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EXPECTATIONS AND REALITY: THE RAPID REACTION PEACE-KEEPING CAPABILITIES OF THE UNITED NATIONS

BY

STEPHANIE D. WOOD

A Thesis
Submitted to the Faculty of Graduate Studies
in Partial Fulfilment of the Requirements
for the Degree of

MASTER OF ARTS

Department of Political Studies
University of Manitoba
Winnipeg, Manitoba

by Stephanie D. Wood
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0-612-41649-6
EXPECTATIONS AND REALITY: THE RAPID REACTION
PEACE-KEEPING CAPABILITIES OF THE UNITED NATIONS

A Thesis/Practicum submitted to the Faculty of Graduate Studies of The University of Manitoba in partial fulfillment of the requirements of the degree
of

Master of Arts

Stephanie D. Wood ©1999

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Abstract

ABSTRACT

As peace-keeping goes through a continuous process of evolution it attempts to mold itself to fit the situations in which it is deployed. The largest change which affected peace-keeping was the end of the Cold War. It resulted in what has been referred to as second generation peace-keeping. Peace-keepers are dispatched to civil wars which involve situations of extreme violence largely affecting civilians. It is these second generation peace-keeping operations which has placed high demands on peace-keeping which could not be fulfilled by middle powers alone, thus introducing the major powers into peace-keeping. This change in peace-keeping led to calls for rapid responses by the United Nations to quell the high levels of violence and reduce civilian suffering. One suggestion made by middle powers was a standing UN force.

Middle powers sought the creation of a standing UN force for two reasons: first as a means to reduce the suffering of civilians in civil war, and second to elevate the role of middle powers in the UN, which had declined as a result of major power involvement in peace-keeping. The reality, however, is that most UN Members are not comfortable with the concept of a standing UN force. Consequently, the UN developed four alternatives which are referred to as the rapid reaction capabilities. They are the Standby Arrangements Initiative, the Mission Planning Service, the Rapidly Deployable Mission Headquarters and the United Nations High Readiness Brigade. Through analyzing the support each proposal received both during and after its creation, it becomes evident that rapid deployment is hindered not by the availability of resources, but by political will. It is the same lack of political will which prevents the creation of a standing UN force.
Acknowledgments

I would like to thank the following individuals for helping me complete this work. My parents for their support and a home environment which led to comments like “You just don’t know how well you have it.” Thanks for all that and more, for without it, this would have never been possible. Thanks too go to my brother Adrian, whose technical assistance was always (with the exception of the suggestion to convert to Word) appreciated, even if he thought it wasn’t.

Many thanks to Dr. Rais Khan for his patience, perseverance and red pen, all of which were necessary to make this what it has become.

To my Canadian friends, Angie, Wayne and Devon Williams, Jane Curtis and Kelli Jasman who in their own special ways provided light in periods of darkness, thanks for all your help and patience. And to Pavel Pokorny who is now in the Czech Republic, thanks for all the tea, gin rummy and crib and I will beat you yet!

Thanks are also due to my long distance friends in; England, Sarah Shephard; Scotland, Andrew Ireland; and Singapore (temporarily in London) Sharon Ong, who in spite of the distance have been incredibly supportive during the creative process. Our constant communication through snail mail and e-mail prodded me along when things were bleak.

Finally to Dennis Reid through whose friendship and an unfortunate meeting with a landmine in Bosnia 1992, while serving as a Corporal with the 3RCRs, brought home the realities of both second generation peace-keeping and the scourge of landmines.
## Abbreviations

<table>
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<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tr>
<td>AP</td>
<td>Anti-personnel</td>
</tr>
<tr>
<td>CAC</td>
<td>Contribution Agreements Cell</td>
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<tr>
<td>CCW</td>
<td>Convention on Certain Conventional Weapons</td>
</tr>
<tr>
<td>DPKO</td>
<td>Department of Peace-keeping Operations</td>
</tr>
<tr>
<td>FUNCINPEC</td>
<td>United National Front for an Independent and Cooperative Cambodia</td>
</tr>
<tr>
<td>GA</td>
<td>General Assembly</td>
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<tr>
<td>ICBL</td>
<td>International Campaign to Ban Landmines</td>
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<tr>
<td>ICRC</td>
<td>International Committee of the Red Cross</td>
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<tr>
<td>ICJ</td>
<td>International Court of Justice</td>
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<tr>
<td>KPNLF</td>
<td>Khmers Peoples’ Liberation Front</td>
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<tr>
<td>MINSURSO</td>
<td>United Nations Mission for the Referendum in Western Sahara</td>
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<tr>
<td>MOU</td>
<td>Memorandum of Understanding</td>
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<tr>
<td>MNF</td>
<td>Multinational Force</td>
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<tr>
<td>MPS</td>
<td>Mission Planning Service</td>
</tr>
<tr>
<td>MSC</td>
<td>Military Staff Committee</td>
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<tr>
<td>NGO</td>
<td>Non-governmental Organization</td>
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<tr>
<td>OAS</td>
<td>Organization of American States</td>
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<tr>
<td>ONUC</td>
<td>Operation des Unies au Congo</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>PDK</td>
<td>Party of Democratic Kampuchea</td>
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<td>Planelm</td>
<td>Planning Element</td>
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<tr>
<td>RDMHQ</td>
<td>Rapidly Deployable Mission Headquarters</td>
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<tr>
<td>ROE</td>
<td>Rules of Engagement</td>
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<tr>
<td>SAMU</td>
<td>Stand-by Arrangements Management Unit</td>
</tr>
<tr>
<td>SHIRBRIG</td>
<td>Multinational United Nations Stand-by Forces High Readiness Brigade</td>
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<tr>
<td>SNC</td>
<td>Supreme National Council</td>
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<tr>
<td>SOP</td>
<td>Standard Operating Procedure</td>
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<tr>
<td>UK</td>
<td>United Kingdom</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNAMIC</td>
<td>United Nations Advance Mission in Cambodia</td>
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<tr>
<td>UNAMIR</td>
<td>United Nations Advance Mission in Rwanda</td>
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<tr>
<td>UNDOF</td>
<td>United Nations Disengagement Observer Force</td>
</tr>
<tr>
<td>UNEF1</td>
<td>United Nations Emergency Force I</td>
</tr>
<tr>
<td>UNFICYP</td>
<td>United Nations Peace-keeping Force in Cyprus</td>
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<tr>
<td>UNIFIL</td>
<td>United Nations Interim Force in Lebanon</td>
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<tr>
<td>UNITAF</td>
<td>Unified Task Force</td>
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<tr>
<td>UNMIH</td>
<td>United Nations Mission in Haiti</td>
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<tr>
<td>UNMOGIP</td>
<td>United Nations Military Observer Group in India and Pakistan</td>
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<tr>
<td>UNMOT</td>
<td>United Nations Mission of Observers in Tajikistan</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>UNOMIG</td>
<td>United Nations Observer Mission in Georgia</td>
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<td>UNOMIL</td>
<td>United Nations Observer Mission in Liberia</td>
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<td>UNOSOM I</td>
<td>United Nations Mission in Somalia I</td>
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<td>UNOSOM II</td>
<td>United Nations Mission in Somalia II</td>
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<tr>
<td>UNPROFOR</td>
<td>United Nations Protection Force (Former Yugoslavia)</td>
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<tr>
<td>UNSMIH</td>
<td>United Nations Support Mission in Haiti</td>
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<tr>
<td>UNTAC</td>
<td>United Nations Transitional Authority in Cambodia</td>
</tr>
<tr>
<td>UNTAES</td>
<td>United Nations Transitional Administration for Eastern Slovenia, Baranja and Eastern Surium</td>
</tr>
<tr>
<td>UNTSO</td>
<td>United Nations Truce Supervision Organization</td>
</tr>
<tr>
<td>US</td>
<td>United States</td>
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<tr>
<td>USSR</td>
<td>Union of Socialist Soviet Republics</td>
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Chapter 1  Introduction

Since the formation of the United Nations (UN), no other feature of its activity has dominated the work of the organization as much as peace-keeping. Peace-keeping was never enshrined in the Charter. It arose as a reaction to a crisis, and has been used to solve crises when other methods were unsuitable. As time progressed, peace-keeping changed to suit the needs of specific situations. Consequently a significant portion of the literature on peace-keeping is simply out of date.

During the Cold War, peace-keeping was largely concerned with separating belligerents in a specific international conflict. Parties to a conflict would withdraw from the disputed territory, allowing peace-keepers to patrol the region while a solution was sought. Since the end of the Cold War, the scope of peace-keeping has changed both rapidly and significantly. The new form of peace-keeping, often called second generation peace-keeping, does not conform to the older more predictable form. Second generation


2 Alan James’ work Peacekeeping in International Politics, (New York: St. Martins Press, 1990), is an example of a work which was affected by this change. While a current study of peace-keeping when it was published, the change in perspective of peace-keeping occurred so soon after publication that it made the work
peace-keeping is characterised by:

... a large civilian component; often the organization and conduct of elections; an important information component; usually a police component; usually a human rights dimension; time-limited (with a timetable for implementation); usually concern for internal conflicts; often involve intervention into the affairs of sovereign states; and a requirement for a more effective military component.  

Generalizations from literature during the first generation of peace-keeping, therefore, cannot be extrapolated to second generation operations.

National government documents are available in a variety of forms and are useful sources of information. Caution, however must be employed in their use as they are limited by their singular approach to the subject. All government documents ultimately support the perspective of the author state and they rarely examine the subject beyond whatever the sponsoring state considers relevant.

In a similar vein, documents written for international organizations look at peace-keeping from an organizational perspective. United Nations' documents, in particular, dwell on the positive aspects of peace-keeping. Studies by or for non-governmental organizations (NGOs), academic institutions, and journalists tend to be more objective.

out of date. Consequently, it holds limited utility with regard to second generation peace-keeping operations.


Regardless of the ideological perspective of an author, all studies are biased. Timing, as in when the study was written, and purpose, the rationale for the study, are factors to be considered as well as the type of analysis employed.

Existing literature on peace-keeping employs one of three types of analyses; historical, explanatory and prescriptive. These are not mutually exclusive as some authors employ two or more types in their examination.

Historical analysis includes all studies that examine previous peace-keeping missions, regardless of the level of their effectiveness. To some degree all peace-keeping studies are historical as each study considers some aspect of previous or existing missions. Obviously this makes it difficult to distinguish between historical and other forms of analysis. In essence, a historical perspective limits the analysis to a purely chronological account of peace-keeping operations. Such studies may be useful for comparing operations, but they fail to provide guidance for improving peace-keeping.\(^5\)

In the narrowest sense, scholars have frequently limited studies of peace-keeping to a specific operation. While valuable in themselves, single mission studies do not allow for cross-comparisons between missions. This type of analysis normally occurs in two forms. One form extrapolates a particular operation as a general study of a peace-keeping mission, not necessarily concerned with the operation’s success.\(^6\) The second form looks

---


at a successful mission as an example of the United Nations' effectiveness.\(^7\)

Explanatory studies compare an array of peace-keeping operations seeking to explain why some operations are more successful than others.\(^8\) This form of analysis has increased in the last five years, and is likely to become popular as the issue of the success of UN missions assumes greater significance. With the sharp increase in the frequency of peace-keeping operations, many Members of the United Nations are questioning the utility of entering into new situations when existing operations have not been successfully completed.

The final type of analysis employed in studying peace-keeping is prescriptive. Such studies make useful comparisons between specific aspects of peace-keeping operations. They seek common ground among various operations, often looking for a common link between the successful ones. The scope of these studies, however, is normally narrow. They focus on a variety of specific issues ranging from the perspective of troop contributing nations\(^9\), financing peace-keeping\(^10\), improving peace-keeping\(^11\), defining

\(^7\)See Lewis.


peace-keeping\textsuperscript{12}, peace-enforcement\textsuperscript{13}, the use of force by peace-keepers\textsuperscript{14}, humanitarian crises\textsuperscript{15} and the formation of a permanent peace-keeping force\textsuperscript{16}.

Like explanatory studies, prescriptive analysis has also been widely used in the last five years. It attempts to find the elusive formula for successful peace-keeping missions by evaluating aspects of previous peace-keeping missions. One issue of considerable interest among prescriptive analysts is the formation of a standing or standby United Nations force.

\footnotesize


\textsuperscript{12}See Captain Claude Beauregard. "Are We Heading for a New Definition of Peacekeeping?" Peacekeeping and International Relations. Vol. 21 No. 5. (September-October 1992), 2-3.


THE RESEARCH QUESTION

Establishing a standing UN force has been viewed as a solution to many problems related to peace-keeping. It has been suggested that the United Nations would be better able to react to crises if a military force was readily available for dispatch. Under this rubric, it is argued that the time-lag between authorizing UN action and deployment of UN personnel is far too long. Rwanda is often cited as one example that could have benefited from a standing UN force. The rapid deployment of such a force could prevent the further escalation of a crisis. Besides, the existence of such a force would act as a deterrent and thereby reduce the number of potential conflicts.

This, however, is flawed thinking. It is not a question of whether such a force would be effective, but of whether an agreement can be reached within the UN to establish it. Current studies on the utility of a standing force of UN peace-keepers are inconclusive. They view the UN as a monolithic organization. These studies examine conceptual issues such as logistics, command and control, and financing from a unified source.

Studies which examine conceptual issues are overly optimistic in their assumptions that such a force is either desirable or practical. It is highly premature to consider the benefits of a standing UN force, without giving consideration to the priorities of the UN Membership.

The task of forming a permanent or standby-by force for use by the United Nations is fraught with a series of logistical and political problems. Its legality is clearly enshrined
in Article 43\textsuperscript{17} of the Charter and, although never used, it serves as the starting point for legally establishing a UN Force. But the concept falls apart in terms of the political will of UN Members to contribute to the establishment of such a force. While logistically possible, Member States do not react positively to the concept.

This thesis proposes to demonstrate that the call for a standing UN force was an impractical middle power policy aim which failed to garner the requisite support from the Membership of the United Nations. It was a failed attempt to secure a significant middle power role in the UN and the field of international peace and security.

The prospect for a standing force is not grounded in reality. The advocates of such a force fail to consider the role of political will and the ability of the UN to act in any given situation. In proposing that rapid deployment was desired, the middle powers failed to note that the same problems which prevent rapid deployment, are also the ones which prevent the formation of a standing UN force. This is evident in the rapid reaction capabilities which were developed as alternatives to a standing force.

The call for a standing UN force represented not only a middle power desire for the UN to respond faster to international crises, it was also an attempt to elevate the role of middle powers within the UN. Throughout the Cold War middle powers were able to play a significant role in international relations through peace-keeping. In the post Cold War period, major powers moved into the realm of peace-keeping, reducing the prominence of middle powers. The call for a standing UN force was an attempt by middle powers to

\textsuperscript{17}See page 16 for an in depth discussion on the stipulations and expectations of Article 43.
reclaim their position of indispensability within the UN.

In order to provide the backdrop for the middle powers call for a standing UN force, chapters two and three are devoted to discussing the development of the UN Charter and peace-keeping. Chapter two deals with a variety of issues which establish the setting for the thesis. These include the circumstances leading to the formation of the United Nations, an in-depth examination of the provisions of Chapters VI and VII of the UN Charter and the origins and development of first generation peace-keeping activity.

Post Cold War peace-keeping is the focus of chapter three. The discussion examines the ways in which peace-keeping changed after the Cold War. This chapter also considers the proposal for a standing force and its legal basis in the UN Charter.

Current capabilities for rapid deployment and their development are the focus of chapter four. This discussion includes examining the Stand-by Arrangements for More Rapid Deployment of Peace-keeping Troops (the Stand-by Arrangements Initiative), the Mission Planning Service, the Rapidly Deployable Mission Headquarters and the Multinational United Nations High Readiness Brigade.

Chapter five examines the response of the UN Membership to the rapid reaction capabilities outlined in chapter four. Members of the UN demonstrate this through a variety of means, the simplest is their level of participation. Members' reaction is also gauged through the debates held within the UN on the establishment of the various systems and departments. Chapter five also discusses the practical realities of moving the current capabilities into a standing UN force. Thus the chapter considers the likelihood of whether the middle powers would be able to garner enough support to create a standing force.
During the Cold War peace-keeping gave middle powers like Canada a prominent role in the international arena. Middle powers were in the unique position of having enough resources to actively participate in peace-keeping but yet not so much as to be able to affect the international balance of power. The post Cold War world, no longer concerned with maintaining a balance of power, could look to larger powers as participants in peace-keeping. As the post Cold War world unfolded, the need for major power participation increased as middle powers did not have the required resources for second generation peace-keeping.

Chapter six outlines the changing role of middle powers in the post Cold War world. The chapter explains why middle powers initiated the call for a standing UN force. The chapter also explains how one middle power, Canada, sought to elevate its stature in the international community once the standing UN force failed to garner the requisite support. Canada elevated its stature by changing the perspective of its drive to secure a global role from peace-keeping to anti-personnel mines. The creation of a uniquely middle powers aspect of peace-keeping was replaced by sponsoring and leading the drive to create an international treaty banning anti-personnel mines. Chapter seven will synthesize the preceding discussion and draw conclusions regarding the future role of middle powers in both peace-keeping and the UN in general.
...the survival of war is incompatible with the survival of civilization -

either war will destroy civilization or civilization must end war.¹

Chapter 2  Formation of the United Nations and the Development of Peace-keeping

Political events of the interwar years (1919-1939), which led to the Second World War (1939-1945), demonstrated the weaknesses of the League of Nations and emphasised the need for a more effective mechanism for international relations. Efforts to create such a mechanism, called the United Nations Organisation, began long before the end of the War and the actual demise of the League of Nations.²

The process of forming the United Nations began in 1941 with a series of vague declarations of intent by the allied powers.³ One of the first international meetings directed at not only ending the War but at creating the post War world occurred during the summer of 1941 between Roosevelt and Churchill. It resulted in what Roosevelt called a joint declaration "... laying down principles which should guide our policies down the same road."⁴ The US began the process by passing a suggested text of the joint declaration to the

¹"Vigilantes." Why the League has Failed, (London: Victor Gollancz Ltd., 1938), 7.

²The League was never formally dissolved until April, 1946. Richard Veatch. Canada and the League of Nations, (Toronto: University of Toronto Press, 1975), 179.


UK. The declaration passed back and forth between the two countries to become what is now known as the Atlantic Charter on August 14, 1941.5

The Atlantic Charter’s importance lies in its forward look beyond “... the final destruction of the Nazi tyranny.”6 In essence the contents of the Atlantic Charter did not differ from anything previously presented by the United States and the United Kingdom. The document’s importance, however, came from the fact that it soon garnered support from other allied nations: “... [A]n inter-allied meeting in London on September 24, 1941 [where] the British Dominions, the European governments in exile, and the Soviet Union formally adhered to the Anglo-American joint declaration and pledged their cooperation in giving effect to its principles.”7 It was not until the Moscow Conference of 1943, that the concept of the future international organization was clearly enunciated. The United States, Great Britain, the Soviet Union and China “… were prepared to issue a clear statement of resolve to create a general international organization.”8

The Moscow Conference set the wheels of creativity in motion. Several agencies were devised to deal with war related problems.9 This piecemeal approach to the

5The Atlantic Charter and the Roll Call of the Nations. Issued by the Director of Public Information, Ottawa under Authority of the Hon. J. T. Thorson, Minister of National War Services, 1942.

6Russell, 39.

7Russell, 44.


9These agencies included the United Nations Relief and Rehabilitation Administration (1943), the United Nations Conference on Food and Agriculture (1943),
construction of the United Nations reflected the reluctance of nations to commit themselves to matters other than those of an economic, social or technical nature.

In August 1944, in what are called the Dumbarton Oaks Conversations, representatives of the United States, the Soviet Union, Great Britain and later China, began a "... period of planning and experimental building of peripheral agencies." It was here that the blueprint for an international organization was formed. During the negotiations the Soviet Union first made the request for voting rights for all sixteen Soviet Republics.

The Charter was further developed six months later at the Yalta Conference in February, 1945. Churchill and Stalin agreed to Roosevelt's proposed text for voting rights in the Security Council. At the same time, the three powers agreed on the provisions for the international trusteeship system. The Soviet Union's desire to have separate voting rights for all sixteen Soviet republics was also resolved when the United Kingdom and the United States agreed to support a Soviet request to grant Ukraine and Byelorussia separate voting rights. Having settled these issues a general conference was convened in April 1945 to include other interested nations thus far excluded from the discussions. In the meantime, the US canvassed support from other Inter-American states in order to "... promote the formulation of a general hemispheric position on questions of international


10Claude, 53.

11Claude, 53.
organization, especially those involving the status of regional systems."

The San Francisco Conference convened on April 25, 1945, was the most important conference in the development of the United Nations. Delegates assembled with the common desire to end the War: “In all, 282 delegates representing fifty states, attended, and with their staffs they amounted to 1726 persons.” The Charter and the Statute of the International Court of Justice were created after two months of intense negotiations. On June 25, 1945, in what has been referred to as the ‘penultimate’ plenary session “... the Charter was formally and unanimously adopted.” The Charter entered into force after the requisite number of ratifications had been reached on October 24, 1945.

THE UN CHARTER AND DISPUTE SETTLEMENT

The preamble of the Charter sets the goals of the organization. It seeks to end war, preserve human rights for all individuals, respect all treaty obligations and other forms of international law and advance social progress and a higher standard of living for all. The Charter comprises 19 Chapters (111 Articles). For purposes of this discussion, provisions of the Charter relevant to peace-keeping are Chapters VI, on the pacific settlement of

12 Claude, 53.
13 Claude, 53-54.
14 Claude, 53-54.
15 Russell, 932.
17 It is neither desirable nor required to delve into the mechanics of the entire Charter, this has been accomplished elsewhere by many authors. See Russell, Claude and Goodrich.
international disputes, and VII, on action with respect to threats to the peace, breaches of the peace and acts of aggression.

**Pacific Settlement of Disputes and Breaches of the Peace**

Chapter VI (Articles 33-38) provide for the pacific settlement of disputes and breaches of the peace. The primary concern is to resolve the situation "... by negotiation, enquiry, mediation conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice." The role of the Security Council includes directing the parties to resolve the dispute through the aforementioned means and to investigate the dispute. The investigation would determine whether the dispute will "... endanger the maintenance of international peace and security."

If a dispute has not been brought to the attention of the Security Council, or the General Assembly, any Member of the UN can notify either UN body of the situation. If one of the parties to the dispute is not a Member of the UN, it may still bring the dispute to the UN "... if it accepts, in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter."

