in Egypt to which Israel retaliated.
This escalated the situation and set the stage for the Suez crisis of 1956, from which the UN Emergency Force emerged as a hurried innovation for the maintenance of world peace.

United Nations peacekeeping had a glorious beginning in 1956 with the establishment of the First United Nations Emergency Force in the Middle East, which followed a joint invasion of Egypt by Israel, France, Britain the main factor in the crisis in the Middle East was the nationalization of Suez Canal Company by Egyptian President Gamal Abdel Nasser on 26 July 1956. This roused the antagonism of Britain and France, whose governments believed that their interests were severely hurt by this unilateral action by Egypt because most of the shares of Suez Canal were in their possession. It was the main reason that Britain, France and Israeli Governments held a series of meetings between October 14 and 24 in which a concerted "military operation" against Egypt was discussed. The three (Britain, France, Israel) held a last secret meeting at Sevres on 24 October. On 29 October 1956 Israeli military forces across the Egyptian border had invaded Sinai and Gaza Strip - It was called "in self defence" - in the meaning of Article 51 of the UN Charter. Next day on 30 October 1956 the French and British Governments addressed a joint ultimatum to both Egypt and Israel calling on them to cease hostilities and demanded that within 12 hours all troops must withdraw
kilometres from the Suez Canal. In reality it was an attempt "to lay the foundation for their own intervention" to "protect the Canal". The ultimatum was accepted by Israel but on the other hand Egypt refused to accept this ultimatum. Then in retaliation the Anglo-French air operations against Egypt began and troops were landed at Port Said at the northern end of the Suez Canal. The US reaction was prompt, firm and vigorous. It demanded an urgent meeting of the United Nations Security Council.

President Eisenhower was quite explicit in his commitment of the US to the UN: "We established the United Nations to abolish aggression, and I am not going to be a party to aggression if it is humanly possible to avoid it or I can detect it before it occurs". However, the dies were cast. British and French aerial attacks of towns along the canal began early on October 31. The Security council was unable to act under the circumstances and the UN Secretary General Dag Hammarskjold, using the authority vested in his office by Articles 97 and 99, called an urgent meeting of the General Assembly according to the Uniting for Peace Resolution of November, 1950. A US draft resolution asking for immediate cease-fire and withdrawal of all forces behind armistice lines "was passed overwhelmingly" late on 2 November. Lester Pearson, the Canadian Foreign Minister, spoke about the necessity of a UN Police force to "separate the belligerents and to stop
the hostilities". The Pearson proposal was endorsed by the
US and "appeared to offer a very embarrassing situation".  

On 5 November, the General Assembly approved a
proposal by Foreign Minister Lester Pearson of Canada to
set up an international force to guarantee and supervise
the cease-fire. The UN Secretary General was instructed to
take the necessary measures to creat the force. After 24
hours of consultation with his aides and representatives
of member governments, Hammarskjold produced a seminal
report, laying down the following principles for a
peace-keeping force.

(i) It would be temporary;
(ii) Its function would be strictly neutral;
(iii) It would not alter the military balance of power; it
would maintain law and order; supervise the truce
patrol along the truce line, and supervise the
observation of UN resolutions;
(iv) It would comprise military units from UN members but
the Great Powers would be excluded;
(v) Its commander would be appointed by the United Nations
and would be accountable to the General Assembly or
the Security Council;
(vi) Its withdrawal would require the consent of the
conflicting parties.

All recommendations submitted by the Secretary
General Dag Hammarskjold were adopted by the General
Assembly including the creation of a United Nations Command for the United Nations Emergency Force (UNEF) to secure and supervise the cessation of hostilities on 7 November 1956.

In less than ten days the first United Nations Emergency Force units landed in Egypt. At its maximum, UNEF included some 6,000 men, dispatched to the area in national units of about 500 officers and soldiers. This was no international army in which soldiers of one nationality were commanded by Denmark, Finland, Norway, Sweden, Brazil, Columbia, India, Indonesia and Yugoslavia, who were chosen from among offers by 24 governments. Each of the contributors was considered more or less neutral in the Middle East conflict.

United Nation Emergency Force operations proceeded in two distinct phases. The first - in the area of the Suez Canal - saw the relatively smooth formation of a buffer zone between the Anglo-French and Egyptian forces. As the European troops withdrew in December 1956. United Nations Emergency Force filled the vacuum and then restored the territory to Egyptian control. The second phase - in the Sinai peninsula - was more difficult. It required heavy political and diplomatic pressure, mainly from the United States, to overcome Israeli reluctance to leave. Finally, Israel evacuated the entire Sinai area and the Gaza Strip. UNEF soldiers manned the fortress of Sharm
el-Sheikh at the entrance of the Gulf of Aqaba, an access point for southern Israel. Elsewhere along the 273 kilometre long border between Israel and Egypt, UNEF patrolled but solely on the Egyptian side of the line.

b) UN Operation in Congo (ONUC) 1960-64

The Republic of Congo (Leopoldville) (now the Republic of Zaire) a former Belgian colony achieved independence from Belgium on 30 July 1960. On 5 July 1960, a mutiny broke out in the national army and the violence and disorder led to a mass exodus of Belgian administrators and technicians and a consequent breakdown of essential services and stoppage of important economic activities in many parts of the country. On 10 July, Belgium sent its troops to the Congo and stating that its aim was to protect and evacuate Europeans. But one thing is important here that the Belgian government sent its troops without any agreement of the Congo Government.

On 12 July 1960, the President of Congo Joseph Kasavubu and Prime Minister Patrice Lumumba requested the Secretary General Dag Hammarskjold to send UN troops to protect the national territory of Congo and maintain peace. On 14 July 1960 the Security Council of the United Nation, adopted resolution 143, which demanded Belgium to withdraw its troops from the Congo, and decided to authorize the Secretary General to take necessary steps to provide military assistance, in consultation with the
Government of the Congo until Congolese national Security Forces could fully meet their responsibilities.

Despite the creation of ONUC the situation deteriorated and on 11 July 1960 Tshombe, President of the Katangese provincial government declared Katanga's secession. Belgium troops remained despite resolution 143. Again on the Secretary General's initiative, the Security Council adopted resolution 145 on 22 July 1960. The resolution recognized the unity of the Congo and again called on the Belgians to withdraw, while authorising the Secretary General to take all necessary action to this effect. It also requested that all States refrain from interference which might undermine the territorial integrity and political independence of the Congo.\(^5\)

Belgium refused to withdraw from Katanga with the consequence that ONUG could not enter the province without using force — on event which the previous resolutions had not catered for. Under these circumstances the Council adopted resolution 146 on 9 August 1960. The resolution called on the government of Belgium to withdraw its troops from Katanga; declared that ONUC should enter Katanga; reaffirmed that ONUC will not be a party to or in any way influence the outcome of any internal conflict, constitutional or otherwise; and called upon members' to accept and carry out the decisions of the Security Council' in accordance with Articles 25 and 49.\(^6\)
Over the next four years, the United Nation was faced with the vast and complex task of helping the Congolese Government restore and maintain the country's political independence and territorial integrity; helping maintain law and order throughout the country; and putting into effect a wide and long-term programme of training and technical assistance. At its peak strength ONUC totalled 20,000 officers and men with 2,000 experts in the largest single assistance programme organized by the United Nations up to that time.7

Following the reconvening of Parliament in August 1961 under United Nations auspices, the main problem was the attempted secession, led and financed by foreign elements of the province of Katanga. In December, 1962, the successionist force under the command of foreign mercenaries clashed with the United Nations Force. Secretary General Dag Hammarskjold lost his life on 17 September 1961 in the crash of his aeroplane on his way to Ndola (in what is now Zambia) where talks were to be held for the cessation of hostilities.

