



ROLE OF UNO IN MAINTAINING WORLD PEACE *

INTRODUCTION

Today's peacekeepers undertake a wide variety of complex tasks, from helping to build sustainable institutions of governance, to human rights monitoring, to security sector reform, to the disarmament, demobilization and reintegration of former combatants.

The nature of conflicts has also changed over the years. Originally developed as a means of dealing with inter-State conflict, UN peacekeeping has been increasingly applied to intra-state conflicts and civil wars. Although the military remain the backbone of most peacekeeping operations, the many faces of peacekeeping now include administrators and economists, police officers and legal experts, de-miners and electoral observers, human rights monitors and specialists in civil affairs and governance, humanitarian workers and experts in communications and public information.

UN peacekeeping continues to evolve both conceptually and operationally to meet new challenges and political realities. Faced with the rising demand for increasingly complex peace operations, the United Nations in the past few years has been overstretched and challenged as never before. The Organization has worked vigorously to strengthen its capacity to manage and sustain field operations and, thus, contribute to the most important function of the United Nations maintaining international peace and security¹.

Meaning and Need for peace Keeping

General Indarjit Riktye², the former President of the International Peace Academy who has participated in several peacekeeping missions, defines peace keeping as "The prevention, limitation, moderation and cessation of hostilities between or within States due to the intervention of a third party, which is organized and directed at the international level and which calls upon military, police and civilian personnel to restore peace."

The United Nations (UN) was established on 24 October 1945 in the aftermath of two World Wars and was dedicated, in the enduring words of the UN Charter, to saving "succeeding generations from the scourge of war." Since its creation, the UN has been called upon to prevent disputes from escalating into war, to persuade opposing parties to use the conference table rather than the force of arms and to help restore peace when conflict breaks out. Over the decades, the UN has helped to contain or end numerous conflicts, in many cases through the deployment of peacekeeping operations³.

History of United Nations peace- keeping

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¹<http://www.yourarticlelibrary.com/uno/the-peace-keeping-efforts-of-the-united-nations-organization-uno/4453/last> retrieved on 27th July, 2015, 03. 45p.m.

²<http://www.nytimes.com/2007/05/28/world/americas/28iht-obits.3.5899403.html/> last accessed on 27th July, 2015, 04.00 p.m.

³www.un.org/en/peacekeeping/operations/peacekeeping.shtml/ last retrieved on 27th July, 2015, 07.30 p. m

United Nations peacekeeping was initially developed during the Cold War as a means of resolving conflicts between states by deploying unarmed or lightly armed military personnel from a number of countries, under UN command, to areas where warring parties were in need of a neutral party to observe the peace process. Peacekeepers could be called in when the major international powers (the five permanent members of the Security Council) tasked the UN with bringing closure to conflicts threatening regional stability and international peace and security.

Since 1991 the end of the Cold War caused a shift in UN and multilateral peacekeeping. In a new spirit of cooperation, the Security Council established larger and more complex UN peacekeeping missions, often to help implement comprehensive peace agreements between protagonists in intra-State conflicts and civil wars. Furthermore, peacekeeping came to involve more and more non-military elements that ensured the proper functioning of civic functions, such as elections. The UN Department of Peacekeeping Operations was created in 1992 to support this increased demand for such missions⁴.

The UN System

The UN system is founded in constitutional terms upon a relatively clear theoretical distinction between the functions of the principal organs of the organisation. However, due to political conditions in the international order, the system failed to operate as outlined in the Charter and adjustments had to be made as opportunities presented themselves. The Security Council was intended to function as the executive of the UN, with The General Assembly as the parliamentary forum. Both organs could contribute to the peaceful settlement of disputes through relatively traditional mechanisms of discussion, good offices and mediation. Only the Security Council could adopt binding decisions and those through the means of Chapter VII, while acting to restore international peace and security. But the pattern of development has proved rather less conducive to clear categorization. An influential attempt to detail the methods and mechanisms available to the UN in seeking to resolve disputes was made by the UN Secretary-General in the immediate aftermath of the demise of the Soviet Union and the unmistakable ending of the Cold War.

