For fifty years the Mandate of the United Nations has essentially remained the same. The nature of conflict prevention, however, has changed, particularly since the end of the Cold War. Contrary to the situation in 1960, when the then Secretary-General (SG) looked for support among Member States for efforts of preventive diplomacy, this year it was the Member States who looked to the Secretary-General on how to strengthen this activity.

EXISTING PROCEDURES AND FUNDING

The main organs of the UN had little room to manoeuvre until the end of the 1980's. The Secretaries-General rarely invoked Article 99 of the UN Charter, except in one case explicitly in the Congo in 1960, and a few times implicitly, including for Korea in 1950, Laos in 1961, Pakistan in 1971, Vietnam in 1972, Lebanon in 1976 and 1978 and Iran/Iraq in 1980. Even though the Mandate of the United Nations is of a universal nature and any conflict threatening international peace
and security could be placed on the agenda, the way in which conflicts were treated have nevertheless often depended on the interests of the major States of the Permanent Five of the Security Council.

Procedures
Although declaratory preventions might have little authority to delineate and communicate in advance that a certain type of behaviour will not be tolerated, they are a term of reference such as the 1948 Universal Declaration on Human Rights. Most recent declarations and documents have potential to contribute to set the stage for new approaches. They include the statement following the Summit of the Security Council of January 1992 (S/23500) and last year's Security Council resolutions 678 and 688 in addition to, the completion of the Handbook on the Peaceful Settlement of Disputes between States (see 46/58) as well as the Declaration on Fact-finding by the UN in the Field of the Maintenance of International Peace and Security (46/59) of 1991 give UN organs a stronger basis upon which to operate and provide support in their efforts in conflict prevention.

Clear decision-making procedures do exist. The UN Charter provides clearly that, according to its Article 34, the Security Council and, through Article 35, any Member State, may bring to the attention of the Security Council any dispute threatening international peace and security. On the basis of Article 11.3, it is the General Assembly, and of Article 99 the SG, the situations which could endanger, international peace and security. There have been situations when timely and effective decision-making was weak or lacking altogether, due to differences among Member States in the Cold War period. In such cases a pragmatic approach usually prevailed.

Facilities
The conflict prevention facilities of the United Nations have seen significant strengthening since the late 1980's. In 1987, the Secretary-General proceeded with the establishment of an official early warning facility in the form of the Office for Research and the Collection of Information (ORCI), which in itself, would have been unthinkable even a few years before. An inter-agency early warning system was set up in 1991 by the UN Administrative Coordinating Committee (ACC) in the humanitarian field. Recommendations arising from this first experience include the establishment of a consultative mechanism to function effectively, comprising a core group of agencies such as FAO, the Department for Political and Humanitarian Affairs (since March 1992 assigned with the ORCI functions) UNHCR, UNICEF, UNDP, WFP, and possibly the Centre for Human Rights, each of which will need to make a serious commitment to make this early warning effort more effective.

Advanced communication technologies are ensuring rapid transmissions by radio, e-mail, satellite between Headquarters in New York and other important UN Offices around the world, allowing speedy information and analysis for the Secretary-General. According to Under Secretary General Marrack Goulding, in charge of peacekeeping, there are today two types of operations: The classic one, which is put into effect to 'create the conditions in which negotiations can go on’ and the newer type, seen in Namibia, El Salvador or Cambodia, which forms part of a political settlement which has already been negotiated, but requires an impartial third party to oversee its implementation. Mr Goulding sees the process in El Salvador, where the United Nations were involved with peacemaking efforts, as a model. He also sees two major obstacles for effective UN peacekeeping. First, lack of funds and secondly lack of management capacity.

Funding
The 25 peacekeeping operations from 1948-1992 resulted in a total cost of about $8.311 million. For the current 11 operations the UN calculated a rough annual cost for 1991-1992 of more than $2700 million (including costs for UNPROFOR and UNTAC). Troops deployed from 1948 through January 1992 totalled 527,000, some 450,000 of whom came mainly from the Nordic countries, Austria, Canada, and Ireland. Scheduled troop/civilian police deployment in 1992 in all operations is 44,848. The number of military personnel and civil police serving on 31 January 1992 stood at 11,498. The proposed
maximum strength and estimated cost to the UN for the UNTAC Cambodia in military/civilian personnel is 19,500 and $1.9 billion and for UNPROFOR in Yugoslavia is 13,870 and $611 million respectively.

International law abounds with instruments for peaceful settlement of conflicts. Practice and results are less impressive. In most cases, peacemaking efforts only start once conflicts have arisen. The experience of the United Nations shows that the application of combined methods, such as, for example, good offices, fact-finding, and negotiation have been successful.

In a few cases the Security Council has applied sanctions to enforce peace (Article 41). However, these have proved rather ineffective. Under the UN, enforcement measures have been applied twice. The first was during the Congo operation in 1961, when the Security Council authorized the use of force. The second was in 1990 to evict Iraqi forces from Kuwait with the approval of all five Permanent Members of the Security Council. This was only possible because of the end of the Cold War and the willingness of the Council Members to work out a consensus. With this action the Permanent Five established a precedent of cooperation to take collective action. Iraq provided a scenario in which action by consensus was possible.

The Secretary-General himself defined peacebuilding as economic and social development and technical assistance to be given to the protagonists of a dispute once peace has been reached. The United Nations’ budget for 1992-1993 for international cooperation for development totals some $320 million. This is the largest item in the budget of the UN, after conference services and administration and management (some $422 million).

Some $280 million from the regular budget of about $2.5 billion for this biennium could be estimated for efforts of UN conflict prevention, bearing in mind that activities including policy making, good offices, peacemaking, peacekeeping, political and Security Council affairs, General Assembly and Secretariat matters, special political questions, the International Court of Justice, human rights and the protection of and assistance to refugees are all related directly or indirectly to conflict prevention.

In the light of the increasing demands on the Organisation and the outstanding Member States payments, including some $810 million for the regular budget and about $500 million for peacekeeping, it is imperative that the Member States provide the UN with adequate funding. Otherwise its effectiveness in the field of conflict prevention will be seriously undermined.

**Evaluation**

An evaluation of the effectiveness of the UN’s conflict prevention efforts on the basis of these findings, indicates that much has been achieved, considering the numerous obstacles that exist. The results could undoubtedly have been better. But let us not forget that they could also have been worse. Incoming pressures and events will starkly determine the measures taken by Member States. Collective measures of conflict prevention must be taken by the UN and in some cases on a regional basis, such as has been the case in Western Africa, as they are recognised to be too complex to be handled by only one or a group of Member States.

**Suggested new measures**

Suggestions for innovative approaches in addition to existing practices include the following:

- **early identification and management** of potential conflict areas by antennas, such as UN ambassadors and/or political officers in UN field posts functioning as UN resident coordinators and or UNCP representatives;
- **operational linkage** between political and humanitarian affairs and peacekeeping operations, early warning at UN Headquarters and through a core group of concerned UN agencies and offices;
- **establishing an inventory** of available military units and their training and equipment and a strengthening of the training provided for military and civilian peacekeeping personnel in New York and on a regional basis worldwide.
- **strengthening of the Security Council’s collective leadership** through efforts to include monitoring, and where necessary, applying existing instruments of disarmament, arms control and non-
proliferation through use of warnings and, if necessary, followed by sanctions;
• **reinforcing coordination** between peacemaking and peacekeeping and other efforts within the system and with outside contacts from relevant business, NGOs and other public interest entities, and academia (to bring the ‘glue’ to the resources of society) to hold negotiated peace and other agreements together;
• **integration of refugee protection and voluntary repatriation** into the framework of political affairs, peacekeeping and peacemaking efforts;
• **establishing a roster of experts for ad-hoc missions** in the field of electoral assistance, public administration and human rights;
• **increasing budgetary resources** in accordance with the expansion of peacekeeping and peacemaking activities by establishing a special peacekeeping reserve fund to enable the Secretary-General to deploy operations as rapidly and as effectively as possible.

**UN CONFLICT PREVENTION: EXPERIENCE AND PROSPECTS**

Many conflict situations overwhelmed the powers and resources of the Security Council during the Cold War period. Nevertheless, it did prove possible to contain or limit a number of regional conflicts which might otherwise have led to confrontation between the superpowers.1 The concept of preventing conflicts has been used for many years. Dag Hammarskjold for the first time in the late 1950s coined the term ‘preventive diplomacy’. The UN’s peacekeeping experience is the largest in the world and is recognized world wide. The Nobel Peace Prize for Peacekeeping in 1988 was just a testimony in recognition of their accomplishments. Peacemaking, with activities in political and diplomatic reconciliation, mediation and arbitration, good offices and fact-finding have made some progress, especially since there is no longer superpower confrontation. However, its effectiveness is still totally dependent on the political will of the States concerned. Peacebuilding processes, which could either precede or follow conflict prevention efforts have faced serious obstacles.