In February 1963, after Katanga had been reintegrated into national territory of the Congo, a phasing out of the Force was begun, aimed at its termination by the end of that year. At the request of the Congolese Government, however, the General Assembly authorized the stay of a reduced number of troops for a
further six months. The Force was completely withdrawn by 30 June 1964.

c) UN Security Force in West Irian (UNSF) 1962-63

The Territory of West Irian had been controlled by Netherlands for 120 years. In 1949, when Indonesia became an independent state from Dutch colonial rule. At that time, however, the fate of West Irian remained unsolved. Though the negotiations between the two countries took place between 1947 and 1969, but unfortunately no settlement could be reached and the relations between Indonesia and Netherlands continued to deteriorate. Then in 1954 Indonesian government brought the matter before the United Nations and claiming that the territory of West New Guinea (West Irian) rightfully belonged to it and demanded that it should be free from Dutch colonial rule, but on the other hand the Governments of the Netherlands announced that West Irian were not part of the Indonesia. So it was the reason that Indonesian President Sukarno organized a number of raids to free West Irian, but all these were repulsed by Dutch army, then Netherlands charged that it was an act of aggression.

After that negotiations held at United Nations Headquarters, and on 15 August 1962 an Agreement signed between Indonesia and Netherlands. According with agreement of 15 August 1962 both countries agreed that the
territory should be transferred to the United Nations Temporary Executive Authority (UNTEA) from Netherlands, it was headed by a United Nations Administrator. Under his jurisdiction UNTEA have full control over it after 1 October 1962. It was the responsibility of the administration to maintain law and order, and protect the rights of inhabitants. It was also decided that the territory was to be transferred to Indonesia soon after 1 May 1963. The Agreement also provide a United Nations Security Force (UNSF) to assist the UNTEA. It would also provided that United Nations personnel would observe the implementations of cease-fire that was to become effective before UNTEA assumed authority. The United Nations was therefore entrusted with a dual cease-fire and ensuring the maintenance of law and order in addition to its administrative responsibilities as executive authority.

Finally on 1 May 1963, in accordance with the Agreement of 15 August 1962, the United Nations Administrator transferred full administrative control to the administrative of the Indonesian Government.

d) United Nations Peace-keeping in Cyprus : 1964–Present

In the spring of 1964 the Cyprus problem came to a head. Cyprus was a British colony in the Mediterranean just as Malta was. Malta became independent in 1960 it had a predominently Greek Cypriot population of 80% and a
Turkish minority population of 20%. But these communities occupied distinct zones in Cyprus and a look at the map will show that Cyprus is much closer to Turkey than it is to Greece. Turkish Cypriots occupied the Northern and Eastern part of the island, and the rest of the island was inhabited by the Greek Cypriots. There was constant tension between the two communities and it was to put a stop to this tension that the first United Nations Force in Cyprus called UNFICYP was sanctioned by the Security Council. That was in March 1964 for a period of three months and it is still going strong.\(^8\)

UN Resolution 186 was unanimously adopted by Security Council of the United Nations on 4 March 1964. The resolution 186 noted that the situation 'with regard to Cyprus is likely to threaten international peace and security, so it was the reason that council recommended for the establishment of United Nation Peace-keeping Force in Cyprus (UNFICYP) with a mandate to prevent the recurrence of fighting, help maintain law and order, and promote a return to normal conditions. Since 1964, the Council has periodically extended UNFICYP's mandate, usually for periods of six months at a time.

This operation has been in existence for over 24 years. During these long years there have been three or four major efforts to solve the basic problem between the two communities. For example, in 1964 itself the Secretary General appointed a distinguished former President of
Ecuador, Senor Galo Palaza, as his personal representative, struggled with the problem for a year and a half after which he submitted a report which led to no result. Then inter-communal talks between leaders of the two communities were organized at the request of the Security Council. They too got nowhere. Then the Security Council adopted a resolution by which the inter-communal talks would be held, not just between two communities, but under the auspices of the Secretary General: this too got nowhere. The present Secretary General, in efforts to promote inter-communal harmony. Recently the Turkish area declared its independence and set up a separate Turkish states, which has been recognized only by Turkey. No other government has recognized it.

In November 1974, the General Assembly unanimously recommended that all states to respect the sovereignty, territorial integrity, independence of Cyprus. It also demanded immediately withdrawal of foreign interference. The Assembly said it was up to Greek cypriot and Turkish Cypriot communities to resolve their constitutional issues.

In the meantime, the United Nation Peace-keeping Force controls a 180 km buffer zone, established between the cease-fire lines of the Turkish force and the Cyprus National Guard. The force also performs humanitarian functions, such as facilitating the supply of electricity and water and offering emergency medical services.
In September 1992, the troop providing countries announced that they were going to reduce substantially number of troops in (UNFICYP) as a result of the lack of financing, as well as a more pressing need for military personnel in other peace-keeping operations. In June 1993 the Security Council approved a resolution that cost of the UNFICYP not covered by voluntary contributions should be treated as expenses of the UN to be financed by assessed contribution from member states.  

At 30 April 1994, UNFICYP comprised 1,188 troops, 35 police and 12 observers from nine countries.

e) Second UN Emergency Force in the Middle East (UNEFII) 1973-79

The preceding three conflicts had brought only ignominy on the Arabs; they come to be regarded as a spent-up force: nobody would take them seriously. The then Egyptian president Col. Nasser must have regarded the happenings of 1967 as a personal affront and probably his end was hastened by the unfortunate events. Anwar Sadat who succeeded Col. Nasser as President of Egypt adopted a more pragmatic policy, and the realizing that their defeat in 1967 was mainly due to the lack of concerted action on the part of the Arabs. First, it was the reason that he patched up differences with the fellow Arabs so that they could all fight for a common cause. Secondly, he initiated a series of reforms to - modernize the army and acquired
latest weapons from the former USSR. He, expelling all Russian experts in August 1972. Meanwhile, he continued his assurance to his people that the occupied areas would soon be liberated. The major cause of fourth conflict was the exasperation of the Arabs at the intransigent Israeli attitude. All their efforts to get the occupied areas peacefully failed. The latter even talked of her newly acquired gains as most vital for long term security and refused to barter them away.

Ultimately, on 6 October 1973, when the Jews were busy observing one of their ritual connected with Yom Kippur, the Arab armies in a well coordinated effort attacked Israel. For the first time the Arabs seemed to be fighting well; they crossed the Suez Canal and penetrated a number of miles deep into the Sinai.