Principles of UN peacekeeping

There are three basic principles that continue to set UN peacekeeping operations apart as a tool for maintaining international peace and security. These three principles are inter-related and mutually reinforcing:

- Consent of the parties
- Impartiality
- Non-use of force except in self-defence and defence of the mandate

Consent of the parties

UN peacekeeping operations are deployed with the consent of the main parties to the conflict. This requires a commitment by the parties to a political process. Their acceptance of a peacekeeping operation provides the UN with the necessary freedom of action, both political and physical, to carry out its mandated tasks. In the absence of such consent, a peacekeeping operation risks becoming a party to the conflict; and being drawn towards enforcement action, and away from its fundamental role of keeping the peace.

The fact that the main parties have given their consent to the deployment of a United Nations peacekeeping operation does not necessarily imply or guarantee that there will also be consent at the local level, particularly if the main parties are internally divided or have weak command and control systems. Universality of consent becomes even less probable in volatile settings, characterized by the

⁴<http://www.shareyouressays.com/376/essay-on-the-united-nations-and-peacekeeping/> last retrieved on 27th July, 2015, 08.00 p.m.

presence of armed groups not under the control of any of the parties, or by the presence of other spoilers.

Impartiality

Impartiality is crucial to maintaining the consent and cooperation of the main parties, but should not be confused with neutrality or inactivity. United Nations peacekeepers should be impartial in their dealings with the parties to the conflict, but not neutral in the execution of their mandate.

A peacekeeping operation should not condone actions by the parties that violate the undertakings of the peace process or the international norms and principles that a United Nations peacekeeping operation upholds.

Notwithstanding the need to establish and maintain good relations with the parties, a peacekeeping operation must scrupulously avoid activities that might compromise its image of impartiality. A mission should not shy away from a rigorous application of the principle of impartiality for fear of misinterpretation or retaliation.

Failure to do so may undermine the peacekeeping operation's credibility and legitimacy, and may lead to a withdrawal of consent for its presence by one or more of the parties.

Non-use of force except in self-defence and defence of the mandate

UN peacekeeping operations are not an enforcement tool. However, they may use force at the tactical level, with the authorization of the Security Council, if acting in self-defence and defence of the mandate. In certain volatile situations, the Security Council has given UN peacekeeping operations "robust" mandates authorizing them to "use all necessary means" to deter forceful attempts to disrupt the political process, protect civilians under imminent threat of physical attack, and/or assist the national authorities in maintaining law and order. Although on the ground they may sometimes appear similar, robust peacekeeping should not be confused with peace enforcement, as envisaged under Chapter VII of the United Nations Charter. Robust peacekeeping involves the use of force at the tactical level with the authorization of the Security Council and consent of the host nation and/or the main parties to the conflict. By contrast, peace enforcement does not require the consent of the main parties and may involve the use of military force at the strategic or international level, which is normally prohibited for Member States under Article 2(4) of the Charter, unless authorized by the Security Council. A UN peacekeeping operation should only use force as a measure of last resort. It should always be calibrated in a precise, proportional and appropriate manner, within the principle of the minimum force necessary to achieve the desired effect, while sustaining consent for the mission and its mandate. The use of force by a UN peacekeeping operation always has political implications and can often give rise to unforeseen circumstances.

Judgments concerning its use need to be made at the appropriate level within a mission, based on a combination of factors including mission capability; public perceptions; humanitarian impact; force protection; safety and security of personnel; and, most importantly, the effect that such action will have on national and local consent for the mission⁵.

Mandates and The legal basis for peace keeping

The UN Charter gives the Security Council primary responsibility for the maintenance of international peace and security. In fulfilling this responsibility, the Council can establish a UN

⁵www.un.org/en/peacekeeping/operations/last retrieved on 27th July, 2015, 08.49 p.m.

peacekeeping operation. UN peacekeeping operations are deployed on the basis of mandates from the United Nations Security Council. Their tasks differ from situation to situation, depending on the nature of the conflict and the specific challenges it presents.