For 50 years the aim of the UN has remained the same: to maintain international peace and security. It is the nature of conflict preventing efforts which has changed particularly since 1989. Today, there are no longer models to guide policy and action. The former models no longer apply. This is both a challenge and an opportunity for the UN and its conflict prevention objectives.

The Members of the Security Council and the new Secretary-General, in recognition of the challenges and opportunities ahead, have both given fresh impetus to explore possibilities to strengthen the capacity for preventive diplomacy by the UN. We will examine the basis of the UN’s mandate for maintaining peace and security and thus the prevention of conflicts.

**References which could be invoked for conflict prevention**

Primary instruments containing a mandate applicable for conflict prevention are contained in the UN Charter, (essentially in Articles 1, 11(2), 24, Chapter VI and VIII, Articles 40 and especially 41, as well as in Article 99). Article 1 stipulates that the Purposes of the United Nations are:

> To maintain international peace and security, and to that end: to take effective collective measures for the prevention and the removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustments or settlement of international disputes or situations which might lead to a breach of the peace'.

Article 24 specifies the functions and powers of the Security Council to whom the Member States have conferred the primary responsibility for the maintenance of international peace and security. Article 25 provides that ‘the Member States of the United Nations agree to carry out the decisions of the Security Council’ in accordance with the Charter. Even though some Member States insist that decisions under Article 25 are only mandatory if taken under Chapter VII, there has developed a general agreement that all formal decisions of the Security Council (whether statements, decisions or resolutions) are mandatory.
Chapter VI and VII of the Charter refers to the peaceful settlement of disputes and action with respect to threats to the peace, breaches of the peace, and acts of aggression. These are key elements for UN conflict prevention. For the peaceful settlement of disputes, the Security Council shall, on the basis of Article 33, call upon the parties of any dispute to settle it by such means as negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

In accordance with Article 34, Member States agree that the Security Council may investigate any dispute, any situation which might lead to international friction, or which may give rise to a dispute, in order to determine the degree of possible danger to international peace and security.

Continuance of Article 40 of Chapter VII provides that, in order to prevent the aggravation of a situation, the Security Council may call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. In exceptional circumstances, the Security Council may proceed under Article 41 and decide on such measures as arms embargo and non-military sanctions.

What efforts have been made to delineate and communicate in advance the type of behaviour that will not be tolerated by the United Nations?

Through the statement of the President of the Security Council of 31 January 1992 (S/23500) the members of the Council reiterated their concern about the humanitarian situation of the innocent civilian population in Iraq. With a view to achieving a more effective role for the UN, the Security Council in this statement invited the Secretary-General to prepare his ‘analysis and recommendations on ways of strengthening and making the capacity of the UN more effective within the framework of the Charter.’

The Report of the Secretary-General on Preventive Diplomacy, Peace-making and Peace-keeping, which was published in mid-1992, provides the relevant details on this analysis.

Front the point of view of declaratory prevention value, Security Council resolutions 687 and 688 (Omnibus resolutions) have been the most important for many years as they embrace the various aspects of the conflict. Therefore they may be considered legal precedents as they represent first steps of the Security Council to formulate a position concerning an internal situation in a condition of non-war.

Furthermore, in the Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the United Nations (46/58) of 1991, the General Assembly expresses its appreciation to the Secretary-General for the completion of the Handbook on the Peaceful Settlement of Disputes between States. He is requested to publish and disseminate widely the Handbook in all the official languages of the United Nations.

The Declaration on Fact-finding by the United Nations in the field of the Maintenance of International Peace and Security (46/59) of 1991 gives the UN Organs an important new basis for preventive work. After recalling previous relevant documents, it outlines in detail the purpose, criteria, procedures and competencies related to UN Fact-finding activities. It is the first instrument with such far reaching possibilities and is likely to play a substantial role in conflict prevention efforts in the future.

The Cold War period inhibited the actions of the Secretaries-General since the 1960s. Its end might allow these declaratory principles of prevention to be invoked more effectively than before. Another element is important to add here. The international human rights community, disarmament agreements and regional conflict resolution work over the past some 20 years do provide important additional terms of reference for the UN's work in the area of conflict prevention. One thing seems to be clear, that the intention to act in anticipation of conflict is now a more generally acceptable concept within the United Nations and its Member States. Although declaratory prevention has not, perhaps, been as effective as was desirable in the past, given the more favourable international political environment of today, it is likely to become an integral part of the future work of the UN in the prevention of conflict.

One should not forget here the declarations in the human rights field, especially the Universal Declaration on Human Rights of 1948.
The decision-making procedures of the UN for conflict prevention

On the basis of the UN Charter Article 34, the Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security. The Security Council may initiate an action itself or a Member may request action. In cases of self-initiation, various Members consult with each other to agree in prior consultations as to whether or not a particular conflict is to be put on the agenda. If one Member wishes to bring an item onto the agenda, it addresses a communication to the President of the Security Council to call for a meeting or, in urgent cases, to call for an immediate meeting for considering the matter.

Once prior consultation on the conflict among the Members is completed, and the action to be taken decided upon, a draft text of a resolution, decision, or statement will be prepared and agreed before distribution to the 15 Members, in the six official UN working languages for review prior to the formal Security Council meeting. There the text is officially agreed upon (it becomes a child of 15 parents representing a consensus of all 15 Members unless there is dissent or a veto, especially from a permanent Member).

On the basis of Article 35 of the UN Charter, any Member or non-Member of the United Nations may bring any dispute, or any situation which might lead to international friction or give rise to a dispute, to the attention of the Security Council or the General Assembly. In addition, any Member of the General Assembly may bring an item onto the agenda. The proposal is first addressed to the General Assembly Committee composed of the 23 Vice-presidents of the General Assembly and chaired by the President of the General Assembly, which decides whether to include the item in the preliminary agenda of the General Assembly. The Assembly in its turn approves the agenda at its first meeting of the session. One of the few situations in which the General Assembly Committee of the General Assembly did not approve an item being put on the agenda was the submission of a request by Iraq which stated that a threat to peace existed due to the build up of Western military forces. If the Security Council is dealing with a matter, it will not be dealt with by the General Assembly.7

The Secretary-General could be called upon to play the important roles of mediator and adviser of numerous governments for conflict prevention. In the exercise of his function as chief administrator of the United Nations, he takes decisions, which may be qualified as political. Article 99 provides him with powers that go well beyond those previously given to any head of an international organization. He 'may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security'. These powers require the Secretary-General to exercise the highest qualities of political judgement, tact and integrity. He has the power to judge whether or not he brings a matter to the attention of the Security Council personally, depending on the circumstances of the moment.

The drafters of Article 99 wished to ensure the existence of a capable organ to which Member States could bring a particularly threatening matter of interest before the UN without delay. The Secretary-General must be prudent in the application of Article 99, for it implies a value judgement of a potentially controversial situation and supposes a favourable response by the Security Council. The Secretary-General risks his good name for measures ultimately taken by the Security Council. That was so for Trygve Lie in the case of Korea and for Dag Hammarskjold in the case of the Congo. Trygve Lie committed his prestige and his influence in an operation (essentially handled by the USA) of which he completely lost control. The developments in the Congo appeared to rest totally on the shoulders of Dag Hammarskjold. These two cases demonstrate very clearly the dangers inherent in the tasks that befall the Secretary-General in times of potential crisis and conflict. In fact, Article 99 offers the same prerogatives as those of Article 11(2)5 and of Article 357, except that the Secretary-General has not the same means at his disposal as the General Assembly or Member States.

In his last annual report, the Secretary-General reiterated that the as yet insufficient development of preventive capacity of the Secretariat has always limited recourse to Article 99, particularly in
its anticipatory aspect. Our research shows that Secretaries-General have rarely invoked Article 99, except, for example, explicitly in relation to the Congo, (1960) and several times implicitly, including Korea, 1950; Laos, 1961; Pakistan 1971; Vietnam, 1972; Lebanon, 1976 and 1978; Iran/Iraq, 1980. The nature of the UN mandate for conflict prevention is universal and any situations that could endanger international peace and security could be put on the agenda.

On the basis of Article 11.3 of the UN Charter, the General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

Decisions regarding conflict management are made inter alia as foreseen in Articles 40, 41, 42, 44, 48, 50 of the UN Charter. Both the Secretary-General and the Security Council may take action to:

- review
- intercede
- act

in order to attempt conflict management. The system of conflict management is yet to be further developed and strengthened. The period during the Cold War impeded the implementation of an effective system.