Article 37 seeks to ensure that the Security Council becomes involved in securing a solution to the dispute. This Article permits the Council to intervene either under its own volition or upon a request by one or both parties to the dispute. Once involved the Council

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may suggest any means not already employed to resolve the dispute. Legal issues, however, are beyond the scope of the Council and they must be referred to the International Court of Justice (ICJ).

Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression

Action with respect to threats to the peace, breaches of the peace, and acts of aggression are discussed in Chapter VII (Articles 39-51). The determination of whether a "... threat to the peace, breach of the peace, or an act of aggression..." exists lies with Security Council. The Council may recommend a solution to the conflict or implement the procedures outlined in Articles 41 and 42.

The Charter is not a perfect document. Article 39 permits one action while Article 40 makes it appear that an alternative would be preferable if it could be used first. In other words, prior to acting under the procedures outlined under Article 39, the Council pursuant to Article 40 may take provisional measures to prevent the further escalation of the situation. The parties to the dispute are required to comply with measures which "... shall be without prejudice to the rights, claims or position of the parties concerned." Although Article 40 makes no reference to the consequences if the parties to the dispute disregard the provisional measures, it does state that the failure to comply must be noted by the Security Council.

Article 41 authorizes the Security Council to take nonmilitary measures such as

21 Article 39. The Charter of the United Nations....

22 Article 40. The Charter of the United Nations....
sanctions against belligerents. Sanctions include, but are not limited to, the complete or partial suspension of economic relations, the means of communication and the cessation of diplomatic relations between UN Members and the party being sanctioned. The Security Council may ask the UN Membership to assist in enforcing these sanctions.

If the measures outlined under Article 41 are, or prove to be, insufficient, the Council may introduce military measures. Under Article 42 the Council “... may take such action by air, sea, or land forces... [Which] may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.”

Under Article 43, Members of the United Nations are to “... undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.” Subsection 2 of Article 43 establishes the scope of the such agreement(s), but it does not cite them specifically. In their future creation, however, the following factors would be considered; “... the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.” Their precise nature was to be “... negotiated as soon as possible on the initiative of the Security Council.” The agreement(s) were to be completed between the Security Council and individual Members of the United Nations.

23 Article 42. The Charter of the United Nations....

24 Article 43. The Charter of the United Nations....

25 Article 43 Subsection 2. The Charter of the United Nations....

26 Article 43 Subsection 3. The Charter of the United Nations....
or by the Security Council and groups of Members. Finally they were to be ratified by the signatories.

During the San Francisco Conference concerns were raised by 'smaller' states over the requirement to participate in Security Council decisions. The 'smaller' states were objecting to the likelihood that they would be required to participate in Council actions yet be unable to be directly involved in the decision making process. This problem arises from the smaller membership of the Security Council; as a smaller sub-organ cannot include all the members of the main group. Some of these concerns were dealt with in Article 32 which extended participation in Security Council deliberations to non-Members party to a dispute brought before the Council. Under Article 44, the right to participate in debates involving the supply of citizens as armed forces for enforcement action is extended to contributing states.

Article 45 deals with two issues related to military action to be taken by the Security Council: the immediate deployment of air units and the limits of the 'urgent military measures' which the UN can employ. With regard to the air units, the Article outlines special arrangements for Member nations to supply air units for immediate deployment. The limits of the 'urgent military measures' were technically established by Article 43. Article 45 considers this to have been achieved through the special agreement(s) which were to be created under Article 43. Both the special agreements, which did not materialize, and the limits of the 'urgent military measures,' are under the jurisdiction of the Security Council which is assisted by the Military Staff Committee (MSC).²⁷

²⁷ Article 47 discusses the nature and membership of the MSC.
According to Article 46 the decision to deploy armed forces for the purpose of Chapter VII enforcement action was to be determined by the Security Council with the advice of the MSC.

The MSC is established under Article 47. Its membership comprises the Chiefs of Staff or their representatives of the Permanent Members of the Security Council. The membership may be expanded if the expansion will facilitate the work of the Committee. Any addition to the membership of the Committee can only occur with an invitation by the Permanent Members. The MSC’s purpose is to recommend and aid the Security Council in matters pertaining to the maintenance of international peace and security. The MSC shall “... advise and assist the Security Council on questions relating to the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.”

In addition to its functions outlined in Subsection 1, the MSC is also “... responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council.” Specific aspects of control of the forces were not established under this or any other article, but were to be devised at a later date.

Subsection 4 of Article 47 allows the MSC to create regional sub-committees. While their purpose is not clearly enunciated, the formation of such committees must be endorsed by the Security Council following consultation with the pertinent regional associations.

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28 Article 47, Subsection 1. The Charter of the United Nations....

29 Article 47, Subsection 3. The Charter of the United Nations....
It is assumed under Article 48 that actions necessary to maintain international peace and security may not always need the assistance of all the Members of the United Nations: "The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine."\(^\text{30}\) Regardless of the number of Members required to implement and enforce Security Council actions, it is expected that all Members will participate in the directives of the Security Council when requested. Article 48 continues by stating that "... [s]uch decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members."\(^\text{31}\) In addition to the directives in Article 48, all Members are instructed that they "... shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council."\(^\text{32}\)

Provisions under Article 50 grant states the right to approach the Security Council and request assistance if participation in enforcement procedures causes undue hardship. This provision applies to both Members and non-Members of the United Nations. It is the expectation that once a state approaches the Security Council, some form of modification will be made to lessen economic hardship. The Article does not suggest how leniency will be granted.

The final Article in Chapter VII refers to a states' "... inherent right of individual

\(^\text{30}\) Article 48, Subsection 1. The Charter of the United Nations.....

\(^\text{31}\) Article 48, Subsection 2. The Charter of the United Nations.....

\(^\text{32}\) Article 49. The Charter of the United Nations.....
or collective self-defence. . . .”  

Article 51 permits states to act in individual or collective self-defence “. . . if an armed attack occurs against a Member of the United Nations. . . .”

If a state does act in self-defence, the action must be reported directly to the Security Council. In addition, although the right to self defence is recognized in the Charter, the Security Council still retains “. . . the authority and responsibility . . . under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.”

**The Reality of the Charter Provisions**

The Charter of the United Nations was developed during World War II while the alliance between the allies was intact. The framers of the Charter suffered from the myopic belief that the wartime alliance would last beyond the War. However, once the allies had secured victory, nothing could hold them together; they no longer had a common enemy: “Wartime coalitions are notorious for their tendency toward dissolution after their military functions have been discharged. . . .”

Agreements to supply troops for enforcement action outlined in Article 43 were to be devised at a later date after the War concluded. But almost immediately after the conclusion of World War II, the world was faced with the East-West split which affected the desire of the victorious allies to fulfill the requirements of Article 43. This was clearly evident in the early stages of attempting to implement

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36 Claude, 59.
Article 43.\textsuperscript{37}

Varying theories abound as to the origins of the Cold War rivalry between the East and the West.\textsuperscript{38} Between 1945 and 1946 attempts were made at cooperation, but long term cooperation between the USSR and the US could not be achieved. Uncertainty over each other's true intentions left the US and Soviet Union unable to trust each other: "But regardless of its causes, the Cold War rapidly became the central element of postwar international politics."\textsuperscript{39}

The process of implementing Article 43 began in April 1946 with the Security Council asking the MSC to "... examine and report on the question of agreements for placing armed forces at the disposal of the Security Council as provided for in Article 43 of the Charter."\textsuperscript{40} The MSC established a subcommittee to study the matter and suggest a framework for the administration\textsuperscript{41} of forces under the control of the United Nations.\textsuperscript{42}


\textsuperscript{39}Kegley and Wittkopf, 70.

\textsuperscript{40}Rivlin, 5.

\textsuperscript{41}Administration entailed the day to day management of the forces while placement involved the location of the forces while not in use.

\textsuperscript{42}Rivlin, 5.
The question of placement of forces under United Nations control was delegated to a second subcommittee. By December the General Assembly expressed concern over the delay in the implementation of Article 43 and asked the MSC to speed up the process. In a similar vein, the Security Council in February, 1947 instructed the MSC to report on the implementation of Article 43 by April 30, 1947.

The eventual report, however was a disappointment. Of the forty-one issues dealt with in the report, the committee could only reach agreement on twenty-five. The remaining sixteen were, however, the most significant if an agreement to implement Article 43 was ever to be achieved. Consensus could not be reached on such fundamental issues as the size and makeup of the force, the supply of bases, the stationing of forces not in use, when to withdraw the forces once deployed and how to provide logistical support.

Subsequently the Security Council sought from the MSC a second report. It was to provide "... an estimate of the overall strength of the Armed Forces which should be made available to the Security Council, indicating the appropriate strength and composition of the separate components, land, sea and air." Little had changed between the first report and the second one submitted two months later. Estimates by the UK and China on the number and types of military

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43The Report was titled "General Principles Governing the Organization of the Armed Forces Made Available to the Security Council by Member Nations of the United Nations." Boulden, 4.

44Rivlin, 6.

45Rivlin, 6.

46Rivlin, 6.
personnel required for the Armed Forces were the same while those from France were slightly higher. A vastly different perception of requirements came from the US which in some cases saw the need for more than five times the estimates of France. The Soviet Union did not furnish an estimate on the grounds that the basic issues needed to be established first.\(^{47}\)

The Security Council considered sending the issue back to the MSC. This time the Committee was to establish "... a single high estimate and a single low estimate of the overall force levels, and to apply the principles of equal and comparable contributions to those numbers."\(^{48}\) The Security Council, however, could not agree on how to word the question and it was left to be discussed at a later date. The later date has yet to arrive, and the Security Council has not discussed implementing Article 43 or the MSC report since July 15, 1947.\(^{49}\)

Thus the remaining articles of Chapter VII dealing with the utilization of the United Nations' force became a dead letter. The exception lies with Article 47, as the MSC exists, but not in the capacity outlined in the Charter. It meets once every two weeks in a basement office of the United Nations, with the sole purpose of establishing the date and

\(^{47}\)Boulden, 8.

\(^{48}\)Equal and comparable contributions' referred to a compromise needed between the Permanent Members of the Security Council. The Soviet Union wanted the Permanent Members to contribute forces to the UN on an equal i.e. man for man, plane for plane etc. The remaining Members argued that this was an inappropriate or ineffective method of establishment of a force thus a comparable method would be preferable. The question was never resolved. Boulden, 9.

\(^{49}\)Boulden, 9.
time of the next meeting. This is, as always, two weeks later; same time, same place.\textsuperscript{50}

**FILLING IN THE VACUUM - THE DEVELOPMENT OF PEACE-KEEPING**

The absence of an inventory of available military resources deprived the United Nations of its main instrument for collective security.\textsuperscript{51} As one author stated, the United Nations "... has never been fitted with the dentures that were designed for it."\textsuperscript{52}

A unique series of developments in 1950 demonstrated how easily the UN could be made powerless. The roots of these developments began in late 1949 with a challenge to the credentials of the representative of China:

On November 18, 1949, the Foreign Minister of the Central People's Government of the People's Republic of China informed the President of the General Assembly and the Secretary-General that his Government repudiated the legal status of the delegation of the Chinese National Government, which had no right to speak for the people of China in the United Nations, and on January 8, 1950, he informed the Security Council that his Government considered that the presence of the existing Chinese delegation in the Council was illegal and that it should be expelled.\textsuperscript{53}

The Soviet Union responded by suggesting that the credentials of the incumbent representative of China should not be recognised. This action would no longer allow the

\textsuperscript{50}Rivlin, 8.

\textsuperscript{51}One must bear in mind that the United Nations is not a true example of a collective security arrangement even if the provisions of Article 43 materialized. The veto power of the Permanent Members of the Security Council to block any action not in accordance with their own desires violates the basic principles of collective security. Claude, 242-43.

\textsuperscript{52}Boyd, 46.

delegation of the Chinese National Government to act as the legal representative for China. No other Member of the Security Council was willing to endorse this proposal, and on January 13, it was dropped from the agenda. Unhappy with the lack of support, the Soviet Union announced that it would no longer take part in the Council or any other body of the UN in which the representative of the Chinese National Government was present until the rightful representative had been acknowledged. This action, in hindsight, was a terrible political blunder for the Soviet Union, but became a welcome political windfall for the United States.

Within six months of the Soviet Union’s boycott, the United States and the UN Commission on Korea notified the Secretary-General on June 25 that North Korean Forces had invaded South Korea. The North Korean invasion was declared a breach of the peace by the Security Council on the same day. At the same time the Council “... called for a cease fire and withdrawal of North Korean forces to the 38th parallel.”

Two days after the attack, the US government reacted by supporting the South Korean forces in an attempt to repel the invasion. This verbal commitment was subsequently bolstered with the deployment of US ground forces. Within two weeks of...

54 Everyman’s United Nations, 134.
57 Basic Facts About the United Nations, 47.
58 Basic Facts About the United Nations, 47.
the initial attack by North Korea, the Security Council sought assistance from all UN Members to repel the North Korean forces:

The United States moved a resolution calling for all Members of the UN to support the government of South Korea, and Britain and France called for the troops to be put under the "Unified Command" of the United States, but authorized the use of the United Nations flag. So the UN flag was used to adorn a campaign over which the UN had absolutely no control. Even now it flies over the Panmunjom border crossing, although the operation has no connection with the U. N. Secretariat.

The operation also set a precedent for avoidance of the provisions of the Charter about a Military Staff Committee which should have controlled any UN operations. It would have been difficult to have a Soviet General on the Commission planning operations against its ally.  

Troops were supplied by sixteen nations, while five others sent medical units.

The Soviet Union labelled the force as illegal. Not surprisingly, the People’s Republic of China, which had yet to be recognised by the UN, adopted the same perspective. Both countries regarded the Security Council’s actions as illegal as the resolutions regarding the Korean action were adopted in their absence. The Soviet Union in particular refused to accept as legal any action taken by the Security Council during their boycott.

A second reaction to the provision of a military force to assist South Korea came from the People’s Republic of China who chose to support the North Koreans. On November 9, the People’s Republic of China entered the War against UN forces. The

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60 Basic Facts About the United Nations., 47.

Korean war ended with the signing of an armistice in July 1953.\(^{62}\)

How the UN dealt with the Korean Conflict is directly related to the dynamics of the Cold War. Misinterpretations of US and Soviet actions led to an increased distrust and ultimately resulted in a period of "... mutual antagonism and belligerence."\(^{63}\) Kegley and Wittkopf consider this period, 1947-1952, as the second stage of US/Soviet relations. The Soviet boycott of the UN and the Korean War occurred during this period. It is difficult to imagine either the US or the Soviet Union reaching an agreement over Korea, had the Soviet Union been present in the Security Council. The Soviet Union's boycott of the Security Council cleared the way for the US to 'lead' the UN in Korea. The importance of this was not lost on the US, which introduced what became known as the Uniting For Peace Resolution after the return of the Soviet Union. The Uniting For Peace Resolution was devised to ensure that regardless of the dynamics of the Security Council, a solution to an international dispute would not be brushed aside by Great Power interests. The US was convinced that the Security Council was not going to function as the framers of the Charter had imagined and in particular how the US wanted.

During the fifth session of the General Assembly "[a]fter revision and amendment during an extended debate, three resolutions were adopted on November 3, 1950 under the title "Uniting for Peace."\(^{64}\) During the debate the US representative outlined what he called


\(^{63}\)Kegley and Wittkopf, 72.

\(^{64}\)Everyman's United Nations....., 75.
the 'pattern of 1931.' This, the US delegate said, was the chain of events beginning in 1931 with the Japanese invasion of Manchuria and leading to the eruption of World War II.\(^65\)

The US representative asserted that the UN was unable to perform as outlined in the Charter:

> He pointed out that although the taking of "effective collective measures" was included in the first of the stated Purposes of the United Nations, in the last five years the Security Council had been unable to give effect to those words. With the attack on the Republic of Korea, it began to appear that the pattern of 1931 had begun to repeat itself.\(^66\)

Presented by the United States Secretary of State Dean Acheson, the Uniting for Peace Resolution represented a significant step forward to cure the impotence of the United Nations. The purpose of the resolution was to circumvent the paralysis of the Security Council caused by the exercise of the veto privilege held by the five Permanent Members.\(^67\)

Polarization between Members which had created the need for the resolution was highlighted by the debate. France considered the resolution as a good solution to future Security Council impasse. The Soviet Union and its allies, however, saw the resolution as an infringement on the 'rights' of the Security Council:

> The present draft resolution was not intended to organize collective security but as a screen for military plans. To circumvent the veto, the USSR representative argued, would not guarantee peace, because even without the veto the choice of peace or war lay with the Great Powers. If there was no agreement between them on fundamental matters affecting the

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\(^{66}\) *Yearbook of the United Nations 1950.*, 190.

organization of international relations, then whether the General Assembly decided these questions without the veto or the Security Council with the veto, there would still be a threat to peace.68

The resolution nonetheless was adopted by 52 votes to 5 with 2 abstentions. India and Argentina abstained while the Soviet bloc cast the five negative votes.69

The passage of the resolution meant that a veto, regardless of the source, no longer ended discussion of a dispute. A solution, if it could not be found within the Security Council, would be attempted by the General Assembly:

... if the Security Council because of lack of unanimity of the Permanent Members fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of breach of the peace or act of aggression the use of armed force when necessary to maintain or restore international peace and security. If not in session at the time, the General Assembly may meet in emergency special session within twenty-four hours of the request therefor. Such emergency special session shall be called if requested by the Security Council on the vote of any seven Members, or by a majority of the Members of the United Nations.70

The resolution also called for the establishment of a peace observation commission and a collective measures committee.

Since its adoption, the Uniting for Peace Resolution has moved the discussion of


a dispute from the paralysed Security Council to the General Assembly on ten occasions.  
Attempts to use the collective security measures by allotting forces for collective action through the Collective Measure Committee failed as no agreement could be reached as to the nature of the collective measures.  
The United Nations was, once again, left without being able to implement Article 43 and thus its means of maintaining international peace and security. The vacuum left by the collapse of the collective security measures was filled by peace-keeping.

Interestingly, the first special session of the General Assembly called to deal with a dispute resulted in the creation of the United Nations Emergency Force (UNEF I); the first peace-keeping force under the Uniting for Peace Resolution. The Resolution effectively allowed the General Assembly to act in a situation of Great Power paralysis. These developments, however, have not been without both controversy and difficulty.  

**Peace-keeping as a Principal Activity of the United Nations**

Peace-keeping thus germinated out of the first Special Session of the General Assembly called to deal with the Suez Crisis in 1956.  

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71See Appendix 1.

72Siekmann, 3.


74An in-depth account of the actual events of the Suez Crisis is not relevant to this discussion. For further information on the Crisis see: Anthony Gorst and Lewis Johnman. *The Suez Crisis.* London: Routledge, 1997 and Roger Wm Louis and Roger
to deal with the situation but was quickly silenced by the vetoes of France and the United Kingdom:

In the Security Council, the British and French vetoed resolutions by the United States and the Soviet Union demanding that Israel withdraw and others stay out of Egypt. It was the first time that Britain had ever used the Veto. In a supreme irony, Yugoslavia then invoked the "Uniting for Peace" plan that Dean Acheson had devised to by-pass Soviet vetoes. Since the Security Council was paralysed, the issue would be sent to the General Assembly. 75

A special session of the General Assembly was then arranged. The Membership "... called for a cease-fire and withdrawal of foreign forces from Egyptian territory, and authorized the establishment of the United Nations Emergency Force (UNEF I); the first United Nations peace-keeping force." 76 UNEF I facilitated the withdrawal of foreign forces from Egypt without causing embarrassment for the invaders. The UN force took over the positions held by Israel, Britain and France and ensured that all nations had access to the Canal. Over time the mandate of UNEF I "... was expanded or interpreted, in accordance with subsequent General Assembly resolutions. ..." 77

Over time, just like UNEF I, the expectations and perceptions of peace-keeping

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76 Basic Facts About the United Nations., 50.

have changed. Peace-keeping started as an aspect of UN activity directed towards the maintenance of international peace and security. While lacking a formal definition, it was subject to certain parameters and expectations:

1. A peace-keeping force must operate under the direction of the United Nations. More specifically, all personnel are responsible to the Secretary-General. All military contingents involved are contributed voluntarily by Members of the United Nations. This aspect of voluntary contribution of forces means that no state is compelled to be involved in any aspect of dispute management that may run counter to its own interests.

2. Voluntary consent played a significant role in traditional peace-keeping. Consent was always required from the governments of territories to which the troops were being sent. Failure of the UN to secure this consent would have changed the nature of the operation from peace-keeping to an act of peace enforcement.

3. All peace-keepers must be impartial. Peace-keepers’ duties do not include making judgements regarding the rightness or wrongness of the belligerents and peace-keepers are not to take sides in the dispute. All operations are created on an ad-hoc basis as required, are issue specific, and cannot be transferred to other situations involving different belligerents.

4. Finally, armed peace-keepers are equipped only for self defence. The action taken in Korea did not reflect this outline and thus was not a peace-keeping operation, but

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an act of enforcement.

Of the thirteen missions deployed during the Cold War between 1956 and 1988, ten fit the traditional definition of peace-keeping. The three exceptions are ONUC (Operation des Unies au Congo, 1960-1964), UNFICYP (United Nations Peace-keeping Force in Cyprus, since 1964) and UNIFIL (United Nations Interim Force in Lebanon, since 1978), as each of these mission involved aspects of intrastate conflict.\(^7\) The end of the Cold War led to changes in the nature of relations between the major powers and thus affected peace-keeping. This is evident in the number of missions deployed and the type of situations peace-keepers have been engaged in.\(^8\) This change also necessitates clarifying the differing aspects of United Nations military action. Traditional peace-keeping refers to military action which is authorised outside of Chapter VII, at the request of the parties to a conflict. The resulting action includes:

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\ldots \text{military and civilian operations aimed at facilitating the implementation and maintenance of a cessation of hostilities through the use of observers, interpositionary forces and/or national conciliation and reconstruction efforts. The parties involved consent to the operation. Examples include UNFICYP, UNOMIG, and UNAVEM.}\(^9\)\]

Peace enforcement operations, in contrast, are authorised under Chapter VII and are established to deal with a humanitarian crisis and/or civil war within a state. This type of

\(^7\) See Sutterlin, 1-8.

\(^8\) See chapter three for more information on the changed nature of peace-keeping.

mission proceeds with or without the consent of the parties to a conflict. Collective security actions such as the Korean War and Gulf War:

... are operations authorized under Chapter VII of the UN Charter in response to external aggression by a state. These involve war operations in an interstate setting, aimed at achieving military victory and the restoration of the status quo ante. The consent of the aggressor state is absent.