UN Charter

The Charter of the United Nations is the foundation document for all the UN work. The UN was established to “save succeeding generations from the scourge of war” and one of its main purposes is to maintain international peace and security. Peacekeeping, although not explicitly provided for in the Charter, has evolved into one of the main tools used by the United Nations to achieve this purpose. The Charter gives the UN Security Council primary responsibility for the maintenance of international peace and security. In fulfilling this responsibility, the Council may adopt a range of measures, including the establishment of a UN peacekeeping operation.

- Chapter VI deals with the “Pacific Settlement of Disputes”. UN peacekeeping operations have traditionally been associated with Chapter VI. However, the Security Council need not refer to a specific Chapter of the Charter when passing a resolution authorizing the deployment of a UN peacekeeping operation and has never invoked Chapter VI.
- Chapter VII contains provisions related to “Action with Respect to the Peace, Breaches of the Peace and Acts of Aggression”. In recent years, the Council has adopted the practice of invoking Chapter VII of the Charter when authorizing the deployment of UN peacekeeping operations into volatile post-conflict settings where the State is unable to maintain security and public order. The Security Council’s invocation of Chapter VII in these situations, in addition to denoting the legal basis for its action, can also be seen as a statement of firm political resolve and a means of reminding the parties to a conflict and the wider UN membership of their obligation to give effect to Security Council decisions.
- Chapter VIII of the Charter provides for the involvement of regional arrangements and agencies in the maintenance of international peace and security provided such activities are consistent with the purposes and principles outlined in Chapter I of the Charter⁶.

Peacekeeping mandates

UN peacekeeping operations are deployed on the basis of mandates from the United Nations Security Council. Over the years, the range of tasks assigned to UN peacekeeping operations has expanded significantly in response to shifting patterns of conflict and to best address threats to international peace and security. Although each UN peacekeeping operation is different, there is a considerable degree of consistency in the types of mandated tasks assigned by the Security Council. Depending on their mandate, peacekeeping operations may be required to:

- Deploy to prevent the outbreak of conflict or the spill-over of conflict across borders;
- Stabilize conflict situations after a ceasefire, to create an environment for the parties to reach a lasting peace agreement;
- Lead states or territories through a transition to stable government, based on democratic principles, good governance and economic development.

Depending on the specific set of challenges, UN peacekeepers are often mandated to play a catalytic role in the following essentially peace building activities:

- Disarmament, demobilization and reintegration of ex-combatants;
- Security sector reform and other rule of law-related activities;
- Promotion of social and economic recovery and development⁷.

⁶<http://www.unv.org/how-to-volunteer/register-to-be-a-un-volunteer/un-peacekeeping-operations.html/Last> retrieved on 28th July, 2015, 4.00 p.m.

ROLE OF VARIOUS UN ORGANS IN KEEPING WORLD PEACE

Security Council

The Security Council has principal responsibility, under the United Nations Charter, for the maintenance of international peace and security. It is for the Security Council to determine when and where a UN Peacekeeping operation should be deployed. The Security Council in New York plays a crucial role in peacekeeping. The Security Council responds to crises around the world on a case-by-case basis and it has a range of options at its disposal. It takes many different factors into account when considering the establishment of new peacekeeping operation, including:

- Whether there is a ceasefire in place and the parties have committed themselves to a peace process intended to reach a political settlement;
- Whether a clear political goal exists and whether it can be reflected in the mandate;
- Whether a precise mandate for a UN operation can be formulated;

The Security Council checks the work of UN Peacekeeping operations on an ongoing basis, including through periodic reports from the Secretary-General and by holding dedicated Security Council sessions to discuss the work of specific operations. The Security Council can vote to extend, amend or end mission mandates as it deems appropriate.

Under Article 25 of the Charter, all UN members agree to accept and carry out the decisions of the Security Council. While other organs of the UN make recommendations to Member States, the Council alone has the power to take decisions which Member States are obligated to implement⁸.