When the need for action has arisen in the past and the means for timely and effective decision-making were weak or lacking altogether, a pragmatic approach has so far prevailed.

Conflict prevention facilities including early warning for conflict management/conflict prevention and for humanitarian matters:

In the late 1950's, without previous discussion, Dag Hammarskjold began to practise preventive diplomacy by means of his various practical innovations, such as 'UN presences' and the dispatch of personal representatives to potentially dangerous areas.

In other, less politically sensitive areas, the United Nations started to apply early warning and related concepts, while the United Nations Statistical Office (UNSO) and the Department of International Economic and Social Affairs (DIESA) developed databases for economic forecasting and reporting, identifying social and environmental indicators, and establishing the issuance of projections as a regular practice of their work (as do the World Bank and IMF). In the early 1970s, the United Nations Environmental Programme (UNEP) established the Earthwatch, and the Food and Agricultural Organization (FAO) set up the Global Information and Early Warning System (GIEWS) in the mid 1970s. Finally, in 1981, Prince Sadrudin Aga Khan recommended an early warning system in the humanitarian field and one year later Perez de Cuellar, the then Secretary-General, in his 1982 Annual Report, promised to develop in the political arena, a wider and more systematic capacity for fact-finding in potential conflict areas. At the request of the Secretary-General, the Department of Political and Security Council Affairs (PSCA), following the 1982 Annual Report, set up a special service to monitor new agencies' daily releases, and to prepare immediate summaries of these and other reports in the international press.

The real breakthrough followed, however, with the UN financial crisis and the increasing refugee emergencies. This led the General Assembly to appoint the so-called Group of 18 to study the efficiency of the United Nations. Its recommendations in 1986 were directed at streamlining, rationalising, and cutting of duplication within the Secretariat. In the same year another initiative, the Group of Governmental Experts to Avert New Refugee Flows, recommended in its final report to the Secretary-General 'to ensure timely and fuller information on potential refugee situations.'

The establishment of the Office for Research and Collection of Information (ORCI) in March 1987 is one of the direct results of the two groups' recommendations. The Secretary-General took this first institutional measure to 'provide early warning of developing situations requiring the Secretary-General's attention'. And to centralise several functions from different services in this new office.

ORCI's function was intended to enable the Secretary-General to provide the Security Council with early information, and thereby play a more central and effective role in the prevention of conflicts and the
monitoring of factors related to possible refugee flows.

**Early warning for conflict management/prevention**

After five years of operation and with the arrival of the new Secretary-General in January 1992, the constellation for UN early warning is newly emerging. As of 1 March 1992, ORCI was dissolved and its various components integrated into the newly established Department of Political Affairs and the Department of Humanitarian Affairs. The decision of Mr Boutros Boutros-Ghali for this rearrangement might be explained in two ways: first, he was aware that ORCI has not been able to fulfil its mandate, and second, he wished to use more traditional manners of organising research and analysis for diplomatic decision-making, divided into geographical areas.  

Whereas the ORCI structure represented a single channel for information and advice to the Secretary-General, the new system is divided into several channels. There is the news-gathering section that monitors some 15 to 20 news sources and summarises the relevant developments for the Office of the Secretary-General. This section has been separated from the analytical work of the early warning mechanism. It operates under the SG’s Spokesman in the Department for Public Information where political core issues are likely to be less focused on than formerly in ORCI. This physical separation might cause some problems in the future.  

Some former ORCI staff who had been responsible for the analysis of incoming information for early warning indications have now been split to deal with Africa, the Middle East, Asia, Europe and the Americas, and humanitarian affairs, with different lines of authority. There are likely to be differences of interpretation of emerging conflict situations, and the need and nature of the involvement of the Secretary-General and the Security Council. The conception of the early warning system and the establishment of the computerised database is expected to continue to be used in the new set-up. It is detached, however, from both the news service and the geographical data units. The hope is to eventually arrive at a state-of-the-art instrument for precedent-based analysis and advice on emerging conflicts, both international and internal, as they affect international peace and security.  

Specifically, during the first press conference by the Secretary-General on 19 March 1992 in New York, Mr Boutros Boutros-Ghali was asked whether the United Nations was adequately provided with the most sophisticated intelligence to carry out its work, or whether it should improve its access to sophisticated intelligence in a cooperative effort involving all UN Member States. The Secretary-General replied that he believed that the United Nations must have its own intelligence. He underlined that, if the United Nations wants to maintain its independence, receiving information from the different intelligence of the Member States must be avoided. Though he recognized that this will require additional financial capacity, non-existent for the time being, he emphasized that:

If we want to have preventive diplomacy, we will need to have our own intelligence and a more important presence of the United Nations in the different countries and in the different regions where there will be the possibility of having military confrontations.

This is an ambitious challenge. As officials responsible for this work in the UN pointed out, the relentless pursuit within the UN to build a viable framework for early warning is becoming ever more urgent, because the opportunities are increasing.

**Early warning in the humanitarian field**

The main problem of early warning in this field and especially in the refugee area has not been a lack of information, but rather the issue of how existing information could be channeled into the UN decision-making process at high levels. This was also one of the findings of the UN Joint Inspection Unit (JIU) which provided a detailed study on the coordination of activities related to early warning of possible refugee flows in July 1990. Since the JIU arrived at the basic conclusion that the UN lacked a system-wide mechanism to deal with the issue of potential mass flows, its recommendations included the following measures:
• Designate a central focal point of the UN system for this task, and
• Establish a working group on early warning of refugee flows
  consisting of representatives of ORCI, UNHCR, Centre for Human
  Rights, UNDRO, FAO, as well as those of UNDP, WFP and others,
  to work out practical measures for modes of co-operation and
  procedures to develop an effective early warning system for
  refugees.  

This matter was then discussed in the UN Administrative
Coordinating Committee (ACC) which led to the establishment of the
recommended Working Group by Decision 1991/9. The mandate of the
Working Group of the ACC on Early Warning of New Flows of
Refugees and Displaced Persons was defined and the Working Group
is to present its final report to the ACC in October 1992.

An issue that seems to have transpired in the process of the ACC
Working Group is that, for the consultative mechanism to function
effectively, a core group of agencies such as FAO, the Departments of
Political and Humanitarian Affairs respectively, UNHCR, UNICEF,
UNDP, WFP, and possibly the Centre for Human Rights will need to
make a serious commitment to carry out specific fundamental activities.
These activities will need to include mechanisms, procedures and the
 provision of senior staff within their own organisations capable of
 handling this enormous additional task.

In the resolution of the General Assembly 46/182 of 19 December
1991 that provided the basis for establishing the post of UN Emergency
Relief Coordinator to head the new Department on Humanitarian
Affairs, early warning is underlined as one of the guiding principles. The
academic workshop of York University in its session in early February
1992 suggested the functional structure for a humanitarian early warning
system to be divided into five distinct but related functional phases:

• Data collection, exchange and dissemination;
• Analysis of data;
• Coordination and synthesis of the various analyses received;
• Formulation on and communication of the early warning; and
• Action on the warning.  

This shows that the United Nations’ experience with early warning is
considerable. Its effectiveness, however, is difficult to measure.
Considering the recently ended Cold War, which impeded substantial
work on early warning for both conflict prevention and addressing
potential crises, the establishment of ORCI in 1987 for early warning,
especially in the political field, and the setting up of the ACC Working
Group for early warning in the humanitarian field, are, and will remain,
landmarks. Whatever the outcome of the newly emerging early warning
constellation and function in the United Nations, it has become an
accepted fact that UN organisations must look ahead together.

Of course, early warning has better prospects of success in small
conflicts and crises. Human lives saved, and nuclear catastrophes
prevented because of early warning and rapid preventive action make it
worth the effort. Even the Members of the Security Council recognised
in their Summit meeting in January 1992 that there are new favourable
international circumstances under which the Security Council has started
to fulfil its primary responsibility for maintaining international peace and
security more effectively.

There seems to have developed a true political will to take action before and not after the conflicts have blown up. For this to be effective, early warning will be essential. It is likely to be more readily obtainable in this new international environment than before.

Conflict management methods:
Peacekeeping, Peacemaking, Peace-enforcement.

Peacekeeping as a concept is not specifically stipulated in the UN
Charter, but it has evolved over the years as an internationally acceptable
way of controlling conflicts and promoting the peaceful settlement of
disputes. It introduces to the military sphere the principle of non-
vioence. Thus, for the first time in history, military forces are used
worldwide not to wage war, but to control and end conflict between
peoples or communities.