CONCLUSION

The UN was developed during the Second World War with the aim of preventing further wars through a system of collective security; provisions for which were made in Chapter VII of the UN Charter. Shortly after, however, it became evident that the collective security features of the Charter were not going to be operative. Article 43 could not be implemented, and no agreements for the provision of resources for collective security measures were created. As a result, the rest of Chapter VII failed to become operational as intended.

Left without its means of collective security, Members of the United Nations developed other means of dealing with international conflict. In the Korean situation a multinational force under the leadership of the United States was deployed. It was recognized, however, that the circumstances surrounding the Korean situation were unique and were not likely to be repeated. This led to the passage of the Uniting for Peace Resolution. The Uniting for Peace Resolution removed from the Security Council the sole responsibility of determining and dealing with acts of aggression and breaches of the peace.

82 Sens, 49.

83 Sens, 49.
The General Assembly now could act if the Security Council was deadlocked. Once given this opportunity, the General Assembly devised a second method of dealing with international conflict. This development was peace-keeping.

Peace-keeping has been used in a variety of situations since its first use in the Suez Crisis. Each mission's mandate is determined by the situation it is employed in, and as such the dimensions of peace-keeping are continually evolving. Post Cold War peace-keeping expanded the parameters and expectations of peace-keeping. Now the predominant use for peace-keeping is in intra-state conflict where the role of peace-keeper has moved farther and farther away from just separating belligerents. This 'new' form of peace-keeping is normally dispatched in situations requiring immediate attention to prevent the continuation and/or escalation of serious humanitarian crises. This change in the nature of peace-keeping and the resulting call for a standing force is the subject of the next chapter.
The United Nations system as a whole is focusing as never before on peace-building - action to identify and support structures that will strengthen and solidify peace. Experience has shown that keeping peace in the sense of avoiding a relapse into armed conflict is a necessary but not sufficient condition for establishing the foundations of an enduring and just peace. . . No other institution in the world has the experience, competence, capacity for logistic support, coordinating ability, and universality that the United Nations brings to the task.¹

Chapter 3 Post Cold War Peace-keeping, A Standing Force and Legal Issues

The post Cold War political environment has led to significant changes in foreign relations throughout the globe. Former antagonists have cooperated at levels never before seen, to reduce the threat of major power confrontation. Yet old hostilities left simmering throughout the Cold War have risen in intensity, and in some cases reached boiling point. The combination of these two changes has resulted in peace-keeping forces being deployed in situations that a decade ago would have never been attempted.

The old antagonisms which simmered during the Cold War were largely conflicts between nationals of the same state and not between states.² These types of conflict have been labeled intra-state conflict, and manifest themselves in different ways. Belligerents in such a conflict may be fighting for control of the government. This in its simplest form may be the removal of a legitimate government or the toppling of a dictator. A related but slightly different kind is successionist movements. They seek to secede from an existing state and create a new one. Ethnic conflict refers to intra-state conflict along ethnic lines

¹A/52/1, Section F, Paragraph 121.
²Boutros-Ghali, 222.
as opposed to religious or ideological differences.

Intra-state conflicts dramatically altered the nature of peace-keeping. With increased cooperation among the major powers, new avenues for the use of peace-keeping were opened. They extended beyond traditional peace-keeping which sought only to secure a cessation of hostilities by separating belligerents. Now peace-keeping seeks not only to end the dispute but to prevent its resumption, through a variety of methods directed towards nation building including humanitarian aid, election monitoring and infrastructure repair.

A feature of intra-state conflicts which places increasing demands on the resources of the UN is the level of violence, which has raised the consciousness of not only the governments of Member states of the UN, but their nationals as well. News programmes film a conflict as it happens while at the same time sending the signal to millions in the comfort of their own homes. This heightened awareness of intra-state conflict and its influence on civilians has generated demands for a rapid response to quell such violence.3

A rapid response, however, almost always eludes the UN, largely because the decision to participate in a peace-keeping mission is made by the national governments. A call for assistance is made by the Secretary-General and participants in peace-keeping are chosen from the respondents, all of which delays the deployment of peace-keepers. This has led to proposals for a standing force. Such a force, it has been argued, will reduce the time between authorization and actual deployment. Although not mentioned in the

Chapter 3

Charter, it will be shown that a standing UN force could be established and given standing within the UN without being mentioned in the Charter.

THE CHANGED NATURE OF PEACE-KEEPING

Initially peace-keeping forces were deployed in situations of inter-state conflict. The United Nations Emergency Force (UNEF I), for example, separated French, British and Israeli forces from Egyptian. The distinction was muddled in the Congo (Operation des Nations Unies au Congo), Cyprus (United Nations Emergency Force in Cyprus) and Lebanon (United Nations Interim Force in Lebanon) where civil strife involved nationals of the same state on opposing sides. Intra-state conflicts are much harder to resolve as their root causes are based on ideological, or ethnic differences.

Four examples of missions that have been deployed since the end of the Cold War will demonstrate the difficulty the UN has had in solving this type of conflict. The missions chosen are UNTAC (United Nation Transitional Authority in Cambodia), UNOSOM I (United Nations Mission in Somalia I) and UNOSOM II (United Nations Mission in Somalia II), and UNMIH (United Nations Mission in Haiti). UNTAC was chosen as a successful second generation peace-keeping mission, although peace has not totally settled in Cambodia. Both UNOSOM missions represent a significant period in peace-keeping, largely as a result of their failure to secure peace. UNMIH was chosen as a contrast to the above Asian and African missions, as it is one of the most recent missions deployed in the Americas.

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Chapter 3

UNTAC (MARCH 1992-MARCH 1993)

The situation in Cambodia had been discussed in the Security Council on many occasions. It first came up in 1979 after one of the most brutal periods in Cambodian history, when the Khmer Rouge [now the Party of Democratic Kampuchea (PDK)] was in control:

From 1975 to 1979, the country suffered a vastly destructive regime under Pol Pot. The cities were emptied of their populations and the general mass of people were subjected to harsh labour and political re-education. It is estimated that more than 1 million people died in a brutal process of "social reconstruction." Pol Pot's regime - the Khmer Rouge" was ended by the intervention of Vietnamese troops in late 1978 and the installation of a new government in Phnom Penh.

Three factions continued to fight for control of the government. These factions were the United National Front for an Independent and Cooperative Cambodia (FUNCINPEC) led by Prince Norodom Sihanouk, the Khmers Peoples' Liberation Front (KPNLF) and the PDK. In 1982, the three factions formed a coalition government, which represented Cambodia in the UN until the signing of a peace settlement in October 1991.

It was not until the end of the Cold War that serious attempts at settling the Cambodian conflict were made, as opposed to earlier attempts that were never able to move beyond the discussion level. UNTAC was deployed in Cambodia as a multifaceted assignment. Simply stated the mission was "[e]stablished to ensure the implementation of the Agreements on the Comprehensive Political Settlement of the Cambodia Conflict,

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6 The Blue Helmets, 3rd Ed., 449.
signed in Paris on 23 October 1991.7 These agreements are known as the Paris Agreement. By the time the Agreement had been reached, Cambodia was a nation in ruins. The deployment’s aim were not simply to restore government, but to restore a nation. UNTAC’s multifaceted mandate:

... included aspects relating to human rights, the organization and conduct of free and fair general elections, military arrangements, civil administration, the maintenance of law and order, the repatriation and resettlement of the Cambodian refugees and displaced persons and the rehabilitation of essential Cambodian infrastructure during the transition period.8

UNTAC, therefore, required the ability to function in seven diverse roles: human rights, electoral, military, civil administration, civilian police, refugee repatriation and humanitarian aid.9

UNTAC was not the first UN deployment in Cambodia. It took over from the previous advance mission UNAMIC (United Nations Advance Mission in Cambodia). Within two months of deployment, the Secretary-General was able to report to the Security Council that UNTAC had made “... a generally good start.”10

The next phase of UNTAC’s deployment began on June 13, 1992, referred to as the cantonment, disarming and demobilizing phase. The good start made in the previous phase


8Cambodia - UNTAC: The United Nations Transitional Authority in Cambodia., pg 1.

9The Blue Helmets, 3rd Ed., 456-458.

10The Blue Helmets. 3rd Ed., 460.
was not carried over into this next one and UNTAC faced opposition from the PDK.

Freedom of movement for UNTAC, which was to be granted by the parties to the Paris Agreement, was being denied by the PDK. This was the beginning of a series of acts of opposition from the PDK. Several steps taken to encourage the participation of the PDK met with negative responses. In the end, the Secretary-General decided to continue the second phase of the mission without PDK cooperation. He sensed that a delay would be more detrimental to the process than securing the cooperation of the PDK. Thus the second phase was continued even though the PDK had still not participated.

A new electoral law was adopted by the Supreme National Council (SNC) in August 1992 under UNTAC's guidance. The SNC acted as "...the unique legitimate body in which, throughout the transitional period, the independence, national sovereignty and unity of Cambodia would be enshrined." The SNC would act in this capacity until a new government was democratically elected. The adoption of the new electoral law was followed by the registration of political parties. At this time the Secretary-General was convinced that the elections would occur on schedule.

The determination of both the Secretary-General and the rest of the UN was not diminished by the failure of the PDK to cooperate with UNTAC. A series of unsuccessful attempts to persuade the PDK to participate began in September. In mid October, the Security Council decided to proceed to implement the Paris Agreements even though the PDK continued to refuse to cooperate. The Council did, however, demand that the PDK

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fulfill its obligations under the Paris Agreements.

The electoral process continued through October with the registration of voters. In November the Security Council determined that elections in Cambodia would occur no later than May 1993. April 7 was declared the start of the election period and the election dates were established as May 22-28, 1993. The cantonment process, the second phase of the cease-fire, had, however, ground to a halt due to the lack of cooperation from the PDK. Under the cantonment process, Cambodia was divided into ten sectors. France, the Netherlands, Bangladesh, Malaysia, Tunisia, Bulgaria, Indonesia, Pakistan, India, and Uruguay each commanded a sector. Each of the Parties in the Cambodian conflict were to "... relinquish their weapons to UNTAC and begin their reintegration into civil society." In the resolution establishing the elections, the Council chastised the PDK for its lack of cooperation in the process. The Council also requested that the PDK not hinder the electoral process in the territories under its control. At the same time the Secretary-General was asked to study the impact that the lack of PDK participation would have on the peace process as a whole.

The period between calling the election and the actual election was fraught with numerous violations of the cease-fire. Between December 1992 and March 1993 UNTAC spent considerable amounts of time attempting to extinguish violence among the factions. This unfortunately did not abate even after the election period commenced.

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12 The Blue Helmets, 3rd Ed., 464

13 The Blue Helmets, 3rd Ed., 467.

14 The United Nations and Cambodia, 18.
Chapter 3 43

The electoral period began on 7 April, 1993. Despite incidents of violence, the Security Council decided that the elections should continue as scheduled. Polling was carried out during the specified period with little interruption, in spite of the PDK's threat of violence to disrupt the election. The PDK had decided that it would not participate in the process at all. The election was declared free and fair by the United Nations on 10 June 1993. UNTAC remained during the transition period to enable the new government to start on a sound footing. The mission concluded with the proclamation of the Constitution for the Kingdom of Cambodia and establishment of the new democratically elected government on the 21 September 1993.


The missions dispatched to Somalia represented a watershed in United Nations peace-keeping activity. Somalia required the assistance of the United Nations to reduce the combined devastating effects of a civil war and famine. The UN decided to deploy UNOSOM I on 24 April 1992 with an initially authorized strength of 50 military observers and a 500-strong infantry unit. The deployment met the approval of the leaders of the two Somali factions, General Mohammad Farrah Aidid and Ali Mahdi.

The primary purpose of UNOSOM I was to secure an environment suitable for the dispatch of humanitarian aid. The mission was complicated by the need to establish a stable environment for the delivery of humanitarian aid and the need to ensure its proper

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15 For more information on the background of the Somali situation prior to the deployment of UNOSOM I see *The Blue Helmets*, 3rd Ed., 287-318.
distribution. Unfortunately, UNOSOM I became preoccupied with securing the required cease-fire in Mogadishu. It meant that UNOSOM I was trying to create peace. This is in contrast to traditional peace-keeping missions which are dispatched to secure an existing cease-fire. As a result UNOSOM was equipped with the tools for one mission but found itself doing another it was not prepared for.

The initial deployment to Somalia comprised 50 unarmed observers. A crisis developed soon after deployment when General Mohammad Farrah Aidid alleged that a World Food Programme plane had arrived in Somalia carrying Somali currency and military equipment from Nairobi. This resulted in the suspension of the deployment of UN observers, as General Mohammad Farrah Aidid accused the UN of bias. A guarantee from Ali Mahdi, leader of the opposing faction, that the currency from Nairobi would not be placed in circulation was required before UN observers could resume deployment.

The UN felt that the mission would be better able to achieve its goals if Somalia was divided into four different zones. Each zone would be staffed by a sub-deployment of UNOSOM I assigned the same duties regardless of the zone. Each sub-deployment would be responsible for the delivery of humanitarian aid, monitoring the cease-fire, maintaining security, demobilizing the irregular troops and demilitarizing the population. Thus the whole country would be working towards national reconciliation.

In October 1992, a comprehensive plan by the United Nations Department of Humanitarian Affairs was outlined to provide the much needed humanitarian relief. The plan, known as the 100-day plan, had eight main objectives:

1. massive infusion of food aid;
2. aggressive expansion of
supplementary feeding; (3) provision of basic health services and mass measles immunization; (4) urgent provision of clean water, sanitation and hygiene; (5) provision of shelter materials, including blankets and clothes; (6) simultaneous delivery of seeds, tools and animal vaccines with food rations; (7) prevention of further refugee outflows and the promotion of returnee programmes; (8) institution building and rehabilitation of civil society.\(^\text{16}\)

In August, the authorized strength of UNOSOM I was increased. This was to provide a security unit of 750 military personnel for each of the four zones. Thus the total authorized strength grew to 3,500. A week later 719 personnel were added in the form of 3 logistical units creating a total authorized force of 4,219. In the early stages of deployment, therefore, the full required strength was determined on a day-by-day basis as the UN grasped the complexity of the situation.

Meanwhile UNOSOM I faced impediments in the execution of its mission. The various clans and factions in Somalia continued to disagree with each other. In November General Mohammad Farrah Aidid announced that the Pakistani battalion deployed to Mogadishu would "... no longer be tolerated on the streets of Mogadishu."\(^\text{17}\) UNOSOM I forces were also faced with the growing perception by the Somali population that the UN had "... decided to abandon its policy of cooperation and was planning to invade the country."\(^\text{18}\) A denial issued by the UN failed to dispel the perception.

November 1992 marked the death knell for UNOSOM I. The mission could not achieve a foothold in Somalia. Violence between the factions and against UNOSOM grew.

\(^{16}\) *The Blue Helmets*, 3rd Ed., 292.

\(^{17}\) *The Blue Helmets*, 3rd Ed., 292.

\(^{18}\) *The Blue Helmets*, 3rd Ed., 293.
Aid was denied entry into Somali and humanitarian aid already in the country became the new currency. Relief workers were held up for their supplies. By the end of November, discussions moved toward invoking Chapter VII of the Charter to manage the situation.

At this point, the UN determined that the use of force was required to ensure the proper delivery of humanitarian aid. Somalia at this time, however, did not have a government with which the UN could consult. The UN, therefore, declared the situation in Somalia as a threat to the peace thus paved the way for using whatever means were considered necessary to restore the region.

On December 3, 1992, the Security Council unanimously adopted Resolution 794 (1992) approving the creation of a Unified Task Force (UNITAF) to be lead by the United States. UNITAF was mandated to use “… all necessary means to create a secure environment for the delivery of humanitarian aid in Somalia…”

The formation of UNITAF meant there was no longer a role for UNOSOM I and it left Somalia unable to complete its designated mission. It had been determined by the Security Council that once the mandate of UNITAF had expired, it would be replaced by a new peace-keeping force called UNOSOM II:

UNITAF had a positive impact on the security situation in Somalia and on the effective delivery of humanitarian assistance. However, despite those improvements, a secure environment had not yet been established, and incidents of violence continued. There was still no effective functioning government in the country, no organized civilian police and no disciplined national armed force. The security threat to personnel of the United Nations and its agencies, UNITAF, ICRC and NGOs was still high in some areas of Mogadishu and other places in Somalia. Moreover, there was no deployment of UNITAF or UNOSOM troops to the north-east and north-

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west, or along the Kenyan-Somali border, where security continued to be a matter of grave concern.\textsuperscript{20}

UNOSOM II was authorized under resolution 814 (1993) and became operational in May 1993. Due to the nature of the situation, the operation was created to correct a complex problem and a far reaching mandate which affected all of Somalia was devised. The mandate included:

- monitoring that all factions continued to respect the cessation of hostilities and other agreements to which they consented;
- preventing any resumption of violence and, if necessary, taking appropriate action;
- maintaining control of the heavy weapons of the organized factions which would have been brought under international control;
- seizing the small arms of all unauthorized armed elements;
- securing all ports, airports and lines of communications required for the delivery of humanitarian assistance;
- protecting the personnel, installations and equipment of the United Nations and its agencies, the ICRC as well as NGOs;
- continuing mine-clearing, and;
- repatriating refugees and displaced persons within Somalia.\textsuperscript{21}

To achieve its task UNOSOM II's mission was split into four phases:

1) the transition of operational control from UNITAF;
2) the effective deployment and consolidation of United Nations operational control throughout Somalia and the border regions;
3) the reduction of UNOSOM II military activity, and assistance to civil authorities in exercising greater responsibility, and;
4) the redeployment or reduction of UNOSOM II force by transferring some power to civil authorities.\textsuperscript{22}

\textsuperscript{20}The Blue Helmets. 3\textsuperscript{rd} Ed., 296.


In less than a month after the transition to UNOSOM II, it was clear that not all parties in Somalia were prepared to cooperate. On June 5, an attack by Somali militia on UNOSOM II troops left 25 dead, 54 wounded and 10 unaccounted for among the Pakistani contingent. A second incident in October left 18 dead and 75 wounded US troops. Some Somalis displayed the dead US soldiers in the streets after the attack. The US reacted to the attack and the display by announcing its intention to withdraw from UNOSOM II in March 1994. This marked the first act of the US government to ensure that further US participation in any peace-keeping mission is kept to a minimum. This affected all aspects of peace-keeping including personnel, resources and time.

In mid-November, the Secretary-General reported that in spite of the efforts of UNOSOM II “...[t]here was still no effectively functioning government, no disciplined national armed force or judiciary, although impressive progress had been achieved towards restoring the police and judiciary.” 23 On 18 November, the Security Council approved the extension of the mandate to 31 May, 1994. In May, the mandate was extended again to 30 September, 1994. In early September, the decision was made to reduce the size of UNOSOM II to 17,200 by the end of September and to 15,000 by November 1994. On September 30, the mandate was once again extended, this time until 31 November 1994.

Throughout the period November 1993 to September 1994, the UN was faced with the problem of having greater success in dispensing humanitarian aid than in promoting national reconciliation. This meant that UNOSOM II could not leave with assurance that

the violence would not resume. It was recognized that success in both dispensing aid and promoting national reconciliation was required before the mission could be considered complete. Somalia remained without a government. A mission was dispatched to Somalia in October 1994 to evaluate the situation. From here it was agreed that UNOSOM II would end on 31 March 1995, unable to complete its mission. The mission fully withdrew by 28 March, 1995.

UNMIH (APRIL 1992-JUNE 1996)

On 16 December, 1990, Mr. Jean-Bertrand Aristide was elected President of Haiti. His election was internationally recognized and the international community believed that Haiti had entered a new era of democracy. The foray into democracy was short lived; "... on September 30, 1991, President Aristide was overthrown in a coup d'etat, headed by Lieutenant-General Raoul Cédras, and forced into exile." The international community soundly admonished the Haitian military's coup d'etat. In the initial phases of the situation the Organisation of American States (OAS) took the lead role.

In the UN's first significant act since the coup d'etat, the Security Council: "On 16 June [1993], . . . acting under Chapter VII of the Charter of the United Nations, unanimously adopted resolution 841 (1993), by which it decided to impose an oil and arms embargo against Haiti as part of the continuing international effort to restore constitutional rule." Soon after the Council's adoption of resolution 841 negotiations began to restore

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24The Blue Helmets, 3rd Ed., 613.

25For more information see The Blue Helmets, 3rd Ed., 613.

26The Blue Helmets, 3rd Ed., 616.
democracy in Haiti. The first round of negotiations ended on July 3. Three weeks of negotiations produced the Governors Island Agreement. Provisions of the agreement included the return of Aristide and the replacement of Cédras who was Commander-in-Chief. The agreement also requested the presence of United Nations forces to "... assist in modernizing the armed forces and establishing the new police force." 27

A second series of negotiations resulted in the New York Pact. This document established a truce that was to last six months. During the truce:

... the parties undertook to promote and guarantee respect for human rights and fundamental freedoms and to refrain from any action that might lead to violence or disrupt the transition to democracy. They also undertook not to table motions of no-confidence against the new Government of national concord, in so far as it respected the Constitution and the laws of the Republic, or to obstruct the work of the Parliament. 28

Shortly after the negotiations had concluded, the Security Council expressed its intent to lift the sanctions imposed under resolution 841 provided that Cédras allowed Aristide to return to power. The Security Council stipulated, however, that it would reinstate the sanctions, if the Governors Island Agreement was not fully implemented.

With the return of Aristide, the UN strove to fulfill its obligations under the Governors Island Agreement. It involved the provision of personnel to modernize the armed forces and establish a new police force. The Security Council on August 31, approved the dispatch of an advance team. Based on the findings of the advance team, the Secretary-General recommended that the Security Council authorize the deployment of a

27 The Blue Helmets, 3rd Ed., 617.

28 The Blue Helmets, 3rd Ed., 617.

Initially UNMIH was to last for a six months but it could be extended if a review by the Security Council demonstrated that its continuation was beneficial. UNMIH's authorized strength included 576 civilian police monitors, a 640-person military construction unit and 60 military trainers. The mission was mandated: "... to assist in modernizing the armed forces of Haiti and establishing a new police force."  

UNMIH was to be deployed in stages, with the first stage being the advance mission set up in Port-au-Prince in late September 1993. The second stage consisted of the first contingent of United Nations military personnel. On October 11, when the USS Harlan County arrived in Port-au-Prince, the contingent was denied permission to land. UNMIH became grounded before even being able to touch land. Aristide was not returned to power, and the mission was suspended. Sanctions, which had been previously lifted on the expectation that Aristide would be reinstated, were reimposed by the Security Council.