The heaviest fighting of the war took place in the Sinai desert and the Golan heights. It was the biggest outbreak of fighting in the Middle East since the six-day war. Thousands of Egyptian soldiers plungeld across the Suez Canal and advanced into the Israeli occupied Sinai Peninsula. On the other hand the Syrian armour swept across the Golan heights and overran an Israeli outpost. Although the two-front war mainly involved Egypt and Syria, it quickly became a conflict involving the Arabs and Israelis. Morocco sent a small detachment. Kuwait also deployed a small unit on the Suez, Saudi Arabia sent 1,000 troops. Tunisia despatched a crack regiment. "Conquer or
die", President Bourguiba told these troops. Iraq moved about 18,000 troops and 100 tank to join Syrian front. Jordan troops were sent to join the Syrian forces in their battle to halt Israeli advance towards Damascus. The Arabs were jubilant; they had scored a major propaganda victory; the honour lost in 1967 was partially rehabilitated.

Israel retaliated and taking advantage of one of the weak points of the Egyptian troops, pushed her tank force to the other side of Suez Canal and cut off the Egyptian Third Army's communication line with its base. The Israeli threatened to move towards Egyptian capital Cairo. On the other hand Syrian front also the Israelis forces managed to occupy the strategically important Golan Heights. Thus, Israel succeeded in making good the lose due to the initiative taken by Arabs.

In view of the grave situation the Security Council called an emergency meeting on 8 October 1973, but unfortunately it was unable to take any steps for seventeen days, indeed it did not meet between 13 and 21 October 1973. On 22 October Security Council meet and passed a resolution, asking both parties to cease all firing within 12 hours of the adoption of the resolution. It also called on them to implement the Security Council Resolution 242 of 1967. However, neither of the two parties gave effect to the resolution. As a result, the Security Council had to pass another resolution the next
day to impose cease-fire. Ultimately both parties agreed for a cease-fire although frequently violations of the same continued for some time. To ensure that the peace of the area was not disturbed, Kurt Waldheim the then UN Secretary General suggested a plan for the stationing of emergency force in West Asia, which was accepted by the Security Council.

A formal agreement between the two parties was reached on 11 November 1973 mainly due to the ceaseless efforts of Henry Kissinger, the US Secretary state. As a result of this agreement both Egypt and Israel agreed to scrupulously observe the cease-fire called by the UN Security Council. They agreed to initiate discussions for return to 22 October positions within the framework of an agreement on disengagement and separation of forces under the auspices of United Nations. It was to be ensured that the town of Suez received its daily supplies of food, water, medicine etc. and the wounded civilians were vacated. The Israeli check-points on the Cairo-Suez road would be replace by United Nations check-points. However, the Israeli officers were to be allowed to participated with the UN in supervision of these check-points to ensure that Cargo on the bank of the Canal was a non-military nature. As soon as the UN check-points were established on the road, there would be an exchange of all prisoners of war including the wounded.
In September 1975 Egypt and Israel reached on interim agreement on Sinai which was valid for three years. Under this agreement Israel agreed to withdraw from the Abu Qudies Oil-fields on the condition that USA would compensate her for the loss of the oil. Israel was to withdraw from the eastern end of the Giddi and Mitla passes and the same were to be placed under the control of U.N. forces. To keep a watch on the movements of the Egyptian troops an Alert system was to be set up which was to be manned and operated by the American technicians. The two parties also agreed not to link the agreement with the new partial Israeli withdrawal from the Golan Heights.

f) United Nations Disengagement Observer Force (UNDOF)

June 1974 - Present

At the end of the October 1973 war, the second United Nations Emergency Force was deployed along the Egyptian Front. No new peace-keeping force was established on the Syrian front in the Golan Heights where fighting subsided following the call by the Security Council for a cease-fire. By that time, Israeli forces had crossed the 1967 cease-fire lines and occupied a silent up to and including the village of Saassa on the Quneitra - Damascus road. United Nations military observers set up temporary observation post around the salient and, with these changes, the cease-fire observation operation in the Israel-Syria sector was resumed.
Against this background, the United States Secretary of State undertook a mediation mission which resulted in an agreement for disengagement between Israeli and Syrian Forces. On 30 May 1974, the Secretary General transmitted to the Security Council the text of the agreement as well as the protocol to the agreement dealing with the establishment of the United Nations Disengagement Observer Force (UNDOF).11

On 31 May 1974, the Security Council passed Resolution 350, and approved the establishment of United Nations Disengagement Observer Force (UNDOF).

The Council approved the Secretary General's report which interpreted UNDOF's functions as the supervision of disengagement and the observation of cease-fire lines. The general principles governing UNDOF would be the same as UNEFII. 12

UNDOF's constitutional origin is basically the same as UNEF's - the supervision, with the consent of the parties, of provisional measures adopted under Article 40 of the Charter by the Council, in this case embodied in an agreement between the parties.13

g) United Nations Interim Force in Lebanon (UNIFIL) 1978 – Present

On 11 March 1978 Palestinian commandos attacked Israel near Tel Aviv. In retaliation Israeli forces invaded southern Lebanon on the night of 14, 15 March 1978, and
within a few days Israeli forces occupied the entire south region of the Litani River except for the city of Tyre and its surrounding area. After that on 15 March, the Lebanese Government submitted strong protest to the Security Council of the United Nations against the Israeli invasion. It declared that it was not responsible for the presence of Palestinian bases in southern Lebanon and had no connection with the Palestinian commandos operation. It was the reason that on 19 March 1978 United Nations called an emergency meeting and passed a resolution 425 which expressed grave concern at the deterioration the situation and its consequence for international peace. It called on Israel to cease its military action and withdraw its forces from Lebanese territory. Resolution 425 also established United Nations Interim Force in Lebanon (UNIFIL) at the request of Lebanese government to confirm the withdrawal of Israeli forces, to restore international peace and security and to help the Government of Lebanon in ensuring the establishment of its effective authority in southern Lebanon.

On 6 April 1978, the Chief of Staff of Israel Defence Forces submitted a plan for an initial withdrawal of the Israeli forces. The area to be evacuated during two phases would cover about 110 square kilometres, about one-tenth of the total occupied territory. The Secretary General indicated that the Israeli plan was not satisfactory, since the council had called for the
withdrawal of Israeli forces from the entire occupied territory. The plan, however, was accepted on the understanding that a further withdrawal would be agreed on at an early date. The proposed withdrawal took place as scheduled without incident. All positions evacuated by the Israeli were handed over to UNIFIL troops. 14

Following a third phase of the Israeli withdrawal, UNIFIL was faced with two major problems. First the Israeli Government was reluctant to relinquish the remaining area and United Nations efforts to achieve further withdrawal met with increasing resistance. Second, PLO armed elements not only continued to oppose UNIFIL deployment in the Tyre pocket but attempted to enter the area evacuated by Israeli forces on the ground that they had a legitimate right to do so under the terms of the Cairo agreement of 3 November 1969, concluded between Lebanon and PLO under the auspices of President Nasser of Egypt, dealing with the presence of Palestinians in Lebanon. 15