The first such operation was created in the Middle East in 1948 in
the form of an observer mission. The first of the United Nations peacekeeping forces was created also in the Middle East, in 1956. On 10 December 1988, the Secretary-General accepted the Nobel Peace Prize in Oslo on behalf of United Nations peacekeepers. With him were seventeen Blue Berets representing United Nations operations in the field.

At the opening session of the Follow-up Meeting of the Conference on Security and Cooperation in Europe (CSCE) in Helsinki on 24 March 1992, the Secretary-General transmitted a message through Mr Sotirios Mousouris, the Assistant Secretary-General for Political Affairs. This message underlined that the CSCE and the UN share similar ideals and face common challenges and priorities and actions regarding peace and security, such as preventive diplomacy, disarmament, economic and social development, human rights and democracy. Mr Boutros-Ghali referred to the division of labour between the UN and the European Community for peacekeeping and peacemaking efforts, respectively. He also referred to a recent dispatch of UN fact-finding missions to Nagorno-Karabakh, which is intended to complement the CSCE in its peacemaking efforts.

A few days before that, on 19 March 1992 in the UN Headquarters in New York, the Secretary-General gave his first press conference. He reiterated one of his priorities: reinforcing regional cooperation mechanisms for conflict management and making a clear division of labour. For example, a division between the European Community and the United Nations for dealing with peacemaking, and with peacekeeping/maintaining the cease-fire, respectively. He sees the UN role as a complementary one: through cooperation with the different regional bodies to promote preventive diplomacy and even a kind of decentralisation in the different peacekeeping operations.

When asked about peace and development, the Secretary-General mentioned two interesting cases, El Salvador and Cambodia, where the role of the UN is not limited to peacekeeping, but where the UN is moving to the second stage, which is the construction of peace through development. In this connection Mr Boutros-Ghali reminded his audience that the great majority of the 77 military conflicts during the past 45 years have taken place in the countries of the Third World. It is essential, therefore, that the UN maintain a close relation between peacekeeping and peacebuilding.

Discussions and practical efforts to invigorate peacekeeping and cooperation between the UN and regional organisations have so far had limited success. Therefore, a new operation is just starting in Somalia to bring military protection and humanitarian aid. Only recently, the General Assembly urged the United Nations:

to provide such technical assistance as may be appropriate to the Organisation of African Unity should the latter decide to launch a peacekeeping operation.

Peacekeeping

According to Mr Goulding, Under Secretary-General of the UN in charge of peacekeeping, there are two kinds of peacekeeping operations. The classic operation is to help 'create the conditions in which negotiations can go on', usually by helping maintain the cease-fire at the end of a war. The newer type, seen in Namibia, Cambodia, Western Sahara and El Salvador, forms part of a political settlement which has already been negotiated but requires an impartial third party to oversee its implementation. He regards the process in El Salvador (where he worked very closely with his peacemaking colleague, Mr Avaro de Soto) as a model; by contrast, Mr Gouldings describes the arrangements in Western Sahara, negotiated in great secrecy by the Secretary-General's special envoy Mr Issa Diallo as a disaster.

Peacekeeping is in great demand these days. There are 12 operations, including the unprecedentedly ambitious task of bringing peace and reconstruction to Cambodia, which involves supervising both the existing administration and the election of a new one. The cost of this Cambodia operation alone is estimated to be $1.9 billion.

i) What are the problems and means to prevent conflicts?

There are two crucially important problems which actually hinder the UN from being as effective as it could if they did not exist:

The first problem is money. Even before the outbreak of war in Yugoslavia, the Secretary-General experienced serious funding problems.
Now there is a head-on clash over the cost of the Yugoslav operation between the Secretariat and the five permanent members of the UN Security Council, who are reluctant to make available the funds required. Insufficient funding can have serious consequences. For example, the Security Council had drastically to reduce the size of the UN force in Namibia which Mr Goulding had asked for (and he blames this for the deaths of 333 people when, in April 1989, SWAPO guerrillas swarmed across the Angolan frontier straight into the guns of the South African Army).  

The second problem is the management capacity of the Secretariat itself. This, according to Mr Goulding, is already 'stretched to breaking point'. He adds 'we need more people, better financial and administrative procedures. We must have the money available when we need it. At the moment we have no authority to spend anything. We need reserves'.  

If the money and the management problem did not exist and the political will of the permanent members of the Security Council and concerned parties was always consistent, the UN could be more effective in preventing or suppressing violent conflicts on the basis of the Charter and subsequent arrangements.  

For the 25 peacekeeping operations (from 1948 to 1992), the total cost amounts to about $8,311 million. For the current 12 peacekeeping operations, at the time of revising this paper (October 1992) the United Nations calculated an approximate annual cost for 1991-1992 of more than $2,700 million, (including UNPROFOR and UNTAC). The current operations are:

1. UNTSO - UN Truce Supervision Organization June 1948-To present  
   Rough annual cost to the UN: about $31 million  
   Current strength (military personnel): 300  
   Fatalities: 28
2. UNMOGIP - UN Military Observer Group in India and Pakistan January 1949 - To present  
   Rough annual cost to the UN: $5 million
3. UNFICYP - UN Peacekeeping Force in Cyprus March 1964 - To present  
   Rough annual cost to the UN: $31 million  
   Current strength (military personnel): about 2,200  
   Fatalities: 158
4. UNDOF - UN Disengagement Observer Force (Syria/Israel border) June 1974-To present  
   Rough annual cost to the UN: $43 million  
   Current strength (military personnel): about 1,300  
   Fatalities: 30
5. UNIFIL - UN Interim Force in Lebanon March - To present  
   Rough annual cost to the UN: $157 million  
   Current strength (military personnel): about 5,800  
   Fatalities: 185
6. UNIKOM - UN Iraq-Kuwait Observation Mission April 1991-To present  
   Rough annual cost to the UN: $67 million  
   Current strength (military personnel): about 470
7. UNAVEM II - Angola Verification Mission June 1991 - To present  
   Rough annual cost to the UN up to October 1992: £128 million  
   Current strength (military/police personnel): about 440
8. ONUSAL - UN Observer Mission in El Salvador July 1991 - To present  
   Rough annual cost to the UN up to October 1992: $70 million  
   Current strength (military/police personnel): about 1,000
9. MINURSO - UN Mission for the referendum in Western Sahara September 1991 - To present  
   Estimated cost to the UN for 9.5 months: $59 million  
   Current strength (military personnel): about 375
10. UNTAC - UN Transitional Authority in Cambodia March 1992 - To present  
    Estimated cost to the UN for 15 months: $1.9 billion
Projected max. strength (military/police personnel): 19,500

11. UNPROFOR - UN Protection force (Yugoslavia) March 1992 - To present
   Estimated cost for 12 months: £611 million
   Projected max. strength (military/police personnel): 13,870

12. UNOSOM-(Somalia).

Of these UN Peacekeeping organisations, two are funded from the UN regular budget (UNTSO and UNIMOGIP), one is funded through voluntary contributions (UNFICYP) and the rest are financed from their own separate accounts on the basis of legally binding assessments on all Member States. Since the mandates of most forces are renewed periodically, starting from different dates, annual cost estimates for comparative purposes are approximate. The figures provided for operational strength, some of which include both military and police personnel, vary slightly from month to month due to rotation.

ii) What kind of forces could be made available? Four, of the above mentioned operations also involve civilian police personnel. For 13 operations established between 1956 and 1985, the major troop contributors have been the Nordic countries (except Iceland), Austria, Canada, and Ireland. Some of them were non-aligned. All of them maintained a neutral view of the conflicts, making them acceptable to the parties concerned. They made available personnel, equipment and training, with which they had contributed, as of 1987, out of approximately 450,000 men and women in UN peacekeeping operations.

These countries gained considerable experience during the early years, especially from the Congo, Gaza, and Cyprus. Despite that experience, there is still a clear need for strengthening the UN efforts in training and education - along the same lines as UNHCR, UNICEF and other UN organs dealing with emergency management for higher efficiency in cost and benefits. In the face of dramatic changes worldwide, the UN will need to expand its role in planning, implementing, conducting and controlling complex UN field operations. These will increasingly be composed of civilian personnel. There are suggestions to establish regional training centres.

The New York Training Seminar on Peace-keeping, which took place from 23-27 March 1992 had the purpose of developing a working understanding and knowledge of peacekeeping operations as a major instrument of the United Nations for the maintenance of international peace and security. Distinguished speakers, experts in the field, presented and discussed a number of issues related to the subject with the participants, who were mainly from Permanent Missions to the UN and UN Headquarters officials. The Director of the Training Programmes for Peacekeeping and Peacemaking of the UNITAR Office provided a comprehensive handfile for this Seminar that contains a rich source of documents and most recent research results.