In May 1994, a second set of sanctions were implemented. Still unable to reinstate Aristide and deploy UNMIH, the Security Council on 31 July authorized the formation of a multinational force (MNF)  to employ "... all necessary means' to bring about an end

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to the illegal regime in Haiti. . . . " At the same time the mandate of UNMIH expanded to:

. . . include assisting the legitimate Haitian Government in sustaining the secure and stable environment established during the multinational phase; professionalizing the Haitian armed forces and creating a separate police force; and assisting the constitutional authorities of Haiti in establishing an environment conducive to the organization of free and fair elections. 31

The Security Council also increased UNMIH maximum authorized strength from 567 civilian police monitors and 700 military personnel to 900 civilian police and 6,000 military personnel. Deployment of the MNF began on 19 September, 1994, with the United States taking a lead role. 12 On October 15, 1994 the Haitian Coup leaders stepped down and Aristide was returned to power. UNMIH was redeployed on January 30, 1995 and finally took over from the MNF on March 31, 1995.

UNMIH expanded the role of UN peace-keepers beyond maintaining peace. It was to secure the return of a democratically elected leader, train a new police force and assist in organizing an election. The multifaceted goals of UNMIH would include the delivery of humanitarian relief, and maintain access to airports, seaports and roads. It would help restore the infrastructure (roads, electricity, sanitation and water), which in turn improved living conditions, thus creating a relatively secure and stable environment. Assistance by UNMIH, facilitated the creation of the new Haitian National Police. On-the-job training for the new police force was provided by civilian police deployed as part of UNMIH. Finally all these efforts and the additional provision of technical and logistical assistance


12The Blue Helmets. 3rd Ed., 624.
by UNMIH led to an atmosphere which permitted the presidential and parliamentary elections of 1995. UNMIH's role officially ended in June 1996. It was replaced by the United Nations Support Mission in Haiti (UNSMIH), in July 1996.

**THE PERCEIVED NEED FOR A STANDING FORCE**

As shown in the previous discussion, it can be difficult in intra-state conflict to identify the legitimate government from which to get permission for a peace-keeping force to be dispatched to the territory in question. In situations of extreme humanitarian suffering the United Nations has disregarded this formality:

In recent decisions of the Security Council, a trend is emerging of a more expansive interpretation of a "threat to international peace and security" by the Security Council. Measures being adopted have been increasingly intrusive and coercive, most of them aimed not so much at inter-state conflicts but at situations of internal strife. . . . In the case of Somalia, the Security Council in resolution 794 of December 1992 determined that the magnitude of human tragedy caused by the conflict in Somalia, . . . constitut(ed) a threat to international peace and security."33

Proponents of a standing force argue that such a force would prevent the escalation of hostilities and possibly permit a solution to be found before too much damage has been done.

The current system of establishing a peace-keeping force on an ad-hoc basis is viewed by some observers as a handicap to securing peace. Peace-keeping missions are also formed outside of the Charter framework and in a haphazard fashion:

Because peacekeeping is a departure from the collective security

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framework, there are no provisions for its authorization or operation contained in the UN Charter. Thus the arrangements for the various operations, including authorization, financing, and organization, are made on an ad hoc basis. Acquisition of man power, collection and distribution of supplies, and selection of command personnel and procedures are carried out after the occurrence of crises and the subsequent authorization of a peace-keeping mission by one of the UN bodies. This might be compared to beginning plans for an army after an attack has begun. In addition, the acquisition of supplies and personnel is dependent upon voluntary contributions of Member states.\textsuperscript{34}

The New York Times has occasionally espoused the virtues of a permanent force to overcome these problems. An unsigned editorial in September, 1992, suggested that "[w]ith a force capable of responding quickly, the UN could save lives, check massive tides of refugees and discourage warlords. In the world, as on a city street, the mere presence of a cop on the beat matters."\textsuperscript{35}

By and large the speed of deployment has been the main driving force behind the proposal for a permanent force. Haynes and Stanley suggest that a UN force would free national governments from debating the whether or not to participate in a peace-keeping force. This would then speed up the deployment process.\textsuperscript{36} Diehl, in addition to the benefits of speed, also mentions the advantage of being better able to train the force.\textsuperscript{37} He argues that a permanent UN force would have the ability to prepare in advance of any


\textsuperscript{37}Diehl, "A Permanent Peacekeeping Force....", 33.
situation just like any national army. All national armies spend time in field training. The UN, however, spends no time in training prospective peace-keepers. Thus when contingents from different nations come together in a peace-keeping mission they have no experience working together as a whole.

Improved training capabilities were also seen to result from UN ownership of equipment. If the force was permanent, it would retain ownership of equipment rather than the current system of returning equipment to the sponsoring government at the end of each mission. UN ownership would standardize equipment. This in turn would reduce confusion and time wasted in the field that occurs with unfamiliar equipment. A national army would not go to war with unfamiliar equipment; it is naive to expect UN force to operate efficiently and effectively with unfamiliar equipment.

LEGAL BASIS FOR A STANDING UN FORCE

Currently there is no clear legal basis for a standing UN force in the UN Charter nor is the UN required to establish such a force. Two schools of thought are evident in the discussion of a legal basis for a standing force. One school of thought argues that the UN Charter does provide a legal basis for a standing force. Specifically, the provisions of Article 43 can be interpreted to allow for the formation of a standing force. The technical requirements of such a force would be governed by a reinterpretation of the parameters of the agreements to be concluded in conjunction with the Military Staff Committee. Under this perspective, the role of the MSC would be expanded to include a peace-keeping quotient as opposed to its initial role of assisting the Security Council in the administration

38Haynes and Stanley, 18.
of operations under Chapter VII. This method, however, will only provide, at best, a fragmented stand-by force.

The second school presents a more realistic perspective. It argues that the legal basis can be provided by precedent and consequently does not need to be written into the UN Charter to be valid. This approach fits more accurately with the *modus operandi* of the United Nations. This is how peace-keeping became an accepted part of UN activity without being a part of the Charter.

Since the substance of Article 43 has never materialized, a definitive interpretation of its intentions has not been determined. As a result the limits of the Charter, with regard to forming a permanent force, have not been tested, despite several inconclusive attempts made over the years.\(^{39}\)

Article 43 requires:

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\text{[a]ll Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.}^{40}\]

Interpreting this as a basis for a standing force, however, requires that the armed forces supplied under the Article can only be used by the Security Council. Peace-keeping forces have been successfully authorized by the General Assembly when the Security Council was paralyzed by inaction. The ability of the General Assembly to authorize the use of peace-keeping forces...
keepers has legal standing as it was unsuccessfully challenged in a case brought before the International Court of Justice (ICJ) questioning the authority of the General Assembly to levy peace-keeping assessments. Consensus within the Security Council on issues related to international peace and security was not easy to obtain during the Cold War. Consequently, the ability of the General Assembly, in situations of Security Council paralysis, was and still is important. Although the Security Council can now reach a consensus on almost every issue, the role of the General Assembly in periods of Security Council paralysis cannot be ignored. Failure to allow the General Assembly to act in the case of great power paralysis would seriously reduce the usefulness of the permanent force.

Such a liberal interpretation of Article 43 cannot create a standing force. It requires more than just legal provisions, especially since the documents related to the Military Staff Committee (MSC) as mentioned in Article 43 have yet to be created. In addition, assuming that there is nothing to prevent the creation of these legal documents does not imply there is enough support to allow the documents to be ratified:

Some countries that are prepared to provide peacekeeping and peace-enforcement troops, and to notify the Secretary-General in advance of their number and readiness, may not be willing to enter into formal Article 43 agreements. Moreover, the process of reaching Article 43 agreements with Member States is likely to be prolonged at best. The Security Council will need to study the modalities of the wording and coverage of Article 43 agreements. It is evident that considerable flexibility will be needed in matching the UN’s military needs with the policies and constitutional circumstances of individual Member States.\(^4\)

Technically, Article 43 does little more than seek from Member States a guarantee that, if required, forces would be made available for enforcement action to be taken under

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\(^4\)Sutterlin, 28.
the United Nations flag:

It needs to be emphasized that the completion of Article 43 agreements would not lead to the establishment of a standing UN army. The commitment by Member states under such agreements would be to hold designated military contingents and facilities *in readiness* for use on request from the Security Council. They could be the same contingents and facilities earmarked for peacekeeping and peace enforcement purposes to be available on request of the Secretary-General. It is possible that Article 43-type agreements might cover the earmarking, training and readiness of troops and facilities for peacekeeping, peace enforcement and Article 42 purposes.\(^4^2\)

Arrangements under Article 43 in fact would not provide a standing force, but only a fragmented group of battalions and brigades made up of military personnel standing to the ready in 180 or so separate locations.\(^4^3\) This is of course because each Member state would retain control of its forces in its homelands until deployment as a UN force. The assumptions of Article 43 "... implies that the troops earmarked for UN duty would remain under the direction of their national military establishments until called on by the United Nations. They would thus not assume the separate identity of a UN force."\(^4^4\)

Besides, agreeing that such forces will be provided will not actually produce them. Agreements reached in the UN are only morally, not legally, binding. In reality there is little the UN can do if nations do not provide troops as they promised. The financial

\(^4^2\) Sutterlin, 28.

\(^4^3\) This of course assumes that each Member of the UN holds their allotment of armed forces for UN action in one location. In reality, it is probable that states hold such forces in a variety of locations, hence the total number of separate locations will be much higher.

difficulties of the UN offers a classic example of Member States not upholding their contractual obligations. Each Member accepts the obligation to pay its dues in full and on time - yet this does not generally happen. The US is the largest debtor state, yet there is nothing the UN can do to force payment.\(^\text{45}\)

Using Article 43 as the legal basis for a permanent force also brings with it a second problem. It is assumed that the troops earmarked for use under Article 43 are to be used in a specific type of situation: one which the Security Council has determined endangers international peace and security as outlined in Chapter VII of the UN Charter. Restricting the use of the standing UN force organized under Article 43 to situations deemed to endanger international peace and security will limit its usefulness.

Accepting this interpretation of the Charter, therefore, implies that the standing force could only be used in situations such as Somalia and the Kurdish issue in Iraq where the degree of humanitarian suffering was determined by the Security Council to endanger international peace and security. Although the determination of a threat to the international peace and security is sole responsibility of the Security Council, it is not expected that all situations will be determined as such to facilitate in the deployment of a standing force. Consequently, any standing force requiring a determination that a situation is a threat to international peace and security could not be used to relieve milder forms of suffering. As such, a situation would have to escalate before the use of the standing force could be

\(^{45}\)Article 19 technically can be invoked against the US but no state is willing to launch the proceedings. Even if Article 19 was invoked it does not provide a means to remove a Member of the Security Council. Article 19 only removes the voting privileges in the General Assembly.
authorized. Although a large part of second generation peace-keeping is concerned with maintaining peace and security, it is not the sole function. The scope of these operations often extends beyond the situations outlined in Chapter VII. Missions have been frequently sent to situations which do not meet the stipulations of Chapter VII. Thus Chapter VII would not be a good legal basis for a permanent force in situations not deemed a threat to international peace and security.

Reviving Article 43 means much more than providing a legal basis for a standby UN force. It would require activating the MSC which many argue is not a desirable instrument of peace-keeping activities:

The nature of peacekeeping operations are clearly distinct from those of Chapter VII enforcement and that distinction has been key to peacekeeping’s success over the years. Consequently, while there is a clear need for better military advice, preparation and monitoring for peacekeeping operations, especially given the huge upsurge in the number of operations in recent years, those military needs may be best met in a structure that is not associated with enforcement operations.46

The UN has striven to differentiate between peace-keeping and enforcement action. Reviving the MSC would blur this distinction. The MSC was created to be the manager of enforcement action which does not require the approval of the belligerent nations. Peace-keeping on the other hand seeks approval from the belligerents. Failing to clearly keep these two activities separate would minimize the willingness of states to accept peace-keepers. The distinction between peace-keeping and enforcement action cannot be clearly made if the administrating or controlling body is the same for both. As it is the distinction between the two is becoming increasingly blurred as elements of enforcement have already

46Boulden, 29.
crept into some peace-keeping missions. If a clear distinction between the two is not maintained, the UN will find it difficult to invoke peace-keeping to resolve international conflict. Blurring the distinction between the two will make defining the scope of peace-keeping difficult. A lack of a clear distinction between the two will impart to peace-keeping an intrusive character. The voluntary aspect of peace-keeping would be heavily compromised if it were to take on aspects of enforcement action.

**Precedent as a Legal Basis for a Standby Force**

Ambiguity in the Charter provisions concerning a standing UN force may prove to be highly beneficial. There is a significant difference between the nature of peace-keeping and a permanent force. Technically, each individual peace-keeping mission begins with the understanding that at some point, hopefully as quickly as possible, the UN mission will end and the peace-keeping force will be disbanded. It is the temporary nature of a peace-keeping contingent which makes peace-keeping palatable. A standing force has neither a clear role, nor a termination point, and it would continue in operation without a specific mission. It is this permanence that makes many UN Members uncomfortable.

Some Members of the United Nations have indirectly endorsed the concept of a standing force. They have agreed to have standby forces at the ready for UN action. This is done separately from the provisions of Article 43: “Canada, the Nordic countries and

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47 In reality, many missions are still operating decades after they were initially established i.e. United Nations Truce Supervision Organization (UNTSO) established in 1948, United Nations Military Observer Group in India and Pakistan (UNMOGIP) established in 1949, United Nations Peace-keeping Force in Cyprus (UNFICYP) established in 1964 and United Nations Disengagement Observer Force (UNDOF) established in 1974, all continue to operate.
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others have for years maintained a total of many thousands of troops at varying degrees of notice for service with the United Nations.\textsuperscript{48} As of December 1, 1998, eighty UN Members participate in stand-by arrangements.\textsuperscript{49} Lack of Charter provisions is not an obstacle to formation.

\textbf{CONCLUSION}

Post Cold war peace-keeping represents a significant change in the nature of peace-keeping. The level of destruction and its affect on non-combatants has taken conflict out of the battle fields and on to the streets of cities, towns and villages. National governments are no longer able to ignore conflicts as international news teams bring the carnage home to viewers. The UN has been in several cases unable to resolve conflicts. The level of destruction and carnage, such as in Somalia, causes missions to conclude without ever actually resolving the problem.

Slow responses to crises result in the cry for a faster reaction and thus the proposals for a standing force from scholars such as Diehl, Stanley and Hayes. Expectations are that a standing force would be able to react faster than the current system of \textit{ad hoc} responses. Two schools of thought differ on the type of legal framework which would be required to establish a standing force. The first argues that the UN Charter can be modified to allow for the creation of the force. The other school argues that the force can be created by


precedent without changes to the Charter.

The establishment of permanent force is not limited by Article 43 and can be established outside of the Charter framework. Thus avoiding an amendment to the Charter which would require the endorsement of all Permanent Members of the Security Council and two-thirds of the Members of the General Assembly. Given the current situation, where individual nations have agreed to supply troops as they see the need, implies that the creation of standby force can be achieved with or without the endorsement of all Members of the UN, including the Permanent Members. The legality of this arrangement by individual nations to supply standby troops has not been challenged thus far. It would be difficult to understand how a challenge could be made against the standby arrangements with eighty Members already agreeing in principle to the idea.

Current political realities affect how the UN deals with the problem of rapid deployment. Chapter four examines the current system of standby arrangements and rapid deployment which developed as an alternative to a standing force.
Chapter 4  Standby Forces and Rapid Deployment Capabilities: Current Developments

The rapid expansion of peace-keeping in the late eighties and early nineties not only increased the number of missions and their respective personnel, but also raised questions about the ability and capacity of the United Nations to respond to situations. The international community criticised the United Nations for not responding fast enough to quell unprecedented levels of violence. This problem arose because peace-keepers would be required to intervene in situations to make the peace, such as Rwanda and Somalia, instead of securing an established peace. Changing requirements prompted calls for the development of more efficient methods of responding to international crises. Much of the discussion was focussed on the speedier deployment of peace-keepers.

Proposals for the creation of a standing force, as discussed in the preceding chapter, manifested this concern. Current political realities, however, have not allowed the United Nations to move in that direction. Conservative objections to the creation of what would be essentially a United Nations Army have constrained the process of the formation and management of UN peace-keeping missions. Some changes introduced to the process

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include the creation of a database of available resources and the establishment of a Mission Planning Service, a Rapidly Deployable Mission Headquarters and a United Nations High Readiness Brigade.

**Changing Requirements**

The problem of slow deployment has always existed. The difference now lies in the nature of specific situations and UN response. The "older" model's primary role was ensuring the preservation of an agreed upon cease-fire. Under the "new" rubric, rapid deployment became necessary largely to ensure the preservation of the civilian population. Thus speed of deployment became crucial - a necessity in the "new" rubric.

Expanding needs for peace-keeping have necessitated a redefinition of the expectations of the United Nations peace-keeping activities. This attempt at redefinition has underlined deliberations in the UN for quite sometime. Occasionally it has surfaced only to be buried again due to a lack of interest among UN Members. In the early 1990s attention refocused on the deployment problems of peace-keepers when the United Nations failed to react fast enough to the situation in Rwanda:

The tragedy of the crisis and genocide in Rwanda in 1994 made clear that the United Nations did not have sufficient means to react effectively at short notice to budding and escalating crises. According to Secretary-General Annan, when he was Under-Secretary-General for peacekeeping operations, the early presence of a well-equipped brigade would have been sufficient to deter the killers. However, states took too long in providing adequate means. As a result of the Rwandan tragedy, thinking began about ways and means to improve the rapid reaction capability of the UN.

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The debate ran the gamut from chastising Members for a lack of commitment to calls for the creation of the United Nations' own force. Several governments, interested individuals and non-governmental organisations initiated discussions and drew up proposals for creating such a force.1 There was, however, no general acceptance of the concept. While several states, such as Canada and the Netherlands agreed that such a force would solve many problems in the deployment process, others, such as the United States and China, were not interested in the concept as they saw it as an erosion of their sovereignty.

**A DIFFERENT APPROACH**

What resulted from the discussions was a piecemeal approach to correct the problems associated with the deployment of peace-keeping forces. Four separate solutions were formulated which aimed to correct different aspects of the overall problem. These solutions were created over a three-year period. First was the establishment of a data base referred to as Standby Arrangements for More Rapid Deployment of Peace-keeping Troops (also known as the Standby Initiative); second the development of the Mission Planning Service; third was the formation of the Rapidly Deployable Mission Headquarters; and fourth was the creation of the United Nations High Readiness Brigade.

**STAND-BY ARRANGEMENTS FOR MORE RAPID DEPLOYMENT OF PEACE-KEEPING TROOPS**

The stand-by arrangement initiative was launched in 1994. It is a database of Members' potential resources available for peace-keeping missions. It first came to the

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1This included Canada, the Netherlands and the Canadian Committee for the Fiftieth Anniversary of the United Nations.
attention of the Security Council in the Secretary-General’s report of March 14, 1994. The Council applauded the initiative and “note[d] the intention of the Secretary-General to devise stand-by arrangements or capabilities which Member States could maintain at an agreed state of readiness as a possible contribution and welcome[d] the commitments undertaken by a number of Member States.” The Council also asked the Secretary-General to include civilian personnel i.e. police, in the database and to make a report to the Council on an annual basis, with a first report by June 30, 1994.

The first report made the objective of the stand-by arrangements clear: ‘... the purpose of stand-by arrangements is to have a precise understanding of the forces and other capabilities a Member State will have available at an agreed state of readiness, should it agree to contribute to a peace-keeping operation.” These resources include military formations, civilian police, specialized personnel from both the military and civilian sources and specialized equipment. Troops earmarked for peace-keeping duty under this arrangement are to be fully operational and able to carry out their functions without assistance from the UN. In order for the stand-by arrangements to be complete participating Member States should furnish details to the Secretariat regarding the number of personnel and type of equipment being made available.

In the Secretary-General’s second report in November 1995, the nature of the

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agreements to provide information for the database was further explained. Considerable
time was devoted to explaining the voluntary nature of peace-keeping and the stand-by
arrangements:

Standby arrangements are based on the established principle that contributions to peace-keeping operations are voluntary. It follows that a standby arrangement does not constitute an automatic obligation on the part of the participating Member State to contribute. Hence, it cannot be assumed that all resources will indeed be made available when so requested. The key element in the system of standby arrangements is the exchange of detailed information to facilitate planning and preparation for both the participating Member States and the United Nations.7

The report goes on to state that Member States who agree to participate should update annually the number and type of resources offered as stand-by. This will allow the database to remain current. To emphasise the difference between a standing force and the standby arrangements the second report explains that Member states remain in full control of any resources outlined in the standby arrangements. The Secretariat would provide training manuals but the responsibility for training rested with the Member States.

Boutros Boutros-Ghali, the then Secretary-General, also outlined that a primary concern in the initial phases of developing the database was the response times.8 This referred to the interval between a UN request for resources and their arrival at the scene for duty. Attempts at getting Members to acquiesce to minimal response times met with


failure: “Initially, Governments were given preferred response times: 7 days for individuals, 14 days for elements involved in the reception phase, and 30 days for other units. However, the responses from Governments to date indicate that few are able to adhere to these preferences.”9 In reality response times for all of the aspects of the stand-by arrangements varied considerably from as little as 7 days to more than 90 days with most Governments requiring 60 days.10

Boutros Boutros-Ghali presented his third report to the Security Council on December 24, 1996. It reflected a greater coherence in terms of objectives and the means to reach them. Little time was spent explaining the concept and the obligations of the participants which had taken up the second report.

The bulk of the third report was devoted to outlining the status of the standby arrangements. This included the Member States who agreed to supply specific resources which they would make available if they agreed to participate in a peace-keeping mission. The data also indicated the times of availability of each resource.

The Secretary-General reiterated that the response times indicated by the Member States were longer than anticipated. Although much improvement had been made over the times indicated in the previous year’s report:

The declared response times for confirmed standby resources vary from 7 days to more than 90 days. Some 40 per cent of the standby resources have a response time of 30 days or less; 16 per cent have a response time of 60 days; 3 per cent have a response time of 90 days; the remaining 41 per cent

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have a response time of over 90 days.\(^{11}\)

This, Boutros-Ghali said, indicated a high degree of readiness to respond to a request for participation. Mention was also made of creating a rapidly deployable mission headquarters (RDMHQ) which would speed up the deployment process.\(^{12}\)

It was acknowledged that requiring all units to be fully equipped was an objective not all potential contributors could meet. With that understanding in mind, the Secretary-General requested that Members also provide the Secretariat with information on the "... level and status of equipment at the time a standby arrangement is agreed upon."\(^{13}\) Such information would allow the Secretariat to know what gaps in equipment would need to be filled. Units which are not fully equipped pose two problems for the Secretariat. First there is a limited supply of UN equipment available. Second there is a limited number of instructors to train units to use UN loaned materials. Consequently, the Secretary-General suggested that partnerships be established between those Governments who need equipment and those available to supply it. This of course would free up the United Nations from providing and training units without their own equipment.