Under pressure from the United Nations, the Israeli Government announced its decisions to withdraw its forces from the remaining occupied territory in Lebanon by 13 June 1978. Intensive discussions were then held between United Nations representatives and the Lebanese Government regarding the deployment of UNIFIL in the area to be
evacuated and, in particular, regarding its relationship with the militias under the command of Major Haddad. Pending full establishment of its authority in Southern Lebanon, the Lebanese Government announced that it provisionally recognized Major Haddad as defacto commander of the Lebanese forces in his present area. The Lebanese Army command would issue instructions to Major Haddad to facilitate UNIFIL's mission and deployment.¹⁶

United Nation Interim Force in Lebanon UNIFIL has also extended humanitarian assistance to the population of the area, particularly since the second Israeli invasion of Lebanon in 1992. By mid-1993 UNIFIL had been unable to fulfil its mandate, with Israel continuing to occupy an area of southern Lebanon. In April 1992, however, in accordance with its mandate, UNIFIL completed the transfer of part of its zone of operations to the control of the Lebanese army. UNIFIL's monitoring activities are confined to manning of check-points and observation posts which are designed to deter hostilities. UNIFIL provides civilians with food, water, medical supplies, fuel and escorts to farmers. UNIFIL medical centres and mobile teams provide care to civilian patients.¹⁷

At 30 April 1994, the force comprised 1,035 troops from Austria, Canada, Finland and Poland, assisted by military observers of UNTSO's Observer Group Golan. Further UNTSO military observer help UNDOF in the
performance of its task as required. The annual cost to the United Nations of the operation is approximately US $ 35 million. 18

h) United Nations Protection Force in Yugoslavia

The United Nations became actively involved in the situation in Yugoslavia on 25 September 1991, when the Security Council, meeting at the ministerial level, unanimously adopted its Resolution 713 (on 25 September 1991) expressing deep concern at the fighting in that country and called on all states to implement immediately a general and complete embargo on all deliveries of weapons and military equipments to Yugoslavia.

By its resolution, the Council invited the Secretary General to offer his assistance, in cooperation with the Government of Yugoslavia and all those promoting peace efforts. On 8 October 1991, the Secretary General appointed Cyrus Vance, former United States Secretary of State, as his Personal Envoy to Yugoslavia. Since then the Secretary General and his Personal Envoy have maintained constant contact with all the parties in the Yugoslav conflict.

The Security Council by its resolution 743 (1992) of 21 February 1992 adopted unanimously, established the United Nations Protection Force (UNPROFOR) for an initial period of 12 months "to create the conditions of peace and
security required for the negotiation of an overall settlement of Yugoslav crisis”. This was the sixth resolution taken by the Security Council on the Yugoslav situation. The resolution demanded that all parties and others concerned take all the necessary measures to ensure the safety of personnel sent by the UN and EC Monitoring Mission. It also urged them to comply strictly with the cease-fire agreement signed at Geneva on 23 November 1991 and at Sarajevo on 2 January, 1992 which had formed the basis for Secretary General's report recommending formation of UNPROFOR in Croatia.¹⁹

Under the Secretary General's 15 February 1992 Report (S/23592) which led to the Council's creation of UNPROFOR, the Force would consist of nearly 13,340 military 530 police and 519 civil Personnel at an estimated cost of $ 634 million for the first year (cost to be born by the Member States). The Force was to be deployed in ethnically mixed but Serb-dominated "Croatian" territories of Eastern and Western Slavania, Krajina, termed "UN Protected Areas" (UNPA). It was assigned to oversee maintenance of a cease-fire, the demilitarization of the conflict areas, and an easing of ethnic tensions by assuring equitable law enforcement in areas where armed conflict raged.²⁰

In his Report (S/23592) the Secretary General of the UN Boutros Ghali said that the complexities and
dangers of the Yugoslav situation required that a UN force succeed in consolidating the cease-fire and thus facilitate the negotiation of an overall political settlement. He had concluded that the danger that a UN peace-keeping operation would fail because of the parties' lack of cooperation was less grievous than the danger that delay in its despatch would lead to a breakdown of the cease-fire and to a new configuration in Yugoslavia. While there is merit in concluding that the presence of UN peace-keepers does make some material difference in holding or accelerating holding of a cease-fire, it was not unclear by then to political observers that the Serbs would go for cease-fire and accept peacekeepers only when their strategic purpose of liberating the Serb majority area in Croatia was achieved and the UN troops would be located along the conflict line between the two sides, deep inside Croatia.²¹

i) United Nations Transition Authority in Cambodia

On February 1992 the Security Council of the United Nations voted unanimously to authorize the establishment of a United Nations Transition Authority in Cambodia, and asked the Secretary General to start the deployment of the force "as soon as possible in the most efficient and cost-effective way".

By its resolution, the Council approved the Secretary General's plan for the deployment of UNTAC and
his preliminary estimate of some $2 billion for the cost of the force for approximately 15 months. The Council said it was vital that elections be held in Cambodia by May 1993 at the latest and called on all the parties concerned to comply scrupulously with the Paris Agreements signed in October 1991.

The first full military contingent of the UN Transition Authority in Cambodia commanded by a Japanese, Yasuch Akhashi, arrived in March 1992. The peace-keepers has not only to repatriate the refugees, demobilize and disarm the half million armed fighters of Cambodia's four factions but also to run the country until a nation-wide vote in early 1993 is held. It has been attempted for the first time in any country. In May the full 22,000 strong peace-keeping force was placed in Cambodia.22

United Nations Transition Authority in Cambodia (UNTAC) is headed by the Special Representative of the Secretary General, Yashushi Akashi, a long time UN official and the first Japanese to head a UN peace-keeping mission UNTAC is comprises more than 22,000 United Nations personnel, including human rights, civil, administrative and military components as well as a police components of some 3,000 civilian police monitors operating throughout the territory.

Akashi's arrival in Cambodia was punctuated by Khmer Rouge attacks on State of Cambodia (SOC) forces in
the north-central part of the country. Although the Khmer Rouge soon allowed UN forces into areas that they controlled, they refused to move their troops into UN contonment areas or to cooperate in preparations for nationwide elections set for May 1993. Unable to physically dislodge the Khmer Rouge, who were roundly suspected of hiding large amounts of arms for later use, the UN opted to work around them, hoping that, as normal conditions returned in the rest of the country Khmer Rouge Carlres and their families would vote with their feet and slip away to UN-government territory.

Only two months before the elections, violence on the part of government supporters against opposition politicians and the detention of UN peacekeepers (and killing of other UN officials) in Khmer Rouge held areas produced a crisis within UNTAC. Indeed, the violence and intimidation continued until the eve of the vote. However, outside pressure, UN perseverance, and the determination of the average Cambodian led to in the end to elections in which 89 percent of registered voters cast ballots. The royalist opposition party known as FUNCINPEC (the French acronym for United Front for an Independent, Neutral, peaceful and cooperative Cambodia), founded by Princes Sihanouk, won an unexpected 45 percent of the vote to the government party’s 38 percent (Eighteen other parties shared the remaining 17 percent). The mixed results
produce a flurry of Sihanouk led coalition-building and astonished the Khmer Rouge, whose propaganda was predicted on a steam roller win by the State of Cambodia. After weighing the results for a time, they offered to join the process they had been threatening if they were given some role in the new coalition government. As of mid-summer 1983, their offer had been accepted; indeed, the new government appeared ready to take on the Khmer Rouge military as UNTAC prepared to fold its tents and go home. 24