As Sweden has made an outstanding contribution to peacekeeping in terms of training and equipment, it is discussed here in more detail as an example. After some discussion, the Parliaments of Sweden, Denmark and Norway decided in 1964 to organise Stand-By Forces, and Finland simultaneously decided to do the same. Thereafter, Sweden gradually developed a system for recruiting, organising, training and serving abroad. Ten years later, in 1974, the Swedish Parliament adopted a bill which provided the constitutional framework for the Swedish-Stand-By Forces, which stipulates the following:

- within the Defence Forces there shall be a military force voluntarily organized as a Stand-By Force,
- the Government is authorised to put this force at the disposal of the United Nations,
- the Force consists of a maximum of two battalions and a special unit of a size not exceeding a third battalion (mil. observers, disaster relief units, etc.),
- the personnel of the Stand-By Forces is employed for this purpose.

Implementing this bill, the Government had instructed the Supreme Commander of the Swedish Defense Forces to recruit, organize and train the Stand-By Force.
Peacekeeping has grown into an international phenomenon with coverage on all continents - the Americas, Asia, the Middle East, Africa, Europe - by forces coming now from the different continents. Training and equipment of Member States has had a varying degree of preparedness and technological advancement. As a distinguished trainer in the UN system put it:

peacekeeping in its traditional sense is not a military operation but instead a political operation where the military instrument is used as a 'cooling' tool in order to give time for the political considerations.\(^{35}\)

Future peacekeeping operations will mean new activities, some of which fall outside the traditional field of peacekeeping. Involved will be considerable components of civilians from which will emerge new requirements for training. This development may serve as a catalyst for change; the current ad-hoc establishment of peace-keeping forces may give way to a more systematic approach.

**Peacemaking**

International law abounds with instruments urging States to submit disputes according to some means of peaceful settlement ever since the 1899 and 1907 Hague Conventions for the Peaceful Settlement of Disputes.\(^{36}\) In practical politics, States and organizations have set up a variety of mechanisms for settling disputes and making peace.\(^{37}\) Furthermore, there are numerous bilateral and multilateral treaties that contain some form of settlement of disputes or handling of conflicts.

The usual means or methods of conflict management may be divided essentially into six groups:

1. Negotiation
2. Good Offices
3. Enquiry and fact-finding
4. Mediation and conciliation
5. Arbitration, and
6. Judicial settlement.\(^{38}\)

Approaches to peacemaking are by no means mutually exclusive. The experience of the United Nations shows that the Organisation has been most successful when coordinated efforts were undertaken at all levels. In recent years, the functions of the Secretary-General's good offices have been increasingly in demand to come to the aid of parties seeking to resolve their differences. Where possible, peacekeeping should move in step with peacemaking, to help create conditions in which peacemaking can prosper and in a combined effort, lead to the peaceful resolution of a conflict. This is sometimes difficult to achieve. To reach agreement over the causes of a conflict is usually much more difficult than it is to maintain a cease-fire. Long-standing peacekeeping operations do not automatically mean failure, but they may be a measure of its success in preventing a recurrence of hostilities despite any intractability of the conflict between the parties.\(^{39}\)

The Secretary-General and/or his representatives are responsible for peacemaking. There are task forces for different conflict situations. As practitioners, not every top official required might have the time to keep up with the newest conflict prevention techniques and research-findings.

**Peace-enforcement**

Certain aspects of the mandate under the Charter are enforceable, in principle, as the Member States agree to accept and carry out the decisions of the Security Council Article 25. In order to prevent the aggravation of a conflict, the Security Council may decide what measures other than the use of force are to be employed to give effect to its decisions. Measures to be applied for enforcement may include complete or partial interruption of economic relations and of road, sea, air, postal, telegraphic radio, and other means of communication, and the severance of diplomatic relations (Article 41).

In order to take urgent military action. Members shall hold air-force contingents immediately available for the combined international enforcement action (Article 44). The action required to carry out the decisions of the Security Council shall be taken by all Members of the United Nations or by some of them, as the Security Council may determine (Article 48).
If preventive or enforcement measures are taken by the Security Council, against another State, whether a Member of the United Nations or not, which has difficulties in implementing these measures, this State has the right to consult with the Security Council for a solution (Article 50). Measures taken by Member States in the exercise of the right to self-defence shall not in any way affect the authority and responsibility of the Security Council.

The Security Council shall, where appropriate, utilise regional arrangements or agencies for the enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or agencies without the authorisation of the Security Council.

On the basis of these provisions in the UN Charter, the following comments may be made. The United Nations is a global organisation for peaceful resolution of conflicts, for enforcing peace, when negotiations fail. Ideological divisions prevented agreements for peacemaking for many years during the Cold War period which led to a polarization of the world. The Security Council has on occasion agreed to negotiate peaceful ends of conflicts, and like the League of Nations, it has made use of military force observers to monitor cease-fires or armistices.

In a few cases, the Security Council applied sanctions to enforce peace (Article 41) which generally proved however rather ineffective. Possibly due to the temporary absence of the Soviets from the Security Council meeting. Article 43 was applied in Korea in 1950 for the first time. Incidentally, the Soviets later proclaimed this operation unconstitutional. The Members of the Security Council asked the USA to conduct the military operation and move this question to the General Assembly.

During the Congo operation, the Security Council, on 21 February 1961, authorized ONUC use of force as a last resort to implement its resolution. This was not done under Chapter VII, which later became questionable. The second and latest application of enforcement was in 1990 to evict Iraqi forces from Kuwait with the approval of all five Permanent Members of the Security Council. This was only possible due to the end of the Cold War and the willingness of the Security Council to work out a consensus.

The peace enforcement mechanism on the Gulf went into motion after Iraq's refusal of 12 UN resolutions. Without going into the details of the Security Council's actions here, the list of resolutions (attached in the annex hereo) indicates the process and efforts to give Iraq a way out. The main points of deliberation were:

- A Sanctions-Committee to oversee the matter,
- Non-recognition of any regime established by the invader,
- Declaration that Iraq's annexation was illegal.

Meanwhile, in response to the appeal of Saudi Arabia for protection, US and British forces were dispatched. Iraq was requested to facilitate the departure of foreign nationals. Whereas Iraq made attempts to break the sanctions, Kuwait invoked Article 51 of the Charter and requested assistance. Soon thereafter, US naval units and, later, Western allies, moved into the Gulf region. The final resolution 678 of 29 November 1991 of the Security Council demanded compliance by Iraq by 15 January 1991.

Subsequent to the meeting of the Secretary-General on the implementation of paragraph 5 of Security Council resolution 678, the United Nations Iraq-Kuwait Observation Mission (UNIKOM) was established on 5 April 1991. Thereupon, the Security Council authorized the destruction of Iraqi weapons of mass destruction (18 April 1991), and approved humanitarian operations and the setting up of Civilian Guards.

Analysis of the Role of the Security Council:
Despite an apparent agreement for joint action, there were differences on a number of questions including:
- Should sanctions have been given more time?
- Should the Soviet peace initiative have been given more time?
- Should the ground war have been launched differently?
- Should there have been any sanctuaries?
- Should the Coalition forces have continued to attack after Iraq had declared that it was withdrawing?
• Should the Security Council have the right to decide on the Kuwait-Iraq border?
• Should the UN really have a right to decide to destroy Iraqi weapons of mass destruction?

The Security Council authorisation of peace enforcement under Chapter VII, first with sanctions and later with the use of force under Article 51 was a result of special circumstances which are unlikely to be repeated. Over the past four years, the Permanent Five members established a precedent of cooperation to take collective action. Iraq provided a scenario where they could act by consensus. The USA had very special relations with Saudi Arabia and had provided naval escort to Kuwaiti ships during the Iraq-Iran war. The United Kingdom also had special relations with the Gulf States, and France had special interest in questions including oil. Similarly, Japan and Germany (non-troop contributors) rely on oil from that region. Iraq had been one of the major friends of the Soviet Union.