The General Assembly

The General Assembly is the major and representative organ of the United Nations. Comprising all 193 Member States of the UN, it provides a unique forum for multilateral discussion of international issues including peace and security.

- **Contributing to a force for the future**

At the start of the 69th session of the UN General Assembly we are highlighting troops and police contributions from Member States to our peacekeeping missions across the world. UN Peacekeepers come from nations large and small, rich and poor. They bring different cultures and experience to the job, but they are united in their determination to foster peace and be a force for the future.

- **Financing matters**

While not normally directly involved in political decisions on establishing or terminating UN Peacekeeping operations, the General Assembly does play a key role in peacekeeping financing. As all UN Member States share the costs of peacekeeping, the Assembly apportions these expenses based on a special scale of assessments, taking into account the relative economic wealth of Member States, with the permanent members of the Security Council required to pay a larger share because of their special responsibility for the maintenance of international peace and security.

⁷ <http://www.betterworldcampaign.org/un-peacekeeping/Last> retrieved on 28th July, 2015, 4.05 p.m.

⁸ <http://www.un.org/millennium/report/>, last accessed on 13th October 2011/last retrieved on 28th July, 09.30 p.m.

The General Assembly, through its Fifth Committee (Administrative and Budgetary) approves and oversees the peacekeeping budget. This includes how specific field operations are funded and equipped, based on detailed submissions provided to it by the UN Secretary-General.

- **Special Committee on Peacekeeping Operations**

The General Assembly checks the performance of UN Peacekeeping through its Special Committee on Peacekeeping Operations. It was established in 1965 to conduct a comprehensive review of all issues relating to peacekeeping. The Committee reports on its work to the General Assembly through its Fourth Committee

- **'Uniting for Peace' resolution**

Under the UN Charter, however, the General Assembly cannot discuss and make recommendations on peace and security matters which are at that time being addressed by the Security Council. Despite the UN Charter's provision limiting the General Assembly's powers with regard to peace and security matters, there may be cases when the Assembly can take action. In accordance with the General Assembly's "Uniting for Peace" resolution of November 1950, if the Security Council fails to act, owing to the negative vote of a permanent member, then the General Assembly may act. This would happen in the case where there appears to be a threat to the peace, breach of the peace or act of aggression. The General Assembly can consider the matter with a view to making recommendations to Members for collective measures to maintain or restore international peace and security.

This resolution was invoked only once in UN peacekeeping history, when in 1956 the General Assembly established the First UN Emergency Force (UNEF I) in the Middle East⁹.

Secretary General

Just as the impotence of the Security Council stimulated a growing awareness of the potentialities of the General Assembly, it similarly underlined the role to be played by the United Nations Secretary-General. By Article 99 of the Charter, he is entitled to bring to the attention of the Security Council any matter which he thinks may threaten the maintenance of International peace and security and this power is in addition to his function as the chief administrative officer¹⁰.

Instruments for peace and security

The United Nations has developed a range of instruments for controlling and resolving conflicts between and within States. The most important of them are preventive diplomacy and peacemaking; peace-keeping; peace-building; disarmament; sanctions; and peace enforcement. The first three can be employed only with the consent of the parties to the conflict. Sanctions and enforcement, on the other hand, are coercive measures and thus, by definition, do not require the consent of the party concerned. Disarmament can take place on an agreed basis or in the context of coercive action under Chapter VII.

- **Preventive Diplomacy and Peacemaking**

It is evidently better to prevent conflicts through early warning, quiet diplomacy and, in some cases, preventive deployment than to have to undertake major politico-military efforts to resolve them after they have broken out.

⁹<http://www.theguardian.com/last> retrieved on 29th July, 07.00 a.m.

¹⁰<http://unu.edu/publications/articles/peace-support-a-new-concept-for-un-peacekeeping.html/last> retrieved on 29th July 07.03 a.m.