Cambodia was far from healed by mid-1993, but the peace accords gave the country a new start. Although their country remained poor and riddled with mines, many Cambodians were able to go home for the first time in a decade and they had the making of a government widely recognized as legitimate for the first time in two decades. For all of its troubles, UNTAC made that possible. 25

j) United Nations Operation in Mozambique (UNUMOZ)

December 1992 - Present

United Nations Operation in Mozambique was established in December 1992 to oversee the General Peace Agreement that the Mozambique Government and the Resistencia Nacional Mocambicana (RENAMO) signed is to facilitate the impartial implementation of the agreement;
to monitor and verify the cease-fire, the separation and demobilization of forces and the disarmament process; to coordinate and monitor humanitarian operations, particularly for refugees and displaced persons to organize and monitor general elections, with were initially planned for October 1993 but were rescheduled in June 1993 to be held no later than October 1994. At the end of November 1993 ONUMOZ opened the first arms assembly areas to commence the process of demobilization. All 49 areas were operational by February 1994. In November 1993 the Security Council approved a resolution to establish a civilian police component of ONUMOZ with an authorized strength of 128 to monitor national police, activities, provide technical support, verify respect of civil rights and assist in electoral monitoring. In February 1994 the number of police observers was increased to 1,144. In mid August ONUMOZ, verified the disbandment of the Mozambican government army. As of 16 August 49,000 government troops and 16,000 RENAMO troops had been demobilized of overall strengths of 64,000 and 23,000 respectively. The elections, which were conducted according to the agreed scheduled at the end of October, were ruled to have been free and fair by the UN Secretary-General's Special Representative. In November having endorsed the election result, the Security Council extended ONUMOZ's mandate until the installation of the new Government, which was to
take place no later than 15 December 1994. The operation's withdrawal was to be completed by 31 January 1995.26

k) **United Nations Operations in Somalia (UNOSOM)**

During the Cold War, Somalia was a valuable piece of strategic real estate to the superpowers. In the 1970s, the port and air strip at Berbera in northern Somalia were used by Soviet Navy and, from 1978 to 1988 by the US Navy. Both countries brought the allegiance of Somalia's leader Mohammad Said Barre, with economic and military aid. By the time the Cold War was over, Somalia was awash in weapons.27

Although Somalis share a single ethnic background, a single language, and a single religion (Sunni Islam), they are divided by clan, sub-clan and family. To keep himself in power for more than two decades, Said Barre recruited government officials from his own Mahrehan sub-clan, which represents just one per cent of Somalia's population, played other clans against one another, and ruthlessly suppressed opposition.28

Separate clan-based resistance movements sprang up nonetheless in the central and southern regions, and by late 1990, fighters of the Hawiye-based United Somali Congress (USC) were closing in on the capital, Mogadishu. As the city collapsed into gunfire and looting, the expansive grounds of the American Embassy became a last
refuge for the 250 foreigners remaining in the city, including Soviet diplomats. The US mounted a brief rescue operation that swept them all to safety. 29

The downfall of President Said Barre in June 1991 had resulted in a power struggle and internecine war amongst the numerous clans and sub-clans of Somalia. The ferocity of the protracted civil war resulted in total collapse of the Government, the administration and the economy. Out of a population of 8 million, 50,000 had died and 1 million had been rendered homeless - the country was void of a government or society. The political chaos, deteriorating security situation, widespread banditry and looting severely constrained delivery of supplies and medical aid by international Non Governmental Organization (NGOs) resulting in death, famine and refugee problems. Further, the conflict threatened to spill over into neighbouring states affecting the stability in the Horn of Africa. 30

On 24 April 1992 the Security Council of the United Nations called an emergency session of the Security Council and passed a Resolution 751 and decided to establish United Nations Operations in Somalia (UNOSOM), following the signature of 'letters of agreement by the leaders of the two principal warring factions in Somalia. UNOSOMI was to be responsible for the monitoring for a cease-fire for promoting a political settlement and for
the distribution of humanitarian assistance. Security Council also approved deployment of 50 unarmed military observers to Mogadishu to mind food shipments. In early July 1992, 50 unarmed military observers were despatched and in mid-September the first contingent reached Somalia of the 500 Security personnel who were to guard food supplies arriving at the port and airport in the Somali capital Mogadishu and escort them to warhouses in the capital. As the security situation in southern Somalia continued to deteriorate, relief ships approaching Mogadishu harbour were shelled and little relief was reaching to refugees. So it was the reason that in early December the Security Council authorized UN member states to take all necessary steps, to create a secure environment for the provision of humanitarian relief in Somalia.

On 3 December 1992 Security Council passed another Resolution 794, regarding Somalia, which authorized the United States to led coalition force Unified Task Force (UNITAF). This gave UN endorsement to a proposal from the USA to despatch a force of some 28,000 men, to preventing the warring Somalia factions from stealing most of the food aid intended for starving civilians. In short, order, some 34 other countries were ready to send their troops to Somalia under United States command. These countries were Belgium, Saudi Arabia, Italy, Canada, France etc. On 9 December 1992 first contingents of US Marines reached in
Somalian capital Mogadishu, followed closely by French Legionnaires, units of US Army's 10th Mountain division, and other forces and these multinational forces were known as Unified Task Force (UNITAF). In March 1993 the Secretary General of the United Nations reported that UNITAF had deployed some 37,000 troops in central and southern Somalia, so these forces had improved the security situation and secured food delivery and distribution throughout southern Somalia.

In March 1993 the Security Council approved the inauguration of the Second part of the UN mission United Nation Operation in Somalia-II (UNOSOM-II) which was to assume control of the operation from UNITAF. UNOSOM its mandate was to take appropriate action including enforcement measures, to restore peace, stability and law and order and to disarm combatants with the aim of establishing a secure environment for the provision of humanitarian assistance. The mandate also extended to aiding the country in rebuilding its economic, social and political structures and lending support for the creation of a democratic state. UNOSOM-II originally comprised 28,000 military personnel and 2,800 Civilians. Also in March a conference on national reconciliation convened under UN auspices in Addis Ababa, Ethiopia was attended by representatives of the principal Somali political movements who concluded an agreement to end armed
conflict, to surrender their weapons to UNITAF and UNOSOM-II and to establish interim local and national political and administrative authorities.\textsuperscript{31}

Full transfer of command to UNOSOM-II occurred in early May 1993, but was shortly followed by a sharp escalation in violence instigated by factions that had refused to comply with UNOSOM-II's efforts to disarm them, in particular the Somali National Alliance (SNA) led by General Mohammad Farhan Aidid. In June 1993, following the deaths of 25 UNOSOM-II soldiers, UNOSOM-II forces undertook ground and air attacks against Somali National Alliance (SNA) installations in south Mogadishu. The UN Secretary General's Special Representative ordered the arrest of General Aidid, but this was not achieved. In October 1993, a number of US troops were killed in a further attempt to capture SNA members. By the end of the year some 80 UNOSOM-II personnels, together with hundreds of Somalis, had lost their lives as a result of UNOSOM-II's efforts to enforce disarmament. In November 1993 the United Nations Secretary General reported that UNOSOM-II had some success in reducing famine, rehabilitating medical and educational facilities and agriculture production, repatriating refugees and establishing district and regional councils (in accordance with Addis Ababa agreement of March 1993). However, there was still no national government and no national security
forces or judicial system. He declared that comprehensive disarmament was essential for further progress to be made. 32

In December 1993 both countries Belgium and France withdrew their troops to UNOSOM-II from Somalia, while the United States and most of its Western allies did so by March 1994, because of the disastrous events of 1993, leaving a slightly smaller force provided mostly by developing states, mainly Egypt, India, Malaysia, Pakistan and Zimbabwe. In February 1994, the Security Council approved the continuation of UNOSOM-II. In March 1994 the report of an international Commission of inquiry criticized the UNOSOM-II peace-keeping tactics and announced that UNOSOM had tried to impose a political settlement that was not accepted by all Somali factions.