The provision of humanitarian assistance to the Kurds became a special feature, which however, left out the Shias in the South of Iraq. In addition, the developing United Nations system for the monitoring, collection and destruction of weapons of mass destruction was a new process, providing food for thought for the future. As the Security Council, especially the Non-Aligned Movement was unprepared to authorize traditional peace-keeping under Chapter VII, the consensus remained very basic. It is therefore likely that dealing with the internal conflict in Iraq, the Security Council will seek a broad consensual agreement of the parties concerned.\(^{40}\)

**Peacebuilding:**

In his press conference on 19 March 1992 in New York, the Secretary-General defined peacebuilding as economic and social development and technical assistance to be given to protagonists of a dispute once peace had been attained.\(^{41}\)

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### Funding

**How much is spent on conflict prevention?**

Considering the purpose of the United Nations, to maintain peace and security, the whole budget does contribute either directly or indirectly to conflict prevention.\(^{42}\) The General Assembly’s budget appropriations for the two years 1992-1993 amount to $2.5 billion, of which the following rounded allocations might be considered directly related to conflict prevention efforts:

1. Overall policy-making, direction and coordination $36 million
2. Good offices and peacemaking; peacekeeping; research/collection of information $100 million
3. Political and Security Council Affairs $16 million
4. Political/General Assembly/Secretariat $13 million
5. Special political questions, regional cooperation, trusteeship and decolonization $9 million
6. International Court of Justice $18 million
7. Human rights $23 million
8. Protection of and assistance to refugees $61 million

**Total for 2 years**\(^{43}\) $276 million

The main source of funds for the regular budget is contributions from Member States to be paid according to a scale specified by the General Assembly. The main criterion on which scale of assessments is based is the capacity of member States to pay.\(^{44}\) (However, the financial situation of the United Nations is serious. In recent years Member States have requested the Secretary-General to establish 12 peacekeeping/observer operations as compared to a total of 25 since the beginning in 1948. Only one of these twelve operations was financed from the regular budget\(^{45}\) and the other eleven were established on the basis of a special account through the Security Council.\(^{46}\)

The special account operations are financed by assessed contributions from all Member States on the basis of a special scale of
assessments, which places a heavier burden on the permanent Members of the Security Council and some wealthier Member States, and reduces that of the least developed countries. This method is generally accepted by the Member States and will probably be applied to future operations without problems.\textsuperscript{47}

In his annual report for 1991, the Secretary-General mentioned that the increasingly ambitious and costly operations have led to a serious financial shortfall. At the date of that report some $810 million of the regular budget and $500 million for peacekeeping were outstanding.\textsuperscript{48} In view of the 25 per cent scale of assessment applicable to the USA, this country's outstanding payment is by far the highest.

But, even as US financial pressure has been driving the United Nations to the brink of insolvency, the organisation began unexpectedly to demonstrate how it could be made to work best. Namely by providing a reliable instrument for impartial third-party management of international, especially regional conflict situations by way of peacekeeping and peacemaking.\textsuperscript{49}

Therefore, the UN needed to draw upon cash reserves (i.e. Working Capital Fund and the Special Account, totalling about $236 million), to meet current operations. Reporting on the financial

\textbf{Fig. 2.1 United Nations General Funds}
\textbf{Available cash balances 1990 and 1991}

Note: Figures for November and December 1991 are estimated. (Source: General Assy. Doc. No. A/46/600/Add.1 (19 Nov 91))

\textbf{Fig. 2.2 Unpaid Assessed Contributions}
\textbf{(Regular budget and Peacekeeping activities combined.)}

Nations to the brink of insolvency, the organisation began unexpectedly to demonstrate how it could be made to work best. Namely by providing a reliable instrument for impartial third-party management of international, especially regional conflict situations by way of peacekeeping and peacemaking.
situation of the organisation, the Secretary-General pleaded that the outstanding contributions to the regular budget and the peacekeeping operations should be paid in substantial amounts. In order to provide Member States with the necessary elements to address the financial crises, Secretary-General Perez de Cuellar offered the following three proposals in November 1991:

- Establish measures to deal with cash flow problems
- Establish a Humanitarian Revolving Fund
- Establish a UN Peace Endowment Fund ($1 billion).

Brian Urquhart recently advanced some innovative suggestions to address funding problems. They are:

- Shift peacekeeping costs to defence budgets
- Introduce a sort of 'levy' on private companies, especially in the field of shipping or air transport, since they are clearly benefitting from peacekeeping activities, and
- Impose a 1 per cent tax on all international arms transactions.

In fact the Italian Government has already introduced a new mechanism in this regard. By law 180 (6 February 1992), it has established that in order to finance Italy's participation in peace and humanitarian initiatives in the international field it is possible to deploy not only funds appropriated ad hoc, but also up to 1 per cent of the funds allotted for development assistance (if such initiative relate to developing countries).

On 13 May 1992, Secretary-General Boutros Boutros-Ghali delivered a lecture in Washington where he also addressed the funding problem of peacekeeping. He stated, given the political will, that funding problems could be easily resolved and suggested the following four steps:

1. A revolving capital fund would be established to finance the start-up cost of peacekeeping operations;
2. As soon as the Security Council decided to set up a new operation, the Member States would be asked to pay immediately one third of the established cost of its first year and the Secretary-General would automatically be given the authority to commit up to this sum;
3. A reserve stock of basic peacekeeping equipment would be established so that some of the most needed items would always be available;
4. Member States would pay their assessments, both for the initial one third and for the full budget, fully and on time.

On this occasion, Mr Boutros Boutros-Ghali, looking at the costs of peacekeeping, reiterated his belief, that even the UN calculated estimate of $2.7 billion for this exceptional year is not high in relation to the costs of the alternative, namely, continued conflict. On the same occasion, he said that one only needs to recall the astonishing sums of money that were spent to 'win' the Cold War - in the 1980s, global expenditures on arms approached $1 trillion per year, or $2 million per minute - to recognize that peacekeeping is an inexpensive way to help maintain stability in the post-Cold War era.

Aware that the current volume of peacekeeping expenses is creating real problems for Member States, the Secretary-General has started to review existing operations to identify possible areas of saving without affecting their effectiveness.

In considering costs and effectiveness, it is also encouraging to see that of the 13 operations established since 1988, six have already completed their mandate. These include two in Africa, in Namibia (UNTAG), where 46,000 refugees could start to live afresh through UNHCR's support, and where free and fair elections were successfully carried out in November 1989 under UN supervision; and in Angola (UNAVEM I), where from 1989 to 1991, the UN military observers monitored and verified the withdrawal of Cuban troops. In the Middle East, the Military Observer Group (UNIIMOG) that monitored the implementation of the cease-fire between Iran and Iraq, following their eight-year war, withdrew with the agreement of both parties in 1991. In Central America (ONUCA), observers monitoring the cease-fire in Nicaragua helped to verify the cessation of aid to irregular forces in the region; and assisted in the voluntary demobilisation of the Nicaraguan resistance.
They were withdrawn in January 1992. In Cambodia, following the signing of the Paris peace accords in October 1991, an advance mission of military observers (UNAMIC) paved the way for the arrival of UNTAC, which started operating last March.54

The agenda of the Secretary-General, mentioned above, addressed the questions of financing and suggested measures for peace and preventive diplomacy.

In concluding this chapter on peacekeeping and peacemaking, on peace-enforcement and peacebuilding, and considering the significant problems that existed, peacekeeping has been, overall, a significant success for the United Nations. The success, however, has not been uniform, especially when peacemaking has not kept the pace with peacekeeping. In addition, there was a human cost. It should never be forgotten that 812 men and women, from 43 countries, have died while in the service of the UN peacekeeping forces.55

Looking into the future, the Secretary-General said that others might also be able to undertake peacekeeping operations. In fact, regional organisations have carried out some operations in the 1960s and the 1970s, of which the most successful was an Arab League force deployed between Iraq and Kuwait from 1961 to 1963. On the basis of a resolution adopted by the Organisation of American States (OAS), an Inter-American Peace Force operated in the Dominican Republic from 1965 to 1966. In 1979, Egypt, in cooperation with the USA, organised a Multilateral Force and Observers in the Sinai to help implement the peace treaty with Israel. It is interesting to note that this latter force was established only after a request for a UN peacekeeping operation was rejected (by the Soviets, on behalf of the Arab Member States).56

The UN is no doubt the most experienced peacekeeper. The demands have, however, grown to such an extent that time seems to have come to share this responsibility. The decentralization of peacekeeping and peacemaking would be in tune with the radically new international environment of a multi-polar world that should be led by a multiplicity of institutions. Therefore, the regional organisations are obvious candidates for assuming larger responsibilities.

Chapter VIII of the Charter, specifically provides for regional organisations to 'make every effort to achieve pacific settlement of local disputes ... before referring them to the Security Council. The problem is, however, that regional organisations have almost no experience and lack the necessary structure and procedures, and more importantly, most of them are in an even worse financial situation than the United Nations.

In his address on peacekeeping on 13 May 1992 in Washington, the Secretary-General expressed his belief that regional organisations must help to carry a larger share in this task. He insisted on a clear division of labour in Yugoslavia, between the European Community, which has for some time been engaged there both in peacemaking and peacekeeping, and the United Nations, which is responsible only for peacekeeping in certain areas. He also offered to help the CSCE to obtain some technical advice with regard to its own peacekeeping efforts in the dispute between Azerbaijan and Armenia over Nagorno-Karabakh.