- **Peace-Keeping**

The United Nations can be proud of the speed with which peace-keeping has evolved in response to the new political environment resulting from the end of the cold war, but the last few years have confirmed that respect for certain basic principles of peace-keeping are essential to its success. Three particularly important principles are the consent of the parties, impartiality and the non-use of force except in self-defence. Analysis of recent successes and failures shows that in all the successes those principles were respected and in most of the less successful operations one or other of them was not.

- **Post-Conflict Peace-Building**

The validity of the concept of post-conflict peace-building has received wide recognition. The measures it can use and they are many - can also support preventive diplomacy. Demilitarization, the control of small arms, institutional reform, improved police and judicial systems, the monitoring of human rights, electoral reform and social and economic development can be as valuable in preventing conflict as in healing the wounds after conflict has occurred.

- **Disarmament**

At their Summit on 31 January 1992, the members of the Security Council underscored their interest in and concern for disarmament, arms control and non-proliferation, with special reference to weapons of mass destruction. They committed themselves to taking concrete steps to enhance the effectiveness of the United Nations in those areas.

- **Sanctions**

Under Article 41 of the Charter, the Security Council may call upon Member States to apply measures not involving the use of armed force in order to maintain or restore international peace and security. Such measures are commonly referred to as sanctions. This legal basis is recalled in order to underline that the purpose of sanctions is to modify the behavior of a party that is threatening international peace and security and not to punish or otherwise exact retribution¹¹.

Success in peacekeeping

UN peacekeeping missions operate in the most dangerous and difficult environments in the world, dealing with conflicts - or their aftermath - which others cannot or will not address. We can achieve what others can't, but success is never guaranteed.

Since 1948, the UN has helped end conflicts and foster reconciliation by conducting successful peacekeeping operations in dozens of countries, including Cambodia, El Salvador, Guatemala, Mozambique, Namibia and Tajikistan. UN peacekeeping has also made a real difference in other places with recently completed or on-going operations such as Sierra Leone, Burundi, Côte d'Ivoire, Timor-Leste, Liberia, Haiti and Kosovo. By providing basic security guarantees and responding to crises, these UN operations have supported political transitions and helped buttress fragile new state institutions. They have helped countries to close the chapter of conflict and open a path to normal development, even if major peace building challenges remain. In other instances, however, UN peacekeeping- and the response by the international community as a whole - have been challenged and found wanting, for instance in Somalia, Rwanda and the former Yugoslavia in the early 1990s. These setbacks provided important lessons for the international community when deciding how and when to deploy and support UN peacekeeping as a tool to restore and maintain international peace and security.

¹¹<https://www.foreignaffairs.com/reviews/review-essay/2000-03-01/paving-road-hell-failure-un-peacekeeping/last> retrieved on 13th August, 2015, 12.22 p.m.

UN PEACE KEEPING MISSIONS

In 2002, UN Mission for Ethiopia & Eritrea (UMEE) was started with an objective to monitor ceasefire between Ethiopia and Eritrea as part of a deal signed by two countries and end their border conflict. The mission was ended per 31 July 2008 with a UNSC resolution adopted on 30 July 2008. Peacekeepers had been driven from the border zone by Eritrea by February 2008, and Ethiopia had refused to accept a binding International Court of Justice ruling on the border issue; there are fears that this may set a precedent to show that a country can force out UN peacekeepers. Analysts also fear a new war may erupt between Ethiopia and Eritrea over the border.¹²

The UN Stabilization Mission in Haiti (MINUSTAH) was first established in 2004 by UN Security Council Resolution 1542. This peacekeeping mission operates under Chapter VII of the UN Charter, which gives peacekeepers the authority to use force if necessary to protect civilians. The devastating earthquake of 12 January 2010, which resulted in more than 220,000 deaths (according to Haitian Government figures), including 96 UN peacekeepers, delivered a severe blow to country's already shaky economy and infrastructure. The Security Council, by resolution 1908 of 19 January 2010, endorsed the Secretary-General's recommendation to increase the overall force levels of MINUSTAH to support the immediate recovery, reconstruction and stability efforts in the country.¹³ On October 12, 2012, the Security Council extended MINUSTAH's mandate through October 15, 2013. Resolution 2012 also provides for the reduction of the military strength, a balanced withdrawal of infantry and engineering personnel, and a reduction in police strength by June 2013.¹⁴