1) United Nations Mission in Haiti (UNMIH) May 1993

The Security Council of United Nations passed a Resolution for the establishment of the United Nations Mission in Haiti in September 1993. It also approved the deployment of UNMIH with a mandate to maintain peace and respect for human rights during the transition of power from military junta to ousted President Jean Bertrand
Aristide, in accordance with an agreement reached by both sides at Governor's Island, USA, in July of that year.

Under an initial six months mandate, the mission was to consist of 567 UN police monitors and a 700 strong military construction unit. In mid-October 1993, 220 UNMIH troops were prevented from landing in Haiti, owing to local disturbances. This promoted the departure of some 100 members of UNMIH's advance party and other international staff as well as the reimposition of sanctions against the country by the Security Council. The transition of power, which was to have been concluded by 30 October under the terms of the peace agreement was not achieved. In December the Security Council resolved not to curtail UNMIH's despite the military junta's obstruction of its deployment; the mandate was extended, in March 1994, until 30 June 1994 in order to ensure rapid mobilization of the mission under appropriate circumstances. In May a comprehensive trade embargo against Haiti came into effect, extending that on fuel and weapons, in order to increase pressure on the military leadership to comply with the terms of the Governor's Island Agreement. Despite economic and diplomatic pressure, the situation in Haiti continued to deteriorate. In July the International Civilian Mission (MICIVIH) comprising Human Rights monitors of the UN and the Organization of American States, was expelled from the
country. In July the Security Council approved Resolution 940, authorizing a multinational force, under US command, to ensure responsibility for ensuring the removal of Haiti's military leadership. Negotiations between US representatives and Haitian military leaders concluded with the agreement of the latter to retire from power by 15 October. This agreement was assured by the arrival of the multinational force in September. The commercial sanctions were immediately removed following President Aristide's return to the country on 15 October. In accordance with Resolution 940, the multinational troops were to be replaced by enlarged UN mission when a secure and safe environment had been established. UNMIH, which had an authorized strength of 6,000 personnel, was to maintain order, retain and reorganize Haiti's military and police forces and monitor national elections, scheduled for late 1995. In Late January 1995 the Security Council resolved that the UN mission was to be fully deployed by the end of March 1995.33

m) United Nations Assistance Mission to Rwanda (UNAMIR)

The modern roots of the politically motivated ethnic violence which engulfed Rwanda in 1994 can be traced back to the country's political history as an independent nation. The Hutu Revolution of political and economic life, leading to Rwanda's independence in 1962 from its most recent colonial master, Belgium. During the
following decades, Rwanda repeatedly witnessed programs and mass exoduces of Tutsi to neighbouring Burundi, Tanzania, Uganda and Zaire. The one-party regime of President Juvenal Habyarimana, established after a military coup in 1973, did not allow for the return of the refugees. In the 1980s, a group of them joined the rebel forces that brought Yoweri Museveni to power in Uganda. In 1990, the militant refugees, calling themselves the Rwanda Patriotic Front (RPF), attacked northern Rwanda, meeting with resistance from government troops aided by Belgium, prohibited by its legislation from assisting countries at war, cut off its military aid, but France persisted. A cease-fire was concluded in 1992, and a frangible transitional government, drawn from the five most prominent parties to emerge from the President's move to political pluralism in 1990, was charged with negotiating peace with RPF.34

The Arusha Peace Agreement of 4 August 1993 was intended to end the civil war. Sponsored by the Organization of African Unity (OAU) and the government of Tanzania, the Peace Agreement called on the United Nations to play a major support role during a 22-month transitional period, beginning with the institution of a transitional government and multi-party national assembly and ending with national elections to be held by the end of 1995. To oversee the agreement, the UN Security Council
established the UN Assistance Mission for Rwanda (UNAMIR) on October 1993. It was given command over the UN Observer Mission Uganda-Rwanda (UNOMUR), set up in June to ensure that no military assistance reached Rwanda through Uganda.  

A traditional peace-keeping operation, UNAMIR was authorized to monitor observance of the cease-fire agreement, including containment, demobilization and integration of the armed forces of the parties; to establish a weapons-secure area in the capital Kigali and to monitor the security situation until the elections; to assist in mine clearance the repatriation of Rwanda refugees and the coordination of humanitarian assistance; and to investigate incidents regarding the gendarmerie and police as well as alleged non-compliance with provisions of the peace agreement. The UN operation was to proceed in four phases, beginning with departure of foreign forces and the establishment of a secure area in Kigali. Preparations for the disengagement, demobilization and integration of the armed forces and gendarmerie were to be completed during the second phase, due to begin with the instalment of the board-based transitional government. At this time, UNAMIR was to reach its peak strength of 2548 military personnel, which was to be gradually reduced before the elections. By December 1993 UNAMIR had completed the tasks set out for the first phase, including safe passage to Kigali for 600 RPF troops.
On 5 April 1994 the Security Council extended UNAMIR's mandate by four months, subject to review of the implementation of the peace process. On the following day the President of Rwanda and Burundi were killed in an aircraft crash. The incident the start of widespread ethnic and political violence, which left Rwanda without any form of government. Following the murder of 10 soldiers serving under UNAMIR. The Belgium government decided to withdraw its troops (numbering more than 400) from the Mission.

Consequently the Security Council resolved that UNAMIR be reduced to minimum strength of 270 military personnel, and act as an intermediary in order to secure a cease-fire. UNAMIR was also to assist with humanitarian operations. In mid May the Security Council responded to the continuing large scale killings and movements of populations by authorizing the expansion of UNAMIR to 5,500 troops, with an enlarge mandate to established secure humanitarian areas and to provide security for relief operations. The opposing parties met, under UNAMIR auspices, and agreed to cooperate on the treatment and exchange of displaced persons. In June the UN Secretary General criticized reinforced mission Security Council authorization was given to the temporary deployment of a multinational force, under French command, to secure humanitarian operations, pending the mobilization of sufficient UN troops. The so-called 'Operation Turquoise'
established a temporary 'safe haven' for the displaced population in south-western Rwanda, in agreement with FPR which had became the dominate force in the country. The French operation was concluded on 21 August in accordance with its original mandate, and control was transferred to UNAMIR, which by now numbered some 3,000 troops. 37