In May 1997 an Update Briefing on Standby Arrangements was presented to the Membership of the United Nations. Considerable effort was made to distinguish between rapid deployment and standby arrangements:


\(^{12}\)Greater analysis of the RDMHQ will be presented in a subsequent section.

\(^{13}\)S/1996/1067), 3.
... within the UN Secretariat, the term "rapid deployment" means the rapid deployment of all resources needed and used to sustain UN operations whereas the Standby Arrangements System is a system which deals exclusively with resources provided by the governments, both military and civilian in order to facilitate, among others, the rapid deployment of all resources needed in the peace-keeping operation.14

The update reiterated that rapid deployment was only possible if three conditions could be met:

... short response time of resources being made available, including political approval and the conclusion of the necessary administrative procedures; rapid availability of the necessary air/sea strategic lift; and finally availability of resources to provide logistic sustainment of the force in the mission area. Relationship between these factors and the result can be presented as a simple mathematical formula as shown, rapid deployment is a function of response time, strategic lift and logistic sustainment. This formula proves that should one of these three factors be zero, then the ability to deploy rapidly is likewise zero.15

Accordingly, under the current system, rapid deployment can never be truly achieved. Deployment of peace-keepers is a political decision. There is still no guaranteed supply of resources when required:

... after consultation with Member States in 1993 and 1994, the idea of the Standby Forces was limited to what is now called - "the Standby Arrangements System" since a basic prerequisite for the UN Standby Forces could not be met. This prerequisite is defined as an unconditional political commitment of earmarked resources by Member States into the UN Standby Forces pool; whereas the Standby Arrangements System is based on conditional pledges by Member States to contribute specific resources when required:


15Annual Update Briefing to Member States on Standby Arrangements. (29 May 1997), 1.
resources with agreed response time into the system.16

This is where the situation largely remains.

The Secretary-General presented the fourth report updating the Security Council on the status of the Standby Arrangements System on 24 December 199717. The report lists the status of the arrangements at the time. It outlined the type and nature of resources which had been made available by Member States under the Arrangements. Consistent with previous reports, a section was devoted to discussing the various response times given by the Members.

A portion of the report concentrated on contingent-owned equipment.18 This is equipment used by the UN in missions which is borrowed from participating states. The report referred to the need to develop a system of reimbursement for Member states for the use of their equipment in United Nations missions. General Assembly resolution 50/222 of April 1996 provided the authorization to create the new system. Member States were required to sign a Memorandum of Understanding (MOU) before deploying individuals or equipment for UN service. The stipulation, however, was seen to limit the UN’s rapid deployment capacity. Consequently a system was devised whereby the MOU would be signed in advance and altered as necessary once individuals and/or equipment had been deployed.

16Annual Update Briefing to Member States on Standby Arrangements. (29 May 1997), 2.


Another part of the new report concentrated on the revised form for supplying data on materials and individuals available for service. The new form required more information on individuals and material which could be deployed within 60 days. This material would give the Secretariat even more information in formulating missions. The additional data is also expected to assist the Secretariat in coordinating the loaning of equipment between Members.

The report suggested that Members reevaluate the response times indicated for their pledged resources. Logically the longer Members take to react to a request for resources, the longer it would take for a mission to be dispatched. The Secretary-General suggested for Members to be ready within 60 days as opposed to the more frequently indicated longer response times.

CURRENT CONTRIBUTIONS TO THE STANDBY ARRANGEMENTS SYSTEM

There are four levels of participation in the Standby Arrangements System. As of December 1, 1998, 80 Member States have expressed their willingness to participate in Standby Arrangements. Of those 80, 61 have provided the Secretariat with capabilities, 33 have provided planning data and 20 have signed a MOU. Using the planning data and


20For specific information on which specific nations have agreed to which aspects of the Standby Arrangements System see Appendix 2.

estimates of existing information from UN Tables of Organization and Equipment, the
Secretariat has estimated that the following resources are potentially available for UN
service as of December 1, 1998:

<table>
<thead>
<tr>
<th>Type</th>
<th>Estimated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operational</td>
<td>58,000</td>
</tr>
<tr>
<td>Support</td>
<td>42,000</td>
</tr>
<tr>
<td>Military Observers</td>
<td>1,500</td>
</tr>
<tr>
<td>Civilian Police</td>
<td>1,400</td>
</tr>
<tr>
<td>Others</td>
<td>1,400</td>
</tr>
<tr>
<td><strong>Estimated Total</strong></td>
<td><strong>104,300</strong></td>
</tr>
</tbody>
</table>

From these figures the Secretariat has determined that in order to be fully efficient
additional contributions are necessary in Headquarters Support, Communications,
Engineers, Air Transport, Civilian Police, Sea Transport, Medical and Logistics.

**MISSION PLANNING SERVICE**

Another development in the peace-keeping process is the creation of the Mission
Planning Service (MPS). Specifically the role of the MPS is to redevelop the planning
process, placing particular emphasis on "... operational and logistical planning, and the
coordination and liaison functions." In essence the MPS aims to allow the various
departments and organizations involved in peace-keeping to come together and work in a
unified manner:

The Mission Planning Service (MPS), is responsible for developing those plans that address, in an integrated way, the various aspects of a peace-keeping operation. It involves short, medium and long term

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planning. MPS strives for the timely preparation of new missions, and revision, expansion or closure of ongoing missions. To integrate all planning, MPS acts as the consulting and coordinating mechanism within the Department of Peacekeeping Operations, other departments and external organizations involved in the peacekeeping mission. The MPS goal is to anticipate a crisis and to initiate the planning process at an early stage, before the Security Council has given final authorization for a peacekeeping operation.³⁴

Three units make up the MPS: Generic Planning Unit, Mission Development Unit and Standby Arrangements Management Unit. Each unit specializes in a different field of mission planning. Recommending improvements to the planning process to be more effective and prompt falls under the purview of the Generic Planning Unit. As such the Generic Planning Unit strives to provide "... standardization through the provision of doctrine or written guidance, or recommending procedural or staff improvements within the Planning Division."²⁵ Currently the Generic Planning Unit is working on formulating United Nations Rules of Engagement (ROE) for peace-keeping; developing a resource guide for UN force commanders; improving coordination between the Department of Peace-keeping Operations, Humanitarian Affairs and Political Affairs; and ensuring that Standard Operating Procedures (SOP) are current through revision and amendment.

Plans for new missions and major reorganisation and/or expansion of ongoing mandates are the responsibility of the Mission Development Unit. Members of the Mission Development Unit are also deployed as part of initial and technical survey missions. This participation is "... designed to ensure that the criteria set out in the outline plan and


²⁵Mission Planning Service, 1.
concept of operations are given appropriate consideration."26 Since its creation the Unit has been instrumental in the formation, expansion and termination of several missions.27

The Standby Arrangements Managements Unit (SAMU) "...deals with all aspects of Member States' contributions to UN peacekeeping operations."28 Specifically, SAMU works with Member States encouraging their participation in the Standby Arrangements System. Management of the Standby Arrangements System database also falls under its direction. The resulting knowledge of the database allows SAMU to aid Members in determining their contributions to the system. When a Member decides to sign a MOU, SAMU coordinates the process between the Member and the UN. Finally a subunit exists within SAMU called the Contribution Agreements Cell (CAC) which: "...negotiates, with the assistance of other United Nations Secretariat offices, the Contribution Agreements between Member States and the United Nations on the provision of personnel, equipment and services to specific peacekeeping operations."29 Contribution Agreements by the UN Secretariat Offices are also processed by the CAC. It organises the bureaucratic procedure and processes the preparation, clearance and signature of UN Secretariat

26Mission Planning Service., 2.

27New missions include; UNAVEM III (Angola), UNASOG (Chad, Liberia), UNMIH and UNSMIH (Haiti), UNTAES (Eastern Slovenia), and MINUGUA (Guatemala). Ongoing missions include; MINSURSO (Western Sahara), UNOMIL (Liberia), UNOMIG (Georgia), and UNMOT (Tajikistan). Mission termination include; UNOSOM (Somalia), UNAMIR (Rwanda), and UNPROFOR (Former Yugoslavia). Mission Planning Service., 2.

28Mission Planning Service., 2.

29Mission Planning Service., 2.
Contribution Agreements.

**RAPIDLY DEPLOYABLE MISSION HEADQUARTERS**

The request to create a rapidly deployable mission headquarters first surfaced in a Spring 1995 report by the Special Committee on Peace-keeping Operations. The Committee strongly recommended that the Secretary-General establish a rapidly deployable headquarters and General Assembly Resolution 50/30 (1995) provided approval of the concept.

Debate surrounding the creation of a Rapidly Deployable Mission Headquarters began in earnest during a Special Committee meeting on Peace-keeping Operations on October 23 1996. Kofi Annan, who at the time was the Under-Secretary-General for Peace-keeping Operations, stated that his objective over the next two years was to "... reduce by 50 per cent the lead-time of the organization's rapid deployment capabilities." Major-General Frank Van Kappen, as the Military Advisor to the Secretary-General, also addressed the committee. According to Major-General Van Kappen:

the Rapidly Deployable Mission Headquarters was an important complement to the standby Arrangement System which was continuously being strengthened as more member states became involved, and which was central to efforts to reduce deployment time. When the Security Council authorized a new operation, the Rapidly Deployable Mission Headquarters would enable the deployment of civilian and military personnel.  

The wider ramifications of a Rapidly Deployable Mission Headquarters was the ability of a new mission to have its headquarters readily operational:

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31 GA/PK/144. 2.
... [The Rapidly Deployable Mission Headquarters] would then ensure that the deployment and initial phases of a peacekeeping operation were well-managed in the field. The alternative required military contingents and other components to arrive in the mission area, and to operate for extended periods without proper mission headquarters. This complicated their work and could create serious operational difficulties.  

Three options were discussed, each having different benefits and drawbacks. They ranged from pulling existing personnel from the Department of Peace-keeping Operations (DPKO) and moving them to the new headquarters, to creating a whole new department and bringing in new personnel. The option chosen represented a compromise between the two extremes:

The third option, which had been chosen, rested on three pillars: first, the Secretariat would select existing staff members and allocate functions of the Rapidly Deployable Mission Headquarters to them, while they continued to perform their present functions. Second, a small number of additional personnel would be brought on board for those functions which required full-time attention; those staff members would be nominated by Governments, and the cost would be borne by voluntary contributions. Third, Governments would be invited to nominate candidates who would be earmarked in their home countries, joining the Rapidly Deployable Mission Headquarters as and when necessary for training or prior to a mission. Those personnel would be brought together for periodic training.

This design allowed for the deployment of a small mission headquarters in the field as soon as a mission receives authorization without seriously depleting existing manpower from the Secretariat. A department is therefore created that is familiar with the workings of the United Nations Secretariat, but is able to send some personnel in limited numbers into the

\[^{32}\text{GA/PK/144, 2-3.}\]

\[^{33}\text{For more information on the options discussed see GA/PK/144, 3.}\]

\[^{34}\text{GA/PK/144, 3.}\]
field for short periods of time until a permanent mission headquarters could be established. It was suggested that the mandate of a Rapidly Deployable Mission Headquarters be between three and six months, at which point the staff would return to their previous posts and new personnel would assume their positions in the mission headquarters.\(^{35}\)

Personnel requirements are met by 61 individuals, with 29 taken from existing secretariat staff and the remaining 32 are drawn from contributions from Member States. Personnel taken from the Secretariat will continue to function in their normal positions until required to be part of the Rapidly Deployable Mission Headquarters. Personnel acquired from Member States form two groups. First is a group of eight individuals who would be based in New York. They are the specialists experienced in operations, logistics and civilian policing including the Chief of Staff. The remaining individuals (24) stay in their home countries until required.

Financing for the Rapidly Deployable Mission Headquarters is awaiting finalization. According to a Press Release of 24 October 1996 the preferred method of financing would be the regular United Nations Budget and the Peace-keeping Support Account. This was not possible at the time but was considered as something which should be employed at the earliest possible date. Consequently the funding for the Rapidly Deployable Mission Headquarters comes from voluntary contributions which are placed in a trust fund to be used to pay for personnel to work in the Rapidly Deployable Mission Headquarters. At the time it was suggested that additional personnel would have to be made available to the United Nations gratis by Member States. The next chapter outlines

\(^{35}\text{GA/PK/144, 3.}\)
how the use of gratis personnel caused friction in the UN.

Work continues on the Rapidly Deployable Mission Headquarters, but very little published information is available. Having received Membership approval, it is no longer debated in committee sessions. Discussion moved away from the Rapidly Deployable Mission Headquarters to another set of developments geared toward increasing the speed of deployment of United Nations peace-keepers. This is the creation of the Multinational United Nations' Standby Forces High Readiness Brigade (SHIRBRIG). The new development did require extensive discussion and therefore resulted in a significant number of published documents.

**MULTINATIONAL UNITED NATIONS' STAND-BY FORCES HIGH READINESS BRIGADE**

The Multinational United Nations' Stand-by Forces High Readiness Brigade was initiated by Denmark as a means of improving the UN's ability to respond quickly with a peace-keeping force. The process began in the spring of 1995 with the creation of a working group which studied the feasibility of establishing a High Readiness Brigade. Members of the working group Argentina, Austria, Belgium, Canada, Czech Republic, Denmark, Finland, Ireland, Netherlands, New Zealand, Norway, Poland and Sweden agreed in a report in August 1995 that such a brigade was feasible. The report was presented to the United Nations as UN Document 8/51/75 in Spring 1996. The framework for SHIRBRIG was created by an implementation group, which mirrored the working group. It finished the task in March 1996.

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The Status Paper on SHIRBRIG published by the Ministry of Foreign Affairs of Denmark outlines the concept:

SHIRBRIG will be available for peacekeeping operations mandated by the Security Council under Chapter VI of the Charter of the United Nations. This includes missions where humanitarian aid is the main task.

The response time of SHIRBRIG will be 15-30 days and the deployment limited to a maximum duration of 6 months. After this period the mission will either be terminated or the brigade will be replaced by other forces.

The units will be stationed in their homelands but trained according to the same standards. Common procedures and interoperability will be developed to ensure efficient operational planning and common assessment of the operational requirements. Accordingly, the training of the units will remain the responsibility of the participating nations. However, minor training activities for the Brigade staff and the subunit commanders and their staffs will be conducted, whereas the required level of training proficiency for the units assigned to the Brigade will be achieved by standardised training objectives.

The participating nations maintain their national sovereignty and will decide nationally their participation in an operation on a case-by-case basis. A Brigade pool exceeding the force requirements of the Brigade will ensure that the deployment of the Brigade will not be compromised if a participating nation decides to abstain from providing troops for a specific mission. Consequently, specific units in the Brigade pool will be duplicated with contributions from different countries.37

On deployment it is expected that the Brigade will consist of 4,000 to 5,000 personnel which would include the Brigade’s headquarters with extensive communications capacity, infantry battalions, reconnaissance units, logistics and engineering personnel. This deployment would be self-sufficient and prepared to act in self-defence if required.

Nations which decide to participate in the Brigade will sign four documents. These are the letter of intent, the Memorandum of Understanding (MOU) on the Brigade, the MOU on the Steering Committee and the MOU on the Planning Element. The Steering

Committee refers to the executive body of SHIRBRIG in charge of formulating "... policies and guidelines to enable the effective functioning and employment of SHIRBRIG in areas of exercises and training, troop contributions, organization and interoperability and employment policy etc." The Steering Committee is led by a chairperson who is selected annually on a rotating basis from the participating nations in SHIRBRIG. The permanent military staff of the Brigade is called the Planning Element (Planelm). Planelm is responsible for "... all predeployment tasks such as operational and logistic planning, developing procedures and standards for training of the units, planning of exercises etc. When deployed, the Planelm becomes the nucleus of the SHIRBRIG staff. The Planelm is stationed in Denmark at Hoevelte Kaserne Copenhagen."

Financial costs incurred by the Brigade are met largely by the participating states. In essence the participating states are responsible for all costs incurred prior to deployment. These include training, preparation for deployment and the expenses of Planelm. As the expenses of Planelm are a joint responsibility, participating nations agree upon a budget. The 1998 budget was estimated to be $360,000 US but it had yet to be approved by the Steering Committee at the time of the publication of the Status Report. More recent information on the budget of SHIRBRIG has not been published either. Costs incurred by the UN are those incurred after deployment. Currently twelve nations are participating in the SHIRBRIG; Argentina, Austria, Belgium, Canada, Czech Republic, Denmark, Finland, 

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38Status Paper on SHIRBRIG as of October 1997, 2.
Ireland, Netherlands, Norway, Poland and Sweden.  

CONCLUSION

The development of the rapid deployment system for peace-keeping has been like any other UN innovation - a piece at a time. As one development gains approval and/or its limitations are noticed, a new addition is created to minimise hopefully those limitations. This is not a sign of United Nations inadequacy to see far enough in advance, but a reflection of the realities of international politics. Approval for anything perceived as a radical departure from tradition does not meet with quick approval from 185 individual national governments. For many governments, deploying their own nationals through a system created to allow minimal time between a request for action and response is a feature not necessarily desired, as they may wish to have time to consider the merits of participation. As a result, the system as it has developed does not require all governments to support rapid deployment by supplying troops or equipment at a moment’s notice. Nor are they required to sanction the creation of a UN force made up of willing nationals of other Members. The system has left the decision to participate entirely within the hands of the Members. It is anticipated that the rapid deployment capacity of the United Nations will thus grow as Member States warm to the idea. This is far better than being stifled by adamant opposition to a concept which some Members consider radical, the idea of giving the United Nations its own military force.

Support for the differing aspects of rapid deployment varies among the UN

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Members. The effectiveness of rapid deployment hinges in large part on this level of support. As chapter five will demonstrate, support of the concept of rapid deployment can be simply represented in political will. Ironically, the simple presence of the requisite political will to act would reduce the need for any rapid deployment mechanisms.
... the UN was not a panacea for all the troubles of mankind; and more to the point: that the UN could never be stronger than the Member States collectively willed it to be.¹

Chapter 5  Rapid Reaction Capabilities: Expectations and Future Realities

This chapter will focus on two issues. First it will examine the reaction of the members of the United Nations to the various aspects of the United Nations Rapid Reaction Capabilities, as outlined in the preceding discussion. Second, the chapter will discuss the practical realities of moving toward a permanent force.

Reactions of UN Members to the United Nations Rapid Deployment Capabilities

Standby Arrangements System

Support for the Standby Arrangements System is difficult to pinpoint. United Nations' documents that deal with the subject consider it closed. There are no committee discussions on establishing the system, therefore there are no documents outlining how the system was received by Members individually. The system grew from Secretary-General Boutros Ghali's suggestion, which once accepted was passed back to the Secretary-General to be developed further.

Assessing Members' acceptance of the Standby Arrangements System is possible

in a limited sense, by examining which members have agreed to participate in the system and to what extent. At the very least, it is to be expected that states which have chosen to participate in the system support the concept. It is not a totally accurate method of measurement as not all states which agree with the concept may be able to participate. It is however, the only documented aspect of the system currently available which outlines Member support.

Boutros Boutros-Ghali’s first report Standby Arrangements For Peace-keeping, (S/1994/777) dated 30 June 1994, noted that 21 members “... confirmed their willingness to provide standby resources totalling some 30,000 personnel ...” Interestingly, the United Kingdom is the only permanent member among the 21.

By the time the second report was presented in November 1995, a further 26 Members came on board bringing the total to 47. This included commitments by France and the United States. The 1996 report noted the inclusion of an additional 15 Members including the Russian Federation. By the time of the fourth report in December 1997, the

\[S/1994/777, 2.\]

The other Members are: Argentina, Bulgaria, Canada, Chad, the Czech Republic, Denmark, Finland, Guatemala, Hungary, Jordan, the Netherlands, Norway, Poland, Senegal, Spain, Sri Lanka, Syria, Turkey, the Ukraine and Uruguay.

\[S/1995/943.\]

first by Secretary-General Kofi Annan; China had also come on board. This brought the total number of participants to 69, including the five Permanent Members. Of these, 52 provided lists of capabilities, planning data had been provided by 31 members and 15 signed a Memorandum of Understanding. By December 1998, 80 Members expressed an interest to participate, 61 had provided lists of capabilities, 33 had presented the UN with planning data and 20 had signed a MOU.

The test of the Standby Arrangements System lies not in the submission of data to the UN but in the UN’s ability to draw on the resources that have been pledged. The Standby Arrangements System is based on the same principles of voluntary participation as peace-keeping. Therefore the pledge of resources to the Standby Arrangements System does not imply that Members will agree to participate. The Secretary-General noted in the last report that the Standby Arrangements System was instrumental in the establishment of several missions:

The information available under the standby arrangements system proved most helpful in planning for and subsequent deployment to peace-keeping operations in Haiti, Angola, the former Yugoslavia - in particular the United Nations Transitional Administration for Eastern Slavonia, Baranja and

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S/1997/1009.

See Appendix 2 for information on each Member’s degree of participation

Western Sirium (UNTAES) - and Guatemala.\textsuperscript{10}

The report, however, does not specify how helpful the system was in establishing the aforementioned missions. It did not state if the data present in the system assisted the Secretariat in the development of the missions or how contributing Members responded when called to participate.