In 2005, UN Mission in the South Sudan (UNMISS) was started with an objective to assist in implementing peace agreement between Sudan Government and the Sudan People's Liberation Movement. The Security Council extended the Mission until 15 July 2014 so that it can continue to assist the world's youngest country in consolidating peace and security and helping to establish conditions for development. The Council reiterated its call on the Government of South Sudan to take greater responsibility for the protection of its civilians and in this respect encourages greater cooperation with UNMISS. It also demanded that the Government and all relevant parties cooperate fully in the deployment, operations, and monitoring, verification, and reporting functions of UNMISS, particularly by guaranteeing the safety, security and unrestricted freedom of movement of UN personnel, as well as of associated personnel throughout the country.¹⁵

On June 25, 1950, the Democratic People's Republic of Korea (North Korea) launched a surprise attack on South Korea. People in South Korea were unaware of the upcoming attack on that morning, which started a war that would kill more than 3,000,000 lives. Seoul, the capital of South Korea was quick to be captured by the North Korean troops, due to the fact that the attack had been unaccounted for. The war had begun with North Korean leader Kim II Song's desire to unify the peninsula under Communist rule. Before World War II, the peninsula had been one country. The UN decided to draw a line between the 38th parallel to avoid a conflict between the US and the Soviet. However, with the Soviets occupying the northern side and the US troops occupying the southern side, the two sides became increasingly different in their governing systems. South Korea was aided by the UN troops and the US troops, led under McArthur. North Korea held out for as long as they could, then turned to the People's Republic of China for aid. When the UN and US troops had managed to push the DPRK troops up to the border between Manchuria

¹²http://www.google.com/hostednews/afp/article/_/last_retrieved_29thSeptember_2015,08.00_p.m.

¹³<http://www.un.org/en/peacekeeping/missions/minustah/> last retrieved on 3rd October,2015, 04.50 p.m.

¹⁴<http://www.betterworldcampaign.org/un-peacekeeping/missions/haiti.html> last retrieved on 05th October,2015, 06.30 a.m.

¹⁵<http://www.un.org/apps/news/45393/> last retrieved on 05th October,2015, 06.32 a.m.

and North Korea, a desperate Kim II Song turned to the Chinese. With the use of thousands of foot soldiers, the Chinese were able to push the UN and US troops back to the 38th parallel. The result was a three-year war in the peninsula, the war ending in 1953 with an armistice.¹⁶

CONCLUSION

The U.N.O. came into existence because the major powers of the world were tired of war and desired for lasting peace. Though it has not solved all the conflicts, the U.N.O. is a very useful body with a good record of achievements. It has served as an international forum where leaders of all countries can meet one another, have close personal contacts and free and frank exchange of views. This world organisation has not succeeded in all cases, but it has definitely prevented many local and small quarrels turning into world wars. It has succeeded in creating an atmosphere in which no nation can preach openly the philosophy of war. On many occasions it has prevented outbreak of large-scale fighting by its timely intervention.

One can observe in this project that UN is playing a very important role on its part for maintenance of International peace and security, through its various agencies. Till date we can see that UN has conducted 66 peace keeping mission since its inception. Presently, 16 operations are still in progress. According to critics though UN is working but it is not an independent body in itself. In reality it is operated by various members nation which usually look after their interest first. Even the critics come to point out that there is no provision of peace keeping in the UN Charter. Though there are many criticisms against the UN but still we can observe that UN is working for the general welfare of the masses. We need to see the efforts made by the various agencies like UNICEF, UNESCO, WHO, UNDP, ILO, UNHRC which apart from peace keeping are ensuring general welfare.

¹⁶H.O. Agarwal, International Law and human rights, Central Law Publications,Allahabad,17th Ed. (2010),pg.383-385