The success of the UN mission, as UN Secretary General Boutros Boutros Ghali has emphasized repeatedly since its inception, was predicted on the assumption that there would be continued cooperation between the parties and with the UN in carrying out their commitments under the Arusha Agreement. Deep-rooted mistrust, delaying tactics of the transitional arrangements. In January only one of the intended institutions, the presidency, was in place. Despite international pressure, efforts at mediation by the Special Representative of the Secretary General in Rwanda, Jacques Roger Booh-Booh, produced on tangible results. In February he warned the parties of a possible UN-withdrawal in face of the impasse, a threat repeated by the Security Council in early April when it prolonged the mandate of UNAMIR conditionally four months: further delay would risk provoking the UN into abandoning its role in the peace process. 38

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2. UNITED NATIONS ORGANS AND PEACE-KEEPING

The peace keeping operations are one area of UN activity has gained wide appreciation recently including the awarding of the 1988 Nobel Peace Prize. This new-found enthusiasm has led to proposals to extend its activity to include areas different from those in which it has operated so far. The enthusiasm is obviously the result of inflated impressions of recent events which have witnessed the launching of several new operations. It should be noted that the concept of peace-keeping evolved, beginning 1947, into a situation where the peace and security mechanism, as envisaged in the charter, became frozen as a result of the Cold War. In the given circumstances, the United Nations improvised pragmatic steps for the observance of cease-fire and for keeping combatants apart so that negotiations for peaceful settlements could be successfully resorted too. The concept is unique in the sense that military forces are employed and not to serve the interest of any power or group of powers but to serve as a non-partisan instrument of peace and to prevent conflicts between peoples.39

One major feature of the present world community is the intervention of UN organs - chiefly the Security Council and the General Assembly in interstate controversies for the purpose of promoting a peaceful settlement. The machinery provided for in the UN Charter refers both to legal and to political disagreement, although, as we
shall see, in the case of legal disputes a specific mode of settlement is suggested. The lack of distinction between the two classes of disputes is a sound development, for all too often clashes between legal claims are political motivated, or they have strong political implications, whereas political feuds frequently present legal overtones, or else one of the parties or even both of them employ legal arguments to buttress their political demands. If one of the major purposes of the world community is reconciliation of disputants so as to prevent them from crossing swords, the better course of action is that followed in 1945 of not making the selection of a certain mode of settlement conditional on the intrinsic character of a dispute.40

The basic philosophy underlying the Charter is that every effort should be made to maintain peace and security. An obvious corollary is that whenever disagreements between States threaten to become explosive, and to endanger peace, the UN must step in and endeavour to defuse the situation. This, of course, implies that the Organization must always watch out for possible cracks in the fragile edifice of peace. Put in another way, the UN must concern itself with any dispute which, although not posing an immediate threat to peace, might develop into a clash such as could jeopardize peaceful relations in the future. The field of actions of the Organization thus
becomes very broad, for any disagreement evidently may escalate into a major conflicts, except for the very minor and peripheral ones. The great novelty of the Charter system was aptly stressed by Ross in the following terms:

The essence of the Charter, the point where it definitely breaks with the rules of traditional international law, is that it establishes the principles that every dispute (the continuance of which is likely to endanger the maintenance of international peace and security) is a public matter, so that whether the parties wish it or not, they must accept the fact that the dispute may be debated in the Security Council or the General Assembly, if that organ considers such debate to be in the interest of peace. The parties are not obliged to seek the assistance of the organization but they are obliged to put up with its intervention.\textsuperscript{41}

The United Nations has six principal organs to carry out its aim, but here I want to mention only about General Assembly and Security Council because these two organs are basically responsible for maintaining international peace and security.

a) General Assembly and Maintenance of International Peace and Security

Whereas the Security Council's position as the primary body responsible for the maintenance of international peace and security is reasonably well
established and defined, the General Assembly's role is nebulous and ill-defined. The drafting of the provisions relating to the General Assembly's functions and powers was a source of contention between the smaller States represented at San Francisco and the sponsoring powers. The four power Dumbarton Oaks proposals gave the Assembly no real power. At San Francisco, the smaller states insisted that all the power should not be in the hand of the Council or, more, specially, in the hands of the veto-wielding powers. As a result Chapter IV, which indicates the powers of the General Assembly, became a compromise between the provisions granting generous powers to the Assembly to placate the smaller nations, namely Articles 10 and 14 and provisions attempting to restrict the powers and competence of the Assembly, that is Articles 11 and 12.42

Unifying for Peace Resolution 1950

In 1950, a remarkable change in the powers and role of the General Assembly was envisaged with the adoption of Uniting for Peace Resolution. Because of the lack of unanimity among the permanent members of Security Council, it proved to be a very weak organ for the maintenance of peace and security and it had failed to exercise its primary responsibility for the maintenance of international peace and security. The Security Council able to take action in the beginning in the Korean
conflict of 1950, because of the absence of the Russian representative; but when the Russian representative attended the Council, then the function of the Security Council was crippled. Because they exercised their veto power. Due to initiative of American supported by Western countries, the General Assembly of the United Nations able to pass Uniting for Peace Resolution on 3 November 1950. The resolution laid down that if the Security Council, because of lack of unanimity of the permanent members, fail to exercise the primary responsibility for maintenance of peace and security, in any case when these appears to be threat to the peace, breach of peace or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to the members for "collective measures including the use of armed force when necessary to maintain international peace and security. 

Now it will be noticed that what the General Assembly can do is to make recommendations to member governments, whereas the Security Council had authority to enforce its decisions. It may or may not use that authority, but under Chapter VII of the United Nations Chapter it has such authority. In the case the General Assembly, it can only recommendations. The procedure is that if the General Assembly is not in session at that time, it should meet in an emergency special session within 24 hours of a request for such a session by at
least nine members of the Security Council, because a nine member request is sufficient proof that the functioning of the Security Council has been frustrated by lack of unanimity of its permanent Members. The request may also be made by a majority of the General Assembly Members. What this means is that if one or more permanent members use the veto against a particular course of action, but there is a majority in the Council for taking such an action, then an emergency special session can be convened so that it does not appear that the United Nations is completely important and unable to take necessary action in a crisis situation involving a threat to the peace, breach of the peace or an act of aggression.43

One of the most important occasions when this resolution was used in the 1956, Suez Canal crisis when Britain, France and Israel declared war against Egypt and occupied portions of Egyptian territory. Even the Soviet Union, which opposed the resolution in the beginning, confirmed this practice subsequently during Suez Canal Crisis of 1956. Russia supported the Assembly action against the vetos of Britain and France. The uniting for Peace Resolution has made the General Assembly as the custodian of collective security of the United Nation.