In spite of Secretary-General Kofi Annan’s glowing endorsement of the Standby Arrangements System, it has not always lived up to its expectations. In fact it failed its first major test: “In May 1994, despite pleading of the Secretary-General and commitments of 19 Member states to the standby roster, not a single unit from those governments was offered for service in Rwanda.”\textsuperscript{11} As a result of this inaction, half a million lives were lost. These lives, it has been suggested, could have been saved if the United Nations had sent in 5,000 troops.\textsuperscript{12}

The aftereffects of the Rwandan inaction are still being felt in Africa. As recently as April 1998, Jack Wilmot, the Ghanian delegate to the Special Committee on Peacekeeping Operations expressed a lack of trust in the Security Council’s ability to react fairly to African crises. In essence, he stated that rapid deployment was only useful if a decision to deploy was made in good time:

\begin{flushright}
\textsuperscript{10}S/1997/1009, 4.
\end{flushright}
He said the standby arrangements system could hardly be effective without a more even-handed Security Council which responded to conflict in a timely manner, on the basis of need rather than on the strategic interests of powerful individual members of the Council. The people of conflict zones in Africa had, in recent times, been particularly victimised by the selectivity of the Council. Liberia, Sierra Leone, Rwanda Burundi and many others were cases in point.\footnote{\textit{Security Council Should Be Guided by the Need Rather Than Interests of Powerful Members, Peace-keeping Operations Told.} Press Release GAPK 154. 1 April 1998, 5.}

Machivenyika Tobias Mapuranga of Zimbabwe echoed Jack Wilmot:

...[and] said that Security Council Decisions should be guided by genuine interest in maintaining international peace and security, rather than by the narrow economic and political interests of a few powerful countries which choose to sacrifice the plight of humanity "on the altar of economic interest."\footnote{GA/PK/154, 6.}

Matia Muluma Semakula Kiwanuka of Uganda was not as negative, but he referred to a lack of political will as the main hurdle in effective deployment:

In order to keep the peace, ..., there must be a will to act. Yet what was seen so often was foot-dragging, which had led to the Rwanda genocide. It had taken the Security Council more than six months to decide whether or not to send peacekeepers to the Central African Republic. Foot-dragging had meant prolongation of appalling atrocities, colossal losses of lives and millions of refugees which would otherwise have been prevented. If wars could not be stopped before they started, at least rapid deployment and response mechanisms should be available. The United Nations was preeminent in the area of men and equipment because it had global legitimacy of action unmatched by another organization or state.\footnote{\textit{Peace-keeping Financing, Reimbursement to Troop Contributions Among Issues Raised at Special Committee.} Press Release: GA/PK/153; 1 April 1998, 4.}

For many, rapid deployment will be effective only if the decision to deploy can be made quickly and with concern for humanitarian issues rather than politics and economics.
Mission Planning Service

The Mission Planning Service does not depend on Member States' support in the same way as many other initiatives. Once established, it became a sub-department in the United Nations Secretariat. Although a lack of Member support could, in the long run, result in the closure of the Service, it does not appear to be likely at this time. As long as the Mission Planning Service provides valuable information to the Department of Peacekeeping Operations, it will be considered a worthwhile asset.

Rapidly Deployable Mission Headquarters

The process of establishing the Rapidly Deployable Mission Headquarters has been alarmingly slow. As usual, funding considerations are the cause. Initially the Rapid Deployment Mission Headquarters was to be staffed by gratis personnel. These are staff supplied by Member States at no cost to the UN. The salaries of gratis personnel are borne by the supplying state. A trust fund established as part of the Rapidly Deployable Headquarters System was to be used to pay for salaries within the Headquarters. It was expected that donations to the trust fund would then allow the UN to hire staff, thus end the use of gratis personnel. A press release issued March 30, 1998 cited the lack of fiscal support for the Rapid Deployment Mission Headquarters as delaying its establishment: "... progress on establishing the rapidly deployable mission headquarters has been slow, as the necessary funding was not made available through voluntary contributions to the trust fund set up for this purpose."16

This foot dragging has been detrimental to the United Nations for two reasons. First, it displays a lack of support for the aims of the organization and, second, it does not allow those Member States unable to provide gratis personnel a chance to participate. This latter consideration causes the greatest difficulty. The delegate from Pakistan, Ahmad Kamal, summed up the problem:

[T]he rapidly deployable mission headquarters, ... had been a matter of such urgency in August 1996. Despite what was then described as a dire need, the necessary funding had not been forthcoming. The Member States which had been eager to supply their own gratis officers did not appear to be willing to contribute an equivalent amount to the Trust Fund for the funding of that headquarters. What needed to be examined was whether, in the absence of the proper funding, the tasks of that office could not be performed by the Mission Planning Division of the Department.

Initially the use of gratis personnel was to be phased out by December 31, 1999, but by April 2, 1998, the Under-Secretary-General for Peace-keeping announced that this date would be moved up to the end of 1998. The development of the Rapidly Deployable Mission Headquarters was thwarted by a lack of financial commitment from the Members of the UN. In order for the Rapidly Deployable Mission Headquarters to work, salaries of the personnel supplied to the Headquarters had to be paid. Two methods were devised to supply staff, gratis personnel and establishment of a trust fund, as explained above. Use of gratis personnel would stop once the trust fund was adequate to pay the salaries of the required staff.

17GA/PK/150, 8-9.

18Under-Secretary-General Announces Proposal to End Use of Gratis Personnel in Peace-keeping Department By End of Year. Press Release; GA/PK/155; 2 April 1998, 3.
Difficulties arose as two distinct classes of Members emerged; States who could and did donate personnel and States who could do not and waited for the UN to hire their nationals. A State capable of making a contribution has a choice between a financial donation and personnel. States providing personnel did so largely because there was little or no additional expense associated with the donation of staff. Such staff were an existing expense, diverted from their normal duties. In contrast, states supporting a trust fund were incurring an additional expense. Simply stated, it cost little or nothing to loan staff, but supporting the trust fund would incur a significant financial outlay. An additional but non-financial drawback to supporting the trust fund is the loss of involvement in the department. A financial contribution means that other nations participate at the expense of the donor state.

Consequently the system of using gratis personnel failed. States who could afford to donate staff did so. Those who could not felt left out of the Rapid Deployment Headquarters. They were disappointed when the trust fund did not materialize. Thus while the easiest method for quickly staffing the Headquarters was the use of gratis personnel, it caused friction within the UN.

The United Nations Standby High Readiness Brigade (SHIRBRIG)

Reactions to SHIRBRIG are varied, but in large part can be divided into two points of view. The first considers SHIRBRIG as an excellent addition to the UN Standby arrangements system. The second considers SHIRBRIG as an affront to the existing

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19 This includes Argentina, The Republic of Korea, Poland and the Ukraine.
peace-keeping measures, as SHIRBRIG is seen as being superfluous and exclusive. These divisive perspectives could handicap the capacity of SHIRBRIG to react effectively to situations, and consequently reduce its value. A positive perception of UN peacekeeping is important; without it countries may not want peacekeepers on their soil. Should SHIRBRIG not meet with sufficient approval by Member States, its utility will be seriously eroded. Traditionally, the decision to dispatch peace-keepers must be approved by all parties involved. If SHIRBRIG is not accepted as part of the UN’s standby arrangements system, it cannot be deployed in the traditional sense. If a concept cannot garner approval in the planning stages, it is unlikely to garner miraculous approval in the implementation stage. SHIRBRIG must have clear support from the UN Membership before it can be useful in a crisis situation.

Acceptance of SHIRBRIG varies among the Members of the UN. Generally the response has been positive, although some states have questioned its usefulness in light of other rapid deployment developments. Support for SHIRBRIG bore no relation to the Member State’s ability to participate in it either physically or financially. Supporters of SHIRBRIG are not limited to those who developed the idea, or who have decided to participate.

During the discussion of SHIRBRIG in the Special Committee on Peace-keeping Operations several states voiced their opinions. On the lowest level of acceptance is Malaysia, who accepted SHIRBRIG in principle, but questioned its utility:

While Malaysia had no serious qualms about SHIRBRIG, it was sceptical

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20 This includes Mexico, Pakistan and Thailand.
about the usefulness of its existence, as there were brigades already pledged by many Member States under the standby arrangements system. Rather than promoting the SHIRBRIG, it would be meaningful and effective for the Department to focus on improving the system that was already in place.\textsuperscript{21}

A slightly larger measure of approval came from Jamaica, who, unlike Malaysia, believed that there could be a role for SHIRBRIG. Jamaica, however, did not give SHIRBRIG a ringing endorsement, but suggested that while it might be useful, it required further study:

\begin{quote}
Initiatives to establish a SHIRBRIG should be given careful consideration. Tragedies resulting in untold human suffering might well have been averted if the international community had developed mechanisms for swift and decisive responses to certain conflicts. Such mechanisms should draw on as many Member States as possible.\textsuperscript{22}
\end{quote}

The concern that as many Member States as possible are given the opportunity to participate in SHIRBRIG is persistent. Park Soo Gil of the Republic of Korea said:

\begin{quote}
\ldots the standby arrangements system should be fully developed as the principal rapid reaction instrument for United Nations peace-keeping at the earliest possible date. His delegation hoped that the launching of the Multinational United Nations Stand-by Forces High Readiness Brigade (SHIRBRIG), at the initiative of Denmark, would be a positive supplement to that system, as well as to the rapidly deployable mission headquarters, under the principle of universality and openness.\textsuperscript{23}
\end{quote}

The representative of the Ukraine, Volodymyr D. Khandogy, felt that, as it stood in March 1998, SHIRBRIG had an element of exclusivity which limited participation to those Member States who could afford to take part:

\begin{quote}

22GA/PK/152, 5-6.

23GA/PK/154, 4.
The SHIRBRIG would be an important contribution to the strengthening of the Organization's preparedness for rapid reaction to conflict situations, he said. However, Ukraine also shared the misgivings expressed by some Member States about the existing tendency to set it up as a new privileged formation of those Member States which had wide capacities to finance their participation in it.24

Ion Gorita of Romania too felt that voluntary participation was also important:

He welcomed the valuable efforts which had led to the establishment of the Multilateral United Nations Stand-by Forces High Readiness Brigade (SHIRBRIG), he said. As long as it was based on voluntary participation by individual Member States and its use was subject to political control by the United Nations, the Brigade could contribute to enhancing the capacity of the Organization to act swiftly and efficiently.25

Both Poland and Argentina, participants in the Brigade, were positive in their perception that SHIRBRIG would be an effective asset to the UN. Poland considered the countries already involved highly experienced in peace-keeping duties: “Due to their long and exemplary service under the United Nations banner, the countries that had joined in organizing the Brigade, Poland among them, guaranteed its effectiveness and compliance with the principles of the world body’s peace-keeping.” With regard to the perceived exclusive nature of the Brigade, Argentina expressed the hope that other UN Members would “…also join the Brigade, which should be seen as an additional collaboration with the United Nations and would act in coordination with the Organization.”

Negative opinions of SHIRBRIG are largely based on the perception that the

24GA/PK/152, 5.
25GA/PK/155, 3.
26GA/PK/154, 4.
27Ga/PK/152, 4.
Brigade has an exclusive character. One negative pronouncement from Mexico, however, emphasized the need for a permanent force rather than the perception of exclusivity. Iran also expressed concerns not directly about SHIRBRIG but rather at the idea that an initiative should claim to be associated with the UN without the participation of all Members.

The most vocal concerns regarding the exclusive nature of SHIRBRIG came from Thailand, representing the Non-Aligned Movement, and Pakistan during the discussions held through March and April of 1998. Thailand stated that:

... the Non-Aligned Movement had supported the development of the United Nations standby arrangements system, which, the Special Committee in its 1997 session had agreed, "constitutes a key to the increased effectiveness and rapid deployment capacity of peace-keeping operation". Member States had the right to organize any kinds of groupings, and recently a group of countries had initiated arrangements in that regard under the name of Stand-by High Readiness Brigade (SHIRBRIG). He expressed concern that the Brigade, which, according to available information, had an exclusive characteristic, was being promoted as a United Nations Brigade.

Pakistan voiced the most definitive objections to SHIRBRIG:

The proposed initiative of SHIRBRIG had led to differences of opinion.... A Brigade organized by some countries among themselves, without the participation of major and consistent large troop contributors, was somehow being metamorphosed into and projected as a United Nations brigade in an effort to give it legitimacy. No particular region could be given a pre-eminent position in peace-keeping, nor could it have its own brigade designated as that of the Organization to the exclusion of others. If SHIRBRIG was to be created, it was the United Nations which should

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28GA/PK/153, 6.
29GA/PK/152, 8.
30GAPK/150, 7.
establish it and call for contributions from all Member States in a non-discriminatory and non-selective manner.\(^{31}\)

Cuba responded to the claims of exclusivity made by Pakistan and Thailand, by stating that while Cuba was initially concerned over the formation of SHIRBRIG, Cuba felt that the Special Committee should consider adding SHIRBRIG as part of the Standby Arrangements System.\(^{32}\)

The Under-Secretary-General for Peace-keeping Operations concluded debate in the Fifth Session of the Special Committee on April 2 by reminding Members that the nature of peace-keeping necessitated that not all Members are able to participate in each mission. This was not based on any desire to exclude:

Bernard Miyet, Under-Secretary-General for Peace-keeping Operations, said "...it was clear that for reasons of political sensitivity, it was not possible to include all countries on certain specific missions. That did not reflect any intention to discriminate and there should be no "bashing" of any initiative because of such perceptions."\(^{33}\)

It is apparent that for the Brigade to be effective, it should have wide acceptance. As long as SHIRBRIG lacks widespread support, it cannot take the place of traditional peace-keeping forces. Traditional peace-keeping operations have begun only after the mission has been accepted by all parties concerned. In order for SHIRBRIG to be a reliable source of peace-keepers and equipment it needs to open itself to greater participation and erase the perception of exclusivity.

\(^{31}\)GA/PK/150, 8.

\(^{32}\)GA/PK/152, 7.

\(^{33}\)GA/PK/155, 7.
The fractured support for SHIRBRIG does not give clear indication as to whether future developments are likely to move toward a more expansive force. In other words, it will be a while before SHIRBRIG has garnered enough support within the international community that Members of the UN are comfortable enough with it to give it a more permanent status. The US would object to placing its nationals under foreign command. The idea of a super army also makes some Members uncomfortable. A larger practical problem with giving SHIRBRIG a more permanent status is funding. The UN cannot meet its current peace-keeping bills, let alone provide funding for a permanent peace-keeping force.

**MOVING TOWARD A PERMANENT FORCE - PRACTICAL REALITIES**

Recent developments in the current rapid deployment capabilities demonstrate that the UN is not ready for a permanent force nor would such a force enable it to deploy more rapidly than currently possible. Rapid deployment is not simply a function of deployability. Deployability is a product of compromise and consensus, both of which are required to allow the UN to make the decisions which lead to rapid deployment. Having a force standing by will only achieve rapid deployment if a decision to act can be made rapidly. Lack of consensus regarding the current system does not favour the creation of a standing force.

As the situation currently stands, the necessary groundwork for creating a permanent force has not been completed. Admirable gains have been made with the current developments. While SHIRBRIG has dealt with issues such as financing, leadership, control of the force during and outside of action, it would not be wise to extrapolate these
agreements to a permanent UN force. Expanding the number of participants in the force will change the dynamics of the group and will make reaching agreements more difficult. In addition, it is highly premature to consider SHIRBRIG as a basis for a permanent force when it has yet to be tested in its current capacity.

The two largest stumbling blocks to the creation of a standing force in the near future are financial support and political will. These are not new phenomenon in the United Nations; they pervade the entire UN system. Heavy demands of the existing peace-keeping system on participating Member States would affect their willingness to support an additional venture. This type of problem was evidenced in the aftermath of UNOSOM I and II when Members were unwilling to authorize new missions, and it would be naive to think that it would disappear with the creation of a permanent force.

FINANCING

One of the most significant hurdles which the United Nations has yet to overcome is that of financing: “Money shortages are nothing new at the United Nations, which relies exclusively on its Member countries for funding. The problem has plagued the Organization since its founding in 1945.”34 In December 1997, Secretary-General Annan “... [in] referring to some $2.2 billion owed the United Nations in unpaid dues and for peace-keeping, he said the organization faces perhaps the most serious cash crisis in its history.”35 The causes of the constant funding crisis are as varied as Members of the


35 UN Chief Questions US Will to Lead, (http://www.infoseek.com/Content?am=a2688...rames&col=NX&nh=20&ud4=1&kt=A
Organization. But the three main causes are differences in budget mechanisms of individual Members which do not coordinate with the UN billing dates, poverty of some Member States and withholding assessments in order to make a political statement.\footnote{The UN Financial Crisis at a Glance, 1.}

The largest single debtor to the UN is the United States:

The United States owes the United Nations more than $1,704 million. Of that, $670.9 million is for the regular budget; $1,004 million for peace-keeping; and $29.6 million is for the international tribunals. The United States is the major debtor to the United Nations, accounting for 79 percent of the outstanding money owed to the world organization for the regular budget and 60 percent of the peace-keeping arrears.\footnote{"Clinton’s Priority is to Pay UN Debt, Bill Richardson Says." USIS Washington File, 11 March 1998; (http://198.80.36.136/current/news/latest/...it.html?/products/washfile/newsitems.htm), 13 March 1998, 8:02pm, 2.}

In the most recent State of the Union Address, President Clinton reiterated his desire to work with Congress to “... pay our dues and our debts [to the UN].”\footnote{President William Jefferson Clinton State of the Union Address as Given, January 19, 1999, 10.} Total debt outstanding to the UN, from all defaulters, stood at $2.5 billion at the end of September 1998. Of that, $1.8 billion was owed to peace-keeping, $683 million for the regular budget and $22 million for International Tribunals. Membership dues are due on January 1 of each year. In 1998 only 100 of 185 Members had paid their 1998 dues by September 30.\footnote{Setting the Record Straight: The UN Financial Crisis, DPI/1815. Revised October 14, 1998. (http://www.un.org/news/fact/finance.htm), 23 November 1998, 4:33pm, 1.}
The largest problem resulting from the funding crisis is the constant "borrowing" of funds from the peace-keeping account to pay bills incurred by other departments:

The UN is so strapped for cash that in order to cover its regular budget expenses, it has been periodically forced to borrow from peace-keeping funds. As a result, the Organization is unable to reimburse promptly those countries that provide peace-keeping troops and equipment. At the end of March 1997, the UN owed 71 countries a total of $800 million for troops and equipment. 40

The inability of the UN to pay Members for their contributions to peace-keeping will ultimately restrict participation in peace-keeping to only those Members who can afford to carry the debt, thus leaving a large number of those Member States who traditionally participate unable to continue to do so. The reaction to such a situation was evidenced in the debate on SHIRBRIG, as outlined above, which based participation on the financial ability to supply resources.

Regardless of acceptance of, or opposition to, a permanent force, it is illogical to assume that an additional levy will be paid in full and on time. Requests for voluntary financial donations are not successful either, as demonstrated in the debate over the use of gratis personnel in the Rapid Deployment Headquarters discussed earlier. The UN was not presented with any other options for raising revenue to cover this shortfall.

Although SHIRBRIG is currently funded by participating states, this is not a position many of them will want to continue. It will not placate those who consider the force exclusionary and will result in donor fatigue if the Brigade is used frequently. In the final analysis the "...main factor on which the financial health of the UN now depends is

40The UN Financial Crisis at a Glance., 1.
the political will of its Member States to fulfill the obligations they have already assumed in respect of the United Nations.\textsuperscript{41}

**Political Will**

Political will is the most pervasive problem facing the United Nations. It is reflected in so many ways. For peace-keeping, it comes directly in the form of protracted decision making by Member States. It is also evident in the nonpayment of dues. It is also the hardest to overcome as there are more types and means of expressing it than there are Members.

Rapid deployment is a direct function of political will and by extrapolation, financial solvency. The existing system of deployment is handicapped by the time taken by individual governments making a decision on whether to participate. Rapid deployment, therefore, is a function of military preparedness, i.e. the availability of manpower and equipment, and political will. The quicker all components are ready, the faster a mission is deployed. The situation in Rwanda is a classic example. Although the lack of response to Rwanda predates many of the developments in rapid deployment, the lack of international response was a consequence of the failure of UN to secure peace in Somalia. That led the international community to drag it heels in responding to Rwanda:

\begin{quote}
Despite a number of important successes, the inability of the United Nations
\end{quote}

to restore peace to Somalia soured international support for conflict intervention and precipitated a rapid retreat by the international community from peace-keeping worldwide. An early and direct consequence of this retreat was the failure of the international community, including the United Nations, to intervene to prevent genocide in Rwanda. That failure has had especially profound consequences in Africa. Throughout the continent, the perception of near indifference on the part of the international community has left a poisonous legacy that continues to undermine confidence in the Organization.  

Increased need for peace-keeping in the early 1990s resulted in the development of a plethora of mechanisms devoted to early warning capabilities. Ironically, it is not early warning capabilities but timely decision making which prevents the UN from responding to crises promptly:

Early warning mechanisms are widely regarded as serving an important role in conflict prevention but, without early action, early warning is of little use. The United Nations early warning capabilities have been significantly improved in recent years. The critical concern today is no longer lack of early warning of impending crises, but rather the need to follow up early warning with early and effective action. Whether the response involves diplomatic efforts, a peace-keeping deployment or a humanitarian intervention, the sooner action is taken the more effective it is likely to be.

During debate over SHIRBRIG in April 1998, the delegate for Mexico, Pablo Mecedo, considered the desire of Members to act was a greater asset than a permanent military force:

For several years there had been growing interest in enhancing the rapid reaction machinery of the United Nations peace-keeping operations. .... However, Mexico did not consider it a decisive factor. However rapidly the Organization could react, it could not take the place of the will of the parties. The enhancement of the rapid reaction machinery should be done by analysing the legal, financial and political problems that prevented improvement. Strengthening of the mechanism also lay with the standby

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arrangements system, and not with the creation of permanent military bodies that were incomparable with the Organization's character.\textsuperscript{44}

The only alternative to political will would be for the Security Council to legislate mandatory participation in peace-keeping. But such legislation would violate the principle of voluntarism which pervades the UN system, and would require a Charter amendment.

\textbf{SHIRBRIG as a Stepping Stone}

If SHIRBRIG proves to be successful it may open the door to a serious discussion on forming a permanent force. Assuming SHIRBRIG acts as a stepping stone, a move toward a permanent force could happen gradually, without a vote in the Security Council. Thus a gradual acceptance of the idea would not require support of all the permanent Members of the Security Council, thus avoiding the problem of the veto. Although a force created under Chapter VII would also be subjected to the veto, its use would be controlled by the Security Council. A permanent force created via the General Assembly would not be subject to this restriction. SHIRBRIG, however, is still limited by domestic political considerations of the participants. Until SHIRBRIG has been tested in a variety of situations its ability to react any faster than the system previously in place will not be known.