In addition, in setting up the most recent efforts in Somalia, the Secretary-General associated the Organisation of African Unity (OAU), the Arab League and the Organisation of the Islamic Conference. In this most recent operation there is an interesting innovation. In recognition of the important role non-governmental organisations can play in new and broader peacekeeping operations, and after having been involved for many years in their humanitarian aspects, the latest Security Council resolution on Somalia acknowledges that much of the relief work to be protected by the UN military personnel, will be carried out by non-governmental organisations.57

The Secretary-General's 1992 Agenda for Peace places its policy recommendations in the changing international context and outlines plans and actions after an intensive consultative process both within the UN Secretariat's special task force for this purpose and outside, namely interested governments and organisations. Considerations and suggestions include measures to build confidence, fact-finding, early warning, preventive deployment, demilitarised zones. In the area of peacemaking the Agenda proposes that states should accept jurisdiction of the International Court of Justice, amelioration
through assistance, sanction in special economic problems, use of military force and Peace-Enforcement-Units. In the area of peacekeeping, the Agenda looked at the increasing demands, considered new departures in peacekeeping, personnel and logistics. For post-conflict peacebuilding, it examined cooperation with regional organisations and arrangements, safety of personnel and financing. This document gives a fresh basis to embark on a new course for preventive diplomacy and conflict prevention.

A new Under Secretary-General for Humanitarian Affairs (DHA):

Major humanitarian emergencies in the last thirty years have called for new approaches. Resolution 2816 (XXVI), which in 1971 called for the appointment by the Secretary-General of a Disaster Relief Coordinator (and resulted in the establishment of the UN Disaster Relief Coordinator, UNDRO), addressed 'natural disasters and other disaster situations'. Ten years later, resolution 36/225, called for the Secretary-General to designate a lead entity from within the UN system to deal with 'Complex disasters and emergencies of exceptional magnitude.' At that time there appeared to be a consensus that UN emergency responses were not adequate.

Looking back on such experiences as Biafra in the late 1960's, Pakistan early 1970's, the Indochinese outflows, the Horn of Africa, strife and displacement in Central America, operation Lifeline in Sudan and several others in the eighties, all provide lessons and insights for improvement. Both the UN and other organisations, including many non-government agencies, have made significant contributions to bring relief in humanitarian emergencies. UNICEF, for example, acted in the capacity of 'troubleshooter' in several places to mediate for an unblocking of the situation, with or without coordination with other UN agencies. Many of these experiences contributed to discussion on the need to create the post of Under Secretary-General for Humanitarian Affairs to oversee the coordination of operations in humanitarian emergencies.

This new Under Secretary-General would be able to act as a 'troubleshooter' on behalf of those in charge of field operations by interceding at the highest level of the UN's agencies and programmes, with the governments of the countries suffering from emergencies and with the key donors of aid and support. In this way, the authority of the Secretary-General could be brought directly to bear where it was most needed and a proper system of UN priorities could be established in conjunction with all those agencies.

Preceding the finalisation of the basis for setting up a humanitarian office in the Secretariat in New York, Brian Urquhart and Erskine Childers presented a thorough study, which provided practical suggestions on dealing with humanitarian emergencies, with prevention and mitigation and with improving the international response. The authors also offered a description of the responsibilities of the Under Secretary-General, a standing high-level United Nations Board for Humanitarian, Disaster and Migration Affairs.

Finally, after about six months intensive negotiations, the General Assembly adopted Resolution 46/182 to set up the Department for Humanitarian Affairs. Under the chapter of coordination, cooperation and leadership, the leadership of this resolution of the Secretary-General was recognized as critical for coherent response to natural disasters and other emergencies. As Urquhart/Childers had recommended, the General Assembly decided that an Inter-Agency Standing Committee serviced by a strengthened Office of the United Nations Disaster Relief Coordinator should be established under the chairmanship of the high-level official with the participation of all operational organisation and with a standing invitation to the International Committee of the Red Cross, the League of Red Cross Societies, and the International Organization for Migration. Relevant non-governmental organisations can be invited to participate on an ad-hoc basis.

Jan Eliasson, appointed Under Secretary-General for Humanitarian Affairs in March 1992, makes the following comments on a first, albeit initial, evaluation of his office:

First, while humanitarian assistance must be provided regardless of whether there is an immediate solution at hand, the United Nations has been increasingly called upon to address simultaneously both the humanitarian and the political dimensions of conflict situations. Somalia, Yugoslavia, and Mozambique are cases in point where Humanitarian assistance, delivered impartially, can have a positive impact on
peacemaking effort. Corridors of peace and zones of tranquility can reinforce peacemaking initiatives.

Secondly, the United Nations is required in an increasing number of emergencies to negotiate not only access, but also arrangements to ensure the safety of personnel and relief supplies. The situations in Somalia, the former Yugoslavia and Iraq are tragic reminders of this dilemma.

Thirdly, the serious problem of land mines, millions of which remain scattered in current and former combat zones, must be urgently addressed. Relief assistance, repatriation and rehabilitation have been and will continue to be seriously hampered unless demining is pursued vigorously.

Fourthly, cooperation among operational organisations is essential for effective UN response to disasters and emergencies. This cooperation must be all inclusive, applying equally to the relationship among the UN organisations and with the International Committee of the Red Cross, International Federation of the Red Cross, the International Organization of International Migration and the non-governmental organizations. Cooperation must also be extended to and strengthened with the relevant regional organizations.

Lastly, while the UN stands ready to meet growing challenges in response to emergencies of increasing magnitude and complexity, it must be provided with the necessary resources to carry out the tasks entrusted to it. This applies not only to the immediate humanitarian requirements, but also to rehabilitation and development resources which should be mobilised to prevent emergencies from recurring.

This initial evaluation still leaves room to pursue the recommendations made in the Secretary-General's Report on the review of the capacity, experience and coordination arrangements in the United Nations system for humanitarian assistance prior to establishing the Department for Humanitarian Affairs. This report foresaw measures, among others, on early warning and prevention. In looking at the responsibilities of the various organisations involved in humanitarian assistance, the office of the UNHCR was examined. It reported on the Working Group on Solutions and Protection, which was convened by the High Commissioner at the request of the Executive Committee to examine the issue of assisting, protecting and resolving the situation of internally displaced persons and refugees fleeing situations of serious internal disturbances and civil war. An analysis of capacities in critical areas for rapid UN responses led the report to state that 'early warning is indispensable for prevention and preparedness activities'. It went on to say that many organisations in the UN already operate early warning. These

include UNHCR (its experimental [Refugee] Emergency Alert System), which aims at providing data on incipient flows of refugees, and its databases in the area of legal protection.

This report, which was a cornerstone towards the establishment of the Department for Humanitarian Affairs, foresees coordinated approach among all UN agencies, in which UNHCR - on the basis of its imminent humanitarian mandate - should play a significant part.

Conclusions

During the Cold War, the United Nations were seriously impeded in carrying out effective preventive actions. As early as the late 1950's the then Secretary-General, Hammarskjold, coined the term 'preventive diplomacy'. Progressively, actions with preventive purpose or content were proposed, discussed, and some of them started in and outside the United Nations. A number of people, in and outside the UN system helped to catalyse forward thinking and conceptualise fresh ideas in this area.

As the analytical discussion of the mandate has shown, there are a number of references that could be invoked for actions designed to prevent conflicts. The efforts to delineate types of behaviour that will not be tolerated by the United Nations are there. The post Cold War era may now offer more opportunities in which declaratory preventive statements could make an impact. Since the end of the Cold War, unprecedented opportunities have developed and almost global cooperation for conflict prevention world wide. In view of the fact that the post Cold War time has led to a renaissance of the United Nations and its different services and agencies, UN conflict prevention endeavours also have new perspectives.

The decision-making process, even though complex has been a reflection of states' willingness to cooperate. If states represented in the United Nations do not cooperate properly, then it is far more the respective governments, which have not adequately used the instruments available in the international organisation, that are to be blamed, rather than the organisation itself. Therefore it would be hypocritical of some states to blame 'the United Nations' for not having acted in one or the other crisis, while having themselves put
obstacles in the decision-making by denying their consent, or their political or material support.

The conflict prevention facilities are no doubt the most advanced and experienced of all existing organisations. The effectiveness of early warning and prevention is always difficult to measure as conflicts, if prevented or their impact reduced, are not a matter for publicity but rather for silence. There is broad agreement, however, on the usefulness of United Nations conflict management methods. The heavy demand on peacekeeping, peacemaking and peacebuilding is proof of that. Due to the emerging approach combining humanitarian, political and peacekeeping efforts to deal with existing and potential conflict situations, the United Nations have become the magic trouble shooter around the globe. It is an unprecedented expectation and credibility, which in fact places a heavy responsibility on the United Nations.