In subsequently years also the Uniting for Peace Resolution was invoked in number of cases like the Hungarian crisis of 1956, during the Soviet intervention
in Hungary. The Lebanon-Jordan crisis 1958. In short we can say that as a result of the Uniting for Peace Resolution, the position of the General Assembly has been considerably strengthened.

b) **Security Council & Maintenance of International Peace and Security**

The main aim of the United Nations is to maintain international peace and security. Throughout the complex Great Power negotiations which led to the conference at San Francisco, the emphasis was on particular body within the United Nations Security Council performing that role. Indeed, this is reflected within the provisions of the Charter, which, inter alia, grant the Security Council 'primary responsibility' for the maintenance of international peace accompanied by comprehensive powers to enable it to fulfil that role. The Great Powers did not foresee the General Assembly having any substantive powers, intending merely to have it as a meeting place for the representatives of States. However, the smaller powers at San Francisco managed to secure sufficient provisions in the Charter to enable the Assembly to develop an increasingly important subsidiary role in the maintenance of international peace. 44

The peacekeeping operation is a creation of the United Nations. Its value has been internationally recognized. Secretary General Perez de Cuellar has said
that a UN peacekeeping force is a collective security action taken in accordance with the UN Charter. The Security Council, as the central element in the UN collective security regime, has played a key role in developing UN peacekeeping practices. In the Council's hands, peacekeeping operations have became an effective means of exercising its primary function of maintaining world peace, since the record of the Security Council in taking enforcement action is disappointing. "They have proved to be a most useful instrument of deescalation and conflict control and have extended the influence of the Security Council in the field in a unique way.\textsuperscript{45}

Chapter VIII of the United Nations Charter deals with the action with respect to threats, breach of peace and act of aggression and confers upon the Security Council wide powers in this respect. The Security Council possesses the following powers in this respect:

(i) The Security Council first determines whether there exists any threats of peace, breach of peace or an act of aggression has taken place, and then it may recommend what measures shall be taken to maintain or restore international peace and security.\textsuperscript{46}

(ii) The Security Council may decide what measures not involving the use of armed force are to be employed to give effective to its decisions, and
it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio and other means of communication, and the severance of diplomatic relations. 47

(iii) If the measures mentioned in Article 14 of the UN Charter prove to be 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. Such action may include demonstrations, blockade and other operations by sea or land forces of the members of the United Nations. 48

(iv) It is further provided that the Security Council may ask the members of the United Nations to contribute to the maintenance of international peace and security and to make available on its call armed forces etc. for the purpose of maintenance of peace and security. 49

(v) There is also a provision for the establishment of a Military Staff Committee to advise and assist the Security Council on all questions relating to its military requirements for the maintenance of international peace and security, and employment and command of the force placed at its disposal.
the regulation of armament and possible disarmament.\footnote{50}

Security Council is often described as a "Enforcement Wing" of the United Nations. Its primary responsibility to maintain international peace and security. Chapter VI of the United Nations deals with the pacific settlement of the disputes. Article 33 of the Charter provides that the parties to any dispute, continuance of which is likely to endanger the maintenance of international peace and security shall, first of all seek a solution by negotiations, enquiry, mediation, conciliation, arbitration, judicial settlement, restor to regional agencies or arrangements, or other peaceful means of their own choice. Further, the Security Council, shall, when, it deems necessary, call upon parties to settle their disputes by such means. It also provided that in the Charter that if the parties to a dispute fail to settle it by means mentioned in Article 33 they shall refer it to the Security Council. It is further provided that if the Security Council deems that the continuance of dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action or to recommend such terms of settlement as it may consider appropriate.\footnote{51}

The Security Council may investigate any dispute, or any situation which may lead to international friction
or give rise to a dispute, in order to determine whether the continuance of the dispute or situation, which likely to endanger international peace and security.\textsuperscript{52} Any member of the United Nations may bring any disputes, or any situation of the nature referred above, to the attention of the Security Council.\textsuperscript{53} 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. In making recommendation under this provision, the Security Council should also take into consideration that legal disputes as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.\textsuperscript{54} Lastly, without prejudice to the provisions of Articles 33 to 37, the Security Council may if all the parties to any dispute so request, make recommendations with a view to pacific settlement of the dispute.\textsuperscript{55}

The Military Staff Committee comprises the Chief of Staffs of the permanent members of the Security Council or their representatives. But this provision also has not been implemented. Because there are no military forces at the disposal of the Security Council.

Though the United Nations Charter envisages the right of the states to have recourse to individual or collective self-defence in an eventuality of an armed
attack against them, but they are not expected to exercise their right until the Security Council has taken measures necessary to maintain international peace and security. The main target of the enforcement duties of the Council is not to envisage specific terms of settlement of individual disputes but maintenance of international peace and security.

The Security Council of the United Nations had to exercise its enforcement obligation for the first time in the Korean War on 25 June 1950 when North Korea attacked South Korea. Communist China later joined hands with North Korea in this aggression. The Security Council, in the absence of the Soviet Union, passed a resolution, fixing the responsibility for the armed attack on North Korea and demanded for an immediate cessation of hostilities and withdrawal of North Korea forces to the 38th Parallel. Security Council urged the member states to provide military forces and other assistance to United Command under the United States. The United Nations further placed an embargo on the export of strategic materials to the communist China and North Korea by the member states.

After Korean Crisis, 1950, the Gulf Crisis (1990-91) was the second crisis where the Security Council had exercised its enforcement obligation. On 2 August 1990, Iraq's army attacked and annexed a sovereign independent states of Kuwait. The United Nation Security
Council call an emergency session and passed resolution 660 condemning the Iraqi invasion of Kuwait. Between 2 August and 20 November 1990, the Security Council passed 12 resolutions on the Gulf crisis, on 29 November 1990 Security Council passed resolution 678, authorizing "all necessary means use of force to derive the Iraqi troops out of Kuwait if Iraq failed to act by 15 January 1991, to comply with the UN's earlier calls for withdrawal from Kuwait. Unfortunately Iraq refused to comply with the deadline set by the UN, the United States of America launched air attacks against Iraq and started a war that had a US-led coalition of forces from 30 countries fighting Iraq for 42 days. on 27 February 1991 Kuwait was "liberated from Iraq.

Security Council, the most important organ of the UN, has, in the recent past, come under criticism. It has been alleged that the Security Council has not been able to play the role which was envisaged for it under the Charter. Since its inception, the Security Council is having fewer session and the scope of the political issue considered by its narrowing down. As Professor Palmer and Perkins have aptly observed, "Although the Security Council was envisioned as the central agency of the United Nations, it has not been able to play its expected role. The reason is clear. Instead of great power unanimity on which the United Nations was predicted, the post war years
have brought major rifts and disagreement among the most powerful states of the world. Under these circumstances, the Security Council in which five permanent members possess an individual veto, has been unable to function effectively.

Mainly two factors are considered responsible for reducing the importance of the Security Council. The main factor is the adoption of the "Uniting for peace Resolution" by the General Assembly in 3 November 1950. It was envisaged through that resolution that if Security Council fails to exercise its primary responsibility for maintenance of international peace and security due to lack of unanimity on the part of permanent members.

The second factor was the emergence of the powerful residual security alliances outside the UN like NATO, SEATO, Warsaw Treaty. These alliances have been instrumental in minimizing the importance of security council.

Despite these drawbacks, Security Council is still a powerful institution responsible for the maintenance of world peace. It is the custodian of collective security.
References

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6. Ibid., p.196
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15. Ibid., p.116
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32. Ibid., p.51
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46. Article 39 of *UN Charter*

47. Article 41 of *UN Charter*

48. Article 42 of *UN Charter*

49. Article 43 of *UN Charter*

50. Article 47 of *UN Charter*


52. Article 34 of *UN Charter*

53. Article 35 of *UN Charter*

54. Article 36 of *UN Charter*

55. Article 38 of *UN Charter*