Any discussion for the creation of a permanent force in the Security Council will meet heavy opposition from the United States. The United States has made it very clear it would not consider participating in any force which may place American soldiers under foreign command: "The US does not support a standing UN army, nor will we earmark

\textsuperscript{44}GA/PK/153, 6.
specific US military units for participation in UN operations. We will provide information about US capabilities for data bases and planning purposes.\textsuperscript{45}

**CONCLUSION**

The Rapid Deployment Capabilities of the UN have yet to be fully tested to determine their effectiveness. It is therefore too soon to conclude that a standing force is either required or unnecessary. Overall, however, the need for a permanent force is overshadowed by the practical realities of finding adequate financing and the political will which would allow the UN to establish such a force. Even without clear statements from the Member states on the subject, it is apparent from other aspects of the UN that the opposition to the idea is significant.

If SHIRBRIG is the stepping stone towards a permanent force it will occur slowly and, most likely, unexpectedly, as a natural progression of events. It cannot be legislated in the form of a Charter amendment, nor can participation be mandatory. Member States need to be comfortable with the UN's ability to make decisions to deploy a permanent force. Currently, Members are too concerned with the nature and types of situations in which a permanent force would be deployed. Ironically despite all the discussions to create a system of rapid deployment, the answer to the problem lies not with the United Nations but with each individual Member. Chapter 6 explores the reasoning behind the middle powers' proposal for a permanent force despite the realization that in the current

international environment, such a force could not be created.
The global alliance that has created this Convention is an alliance made up of individuals and governments, of grass roots movements and global humanitarian organizations. It is an alliance that has shamed the world and enlightened it, unmasked its excuses and revealed its potential. It has held up a mirror to us all, revealing the wickedness of human folly and the wisdom of human courage. It has, for once, made "the international community" a living, thriving reality, and not just the hope of a distant future. Only a living thriving "international community" could come together, across borders and beyond regions, to eliminate this universal plague. . . . Your success is a welcome reminder that one does not have to be a global super power to affect the future of international peace and security. ¹

Chapter 6  The Call For A Standing UN Force As A Middle Power Policy Aim

As the previous discussion demonstrated, the establishment of a standing UN force at this juncture is highly improbable. The requisite support in the form of financial endorsement and positive political will are seriously deficient. Why, then, was the concept given any credibility within the UN? It was actually pushed into international debate by the middle powers who thought that the creation of such a force would enhance their position in the international arena. In comparing the role of middle powers during and after the Cold War, it becomes evident that they must carve a new role in order to remain meaningful in the post Cold War world.

During the Cold War, peace-keeping was for all intents and purposes exclusively limited to the middle powers. It enhanced both the profile and role of middle powers

within the UN. With the conclusion of the Cold War, middle powers were no longer the primary participants in peace-keeping and the Permanent Members of the Security Council became more often a necessary addition.

The chapter will outline how the post Cold War world has prompted middle powers to be more creative in order to revive their centrality and become more involved in maintaining peace and security. It will begin by examining the altered position of middle powers in the post Cold War period and explain why a standing force was chosen as a policy initiative. The chapter will briefly look at the creation of the 1997 Convention banning landmines, as an example of successful middle power diplomacy. Finally, the chapter will compare and contrast the call for a standing force and the landmines treaty, explaining why the former was successful but the latter remains in limbo at best.

DEFINING MIDDLE POWER

The term power poses several problems of definition for international relations theorists. Even if a general definition can be agreed upon, establishing acceptable methods of measuring power is less likely. This is also true for the term "middle power:" "Defining what is meant by a middle power is a challenge that has always dogged discussion by both academic analysts and practitioners."1

The term is also plagued by two additional problems. First, as Holbraad demonstrates in his analysis, much of the literature in international relations focusses on

1For more information on the difficulty of defining power see Bernard Wood, Middle Powers and the General Interest, Middle Powers in the International System No. 1. The North South Institute, Ottawa, July, 1988, 12-17.

2Wood, 1.
the great powers: "The bulk of the literature of international relations is about great powers. Both the older and newer writings on the subject, whether descriptive or analytic, generally concentrate on the dominant members of the states system and pay only scant attention to the lesser states." Second, literature on middle powers does not use the term consistently. Over time the term has been molded to fit situations. It has been used to refer to geographical location as opposed to political leverage. More often a middle power has been defined as: "... a state occupying an intermediate position in a hierarchy based on power, to a country much stronger than the small nations though considerably weaker than the principal members of the states system." Occasionally, the term has been used to refer to hierarchical location and geographical position, although geographical position has also been taken to mean a medial position in conflicts, such as the role of Canada in the Suez Crisis.

What constitutes a middle power and how one functions in the international arena is defined by the constantly changing nature of international relations. Consequently the term and its applications are always in a state of flux. The definition of the term is systemic. The role of states classified as middle powers is therefore also systemically defined. The definition of middle power is then contingent on the system containing the middle powers. Therefore, when defining middle powers it is important to consider the

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For more information see Holbraad, 3-4.

Holbraad, 4."
context in which the term is used.

During the Cold War, middle power referred to a state "... possess[ing]... medium strength and occup[y]ing an intermediate position in a conflict." Canada capitalized on this role during the Cold War by "... being in a position to mediate, to perform other useful functions in conflicts between states, particularly those arising from or related to rivalry between the Soviet Union and the United States." Holbraad concludes his analysis of the role of middle powers by stating "[i]n the last resort, a middle power is a state which is big or rich enough to attract the avarice of great powers but not strong enough to withstand their encroachments."

Another definition views middle powers as those who "... by reason of their size, their material resources, their willingness and ability to accept responsibility, their influence and stability are close to being great powers." For the purpose of this discussion, middle powers are those which are able to determine their own goals and concerns in fields where they have the interest and ability to participate as long as these goals and concerns do not conflict with those of the great powers.

THE ROLE OF MIDDLE POWERS IN THE UN - A ROLE IN TRANSITION

At the conclusion of World War II, Canada began a process of lobbying within the United Nations for the creation of a "special status" for states like itself which stood as a

7 Holbraad, 7.
8 Holbraad, 8.
9 Holbraad, 31.
middle power within the international arena:

At the close of World War II, Canadian statespersons undertook an aggressive campaign to establish a special status for Canada and other "middle power" states in the new United Nations. The Canadians wanted this special status in recognition of Canada's military and financial contributions to the allied victory and to solidify the rank of the middle powers directly below the 'Big Five' and above everyone else. Other self-identified middle powers - Australia, New Zealand, Brazil, the Netherlands, Yugoslavia, Poland, Belgium, and Sweden - endorsed this campaign.\(^{11}\)

The logic behind the Canadian reasoning was that middle powers occupied a unique position in the world community. They had power which could be used wisely and in the interests of the world community as a whole rather than for their own gain.\(^{12}\) Middle powers could play a significant role in the international community because of their unique position: "The argument continued that middle powers could not challenge the international peace and order - as could the great powers - but they possessed sufficient resources together to protect the order against aggressive states."\(^{13}\) Canada and the other middle powers were not able to convince the UN that special status should be accorded them within the UN. Although the debate did not create a "special status" for the middle powers: "... it became an important element of the philosophy driving the deliberations of UN Secretary-General Dag Hammarskjold and Canadian Lester Pearson over the Suez Crisis of 1956."\(^{14}\)


\(^{12}\) Neack, 183.

\(^{13}\) Neack, 183.

\(^{14}\) Emphasis in original. Neack, 183.
Resulting from the deliberations, the first peace-keeping force elevated Canada's
position and that of other middle powers within the UN:

[A] major new role for middle powers came in the realm of peace
and security, in a situation where the superpowers and great powers were
effectively disqualified from constructive action to contain conflict. It was
through the Suez crisis and the Canadian-led initiative to create a UN
peacekeeping force that a more or less coherent mediatory mandate for
middle powers in the postwar world began to take clear shape. Particularly
for Canada in this circumstance, there were antecedents in bridging roles
between Britain and the United States at earlier times, but in a UN context
this experience was to help trigger new activity and mediatory roles for a
widening group of middle powers.15

During the Cold War, peace-keeping became the primary domain of the middle powers.16
Major powers stood to the side and, in the majority of cases, did not participate. Peace-
keeping thus provided the middle powers the ability to be actively involved in the peace
and security components of United Nations activity. It presented middle powers with a
method to prove their power and significance in world politics. Without this, middle
powers would have been left outside of the process and thus without a security role to play
in the international arena. Peace-keeping brought the middle powers to the forefront of
international relations.

The end of the Cold War changed the nature of peace-keeping and thus the role for
middle powers. There are two reasons for this change. First, the collapse of the Soviet
Union as a super power meant that the international community was no longer split


16Angela Kane. "Other Selected States: Motivations and Factors in National
Choices." in Beyond Traditional Peacekeeping. Donald C. F. Daniel and Bradd C.
Hayes eds (New York: St. Martins Press, 1995), 121. The exception being the UK
contribution to United Nations Force in Cyprus (UNFICYP).
between two competing ideologies. There was no longer a need to keep major powers out of the peace-keeping process. Second, this lack of competition meant the conflicts which were being brought to the attention of the Security Council included situations which were previously part of the major powers spheres of influence and had never been referred to the UN. In addition, these conflicts often involved situations of extreme violence requiring more military equipment and personnel than was available from traditional peace-keepers.

The consequences of these changes signified that ideology no longer played a part in dispatching peace-keeping missions. More situations came to the attention of the UN and more peace-keepers with greater skills and technology were required to complete a mission successfully. To fulfill this requirement, the participation of major powers, which had previously been prevented from taking part in peace-keeping became a necessity:

Great powers have recently become engaged in peacekeeping and peace enforcement because these regional conflicts are the central security concerns at present, and having been elevated to the status of threats to international peace and stability, they attract the interest of the great powers, which are sensitive to issues of order after the Cold War. In addition, because dealing with many of these conflicts has required military resources only the great powers can deploy, great power involvement has been seen increasingly as indispensable to the operational component of UN missions and to their political credibility.¹⁷

This in turn reduced the UN’s dependence on middle powers as a source of peace-keepers and minimised their role in the international arena:

The implications of this later development [the increased role of great powers in peacekeeping] for the traditional peacekeeping players - small states and middle powers - are worrisome. For these states, the concern lies in the loss of a foreign policy niche, role, or independent course in the conduct of their foreign affairs. Small states are facing the possibility that

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¹⁷Sens, 56.
they may be less involved and perhaps submerged politically in missions that were once an important reflection of their foreign policy independence. While it would be premature to suggest that peacekeeping has become a great power game, the evolving situation bodes ill for states that were attracted to the enterprise because the great powers were not involved.\textsuperscript{18}

Middle powers are no longer vital to peace-keeping because of their smaller stature. Ironically this was the feature which made them important to peace-keeping during the Cold War. One solution is to become specialized in order to present the UN with unique peace-keeping capabilities:

This implies that in the not too distant future, the traditional contributors to UN operations will offer their contingents to the UN on a variety of bases and with different goals in mind. To the extent there was ever a traditional peacekeeping fraternity, the end of the Cold War may break up that fraternity, and the motivations and aims that inspired the informal rules and conventions of traditional peacekeeping will fragment, as countries adjust their peacekeeping policies to accommodate change.\textsuperscript{19}

Consequently middle powers have lost the rationale of being directly involved in securing international peace and security. Middle powers recognised that with major power participation in peace-keeping, they needed to redefine their own role and significance to the international community. This they felt could be achieved with the creation a permanent peace-keeping force.

**MIDDLE POWERS AND THE CALL FOR A STANDING FORCE**

Canada was one of the middle powers heavily promoted the concept of a permanent force.\textsuperscript{20} It gained momentum during the early 1990s as a reaction to the increasing

\textsuperscript{18}Sens, 56.

\textsuperscript{19}Sens, 120.

\textsuperscript{20}See *Towards the Rapid Reaction Capability of the United Nations*. 
involvement of the major powers in peacekeeping. Middle powers, which had traditionally responded to the call for troops by the UN, felt that amongst themselves they could easily bring together enough troops to create a standing force. They did not anticipate the degree of opposition to the idea by other UN members. As a result, despite a concerted effort, middle powers were unsuccessful in persuading UN members to sanction the creation of such a force. The idea of a permanent force was overridden by the more politically acceptable idea of a High Readiness Brigade.

In summary, the idea for a standing UN force was raised by the middle powers as a reaction to their declining role in peace-keeping. Peacekeeping represented the only activity through which middle powers could play an active role in maintaining international peace and security. Outside of peace-keeping, international peace and security is primarily the responsibility of the Security Council and mainly the Permanent Members. The collapse of the Soviet Union generated increased cooperation between the major powers and thus eroded the role of the middle powers. The creation of a standing UN force was an attempt by the middle powers to contain that erosion.

**The Banning of Landmines as a Successful International Role for a Middle Power**

The inability of the middle powers to contain the erosion of their position with the UN through the creation of a standing UN force meant that another alternative needed exploring. Canada made a successful choice of seeking support for the creation of a treaty to ban antipersonnel mines (hereafter referred to as landmines) as an issue to strengthen its position in the international arena. It was not a universal success, as not all nations
endorsed the proposal, but it met with far greater support than the attempt to create a standing UN force. What made the ban on landmines more acceptable than the attempt to create a standing UN Force?

Landmines are unique weapons in the arsenal of both regular armies and guerrilla, in that they are extremely effective and inexpensive. They are however indiscriminate in the harm they cause and are effective long after their initial reason for use has passed:

Unlike a bomb or an artillery shell which explodes when it approaches or hits its target, a landmine lies dormant until a person, vehicle, or animal triggers its firing mechanism. Landmines are blind weapons that cannot distinguish between a footfall of a soldier and that of an old woman gathering wood. They recognise no cease-fire and, long after the fighting has stopped, they can maim or kill the children and grandchildren of the soldiers who laid them.

Support for a ban on landmines was easy to acquire as few nations could fail to acknowledge that the victims of landmines are more often civilian and largely children. In addition, existing landmine fields have resulted in the dislocation of thousands of people increasing the number of refugees and displaced persons worldwide:

The presence of vast numbers of live mines also renders large areas of land inaccessible, prevents refugees and displaced people from returning home, precludes farmers and shepherds from working their fields, hampers humanitarian aid, and hinders development and rebuilding following the

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Landmines are a threat to the developing world more than the developed. They are located in areas used largely by the rural poor who live off the land as farmers and they do not have the ability to seek other forms of livelihood, nor do they have the technology to remove the mines. They also do not have adequate resources to deal with the after affects of mine explosions:

The countries most contaminated by landmines are in the developing world and lack sufficient resources to respond adequately to the medical, social, economic, and environmental problems caused by mines. These countries are inhabited mainly by rural agricultural and pastoral populations who depend on working the land to survive. The danger posed by live mines often makes such forms of subsistence impossible. Thus even able-bodied individuals can be deprived of their livelihoods by the presence of landmines.

Landmines, as weapons which needed to be regulated if not banned, did not receive adequate attention largely because their victims did not appear important enough to warrant action. Increased recognition of the dangers of intra-state war and the increased use of landmines by warring factions brought the consequences of their use to the forefront of international news. By the early 1990s the widespread use of landmines and the damage they caused stirred debate in the international community.

The United States took the first step towards banning landmines. In October 1992,

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24 Although it has been noted that as recently as 1977 30-40 people died annually in Poland as a result of stepping on landmines laid during World War II. Landmines: A Deadly Legacy., 5.

25 Landmines: A Deadly Legacy., 118.
the US imposed a “. . . year-long ban on the sale, export, and transfer abroad of landmines.”26 Two years later, US President Bill Clinton called “. . . for the elimination of anti-personnel landmines. . . .”27 Ironically, once it came time to sign “The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on their Destruction,”28 the US demurred.29

US opposition to the Convention was based on the projected needs to protect its interests in Korea. On September 17, 1997, US President Bill Clinton “. . . announced that by 2003 we will no longer use anti-personnel landmines outside Korea, and, within Korea, our objective is to have alternatives to anti-personnel landmines ready by 2006.”30 In asserting that the US troops in Korea will be protected by landmines until 2006, the US cannot sign the Convention. To do so would violate Article 1.1 in which “[e]ach State Party undertakes never under any circumstances . . . to use anti-personnel mines.”31 In addition, Article 4 calls for the destruction of existing stockpiles held by signatories within

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26 Landmines: A Deadly Legacy, 320.


28 Subsequently referred to as the Convention.


International regulation of landmines, prior to the Convention, was under the 1980 Convention on Certain Conventional Weapons (CCW) concerned with weapons systems which "... cause harm disproportionate to their military utility, and which inflict that harm significantly on humans." The review conference, in May 1996, for the CCW failed to secure a ban on landmines, prompting Ottawa to take the initiative to ban landmines. A small number of other states also recognised that the CCW review process did not adequately deal with landmines and a meeting was held in conjunction with the International Committee of the Red Cross (ICRC) and the International Campaign to Ban Landmines (ICBL) to further examine the problem of landmines. The meeting determined that the only solution to the problem of landmines was a total ban on their production, sale and use.

Canada hosted a Conference in Ottawa in October 1996 which discussed methods to implement the ban. Representatives from 74 states and numerous non-governmental organisations participated in the conference Towards a Global Ban on Antipersonnel

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32 Convention on the Prohibition.....

33 The full title is The Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed To Be Excessively Injurious or to Have Indiscriminate Effects.


Mines. It was at this conference that the Canadian Foreign Affairs Minister Lloyd Axworthy launched his worldwide campaign to complete a ban on landmines by December 1997. In response to this challenge, a series of conferences were held in various locations around the world to develop the Convention. The Oslo Conference in September 1997 was where delegates discussed the draft treaty in order to prepare it for signing in December. The Conference for the Convention on the Prohibition of the Use, Production, Transfer and Stockpiling of Anti-Personnel Mines and Their Destruction and Mine Action Forum was held in Ottawa between the 2 and 4 of December 1997. By the end of the Conference, 123 states had signed the Convention. The events and actions which resulted in the Convention has been referred to as the Ottawa Process. This was a “...‘fast track’


Signatories to the convention are: Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Benin, Bolivia, Bosnia Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, Columbia, Cook Islands, Costa Rica, Côte d’Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Ethiopia, Fiji, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Jamaica, Japan, Lesotho, Kenya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Niue, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saint Kitts and Nevis, Samoa, San Marino, Senegal, Seychelles, Slovak Republic, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Suriname, Swaziland, Sweden, Switzerland, United Republic of Tanzania, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Kingdom, Uruguay, Vanuatu, Venezuela, Yemen, Zambia and Zimbabwe. Ottawa Landmines Convention: Treaty Signing Conference and Mine Action Forum.” Disarmament Diplomacy. Issue 21. http://www.gn.apc.org/acronym/21ott.html, June 3, 1998, 11:00pm, 1.
diplomatic process aimed at negotiating and signing a binding international convention banning the use, production, transfer and stockpiling of antipersonnel (AP) mines by December 1997. The Ottawa process was endorsed by the UN General Assembly, in December, when it unanimously passed resolution 51/45S which called for states "... to pursue vigorously an effective, legally binding international agreement to ban the use, stockpiling, production and transfer of antipersonnel mines...." The Ottawa Process represented a unique method of creating an international treaty as it involved not only states but also non-governmental organizations. One author, however argues that the role of NGO’s was not instrumental in the Ottawa process and suggests that an inclination to ban landmines was already present:

The Convention is a much stronger treaty than that which emerged from the CCW review conferences. However, that does not automatically imply that the Ottawa Process as it occurred was the only, or best, means to achieve such a treaty. Initial meetings of the core group of States involved in organising the Process - although held at the behest of certain NGOs - did not include the ICBL, suggesting that the political will for such a treaty may have existed independently of the direct participation of NGOs at the diplomatic level.

Given the speed with which the Treaty was developed and the number of states which signed it, this suggestion has merit. Recent research has demonstrated that the devastation

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wreaked by landmines after a conflict has ended far exceeds the gains made by their use:

...the International Committee of the Red Cross commissioned a study on the military use and effectiveness of anti-personnel mines. It was written by retired Brigadier Patrick Blagden of Great Britain, and endorsed by 52 active and retired military officers from 19 countries representing every continent. After examining 55 years of traditional and counter-insurgency conflicts, the study concludes that in no case did the use of anti-personnel mines play a major role in determining the outcome of a conflict.\footnote{Safe Lane: Frequently Asked Questions: The Ottawa Process., 8-9.}

This type of realisation on the destructiveness of landmines has allowed the Convention to become a reality.

**MIDDLE POWER POLICIES NEED CLEAR SUPPORT TO SUCCEED**

There cannot be a true comparison between the proposal for a standing UN force and the treaty to ban landmines as they are not the same type of issue. The only similarity between them is that they are both middle power initiatives.

The creation of a standing UN force through precedent or through Article 43 would result in significant changes to the status quo. A permanent UN force requires major policy changes from both participants and non-participants. For those who have agreed to participate, the UN would theoretically take control of a nation's forces in order to use them in peace-keeping missions. Ideally the UN could request immediate action leaving Members little leeway to demur. Although the UN would not requisition the entire national armed forces of any nation, it will cause uncertainty among Members about their ability to control their own resources. This would be a significant departure from current peace-keeping practice. Participation in peace-keeping would no longer be voluntary, it would be obligatory.
Non-participants would be obliged to accept peace-keepers on their territory from nations they would not under normal circumstances accept. This is another departure from accepted practice. It violates the right of nations accepting peace-keepers to refuse forces from nations they do not approve. Peace-keeping becomes an enforcement action. Nations accepting peace-keeping forces need to feel they have a right to determine who comprises the force.

Once the UN decides to accept the concept of a standing peace-keeping force, all states will face the prospect of forced participation or acceptance of the force on their territory. It will be a permanent (unless at a later time the UN decides to permanently disband the force), long lasting and perpetually intrusive in a nation’s foreign policy. There will be the constant threat of the UN intruding into the state’s ability to direct its own foreign policy as its military is commandeered into action by the UN. The financial outlay to sustain the force will forever be an ongoing concern. Although nations have always been held responsible for all peace-keeping costs these will most probably rise with the creation of a permanent force. To agree to create a permanent peace-keeping force is to agree to create a technically living and breathing entity which will force a major change in the ability of nations to direct their own foreign policy, immediately and at all points in the future.

In general, a ban on the use, manufacture, sale \textit{inter alia} of landmines does not have implications which directly impinge on what many see as the sovereign rights of states, that is the freedom to use their own military as they wish. Although the ban prevents states from using a particular weapon, it does not prevent them from using other acceptable
means of defence. However, some states such as the United States and Cuba do consider the ban on landmines as an infringement on the rights of these states to defend themselves.⁴²

Once a state decides to participate in the ban on landmines, a change is made in policy not to use or manufacture landmines and to destroy existing stockpiles. It is a transitory event, which while temporarily intrusive and involving a change in policy, once undertaken will not occur again. It rapidly becomes an historical act, which while significant in itself does not intrude like the a permanent peace-keeping force could. The Convention requires a change in instruments of defence, it does not commandeer forces and theoretically affect the ability of nations to defend themselves. It is an agreement directed at guerrilla movements rather than regular armies, unlike a permanent UN force which directly affects the regular armies of Members. The Convention was not created within the UN although it has the support of the UN. The permanent force, once created, would become an arm of the UN. See Table 1 below for a comparison between the two policies.