In view of this heavy demand, the Secretary-General has been calling for decentralization of conflict prevention activities. He wishes to involve regional and other organization more closely in this task and to adapt the cooperative mechanisms to the new international climate, which he also wrote into his Agenda for Peace, discussed here. Looking at the funding of peacekeeping situation, the strain currently placed on the United Nations becomes clear. Whereas for the 25 peacekeeping operations, from 1948 through 1992, the total cost amounted to about $8,311 billion, the estimated requirements for the current 12 operations are calculated at some $2,700 billion for 1991-1992.

During the Cold War the two superpowers retained their sphere of influence through containment policies. The political will of states will still remain the crucial ingredient for conflicts and their prevention. The Secretary-General upon a General Assembly resolution at the end of 1991, established a Department for Humanitarian Affairs to also undertake mediation missions, which is expected to have preventive or at least mitigating effects. It is still too early to make an evaluation of the effectiveness of this new office.

The urging for respect for human rights and humanitarian law figures prominently in documents, even in those which would have made no mention of it before. And of course, the Security Council resolutions concerning Iraq, and former Yugoslavia, would have been unthinkable just a few years ago. They did not stop escalation of those conflicts but analysis shows, nevertheless, that without them, conflict and human suffering could have been much worse.

Of course, war is still alive. In former Yugoslavia, in Iraq and in conflicts elsewhere. Conflict prevention, therefore is likely to be more effective in small specific situations rather than in large scale ones. As Emmanuel Kant has already said, there will always be war. What is important is to be on the road to peace. That process seems to be on course, although perhaps invisible to many eyes. Conditions are moving in the direction in which governments, people and the United Nations Organization could join hands, now that almost global cooperation makes peace a more realistic option than conflict.

In conclusion, the United Nations will only be able to continue contributing to conflict prevention efforts if states maintain their support and political will. Not only by the use of the mandate and the decision-making procedure, but also of the conflict prevention facilities and the management methods which they have created in the system. In addition, the United Nations will continue to play its role in international conflict prevention and collective security, subject to states’ attitudes in the Security Council, which, now that the Cold War is over, have begun to be effective once more. Despite the existence of potential and actual crises, on an unprecedented scale, an analysis of the facts presented in this chapter shows it to be a reasonable assumption that, together with regional and other organisations and groups of states, the United Nations will remain an important, if not the most important, instrument for conflict prevention world wide.

NOTES

4. Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the UN, (2625, XXV); the Manila Declaration on the Peaceful Settlement of International Disputes (37/10); the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations (42/22); the Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field (43/51).

5. Interview with a senior official of the UN Secretariat in New York, 2 April 1992.

6. The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations.

7. Any Member of the United Nations may bring any dispute, or any situation that could endanger the maintenance of international peace and security to the attention of the Security Council or the General Assembly.


Korea: On 24 June 1950, Trygve Lie requested the president of the Security Council for an urgent meeting forwarding a communication by the USA concerning an act of aggression against the Republic of Korea (S/1495). In his memoires, Trygve Lie stated to have invoked Article 7. in his memoires, Trygve Lie stated to have invoked Article 99, this was not used a la lettre cf. Memoires de Trygve Lie, Au Service de la Paix, (Gallimard, Paris 1957, pp. 371-373). See also Cot/Pellet, pp. 1319.

Laos: On 5 September 1961, Dag Hammarskjold, requested the President of the Security Council to convene an urgent meeting outside the framework of Article 99, on Laos. (Repertory of Practice of the UN Organs, Vol. IV, pp. 161-162).

Pakistan: On 20 July 1971, U Thant submitted a memorandum (S/10410) to the President of the Security Council regarding developments in East Pakistan and the adjacent Indian State and their consequences. With respect to possible consequences of the present situation, not only in the humanitarian sense, but also as a potential threat to peace and security. (Repertory of Practice of the UN Organs, Vol. V, pp. 134).

Vietnam: On 11 May 1971, Kurt Waldheim transmitted a memorandum to the President of the Security Council in which he suggested that the members of the Council consult with each other and examine actively which measures could be taken to put an end to the war. (Cot/Pellet, p. 1321).

Lebanon: On 30 March 1976 and 16 March 1978, Kurt Waldheim drew the attention of the Security Council to the serious situation, while transmitting communications he had received and offering his good offices. (Cot/pellet p. 1321).

Iran/Iraq: On 25 September 1980, Kurt Waldheim directed a letter to the President of the Security Council expressing the opinion that the conflict between Iran and Iraq was undoubtedly a threat to peace and security and that the Security Council should examine it urgently. (Cot/Pellet, pp. 1321,1322).


16. The News Distribution of the Spokesman's Office/DPI include 'Political Information Bulletin', see, for example, #3, on News Agencies on Current Political Issues of 1 April 1992.


18. SG/SM/4718, 19 March 1992, Transcript of Press Conference by the Secretary-General Boutros Boutros-Ghali, held at Headquarters today, 19 March [1992].


20. "...to develop an effective early warning system related to new flows of refugees and displaced persons, including measures of cooperation and procedures for gathering, analyzing and disseminating information in a
THE UNITED NATIONS IN CONFLICT PREVENTION

timely manner to all concerned, and to make recommendations on the need for an interagency consultative mechanism.'


25. SG/SM/4723 - DC/2399, 27 March 1992. Secretary-General stresses concerns of UN and CSCE in message to Helsinki Follow-up meeting. DPI UN, New York.


29. Ibid.


37. See GA Res. 46/58 Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organisation, 9 December 1991, which mentions the completion of the Handbook on the Peaceful Settlement of Disputes between States. It covers i) principles of the peaceful settlement of disputes between States; ii) means of settlement; iii) procedures envisaged in the UN Charter; iv) procedures envisaged in other international instruments.

38. These methods are addressed in the Handbook on the Peaceful Settlement of Disputes between States, op.cit. in terms of characteristics, functions, application of the methods, and instrumental and related aspects and outcome. Cf. Roy S Lee, A Case for Facilitation in the Settlement of Disputes, 1991 German Yearbook of International Law, pp. 211-244.


42. The General Assembly approves the regular programme budget biennially on the presentation by the Secretary-General and the review of Committee for Programme and Coordination and the Advisory Committee on Administrative and Budgetary Questions.


44. The legal regime governing assessments is Article 17, §2, of the Charter of the UN, which provides: 'The expenses of the Organisation shall be borne by the Members as apportioned by the General Assembly'. Under the scale which applies to the period of 1989-1990, assessments range from a maximum of 25 per cent for the largest contributor (USA) to a minimum of 0.01 per cent (for example, Bangladesh, Haiti, or Liberia). See: The Financing of the United Nations Peacekeeping Operations, The Need for a Sound Financial Basis, by Susan R Mills, International Peace Academy, Occasional Paper, No. 3,1989, p. 5.


THE UNITED NATIONS IN CONFLICT PREVENTION

UN Iraq-Kuwait Observer Mission (UNIKOM) Sec. Council Res. 689


Source:


53. Law 180 mentions specifically the supply of goods, services and financial contributions to international organisations, foreign countries, Italian and foreign private and public entities having as a goal the maintenance of peace and international security, as well as initiative in the humanitarian field and with the goal of protecting human rights. Given Italy's very substantial effort in the field of development assistance to LDCs, Italian participation in peacekeeping efforts in the Third World is not likely to run the risk of being inadequately funded. It would be an important step if other countries would make such budgetary arrangements to solidify the linkage between peace and development. The meaning of the linkage is twofold: there is no peace without development, but also 'development assistance is useless unless there is peace'. See in Roberto Toscano's address on Peacekeeping in the New International Situation at the International Symposium on Prospects of Reform of the United Nations System, in. Rome, April/May 1992, p. 24/25.


55. (SG/SM/4748, 13 May 1992). Secretary-General Delivers Ninth Annual

56. THE ART OF CONFLICT PREVENTION

57. David M Abshire Lecture, From Peacekeeping to Peacebuilding, p. 5.

58. Ibid, p. 5.


60. Source: Discussions with Ambassador Jonathan Moore, Deputy Permanent Representative, USA Mission to the UN Headquarters in New York, 2 April 1992.


BIBLIOGRAPHY

The Art of Conflict Prevention: Theory and Practice of the United Nations


Widenfeld, Werner, Cooperation for a New European Epoch (The International Herald Tribune, 7 April 1992).