<table>
<thead>
<tr>
<th>Standing UN Force</th>
<th>Landmines Convention</th>
</tr>
</thead>
<tbody>
<tr>
<td>Created through the UN</td>
<td>Created outside of the UN</td>
</tr>
<tr>
<td>One decision forcing multiple actions beyond the control of the Member</td>
<td>One decision resulting in multiple actions but within the control of the signatories and of limited duration.</td>
</tr>
</tbody>
</table>

Once created a state is faced with the prospect of frequently being forced into participation or to accept its activation

Once accepted and provisions are dealt with no further involvement is necessary

Results in a permanent long lasting change which could be perpetually intrusive

Transitory event which is temporarily intrusive as it results in a change in policy

Final outcome a permanent force

Final outcome a realized agreement recorded on paper

Major change in a nation’s policy

Minor change in a nation’s policy

Will result in financial outlay even if a Member does not endorse the concept

Financially it will not directly affect non-parties (although may affect their ability to acquire and sell landmines). Financial burden on signatories is limited to the destruction of existing stocks and voluntary donations to a fund for mine removal.

Theoretically results in a major change in a state’s ability to defend itself

May require a change in a state’s style of defense

Directly affects regular armies

Largely Affects guerrilla forces

One of the most significant differences between the ban on landmines and the creation of a permanent UN force is the target of the ban. In most cases landmines are used in intra-state conflict. The Arms Project work called Landmines: A Deadly Legacy, examined seven regions which face serious problems as a result of being heavily mined. These regions are in Angola, Cambodia, El Salvador, Iraqi Kurdistan Mozambique, Nicaragua and Northern Somali. From their analysis the Arms Project determined that:

The forces fighting in the seven [regions]... have all employed landmine use that violate both the international Landmines Protocol and customary

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Exceptions include the interstate conflicts between India and Pakistan and North and South Korea and the Persian Gulf.
international law; most parties have used landmines deliberately against civilians, all have engaged in indiscriminate use in which the potential for severe harm to civilians was ignored, and few have ever taken precautions that could protect civilians. None of the seven ... [regions are] party to the Landmines Protocol; in any case, the wars are internal, and, therefore, not subject to the terms of the Protocol. However, all parties are bound by customary international law which unequivocally prohibits these practices.44

Thus the decision to ban landmines is directed not only at states, but also at preventing factions in intra-state conflict from using them. This is the main reason why the Ottawa Process was successful in obtaining a ban on landmines. It was not because Canada displayed an exceptional ability to convince the rest of the world to act, but rather the issue itself was one quite acceptable to most states and thus easily gained support. It did not create a permanent entity which would constantly threaten a Member’s ability to direct its own armed forces.

CANADA AND SOFT POWER

In the aftermath of the success of the Ottawa process, Lloyd Axworthy, Canadian Minister of Foreign Affairs, outlined Canada’s strategy for international relations. He referred to it as “Soft Power:” “... a coalition of the willing, including governments and civil society as equal partners united around a core set of principles.”45 This shift moves discussion on security issues away from disarmament and towards a humanitarian perspective. Thus security refers to human security. Soft power changed the emphasis on the landmines debate from a form of weaponry to a type of human suffering:

44Landmines: A Deadly Legacy., 142.

Banning landmines could no longer be seen primarily as a question of disarmament, where the focus was on the weapon itself. Instead, we began to see this as a question of humanitarian law, which takes account of civilians and the horrible impact that these weapons have on their lives. Humanitarian law put a human face on the landmines crisis.  

Having secured international support for the ban on landmines, enhanced Canada's place in the international arena. However, it has not been extensively tested as a viable strategy. As mentioned previously, the consensus achieved for the landmines treaty was evident long before the process of consolidating it formally began.

**CONCLUSION**

Middle powers occupy a unique position in the international community. The inability to influence directly other states through gentle persuasion makes their participation in solving international conflict extremely desirable. Moreover, their involvement in the international arena is given credibility because their ambitions are not directed towards controlling others.

The post Cold War world, however, has shaken middle powers from their secure position as mediators. Their resources are deemed not large or forceful enough and great powers have increasingly become more of an essential feature in peace-keeping than the middle powers. The loss of a secure and significant role for middle powers prompted their initiative for a standing UN force. The world community did not support the idea and instead preferred the creation of a High Readiness Brigade.

The call for a standing UN army and the landmine treaty represents two sides of a

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46Notes for an Address By the Honourable Lloyd Axworthy Minister of Foreign Affairs to the United Nations Commission on Human Rights, 3.
middle power policy aim. Both were extremely ambitious, but only one was successful. In choosing policy areas to present as global issues, middle powers must pick those likely to offend the least number states. In other words, a successful middle power policy initiative must be seen to be a winnable concept even before it is presented.
That venerable, often poetic charter of 1945 wasn’t, frankly, designed for this . . . . It was designed for relations among states and was based on the fundamental overarching principle of state sovereignty.

In a world where more conflicts take place within nations than between them . . . . the UN needs more powers to act when millions of people are being killed in civil conflict.¹

Chapter 7 Conclusion

Peace-keeping is an integral feature of UN activity yet it is not enshrined in the UN Charter. It is invoked to solve international conflicts when other methods are unsuitable. Over time, peace-keeping has changed to suit the needs of specific situations thus making a large portion of the literature on peace-keeping out of date. The most significant change was the end of the Cold War.

Cold War peace-keeping was concerned with separating belligerents in international conflicts after peace had been established; post Cold War peace-keeping has been preoccupied with securing peace where none exists and rebuilding nations. The various types of literature on peace-keeping, are coloured by their sponsor’s aims and objectives. The level of objectivity depends on who or what sponsored the study; some sources are more impartial than others.

Literature on peace-keeping falls into three main types; historical, explanatory, and prescriptive. Historical analysis tends to be the dominant form and it is often incorporated into the two other types. Thus, the three types of analysis are not mutually exclusive.

Historical analysis examines previous missions regardless of effectiveness; therefore it is limited to a chronological account of peace-keeping missions. It only makes comparisons between missions and offers little guidance for improving them. Some studies focus on a single mission and do not provide a comparative study.

Explanatory studies seek to explain why some missions have been more effective than others through comparing selective operations. In the last five years this type of analysis has been more widely undertaken as UN Members question the creation of new missions when previous operations have been unsuccessful. Prescriptive studies compare aspects of peace-keeping to find common ground. Normally they are issue specific and examine topics such as financing, improving peace-keeping, defining peace-keeping, the use of force by peace-keepers, peace-enforcement, humanitarian crises and the creation of a permanent force.

Prescriptive analysis proposed the creation of a standing UN force to make peace-keeping more effective. If the UN had a standing force, it could react faster to international crises by reducing the time lag between authorization and deployment of peace-keepers. A permanent force is also seen as a potential deterrent which would reduce the recurrence of conflicts. In reality, however, this would not be the case, as such thinking incorrectly assumes that concerns such as command and control, logistics and financing can be answered without considering the independent views of the 185 Members of the United Nations. Although the force’s legal basis can be established under Article 43, its largest

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hurdle is the lack of political will supporting the idea. Thus while a standing UN force is logistically and legally possible, it does not have political support.

Why then, was the concept of a standing force introduced? It was an unsuccessful attempt by middle powers to secure a significant role within the UN in the maintenance of international peace and security. The proponents failed to make the connection between the role of political will and the speed of deployment. Specifically, the ability of the UN to act is directly proportional to the political will of the Members to allow it to act. Thus the two goals of the standing force - a faster reaction to international crises and an elevation of the role of middle powers within the UN - was thwarted by a lack of political will by the other Members of the UN. While they concurred with the objectives of the middle powers, they were unwilling to contribute to their achievement as long as doing so involved sacrifices they were not willing to make.

THE UN CHARTER AND PEACE-KEEPING

Peace-keeping, as Chapter two outlined, filled in the vacuum left by the inability of the UN to develop a collective security mechanism. It arose out of the first emergency special session, convened under the Uniting for Peace Resolution, to deal with the Suez Crisis. The mandate of UNEF was adjusted to fit the needs of the situation and peace-keeping to this day continues to change in an attempt to reflect the needs of each mission. Traditional peace-keeping adhered to certain parameters and expectations including impartiality, voluntary participation and consent of the receiving state.

Post Cold War peace-keeping, largely deployed to contain intra-state conflict, faced a different type of situation requiring different approaches. During the Cold War major
powers protected their interests and kept hostilities out of the UN. The end of the Cold War meant major powers no longer felt the need to protect these special interests and the UN was called upon to act. The Cambodian situation is an example of a dispute which simmered during the Cold War and whose solution was not attempted until after it ended.

Post Cold War conflicts necessitated a major transformation in peace-keeping. Under traditional peace-keeping, missions were deployed to ensure that an established peace was maintained. Post Cold War peace-keeping, as the discussion in chapter three demonstrated, involved distributing humanitarian aid, instituting democracy, monitoring elections, and infrastructure repair. An even larger change was evident in the situations on the ground which faced peace-keepers on their arrival. In none of the situations discussed had peace been established prior to deployment. All of the missions were faced with problem of securing peace. In Cambodia, not all of the factions agreed to cooperate with UNTAC. Both UNOSOM missions left Somalia unable to secure peace in the country, and in Haiti, the UN mission faced opposition even before it could land and was suspended.

The second significant change in peace-keeping after the Cold War is the degree to which the conflicts affect the civilian population. Traditional peace-keepers were largely involved in interstate military conflict. Post Cold War peace-keeping involves conflicts within states and between factions. Threats to the peace are defined by the degree to which the conflict spills over a state’s border and is evident in the number of refugees and displaced persons fleeing an area. A large portion of UNTAC’s responsibilities in Cambodia were directed to repatriating refugees. The distribution of aid in Somalia was an attempt to offset the effects of famine and civil war. In Haiti, some of the UNMIH
responsibilities included delivery of humanitarian aid and infrastructure repair in order to improve living conditions and stabilize the region.

The post Cold War environment has led to significant changes in the types of conflicts which receive assistance from the UN. Hesitation and slow responses resulted in some UN Members proposing the development of rapid reaction capabilities for peacekeeping. The current process of mounting a mission after a crisis had begun was seen to cause unnecessary suffering. It was argued that a UN standing force would be capable of acting quickly thus reducing the time lag between authorization and deployment. In some cases proponents argued that the mere presence of a standing UN force would be a deterrent. Finally, members of a standing force would train together, using UN owned equipment, thus making the force much more efficient and coordinated.

There are few legal impediments to the creation of a standing UN force. Article 43 provides for the creation of a force to be directed by the Security Council for enforcement action. This provision could, some individuals have argued, serve as a legal basis for a standing UN force. As an alternative, however, precedence would create a better, more versatile, force. Peace-keeping developed through precedence and now is an established and significant aspect of UN activity. Experience in peace-keeping would give the UN greater flexibility in determining the scope of the standing force. Its operational control would not be restricted to the Security Council as a force created under Article 43 would be. More importantly, creation of the force outside of the Charter and Article 43 would keep clear the distinction between peace-keeping and enforcement action. Finally, the argument goes, the rudiments of a standby force is already in place in the form of
SHIRBRIG as outlined in Chapter 4.

**RAPID DEPLOYMENT CAPABILITIES**

The elements of rapid deployment developed as a reaction to the need for it. Hesitation in the dispatch of peace-keepers resulted in increased levels of violence and extensive civilian losses. Nowhere was this more evident than in the situation in Rwanda. Middle powers spearheaded the debate for the creation of a standing UN force, but it was realised that there was not enough support for the concept within the UN. Instead a piecemeal approach has been developed in an attempt to increase the speed of deployment and assist in the development and establishment of both the ongoing and any new missions.

The standby-arrangements initiative was developed to create a database of potential resources available for peace-keeping. Chapter four outlined the series of refinements made to the database since it inception. Two problems have slowed its development. One of the hurdles is persuading the participants that their contribution is potential, not finite. States which contribute to the database will retain control of their forces and have the final say as to whether they will participate in any mission. The second problem is the slow response by the Members. The Secretariat has on many occasions called for a faster response but the bulk of resources have not been made available before 60 days. Eroding the ability of Members to debate the merits of participation at the national level through a database of unconditional resources would significantly decrease the response time, but it would be tantamount to creating a standing force. This is something Members will not agree to do.

The Mission Planning Service has been created to assist in the planning of both new
and existing missions. While it is a useful addition to the rapid deployment capabilities, it still hinges on the ability of Members to release the required resources in a timely fashion. It is expected to anticipate a crisis and initiate planning in advance of the Security Council's final authorization. It can, however, only be a successful addition to the peace-keeping process if the Security Council decides to act. With the situation in Rwanda, all the preplanning in the world would not have prevented the slaughter that occurred because the UN watched rather than acted. It was not a lack of planning which prevented the UN from dispatching a peace-keeping mission to Rwanda, but a lack of a will to act. It was the lack of a timely decision to deploy a force and the failure to release adequate resources. Similarly, the Rapidly Deployable Mission Headquarters can only help in the peace-keeping process once decision to act is made. Such a decision would lead to an agreed upon mission with secured resources. True rapid deployment, however will come from the swift decision to act, the speedy release of resources and good planning.

The last rapid deployment mechanism as discussed in chapter four is SHIRBRIG, the United Nations High Readiness Brigade. Theoretically the Brigade aims to respond to a need for a peace-keeping mission within fifteen to thirty days. The concept is a step forward toward rapid deployment in that personnel of the Brigade will train together prior to deployment; however, it is still a database of resources. The response times are much faster and the coordinating aspects of the Brigade actually stand at the ready even if the actual troops are not in a central location. It is still, however, dependent on the willingness of its members.

In spite of all the rhetoric, there is little to differentiate SHIRBRIG from the earlier
aspects of rapid deployment. Both the UN and SHIRBRIG offer standard training manuals while leaving the actual training to each contributor. The Rapidly Deployable Mission Headquarters and Mission Planning Service are related to the Planning Element of SHIRBRIG. Another similar feature to the previous mechanisms is that no participant is bound to contribute, thus participants are given the opportunity to pull out if they so wish. Ironically, the same factor which hinders rapid deployments within the UN generally is still likely to affect SHIRBRIG. The main difference between previous measures and SHIRBRIG is the response times. Although SHIRBRIG's response times are shorter leaving a smaller window in which to decide to act, a decision still needs to be made. The true test of all the aspects of rapid deployment however lies in their application, and in the case of SHIRBRIG this has yet to be tested.

**Support for the Rapid Reaction Capabilities**

Support for the different mechanisms for rapid deployment varies. Simplistically true support for the rapid deployment mechanisms is demonstrated in actions not in statements of potential. In the case of the Standby Arrangements initiative discussed in chapter five, the varying levels of participation and conditionally pledged resources bear no relation to actual number of resources which would be available if requested. Although the standby initiative worked for some situations such as Haiti, Angola and the former Yugoslavia, it failed to provide a force when one was necessary in Rwanda. A conditional pledge of resources does not mean they are guaranteed. If a potential peace-keeping contributor does not wish to be involved, its resources will not be made available. In the case of the Rwandan situation, the Secretariat went through the entire list of potential
contributors and found that no state was willing to participate. The Standby Arrangements Initiative is a list of response times for a variety of different resources which may or may not be available. This means the UN is still unable to determine which resources will actually available in advance. True rapid deployment remains dependent on the political will of states to unconditionally supply the UN with peace-keeping resources.

The Mission Planning Service does not depend directly on Member support in order to be effective. As stated in chapter five, a lack of Member support in the long run could result in the closure of the Service, but this does not appear likely at this time. More importantly, the effectiveness of the Mission Planning Service hinges on the release of resources both through its own funding and in response to a call for peace-keepers.

The Rapidly Deployable Mission Headquarters has suffered extensively from a lack of support as was documented in chapter five. While Members wholeheartedly endorsed the concept, they were not willing to set aside political considerations and see that the proper funding for the Headquarters was secured. Unlike the Mission Planning Service which was made a sub-department within the DPKO, the Rapidly Deployable Mission Headquarters was a new entity requiring its own staff. The decision to use gratis personnel until a trust fund could ensure enough resources to hire staff brought politics into play. While no state will openly admit to it, it is always preferable to have one's own nationals working within the UN than it is to supply funds to hire someone else's. Consequently any state capable of loaning staff will make that choice as opposed to donating funds. Under these conditions, the trust fund was doomed to failure and would never reach the point of adequacy. Although yet to be endorsed as a proposal, the suggestion from Pakistan to
incorporate the Headquarters within an existing department appears to be the best method to secure the Headquarters viability.

SHIRBRIG presents several problems from the support perspective. While overall the concept has had a warm reception, several potential problems may arise from the perception of some Members of the UN that the Brigade is exclusionary. To be an effective alternative or an addition to current methods of creating a peace-keeping force, SHIRBRIG needs to be widely accepted. As it currently stands, there is a small but vocal component of the UN, including Thailand and Pakistan, which objects to SHIRBRIG. It can be assumed that they will probably not accept a deployment of SHIRBRIG if an alternative is available. Consequently, any gains made by SHIRBRIG’s ability to deploy rapidly will be offset by the force’s inability to land in the designated area. What use, then, is rapid deployment if it cannot reach its field of operation? Politics once again rears its ugly head as those objecting to the creation of SHIRBRIG do so because they see it as exclusive. Nonetheless, while the method of its formation may have been exclusive, SHIRBRIG has maintained that it is open to all who wish to participate.

**PRACTICAL REALITIES OF MOVING TOWARD A PERMANENT FORCE**

Until a UN decision to be involved in a peace-keeping operation can be made without consulting national governments, there is little hope for current developments moving any further. Members of the UN are not likely to cede to the organization control of their armed forces. The rationale for the decision each state makes before releasing troops to the UN are varied and each state requires time to debate the merits of participation. While a large number of the middle powers were comfortable with minimal
response times, other members are not. Middle powers underestimated the degree to which political considerations constrained the UN and conditioned its reactions to crises. Although financing and political will were considered separate stumbling blocks to the creation of standing force in chapter five, political will is certainly the larger problem. The right amount of political will could ensure that appropriate funds are released at the proper time. Unfortunately, weak political will, or lack thereof, which currently slows the deployment of peace-keepers, also prevents the middle powers from achieving their goal of a standing UN force.

**Political Will and the Landmines Convention**

The landmines Convention which enthusiastically gained the support of a large majority of UN members reflects how the presence of political will facilitates international cooperation. Even the US, which did not sign the Convention, openly stated its intention to ultimately do so by 2006. It was a different kind of middle power policy than the proposal for a standing force and affected a different aspect of the domestic policies of the Members of the UN. Failure of the Convention on Certain Conventional Weapons (CCW) review conference to secure a ban on landmines meant that taking the issue away from the CCW was a more effective method of securing a ban. As a result landmines were not linked with a number of related issues in the CCW and not lost among other issues deemed more vital.

The outcry which prompted middle powers to call for a standing UN force also inspired the drive for a ban on landmines. Landmines which targeted civilians in intrastate conflicts represented a different perspective in the middle powers aim to reduce the
Chapter 7

suffering inflicted on non-combatants in civil wars. The Convention's success lay in that its targets were in most cases not states but factions in civil wars. These are groups which have no standing in the international community and were given no vehicle for voicing their claims. Consequently they had no means to affect the outcome of the Convention. Ergo, the targets of the landmines Convention would be seriously affected by its provisions, but unable to prevent its completion.

Not to belittle the Canadian initiative in achieving the Convention, it represented a formal acknowledgement of a set of priorities which many Member states had already begun to realise. It was not a serious move away from accepted norms of international relations. It did not involve major undertakings by the signatories, nor did it expect them to do anything which they were not already either pursuing or considering to pursue. A standing UN force, in contrast, would directly impinge on the ability of UN Members to direct their own military forces. It would mean no state would have a clear hold on its own forces, and states accepting peace-keeping forces would receive troops they may not wish on their territory. The ban on landmines does not oblige states to accept foreign soldiers on their soil as in the case with peace-keepers. The ban also does not force states to accept foreign leadership of their military, something which the US has made very clear it will not endorse.

EPILOGUE

Canada's success in promoting the Landmines Convention does not present middle powers with a viable formula for securing a prominent role in the realm of international peace and security. It was not the effectiveness of the process which secured the
Convention, nor was it truly a desire to end suffering by those caught in the crossfire of civil wars. It was the promotion of a politically correct idea, which did not require states to dramatically alter their policies, nor did it appear to impinge on their national sovereignty. The effort was reinforced by a large number of NGOs which could put pressure on their governments to warm to the concept. It was a topic to which few states could realistically object. It became a *fait accompli*.

A standing force is a different story. The concept, unlike a landmines convention, does not have widespread support. Middle powers have, nonetheless, succeeded in provoking discussion within the UN of the deployment problems which have plagued peace-keeping efforts. These discussions have resulted in the creation of rapid reaction capabilities. Even though the development of the Standby Arrangements Initiative, the Mission Planning Service, the Rapidly Deployable Mission Headquarters and SHIRBRIG have not solved all the deployment problems, the UN is now somewhat better equipped to deploy peace-keeping missions than it was a few years ago.
APPENDIX 1

**General Assembly Emergency Special Sessions**

Under the "Uniting for Peace" resolution adopted by the General Assembly in 1950, an "emergency special session" can be convened within 24 hours. Nine such sessions have been convened.¹

<table>
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<tr>
<th>Emergency Special Session</th>
<th>Topic</th>
<th>Date of Session</th>
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<tr>
<td>1st</td>
<td>Middle East</td>
<td>1-10 November 1956</td>
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<td>Hungary</td>
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<td>17 June-18 Sept. 1967</td>
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<td>Palestine</td>
<td>22-29 July 1980</td>
<td>Senegal (Chairman, Palestinian Rights Committee)</td>
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<td>Occupied Arab Territories</td>
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<td>10th</td>
<td>Occupied East Jerusalem and the rest of the Occupied Palestine Territory</td>
<td>24-25 April 1997</td>
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## APPENDIX 2

**Contributions to the UN Standby Arrangements System as of December, 1 1998**

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<tr>
<th>Contributing United Nations Member</th>
<th>Expressed Willingness to Participate</th>
<th>Provided Lists of Capabilities</th>
<th>Provided Planning Data</th>
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Source:
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